

PLEASE RESPOND ELECTRONICALLY TO TERESA GARCIA 2ND FLOOR, 602-262-7399



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

Date: April 16, 2024

From: Joshua Bednarek
Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. PHO-1-24--Z-19-22-7(8) – Notice of Pending Actions by the Planning Hearing Officer

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **May 15, 2024**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **April 23, 2024**.

DISTRIBUTION

Mayor's Office (Tony Montola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
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CED (Michelle Pierson), 20th Floor
Fire Prevention (Joel Asirsan), 2nd Floor
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Todd Shackelford), 16th Floor
Public Transit (Michael Pierce)
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Teresa Garcia), 2nd Floor
Village Planner (Nayeli Sanchez Luna, Laveen Village)
Village Planning Committee Chair (Linda Abegg, Laveen Village)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-24--Z-19-22-7(8)

Council District: 8

Request For: Stipulation Modification

Reason for Request: 1)Request to modify Stipulation 1 regarding conformance to the site plan date stamped March 17, 2022 and elevations date stamped July 11, 2022.;2)Request to delete Stipulation 2 regarding garage door embellishments.;3)Request to delete Stipulation 3 regarding maximum building height.;4)Request to delete Stipulation 5 regarding EV-ready garages and charging stations.;5)Request to modify Stipulation 6 regarding tree caliper reduction.;6)Request to modify Stipulation 7a regarding minimum tree caliper on sidewalks.;7)Request to modify Stipulation 14 regarding the minimum number of bicycle parking spaces.;

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Julie Vermillion	Representative	4550 North 12th Street, Phoenix AZ 85014			jvermillion@cvlci.com
Julie Vermillion	Applicant	4550 North 12th Street, Phoenix AZ 85014			jvermillion@cvlci.com
Laveen Land LLC; attn: Meritage Homes	Owner	18655 North Claret Drive, Suite 400 Scottsdale, AZ 85255			

Property Location: Northeast corner of 39th Avenue and Vineyard Road

Acreage: 11.1

Village:
Laveen

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning@phoenix.gov or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: _____ DATE: _____

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,725.00	\$0.00	03/28/24	PHO (3+ stipulations)



March 20, 2024

City of Phoenix
Planning and Development Department
200 W Washington Street
Phoenix, Arizona 85003

Re: 39th & Vineyard Subdivision – Planning Hearing Officer (PHO) Written Request
Rezoning Case No. Z-19-22; KIVA #: 24-82

Coe & Van Loo Consultants, Inc. (CVL) on behalf of the property owner, Meritage Homes, is proposing a Planning Hearing Officer (PHO) request for the 39th & Vineyard community generally located at the northeast corner of 39th Avenue and Vineyard Road in Phoenix, Arizona (City). The subject property contains approximately 11.10 acres of land annexed into the City of Phoenix under ANX 382 and zoned R-2 with the Planned Residential Development (PRD) development option under Z-19-22.

This PHO application is a request to modify Stipulations 1, 2, 3, 5, 6, 7, and 14 of Rezoning Case No. Z-19-22, as approved on September 7, 2022. The approved stipulations were tailored to the product type, site plan, open space exhibit, and elevations approved in 2022 which have since been revised by Meritage Homes to better suit current market demand and facilitate development of the property. Modification of the subject stipulations is requested in an effort to reflect the updated site design and product currently planned for the 39th & Vineyard community while upholding the intent of the approved zoning.

Project History

The subject property contains approximately 11.10 acres of disturbed, undeveloped land identified as APNs 105-89-004P, 105-89-004Q, 105-89-004H, 105-89-004F, and 105-89-004W. The property was annexed into the City of Phoenix under case ANX 382 and zoned R-2 with the Planned Residential Development (PRD) development option under Z-19-22. The proposed community maintains conformance with the approved R-2 PRD zoning.

The previous request under Z-19-22 rezoned the property from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) PRD to permit a multi-family, bungalow-style residential development with a density of 9.9 du/ac. The request proposed 110 multifamily units, with a range of one, two, and three-bedroom rental units, across multiple buildings distributed throughout the site. A common parking lot with five shared four-door garages was provided within the interior of the site with centrally located supporting amenities and common open space area. Pathways ran between all buildings for pedestrian connection to the parking lot and amenities.

Surrounding Properties

Surrounding properties include the Haciendas at Vineyard subdivision zoned R-18 and a single residence zoned S-1 located to the north. The Amber Ridge Heights subdivision zoned R1-6 is located to the east of the site. South of Vineyard Road is the R-2 zoned Cameron Creek subdivision and west of 39th Avenue are several S-1 zoned properties consisting of single family residences, mobile homes, and vacant land.

