



Village Planning Committee Meeting Summary Z-27-19-8

Date of VPC Meeting	September 9, 2019
Request	A request to rezone 163.82 acres located at the southwest corner of 55th Avenue and Dobbins Road from S-1, approved RE-35 PCD (Ranch or Farm Residence, approved Single-Family Residence District, Planned Community District); S-1, approved R1-10 PCD (Ranch or Farm Residence, approved Single-Family Residence District, Planned Community District); S-1, approved R1-8 PCD (Ranch or Farm Residence, approved Single-Family Residence District, Planned Community District); and S-1, approved R-3 PCD (Ranch or Farm Residence, approved Multifamily Residence District, Planned Community District) to R1-8 (Single-Family Residence District) to allow for a single-family residential subdivision.
Zoning/ Proposed Use	R1-8
Location	Southwest corner of 55th Avenue and Dobbins Road
VPC Recommendation	Approval with modifications and additional stipulations
VPC Vote	10-0

DISCUSSION & RECOMMENDED STIPULATIONS:

Four public comment cards were submitted for these items. One card was submitted in favor and wishing to speak. Two cards were submitted in opposition with one requesting to speak, the other, Judy Brown, did not wish to speak. One card was received and wishing to speak but without a position indicated.

Mr. Nick Klimek, staff, provided an overview of the case. The case was approved by the committee at the July meeting per the staff recommendation with modifications and additions. The applicant has modified their site plans and requested the Planning Commission remand the case back to the committee for further consideration of the open space stipulation.

The updated plans reflect the committee's desire for no 45 foot wide lots. The applicant

is requesting the committee consider reducing the open space stipulation approved at the July meeting from 18 percent to 15 percent, consistent with staff's original recommendation.

He explained that open space is calculated exclusive of landscape setbacks including those required by code and those required by stipulation; the plans provided to the committee in July did not include an updated calculation to subtract the enhanced perimeter landscape setbacks proposed in the staff recommendation.

The updated plans impact the proposed recommendation in three ways:

- An updated unit cap to reduce the number of lots permitted from 627 to 610. Stipulation No. 1.
- An updated park master plan for general conformance regarding evenly dispersed amenity areas. Stipulation No. 6.
- If modified per the applicant's request, Stipulation No. 5 would be modified from 18% to 15% open space.

Mr. Andy Baron, applicant, provided an overview of the case and outlined the efforts taken to include the stipulations requested by the committee. The site has been redesigned to replace 45 foot wide lots with 50 foot wide lots which reduced the total number of units from 627 to 610. The process has included a robust engagement process with outreach and agreement with the rural residents east of 55th Avenue. The design respects the rural character of Dobbins Road, the original intent of the Laveen Town Center PCD, and the character of Laveen through perimeter height restrictions. Mr. Baron respectfully requested the committee consider reducing the open space requirement from 18% to 15% exclusive of landscape setbacks.

Ms. Linda Abegg asked whether this request is for a redesign of the site or change in how open space is calculated. **Mr. Klimek** responded that it is an update to the calculation to reflect enhanced perimeter setbacks contained in the original stipulations. **Ms. Abegg** noted that she reviewed cases over the past 12 months and typically developers are stipulated to between 15% and 18% open space.

Discussion amongst committee members regarding the effective outreach to surrounding areas especially the rural residential areas and appreciation to the developer for redesigning the site in response to comments. Discussion included concerns regarding the additional density in Laveen, the recognition of the proximity to the freeway, the importance of Dobbins Road, and the desire for a gradual transition in density from rural to suburban.

Chair Branscomb opened the floor to comments from the public.

Ms. Cyd Manning asked why it is for R1-8 and not R1-10. She stated that approximately 57% of the total lots are still 50 feet wide which is too dense for the area south of Dobbins Road and that it will set a dangerous precedent.

