



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM B

Staff Report Z-23-23-7

*REVISED September 8, 2023

Laveen <u>Village Planning Committee</u> Meeting Date:	August 14, 2023
<u>Planning Commission</u> Hearing Date:	September 7, 2023
Request From:	<u>S-1</u> (Approved <u>C-2</u> or <u>CP/GCP</u>) (Ranch or Farm Residence, Intermediate Commercial or Commerce Park/General Commerce Park Option) (22.03 acres) and <u>S-1</u> (Ranch or Farm Residence) (0.34 acres)
Request To:	<u>C-2 HGT/WVR DNS/WVR</u> (Intermediate Commercial, Height Waiver, Density Waiver) (22.37 acres)
Proposal:	Commercial and multifamily residential
Location:	Approximately 70 feet north of the northwest corner of 59th Avenue and Elliot Road
Owner/Applicant:	VP Elliot 202, LLC
Representative:	Manjula Vaz, Gammage & Burnham, PLC
Staff Recommendation:	Approval, subject to stipulations

The purpose of this addendum is to revise the language for Stipulation Nos. 2, 3, 24 (~~23~~), 28 (~~27~~), and 29 (~~28~~) in response to the Laveen Village Planning Committee recommendation. On August 14, 2023, the Laveen Village Planning Committee heard this request and recommended approval, per the staff recommendation (Addendum A) with modifications and an additional stipulation by a vote of 7-0.

Staff recommends editing Stipulation Nos. 2 and 3 to clarify specific details called out on the building elevations and remove site related details that are already addressed in other stipulations and/or in the Zoning Ordinance.

The Street Transportation Department has provided comments and revised stipulations related to Stipulation Nos. 24 (~~23~~), 28 (~~27~~), 29 (~~28~~). The Department has also added a new stipulation. See the comments attached as an exhibit.

Staff recommends approval per the modified stipulations provided below:

Multifamily Development

1. Residential development shall comply with the maximum density requirement of the R-3A PRD development standards.

2. The multifamily development shall be in general conformance with the elevations date stamped April 21, 2023, as approved by the Planning and Development Department—WITH SPECIFIC REGARD TO THE FOLLOWING:
 - PITCHED OR HIPPED ROOFS.
 - ~~TREE PLANTING AND OPEN SPACE EXCEEDING CITY STANDARDS~~
 - ALL ELEVATIONS CONTAIN AT LEAST THREE OF THE FOLLOWING ARCHITECTURAL EMBELLISHMENTS AND DETAILING: TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND ROOF OVERHANGS.
 - ELEVATIONS CONTAIN MATERIAL AND TEXTURAL DIFFERENCES, SUCH AS STUCCO AND/OR SPLIT FACE BLOCK WITH A DECORATIVE ELEMENT, SUCH AS TILE, TILE INSETS OR STAMPED DESIGNS.
 - ELEVATIONS INCORPORATE A MINIMUM OF THREE OF THE FOLLOWING MATERIALS: NATIVE STONE, BURNT ADOBE, TEXTURED BRICK, WOOD (WHEN SHADED BY OVERHANDS OR DEEP RECESSES), SLUMP BLOCK, TILE (MATTE FINISH) STUCCO AND EXPOSED AGGREGATE CONCRETE.
 - ~~WELL CONNECTED ON SITE AND OFF SITE PEDESTRIAN NETWORK/ACCESS~~
 - PERIMETER-FACING BUILDING FACADES WITHIN PERIMETER DESIGN CORRIDOR (AREA OF SITE WITHIN 100 FEET OF 59TH AVENUE FRONTAGE) LIMITED TO 75% STUCCO COVERAGE.
 - PRIMARY BUILDING COLORS LIMIT REFLECTIVITY.
 - BUILDING TRIM AND ACCENT AREAS FEATURE DIFFERENT MATERIALS AND COLORS.
 - BUILDING MASSING REDUCED THROUGH VARIATION IN ROOFLINE AND FORM, INCLUSION OF PROTECTED AND RECESSED ENTRANCES, USE OF FOCAL POINTS AND VERTICAL ACCENTS, USE OF PRONOUNCED WALL PLANE OFFSETS AND PROJECTIONS, AND PROVISION OF WINDOWS FACING STREET AND PEDESTRIAN AREA.
 - BUILDING FACADES GREATER THAN 60 FEET IN LENGTH