Proposed Development

The currently proposed site plan is designed under the R-2 PRD option and features a total of 64 single-family detached homes for a gross density of 5.77 du/ac. The site design identifies a combination of four different home plans noted as Plans 1 through 4 that are thoughtfully integrated around the community to create an attractive variety of elevations for enhanced visual interest. Each home plan features a two-car garage to accommodate parking. Perimeter landscape buffers, detached perimeter sidewalks, interior pedestrian pathways, and common open space exceeding 18% of the site create an attractive streetscape and environment for residents. A centrally located amenity is featured near the primary entrance to the community containing a tot lot with an integrated shade structure, bicycle racks, pedestrian pathway, and a shade ramada for residents to gather.

Approximately 8 homes within the community are planned as detached single-family lots fronting a local street. These lots are designed to accommodate a combination of Plans 2 and 3. The remaining 56 homes within the community are planned for typical 6-pack clusters generally 140' x 160' in size. Each cluster features a typical 20' wide access drive with 2-3 homes placed on either side. Each alley is limited to a maximum of 6 dwelling units pursuant to Section 507.Tab A.II.C.7.1 of the Zoning Ordinance and the length of each alley is designed within the required 150' maximum distance. The cluster homes are detached with garages and front doors that front the alley with pedestrian connectivity from each front door to the access drive. The proposed cluster homes will utilize a combination of Plans 1 through 4.

Primary entrance to 39th & Vineyard is provided from Vineyard Road to the south at the 38th Glen alignment. Consideration for access and circulation is evident in the site design featuring a cul-de-sac turnaround at the northwest corner and a secondary point of access provided near the northeast corner at St. Anne Avenue for connectivity with the adjacent Amber Ridge Heights community. The street pattern follows public local streets of 50' in width with 20' wide private alleys branching off to serve the typical 6-pack clusters. The length of each alley is designed within the 150' maximum distance measured from the curb line of the local street, to accommodate safe ingress and egress for emergency vehicles, provide reasonable distance for utility connections, and to provide reasonable walking distances for residents.

Proposed Elevations

The currently proposed architectural elevations depict three building façade variations for each of the four different home plans. The elevations feature a variety of colors and materials, including but not limited to masonry veneer, decorative corbels, stucco, decorative shutters, and concrete roof tiles, or comparable materials. The building elevations contain various architectural elements such as pitched roofs, covered porches, windows of assorted sizes, accent materials, and pop-outs, or similar design elements.

The maximum height of the proposed buildings is two stories and 30 feet per the approved zoning. In accordance with Stipulation No. 3 as modified herein, buildings placed within 20 feet of the north and east property lines shall be limited to a maximum building height of 18 feet to mitigate potential impacts and provide an appropriate transition from the existing homes in the surrounding neighborhood.

Conformance to General Plan

The site holds a General Plan designation of Traditional Lot (3.5-5 du/ac). The currently proposed project density is 5.77 du/ac which is a significant reduction from the previously approved 9.9 du/ac. Pursuant to the policies set forth in Appendix B of the Phoenix General Plan, "Land Use Map Update Procedures," land use changes within the same type of residential product do not require a general plan amendment.

The existing designation noted above is Traditional Lot (3.5-5 du/ac) zoned R-2 PRD while the required designation for this request is Traditional Lot (5-10 du/ac) zoned R-2 PRD, maintaining both the same Traditional Lot residential product type and zoning. Due to this exception permitted by the City, the 39th & Vineyard community remains in conformance with the Phoenix General Plan.

Conformance to Adopted Area Plan

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village and provide a land use and design planning framework to help shape the growth that Laveen was starting to experience, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed.

This plan designates the project site as Residential (2-5 du/ac), which is similar to the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. Although the proposed project density is 5.77 dwelling units per acre, it is a significant reduction from the previously approved 9.9 du/ac site plan and remains consistent with the R-2 PRD zoning entitlements approved on the property. This proposal maintains compatibility with development in the general vicinity and provides a reduced density while continuing to diversify the housing product in this area of the Laveen Village.

The Laveen Southwest Growth Study outlines specific design policies and standards for several types of developments with the intent to enhance Laveen’s built environment while remaining respectful of its agricultural heritage. The study encourages all new developments to use quality building materials and to provide enhanced building design that will contribute to the character of the area, which is fully captured by the proposed elevations described above and attached for reference.

Conformance to City Plans, Overlays, and Initiatives

Housing Phoenix Plan

The Housing Phoenix Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. The proposed development continues to support the Plan’s goal of preserving or creating 50,000 housing units by 2030 by providing an opportunity for the development of 64 residential homes.