Ms. Lisa Vializ stated that the appeal of Laveen is the character and the open space. She expressed concern over the lack of public process associated with the case and

that she expected a discussion regarding whether the development should be R1-8 or R1-10. Her concerns are that these are small lots, small and ugly homes, and will negatively impact traffic and property values.

Mr. Hertel stated that the development is intentionally designed to direct the majority of traffic to Elliot Road rather than Dobbins Road which is designed to be scenic and rural. He stated that he is supportive of the case if the 15% open space refers to the interior of the site.

Mr. Baron responded that the request was properly notified through the city's public notification process for the July meeting and the September meeting which included posting on the property and notifications by mail. He further noted there had been a significant amount of outreach to the rural residences on 55th Avenue that led to refinements in the plan including a character fence along the east, a multiuse trail, enhanced landscape setbacks, and voluntary height limitations along that frontage. Regarding comments concerning the proposal being too dense, he noted the proximity to the Loop 202 freeway which will change this area of Laveen and the preservation of the Laveen Town Center which is entitled for high-intensity development adjacent to the site.

Ms. Mari Flynn, applicant, thanked the committee and audience for their engagement in the process. The site plan and proposal has evolved over time in response to comments and engagement with the neighborhood and the committee.

Ms. Abegg addressed the audience and shared that following the recommendation by the committee, there will also be an opportunity to provide additional comments at the Planning Commission meeting.

MOTION

Ms. Abegg moved to recommend approval of the request per Addendum A and as modified per the request by the applicant to change the open space stipulation from 18% to 15%. **Mr. Schiller** seconded the motion.

Discussion initiated by **Ms. Stephanie Hurd** regarding concerns with the elevations with specific regard to front and side elevations. **Ms. Abegg** and other members expressed similar concerns and asked staff whether the project would return to the committee for additional review. **Mr. Klimek** stated that the project would only return to the committee if the applicant sought to modify stipulations. **Ms. Samantha Keating** stated that the committee can add a requirement that the applicant return to the committee for "review and comment" on the proposed elevations prior to the single-family design review procedure.

Ms. Abegg amended her motion to recommend approval per Addendum A as modified per the request of the applicant to change the open space stipulation from 18% to 15% and to add an additional stipulation to require the applicant to return to the committee for review and comment on the proposed elevations. **Mr. Schiller** seconded the motion.

Vote

10-0, Motion passed, with Committee Members Branscomb, Glass, Abegg, Ortega, Harlin, Hurd, Mockus, Rouse, Schiller, and Estela in favor.

VPC RECOMMENDATION & STIPULATIONS:

1. The development shall not exceed ~~628~~ **610** dwelling units.
2. North of Olney Avenue, the development shall be limited as follows and as approved by the Planning and Development Department:
 - a. Within 200 feet of the east property line, building height shall be limited to one story and 20 feet.
 - b. Within 200 feet of the east property line, the minimum perimeter building setback shall be 70 feet.
3. There shall be no lots less than 55 feet wide north of Olney Avenue AND NO LOTS LESS THAN 50 FEET WIDE SOUTH OF OLNEY.
4. There shall be neighborhood entry features provided at the southeast and southwest corner of 57th Avenue and Dobbins Road and the southeast corner of 59th Avenue and Olney Avenue. Features shall include a minimum of 250 square feet of enhanced landscaping, planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.
5. A minimum of ~~45 percent~~ ~~48 PERCENT~~ **15 PERCENT** of the gross project shall be retained as open space, exclusive of landscape setbacks, as approved by the Planning and Development Department.
6. There shall be a minimum of 5 evenly dispersed amenity areas situated in the common open space areas with the programming of amenity features being in general conformance with the Estrella Crossing Parks Master Plan date stamped ~~May 10, 2019~~ **AUGUST 16, 2019**, as approved by the Planning and Development Department.