PROVIDE A MINIMUM OF TWO OF THE FOLLOWING AT APPROPRIATE INTERVALS: TEXTURE AND MATERIAL CHANGES, OFFSETS, REVEALS, ARCHWAYS OR PROJECTING RIBS, WALL PLANE PROJECTIONS OR RECESSES, VARIATION IN WINDOW SYSTEMS, VERTICAL LANDSCAPE FEATURE, AND PUBLIC ART.

3. ANY BUILDINGS NORTH OF THE PRIMARY ENTRANCE AS ~~SHOWN ON THE CONCEPTUAL SITE PLAN SUBMITTED BY THE APPLICANT~~ **DEPICTED ON THE CONCEPTUAL SITE PLAN DATE STAMPED, JUNE 22, 2023**, SHALL BE LIMITED TO TWO STORIES OR 30 FEET.
- ~~3.~~ 4. Prior to final site plan approval, the developer shall include with the building plans submitted for Phoenix Building Construction Code compliance review certification by a registered Professional Engineer or registered Professional Architect in the State of Arizona demonstrating the average indoor noise levels of the residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.
- ~~4.~~ 5. A minimum of six amenities shall be provided, which may include but is not limited to barbecues, ramadas, and pools, and the amenities shall be distributed throughout the site, as approved by the Planning and Development Department.
- ~~5.~~ 6. The entry drives shall incorporate enhanced landscaping on both sides, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.
- ~~6.~~ 7. A minimum of 12% of the gross site area shall be retained as common area, as approved by the Planning and Development Department.
- ~~7.~~ 8. Perimeter fencing or walls within 50 feet of a public street shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
- ~~8.~~ 9. Required multifamily landscape setbacks shall be planted with minimum 25% 2-inch caliper and 75% 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with one 5-gallon shrub per tree, as approved by the Planning and Development Department.
- ~~9.~~ 10. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. A minimum of 30 bicycle parking spaces shall be provided on the multifamily development through inverted U and/or artistic racks

dispersed throughout the site or in a secured room and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.

- b. A bicycle repair station (“fix it station”) shall be provided on the multifamily development. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- c. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.

Commercial Development

- ~~40.~~ Commercial development shall be limited to a maximum building height of 35 feet.
11.
- ~~44.~~ The building size and layout of the commercial development portion shall be in general conformance with the site plan date stamped June 22, 2023, as modified or approved by the Planning and Development Department.
12.
- ~~42.~~ Conceptual commercial building elevations shall be reviewed and approved by the Planning Hearing Officer (PHO) through the public hearing process for stipulation modification prior to preliminary site plan approval. This PHO review is a legislative review for the conceptual building elevations only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
13.
- ~~43.~~ The sidewalks along Elliot Road shall be detached with a minimum landscaped strip located between the back of curb and sidewalk and planted to the following standards, as approved by the Planning and Development Department.
14.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- ~~44.~~ A minimum of six bicycle parking spaces shall be provided on the commercial

15. development through Inverted U and/or artistic racks located near the building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, and as approved by the Planning and Development Department.

Overall Development

- ~~15.~~ A perimeter wall no less than 6 feet in height shall be provided along the Loop 202 freeway. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped design, as approved by the Planning and Development Department.
- ~~16.~~ Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
- ~~17.~~ At least one pedestrian pathway shall be provided to connect the proposed multifamily development to the proposed commercial development, as generally depicted on the site plan dated June 20, 2023, as approved by the Planning and Development Department.
- ~~18.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- ~~19.~~ All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
- ~~20.~~ A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the west side of 59th Avenue, planted to the following standards, as approved by the Planning and Development Department
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a

pedestrian environment.

- ~~21.~~ A minimum of 10% of the required parking spaces shall include EV Capable
- ~~22.~~ infrastructure.