Tree and Shade Master Plan

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city’s planning and development process. In compliance with this master plan, the proposed 39th & Vineyard will continue to provide detached sidewalks along 39th Avenue and Vineyard Road with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb. The frontage will be planted with shade trees placed to provide a minimum of 50% shade on adjacent sidewalks for pedestrians. Additional trees will be planted throughout the community per City of Phoenix standards.

Complete Streets Guiding Principles

The City’s Complete Streets Guiding Principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians,

transit, and vehicles. As stated above, the proposed community will continue to provide connectivity to the area by improving adjacent street right-of-way for 39th Avenue and Vineyard Road, provide a comfortable pedestrian environment with shaded detached sidewalks, and offer opportunities for bicycle parking within the private rear yards of each residence and at the bicycle racks placed near the common amenity area within the community to promote alternative transportation.

PHO Request

Modification of Stipulations 1, 2, 3, 5, 6, 7, and 14 of Rezoning Case No. Z-19-22 is requested in order to permit the updated 39th & Vineyard community that addresses current market demand to facilitate development of the property. This request complies with the approved land use designated for the property, as well as the design intent, development standards, underlying zoning, and uses permitted on the property as approved. The proposed site plan for the property maintains all previously approved R-2 PRD design standards, including architectural requirements, parking, setbacks, and landscape buffers, as modified herein.

Modification and Deletion of Stipulations

While the current design for the 39th & Vineyard community maintains compliance with the established R-2 PRD zoning, this proposal is a departure in both product type and density from the originally approved 110 multi-family rental units. The stipulations written for and tailored to the original multi-family plan need to be modified to reflect the currently proposed community of 64 detached single-family homes.

The purpose of this request is to modify or delete Stipulations 1, 2, 3, 5, 6, 7, and 14 of Rezoning Case No. Z-19-22 approved by the Phoenix City Council on September 7, 2022, as follows:

Stipulation 1

Approved

Approved
Stipulation 1

The development be in general conformance to the site plan and open space exhibit date stamped March 17, 2022, and elevations date stamped July 11, 2022, as modified by the following stipulations and approved by the Planning and Development Department.

Modification

Stipulation 1

The development be in general conformance to the site plan and open space exhibit date stamped ~~March 17, 2022~~ **MARCH 28, 2024**, and elevations date stamped ~~July 11, 2022~~ **MARCH 28, 2024**, as modified by the following stipulations and approved by the Planning and Development Department.

Rationale: The stipulation modification is proposed to replace the original references to the previously approved site plan, open space exhibit, and elevations to reflect the current proposal by Meritage Homes.

Stipulation 2

Approved

Stipulation 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.

Deletion

~~Stipulation 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.~~

Rationale: The current proposal features a significant reduction in density and the shared four door garage buildings that prompted the above stipulation are no longer a part of the current site design. Deletion of the above stipulation is requested to reflect the current proposal.

Stipulation 3

Approved

Stipulation 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.

Deletion

~~Stipulation 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.~~

Rationale: The current proposal features a significant reduction in density and the 32 units previously planned adjacent to the existing subdivisions that prompted this stipulation have been reduced to only 6 homes along the northern property boundary. All 6 homes are buffered from the neighbors by an existing local roadway and a 20' perimeter building setback, providing a buffer of at least 60' from the closest neighbor's property line to a proposed home.

The current proposal identifies a road running along the eastern property boundary with several lots set back on the opposite side of the road. As these lots have over a 50' separation from the property line, the majority of homes in this proposal provide sufficient separation from the adjacent neighbors and shall not be subject to restriction. The closest home planned to the eastern property boundary is buffered by a 20' landscape tract.

Stipulation 5

Approved

Stipulation 5 The developer shall provide the option for EV-Ready (wiring for electric vehicle charging) garages and a minimum of 10 EV charging stations.

Deletion

~~Stipulation 5 The developer shall provide the option for EV Ready (wiring for electric vehicle charging) garages and a minimum of 10 EV charging stations.~~

Rationale: The previous density and communal parking lot with four door shared garages that prompted the above stipulation are no longer a part of the current site design. While the development team recognizes the growing need for infrastructure to support electric vehicles, the demand has not yet reached the degree warranted for homebuilders to establish electric vehicle charging as a known standard feature in single-family homes. The deletion of the above stipulation is requested to allow Meritage Homes the flexibility to decide how to address electric vehicle charging at the time of development.

Stipulation 6

Approved

Stipulation 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.

