



Village Planning Committee Meeting Summary Z-19-22-7

Date of VPC Meeting	July 11, 2022
Request From	R1-8
Request To	R-2
Proposed Use	Multifamily residential
Location	Northeast corner of 39th Avenue and Vineyard Road
VPC Recommendation	Approval, per the staff recommendation with a modification and additional stipulations
VPC Vote	8-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

Julianna Pierre indicated that this item was heard by the VPC at last month's meeting and now they are returning for recommendation. She provided information regarding the location of the site, surrounding zoning, and general plan land use map designation. She briefly discussed the proposal by reviewing the site plan and elevations. She discussed that community concerns were expressed at last month's meeting regarding traffic and speeding. She also reviewed the staff findings, recommendation, and stipulations.

APPLICANT PRESENTATION

Michael Maerowitz, representative with Gammage & Burnham, provided information regarding the location of the site, surrounding zoning, and general plan land use map designation. He stated that the proposal is to rezone the site from R1-8 to R-2 to allow a multifamily community. He added that the development is proposed to have 110 units of one- and two-story buildings, with height limitations adjacent to existing residential. He added that he met with the Chair and Vice Chair to discuss the design of the property and based on comments from the last VPC meeting, additional architectural detailing was added for perimeter lots. He stated that the elevations were modified, and the general conformance stipulation should be modified to include the elevations date stamped July 11, 2022. He added that the traffic and speeding was discussed with the Street Transportation Department and the developer is willing to add a stipulation to aid in mitigation.

QUESTIONS FROM COMMITTEE

Committee member Stephanie Hurd appreciated the applicant initiating the process to set up street improvements to mitigate speeding. She was also pleased with the plan

trees near the pool and throughout the development. **Committee member Carlos Ortega** appreciated the additional stipulation to work with the Street Transportation Department regarding speeding mitigation.

Committee member Rebecca Perrera appreciated the diversity and variety in the elevations' designs. She asked if there would be a playground in any of the open space areas. **Michael Maerowitz** stated that the open space areas did not have a playground, but would have lawn games, such as cornhole and bocce ball. He stated that the developer is not opposed to a playground, but wanted the open space to be more park-like. **Committee member Rebecca Perrera** stated that if families live in the development, a playground would probably be appreciated. **Committee member Carlos Ortega** asked if play equipment could be incorporated on the east side of the central open space. **Michael Maerowitz** stated that play equipment could be added just east of the fitness center.

Vice Chair Linda Abegg asked about the possibility of EV charging capabilities. **Committee member Carlos Ortega** asked if the private garages could be wired as well. **Michael Maerowitz** stated that the developer would provide charging stations and that a portion of the garage spaces could be wired.

PUBLIC COMMENTS

Dan Penton stated that the developer could provide a tot lot instead of a full playground. He also discussed traffic and noted that the Homeowners Association may have to be involved in the process to add speed mitigation elements adjacent to the site.

Phil Hertel expressed concern with the proposed density. He stated there is adjacent R-2 (Multifamily Residence District) zoning, but it was built with single-family residences, which should be taken into account. He expressed concerns with traffic, specifically noting that the north of the site, 39th Avenue will not be improved. He added that the intersection at 39th Avenue and Southern Avenue is the deadliest intersection in Laveen, and the proposed development is not doing anything to assist with traffic issues.

Margaret Shalley stated that she was in support of having a tot lot or playground with a shade covering.

APPLICANT RESPONSE

Michael Maerowitz stated that the density is technically higher, but the number of total bedrooms is similar to that of 60 single-family residential homes. He stated that the density is also necessary for the site to be economically feasible with quality materials and amenities. He added that a single-family home with three to four bedrooms would generate more traffic than a single bedroom unit. He stated that a traffic study was prepared showing that peak traffic numbers would be 52 in the morning and 62 in the afternoon, only having a 1% increase to arterial streets. He added that the developer has been working with the Street Transportation Department to work on traffic mitigation.

COMMITTEE DISCUSSION

Committee member Stephanie Hurd stated that the open space provided is great, but a playground should be left up to the developer. She stated that while kids may use it

during the day, teens will hang out there at night. She added that it would be nice for additional palm trees to be included near the pool area. **Committee member Rebecca Perrera** noted that palm trees take a lot of maintenance and water. Committee members agreed that a motion should be made without a request for additional palm trees.