- ~~22.~~ Right-of-way shall be dedicated and two bus stop pads shall be constructed,
- ~~23.~~ one westbound on Elliot Road and the other on southbound 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad on Elliot Road shall be spaced from 59th Avenue according to City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department.

- ~~23.~~ A ~~minimum 70-foot flared intersection tapering to~~ **MINIMUM 70-FOOT**
- ~~24.~~ **FLARED INTERSECTION TAPERING TO** a minimum 55-foot right-of-way for the west half of 59th Avenue shall be dedicated, adjacent to the development. The improvements shall be consistent with the arterial CM cross section including the 59th Avenue median and a minimum 6 feet wide detached sidewalk separated by a minimum 10 feet wide landscape strip located between the back of curb and sidewalk.

- ~~24.~~ A 20-foot right-of-way radius at the northwest corner of 59th Avenue and Elliot
- ~~25.~~ Road shall be dedicated.

- ~~25.~~ The developer shall deposit 25% of the cost of the future traffic signal in an
- ~~26.~~ escrow account to the Street Transportation Department, prior to final site plan approval.

- ~~26.~~ Roadway improvements along Elliot Road shall comply with the Tierra
- ~~*27.~~ Montana Master Street Plan ~~as approved by the Street Transportation Department.~~

- ~~27.~~ Prior to the ~~final~~ **PRELIMINARY** site plan approval of the subject site, median
- ~~28.~~ openings in the 59th Avenue right-of-way shall align with full access drives located on the east side of 59th Avenue that have received approval, AS APPROVED BY THE ~~PLANNING AND DEVELOPMENT DEPARTMENT~~ **STREET TRANSPORTATION DEPARTMENT**.

- ~~29.~~ **ACCESS CONTROL SPACING, MEDIAN CUTS AND RESTRICTED AND FULL ACCESS DRIVEWAYS SHALL COMPLY WITH STREET TRANSPORTATION DEPARTMENT STREET PLANNING AND DESIGN GUIDELINES MANUAL.**

- ~~28.~~ Existing SRP facilities along Elliot Road are to be relocated outside of City
- ~~29.~~ right-of-way, **UNLESS OTHERWISE APPROVED BY THE STREET**

30. **TRANSPORTATION DEPARTMENT.** 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, ~~AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
- ~~29.~~ The developer shall construct all streets within and adjacent to the
~~30.~~ development with paving, curb, gutter, sidewalk, curb ramps, streetlights,
31. 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.
- ~~30.~~ In the event archaeological materials are encountered during construction, the
~~31.~~ developer shall immediately cease all ground-disturbing activities within a 33-
32. foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
- ~~31.~~ Prior to preliminary site plan approval, the landowner shall execute a
~~32.~~ Proposition 207 waiver of claims form. The waiver shall be recorded with the
33. Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Exhibits

Street Transportation Department comment response form.

*Correspondence (1 page)

Racelle Escolar

From: Linda Abegg <linda.abegg@gmail.com>
Sent: Wednesday, September 6, 2023 3:44 PM
To: Nayeli Sanchez Luna; Racelle Escolar
Cc: Stephanie Hurd; walter@vintagevp.com
Subject: PC Item #12: Z-23-23-7

Good afternoon,

I am writing in support of the rezoning at 59th Ave and Elliot Rd that you will hear tonight. As a Laveen resident and Chair of the LVPC, I appreciate that it is bringing retail along with the residential (like we have been asking for in Laveen).

At the LVPC meeting regarding this case, a few stipulations were added. There is only one that the applicant did not agree to: limiting some of the buildings along 59th Ave to 2 stories. I cannot speak for the LVPC, but, as an individual, I am okay with the removal of that stipulation if the others agreed upon are retained.

I voted with the motion to require a 2 story step back for part of the project as this has been customary in Laveen. However, considering this project is across the street from multi family and self storage, I am not opposed to the 3rd story as proposed.

Additionally, this developer is working to bring in national retailers that Laveen is trying to attract. Our committee supports the developers' efforts to make the language for the streets development-friendly and ask that you do the same so that we increase the ability to attract high level retail.

Thank you,
Linda Abegg