Modification

Stipulation 6 Required landscape setbacks shall be planted with minimum ~~50-percent~~ **60-PERCENT** 2-inch caliper and ~~50-percent~~ **40-PERCENT** 3-inch ~~3-inch~~ **1-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.

Rationale: The multi-family product that prompted the above stipulation is no longer a part of the current site design. The current proposal features a less intense product type and significant decrease in density, reducing the necessity for enhanced screening and landscaping extending beyond the requirements set forth by the Zoning Ordinance. Furthermore, the development team is concerned that 3-inch caliper trees may be difficult to obtain at the time of development. Modification of the above stipulation is requested to reflect the current proposal and align with the City's standard landscape design guidelines for plant materials of mixed maturity identified in Section 507 Tab A.II.A.3.1.2 of the Zoning Ordinance.

Stipulation 7

Approved

Stipulation 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.

Modification

Stipulation 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~~ **2-INCH** caliper, large canopy, single-trunk, shade trees placed to provide a minimum of ~~75%~~ **50%** 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.

Rationale: The multi-family product that prompted the above stipulation is no longer a part of the current site design. The current proposal features a less intense product type and significant decrease in density, reducing the necessity for enhanced screening and landscaping extending beyond the requirements set forth by the Zoning Ordinance. Furthermore, the development team is concerned that 3-inch caliper trees may be difficult to obtain at the time of development. Modification of the above stipulation is requested to reflect the current proposal and align with the City's standard landscape design guidelines for plant materials adjacent to walkways identified in Section 507 Tab A.II.A.3.1.10 of the Zoning Ordinance.

Stipulation 14

Approved

Stipulation 14 A minimum of 28 bicycle parking spaces shall be provided through Inverted U 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.

Modification

Stipulation 14 A minimum of ~~28~~ 5 bicycle parking spaces shall be provided through Inverted U 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.

Rationale: While typical rental units similar to the previous approval do not generally provide enough space for recreational equipment storage, necessitating the incorporation of bicycle racks, each one of the proposed single-family residential homes feature private rear yards to safely accommodate bicycle storage. A reduction in the required number of bicycle parking spaces is requested to reflect the current proposal.

Remaining Stipulations

The proposed community complies with the following stipulations from Rezoning Case No. Z-19-22 and the development team is not requesting modifications to these stipulations. These stipulations have already been met or will be met through the development process. The stipulations include:

4. The common open space area shall provide a shaded playground element, as approved by the Planning and Development Department.
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.
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.
10. 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.
11. 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.

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.
13. 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.
15. If determined necessary by the Phoenix Archaeology Office, the applicant shall 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.
16. If Phase I data testing is required, and if, upon review of the results from the Phase 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.
17. 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.
18. Prior to preliminary site plan approval, the landowner shall execute a Proposition 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.

Conclusion

By submitting this written request, the development team intends to comply with the above referenced adjustments. The community characteristics, site design, and justification described above cover the rationale provided for the City's determination. This justification could be expanded to contemplate the benefits that this request is contributing by featuring an innovative product option to promote housing diversity and support the creation of a new and attractive community on this long undeveloped infill parcel.

In addition to a copy of the approved stipulations, a parcel map illustrating the property, a copy of the proposed site plan, updated open space exhibit, typical 6-pack configuration plan, and architectural elevations are attached for reference. Upon completion of the PHO process, the development team will proceed with development of the 39th & Vineyard subdivision in accordance with the adjusted stipulations.

City of Phoenix
Re: 39th & Vineyard – PHO Written Request
March 20, 2024

Thank you for your consideration. Should you or your team have any questions regarding this matter please contact me directly at 602-285-4765 or jvermillion@cvlci.com.

Sincerely,

COE & VAN LOO
Consultants, Inc.



Julie Vermillion
Project Manager

Attachments: Parcel Map, Site Plan, Open Space Exhibit, Typical 6-Pack Configuration, Elevations, Approved Stipulations (Z-19-22)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

September 27, 2022

Michael T. Maerowitz
Snell & Wilmer
4 East Van Buren Street, Suite 1900
Phoenix, Arizona 85004

Dear Applicant:

RE: Z-19-22-7 – Northeast corner of 39th Avenue and Vineyard Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on September 7, 2022, approved Zoning Ordinance # G-7023.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,

A handwritten signature in blue ink that reads "Joshua Bednarek".