MOTION

Committee member Rebecca Perrera made a motion to approve Z-19-22-7 with a modification to Stipulation No. 1, regarding general conformance, to include the elevations date stamped July 11, 2022, and the following additional stipulations:

- The developer shall make reasonable efforts to work with the Street Transportation Department and neighbors in proximity to the site to identify improvements, including speed bumps, roundabout, and/or similar improvements, for mitigating vehicle speeding on Vineyard Road and 39th Avenue adjacent to the site agreed upon by neighbors, the Street Transportation Department and developer in accordance with the City's procedures for installing such improvements.
- The common open space area shall provide a shaded playground element, as approved by the Planning and Development Department.
- The developer shall provide the option for EV-ready (wiring for electric vehicle charging) garages and a minimum of 10 EV charging stations.

The motion was seconded by **Committee member Francisco Barraza**.

VOTE

8-0, motion passed; Committee members Abegg, Barraza, Buggs, Hurd, Jensen, Ortega, Perrera, and Rouse in favor.

RECOMMENDED STIPULATIONS

1. The development shall be in general conformance to the site plan, ~~elevations~~, and open space exhibit date stamped March 17, 2022, AND ELEVATIONS DATE STAMPED JULY 11~~6~~, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. All garage doors shall have decorative embellishments such as window panels, added materials surrounding the door, and/or trellises, as approved by the Planning and Development Department.
3. The maximum building height shall be 30 feet, except units along the north and east sides of the site shall be limited to a maximum building height of 18 feet, as approved by the Planning and Development Department.
4. **THE COMMON OPEN SPACE AREA SHALL PROVIDE A SHADED PLAYGROUND ELEMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT**
5. **THE DEVELOPER SHALL PROVIDE THE OPTION FOR EV-READY (WIRING FOR ELECTRIC VEHICLE CHARGING) GARAGES AND A MINIMUM OF 10 EV CHARGING STATIONS.**
- 4.6. Required landscape setbacks shall be planted with minimum 50-percent 2-inch

caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with 5-gallon shrubs per tree, as approved by the Planning and Development Department.

- ~~5.7.~~ Sidewalks along 39th Avenue and Vineyard Road shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees placed to provide a minimum of 75% shade on adjacent sidewalks.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development on an alternative design solution consistent with a pedestrian environment.
- ~~6.8.~~ The developer shall dedicate a minimum of 30-feet of right-of-way and construct the east side of 39th Avenue, as approved by the Planning and Development Department.
- ~~7.9.~~ The developer shall dedicate a minimum of 30-feet of right-of-way and construct the north side of Vineyard Road, as approved by the Planning and Development Department.
- ~~8.~~ The developer shall underground all electrical utilities within the public right-of-way that are impacted by or need to be relocated as part of the project. The developer shall coordinate with affected utility company for their review and permitting.
- ~~10.~~
- ~~9.~~ The developer shall underground and relocate any existing irrigation facilities outside of City right-of-way along 39th Avenue. The developer shall Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- ~~11.~~
- 12. THE DEVELOPER SHALL MAKE REASONABLE EFFORTS TO WORK WITH THE STREET TRANSPORTATION DEPARTMENT AND NEIGHBORS IN PROXIMITY TO THE SITE TO IDENTIFY IMPROVEMENTS, INCLUDING SPEED BUMPS, ROUNDABOUT, AND/OR SIMILAR IMPROVEMENTS, FOR MITIGATING VEHICLE SPEEDING ON VINEYARD ROAD AND 39TH AVENUE ADJACENT TO THE SITE AGREED UPON BY NEIGHBORS, THE STREET TRANSPORTATION DEPARTMENT AND DEVELOPER IN ACCORDANCE WITH THE CITY'S PROCEDURES FOR INSTALLING SUCH IMPROVEMENTS.**
- ~~10.~~ 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
- ~~13.~~

standards.

- ~~11.~~ A minimum of 28 bicycle parking spaces shall be provided through Inverted U
- 14.** and/or artistic racks located near building entrances or amenity areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
- ~~12.~~ If determined necessary by the Phoenix Archaeology Office, the applicant shall
- 15.** conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- ~~13.~~ If Phase I data testing is required, and if, upon review of the results from the Phase
- 16.** I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- ~~14.~~ In the event archaeological materials are encountered during construction, the
- 17.** 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.
- ~~15.~~ Prior to preliminary site plan approval, the landowner shall execute a Proposition
- 18.** 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff does not support recommendation of Stipulation No. 12 as the Traffic Services Division of the Street Transportation Department has specific processes regarding traffic mitigation improvements which require support and/or petitions from the surrounding neighborhood(s).