7. The developer shall provide a system of linear open spaces through the interior of the site of no less than 30 feet in width. The linear open spaces shall contain pedestrian thoroughfares of no less than 5 feet in width constructed of a concrete surface. The following shall be provided at a minimum and be aligned to connect amenity areas, provide pedestrian access to off-site amenities such as bus stops, schools, commercial, and recreational nodes, as approved by the Planning and Development Department:
 - a. A north-south connection aligned at the south with the pedestrian access in the Legacy at Hudson Development (Z-49-17) and extending to Dobbins Road on the north.
 - b. A north-south connection through the portion of the site located south of Olney Avenue, west of the 57th Avenue Alignment, and east of 59th Avenue.
 - c. An east-west connection from 59th Avenue to 55th Avenue south of Olney Avenue.
8. Pedestrian thoroughfares shall reflect a common landscaping theme and include a minimum of 2-inch caliper shade trees placed 30 feet on center, exclusive of driveway/roadway crossings, or in equivalent groupings on both sides of the pedestrian thoroughfares, as approved by the Planning and Development Department.
9. All sidewalks along 55th Avenue, 57th Avenue, 59th Avenue, and Olney Avenue shall be detached, landscaped, and developed in conformance with the approved cross sections from the Street Classification Map, and as approved by the Planning and Development Department.
10. All other sidewalks shall be detached with a minimum ~~5-foot-wide~~ 3.5-FOOT-WIDE landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along ~~both sides of~~ THE RESIDENTIAL SIDE OF THE SIDEWALK, as approved by the Planning and Development Department.
11. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Olney Avenue. The developer shall construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
12. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 55th Avenue. The developer shall construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

13. The developer shall dedicate a 20-foot-wide shared-use pathway easement (SUPE) along the east side of 59th Avenue. The developer shall construct a 10-foot-wide shared-use pathway (SUP) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement.
14. A minimum landscape setback of 30 feet shall be provided along 55th Avenue north of Olney Avenue and a minimum landscape setback of 30 feet shall be provided south of Olney Avenue, as approved by the Planning and Development Department.
15. A minimum 40-foot landscape setback shall be provided along 59th Avenue, as approved by the Planning and Development Department, as approved by the Planning and Development Department.
16. All required landscape setbacks along the perimeter of the site shall include a minimum 2-inch caliper trees or multi-trunk trees, placed 20 feet on center, or in equivalent groupings, and positioned to shade multi-use trails (MUT) and shared use pathways (SUP) where present, as approved by the Planning and Development Department.
17. The perimeter walls adjacent to 55th Avenue south of Olney Avenue, 57th Avenue, 59th Avenue, Dobbins Road, and Olney Avenue shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
18. The perimeter wall adjacent to 55th Avenue north of Olney Avenue shall be in general conformance with the 55th Avenue Wall Condition Exhibit date stamped June 19, 2019, as approved by the Planning and Development Department.
19. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.
20. The development shall be in general conformance with the elevations date stamped June 24, 2019, with the following exceptions and as approved by the Planning and Development Department:
 - a) all front building elevations shall contain a minimum of 10 percent non-stucco material.
 - b) 18-INCH OVERHANGS SHALL BE PROVIDED ON THE ELEVATIONS OF ALL HOMES.
 - c) the Spanish style elevations contained in the above referenced elevations may be all stucco AND ARE NOT REQUIRED TO PROVIDE OVERHANGS.
 - d) THE TOTAL NUMBER OF SPANISH STYLE MODELS SHALL BE

LIMITED TO 25 PERCENT OF ALL UNITS.

21. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
22. The developer shall dedicate right-of-way totaling 55 feet for the south half of Dobbins Road, as approved by the Planning and Development Department.
23. The developer shall dedicate right-of-way totaling 60 feet for Olney Avenue, as approved by the Planning and Development Department.
24. The developer shall dedicate right-of-way totaling 50 feet for all local streets within the development, as approved by the Planning and Development Department.
25. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southwest corner of 55th Avenue and Dobbins Road, as approved by the Planning and Development Department.
26. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southeast corner of 55th Avenue and Olney Avenue, as approved by the Planning and Development Department.
27. The developer shall dedicate right-of-way totaling 55 feet for the east half of 59th Avenue, as approved by the Planning and Development Department.
28. The developer shall dedicate right-of-way and construct a sufficient termination of 55th Avenue, as determined and approved by both the Street Transportation Department and the Maricopa County Department of Transportation (MCDOT).
29. The applicant shall submit a Traffic Impact Study to the City for this development for review and approval by the Street Transportation Department. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations and requires approval of the Street Transportation Department.
30. Open irrigation facilities shall be piped outside of right-of-way. Contact SRP for existing land rights and the appropriate process for relocating facilities. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

31. The developer shall provide conduit and junction boxes at 59th Avenue and Olney Avenue for future traffic signal equipment on the southeast corner of the intersection. All work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer.
32. For all improvements, dedications and access control within Maricopa County jurisdiction, formal MCDOT approval of the construction plans is required prior to Final Plat approval and/or scheduling for City Council.
33. The developer shall construct the ultimate cross section of Olney Avenue from 59th Avenue to 55th Avenue, as approved by the Planning and Development Department.
34. The developer shall construct the ultimate cross section of 57th Avenue from Olney Avenue to the northern property line of the future park site owned by the City of Phoenix. At the northern point of said property line, the developer shall install pavement tapers within the right of way. All plans and improvements shall be approved by the Planning and Development Department.
35. The developer shall provide proportionate funds (25 percent) in escrow for the construction of a new traffic signal, at 55th Avenue and Elliot Road with escrow funds deposited at the time of Final Plat approval for the first phase of the development.
36. The developer shall dedicate right-of-way and construct bus stop pads compliant with the City of Phoenix Standard Detail P1262 if connected to detached sidewalks and/or compliant with the City of Phoenix Standard Detail P1260 at the following locations with final locations to be determined by the Public Transit Department:
 - Eastbound Dobbins Road, east of the 56th Glen alignment
 - Northbound 59th Avenue, north of the Sunrise Drive alignment.
37. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
38. THE DEVELOPMENT SHALL BE SUBJECT TO THE FOLLOWING HEIGHT RESTRICTIONS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
 - a. ALL LOTS ALONG THE NORTHERN PERIMETER OF THE SUBDIVISION, ADJACENT TO DOBBINS ROAD, SHALL BE LIMITED TO A MAXIMUM HEIGHT OF ONE-STORY AND 20-FEET.
 - b. ALL LOTS ALONG THE WESTERN PORTION OF THE

SUBDIVISION, ADJACENT TO 59TH AVENUE, SHALL BE A MAXIMUM 50% TWO STORY HOMES AND THERE SHALL BE NO MORE THAN 2 TWO-STORY RESIDENCES IN A ROW.

- c. ALL LOTS ALONG THE EASTERN PORTION OF THE SUBDIVISION, ADJACENT TO 55TH AVENUE AND SOUTH OF OLNEY AVENUE, SHALL BE A MAXIMUM 50% TWO STORY HOMES AND THERE SHALL BE NO MORE THAN 2 TWO-STORY RESIDENCES IN A ROW.
 - d. ALL CORNER LOTS SHALL BE LIMITED TO A MAXIMUM HEIGHT OF ONE STORY AND 20 FEET.
39. ANY REQUESTS TO CHANGE, DELETE, OR MODIFY STIPULATIONS SHALL BE PRESENTED TO THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO REVIEW BY THE PLANNING HEARING OFFICER.
41. THE DEVELOPER SHALL PROVIDE A MINIMUM 22-FOOT DRIVEWAY FOR EACH HOME IN THE DEVELOPMENT.
42. THE DEVELOPER SHALL PRESENT BUILDING ELEVATIONS TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO SITE PLAN APPROVAL.

Staff Comments:

Staff has no concern with the additional stipulations.