Joshua Bednarek, LEED AP ND
Planning and Development Deputy Director

Attachment: Signed Ordinance

- c: Laveen Land, LLC, 4939 W. Ray Rd., #4145, Chandler, AZ 85226
- Prestige BeckShar Development, LLC, 10803 N. Hayden Rd, #100, Scottsdale, AZ 85280
- File
- Tricia Gomes, PDD–Planning–Special Projects Administrator (Electronically)
- Racelle Escolar, PDD–Planning–Principal Planner (Electronically)
- Enrique- Bojorquez-Gaxiola, PDD–Planning–Planner III (Electronically)
- Ben Kim, PDD–GIS (Electronically)

ORDINANCE G-7023

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-19-22-7) FROM R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an 11.08 acre site located at the northeast corner of 39th Avenue and Vineyard Road in a portion of Section 34, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "R1-8" (Single-Family Residence District) to "R-2" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

- Mod** 1. The development shall be in general conformance to the site plan and open space exhibit date stamped March 17, 2022, and elevations date stamped July 11, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
- Del** 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.
- Del** 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.
- Del** 5. The developer shall provide the option for EV-Ready (wiring for electric vehicle charging) garages and a minimum of 10 EV charging stations.
- Mod** 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.
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:
- Mod** 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.
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.
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.

Development Department.

10. 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.
11. 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.
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.
13. 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.
- Mod 14. A minimum of 28 bicycle parking spaces shall be provided through Inverted U 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.
15. If determined necessary by the Phoenix Archaeology Office, the applicant shall 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.
16. If Phase I data testing is required, and if, upon review of the results from the Phase 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.
17. 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.

18. Prior to preliminary site plan approval, the landowner shall execute a Proposition 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.

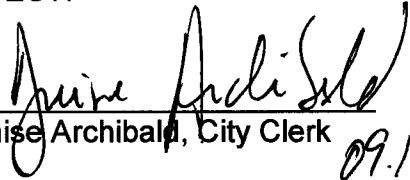
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 7th day of September, 2022.



MAYOR

ATTEST:


Denise Archibald, City Clerk

09.19.2022




APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: 

Acting Chief Counsel

Pml

REVIEWED BY:



Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

PL:tml:LF22-1339:9-7-2022:2336886v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-19-22-7

Parcel No. 1:

The East half of the West two-thirds of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 2:

The West 40 feet of the West one-third of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 3:

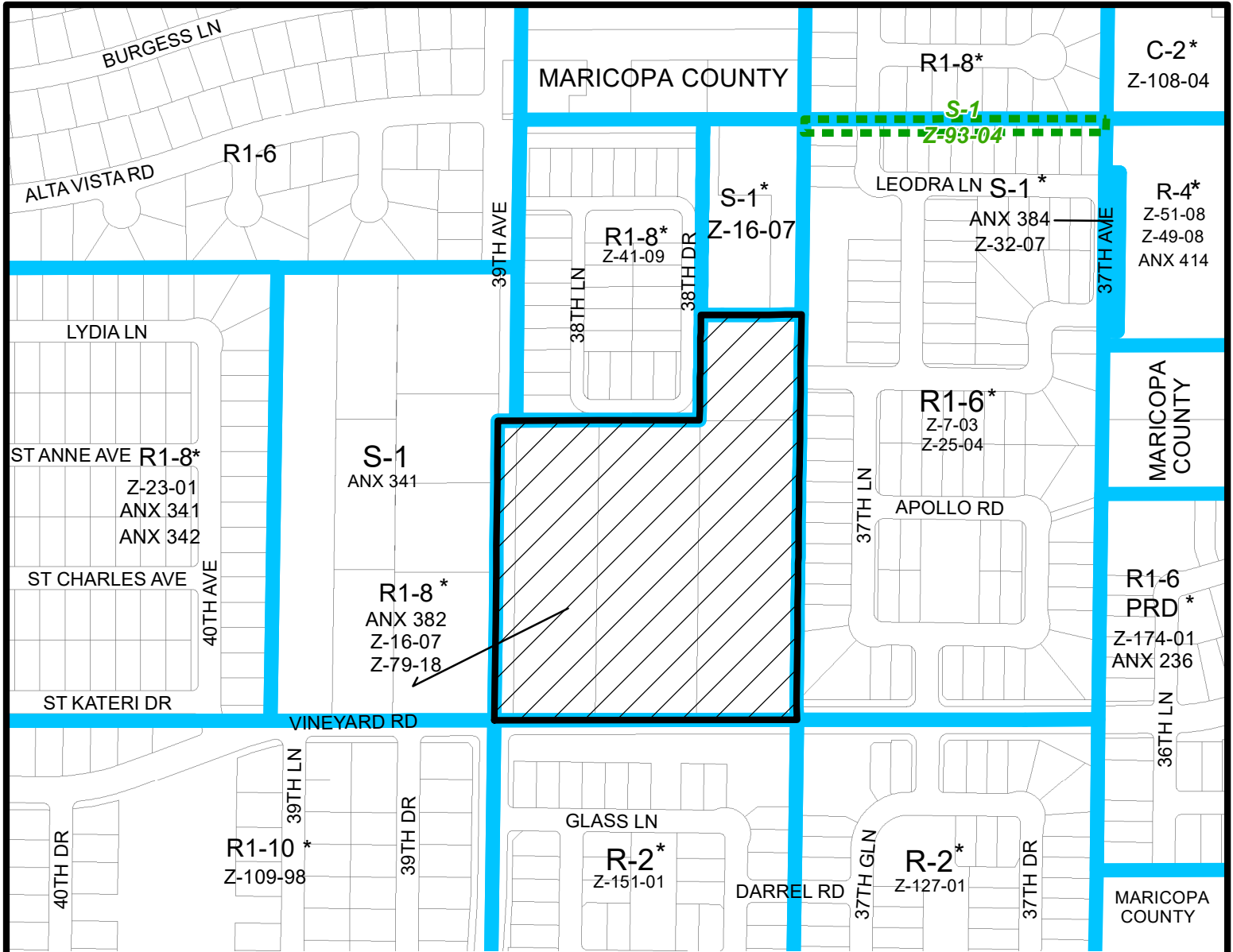
The West one-third of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; EXCEPT the West 40 feet thereof.

Parcel No. 4:

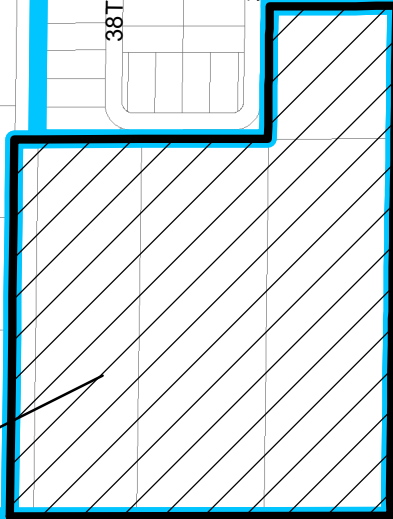
The South 230.00 feet of the East one-third of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 5:

The East one-third of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona



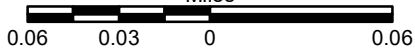
S-1
Z-93-04



R1-8*
ANX 382
Z-16-07
Z-79-18



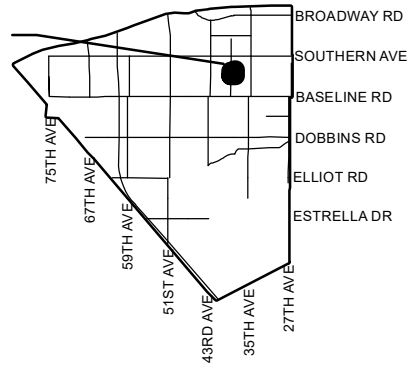
Miles



LAVEEN VILLAGE
CITY COUNCIL DISTRICT: 7

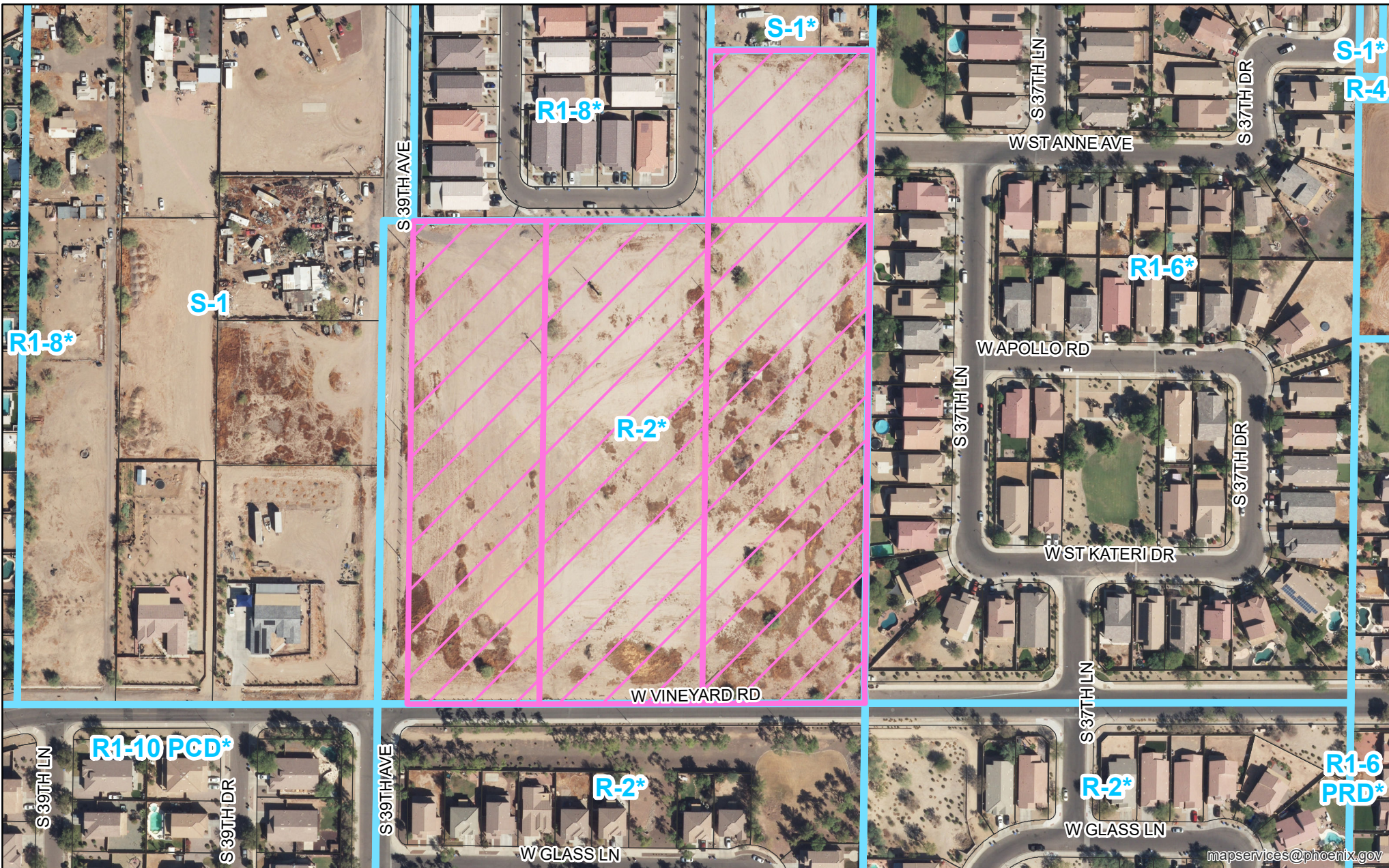


Z-19-22



APPLICANT'S NAME: Prestige BeckShar Development, LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-19-22		FROM: R1-8 (11.08 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 11.08 Acres		TO: R-2 (11.08 a.c.)	
<small>DATE:</small> 4/20/2022 <small>REVISION DATES:</small>			
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 2-20		<small>ZONING MAP</small> D-6	
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
R1-8		47	
R-2		111	
		61	
		133	

* Maximum Units Allowed with P.R.D. Bonus

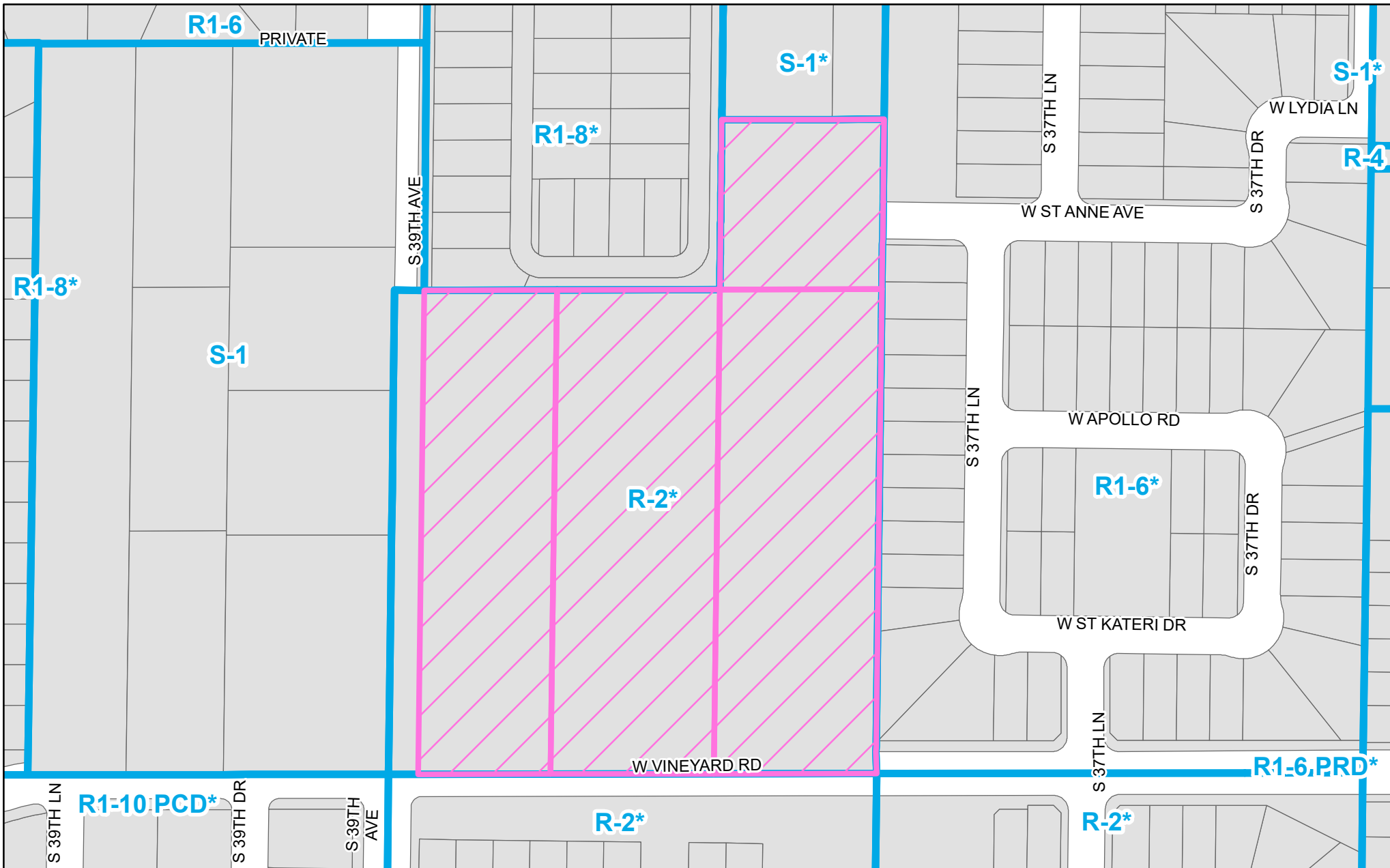


mapservices@phoenix.gov

PHO-1-24--Z-19-22-8

Property Location: Northeast corner of 39th Avenue and Vineyard Road

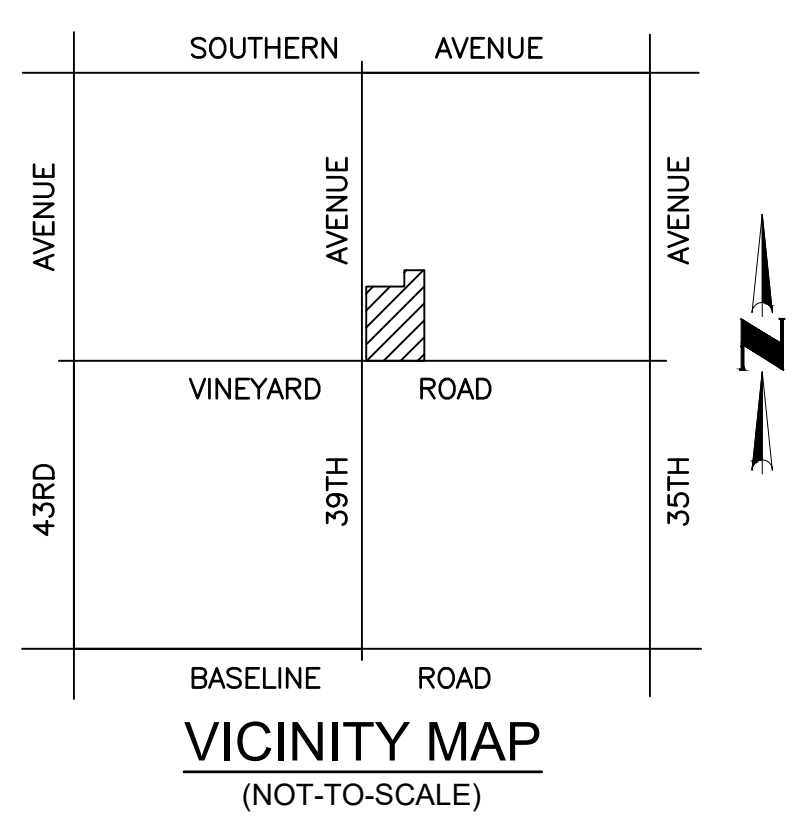
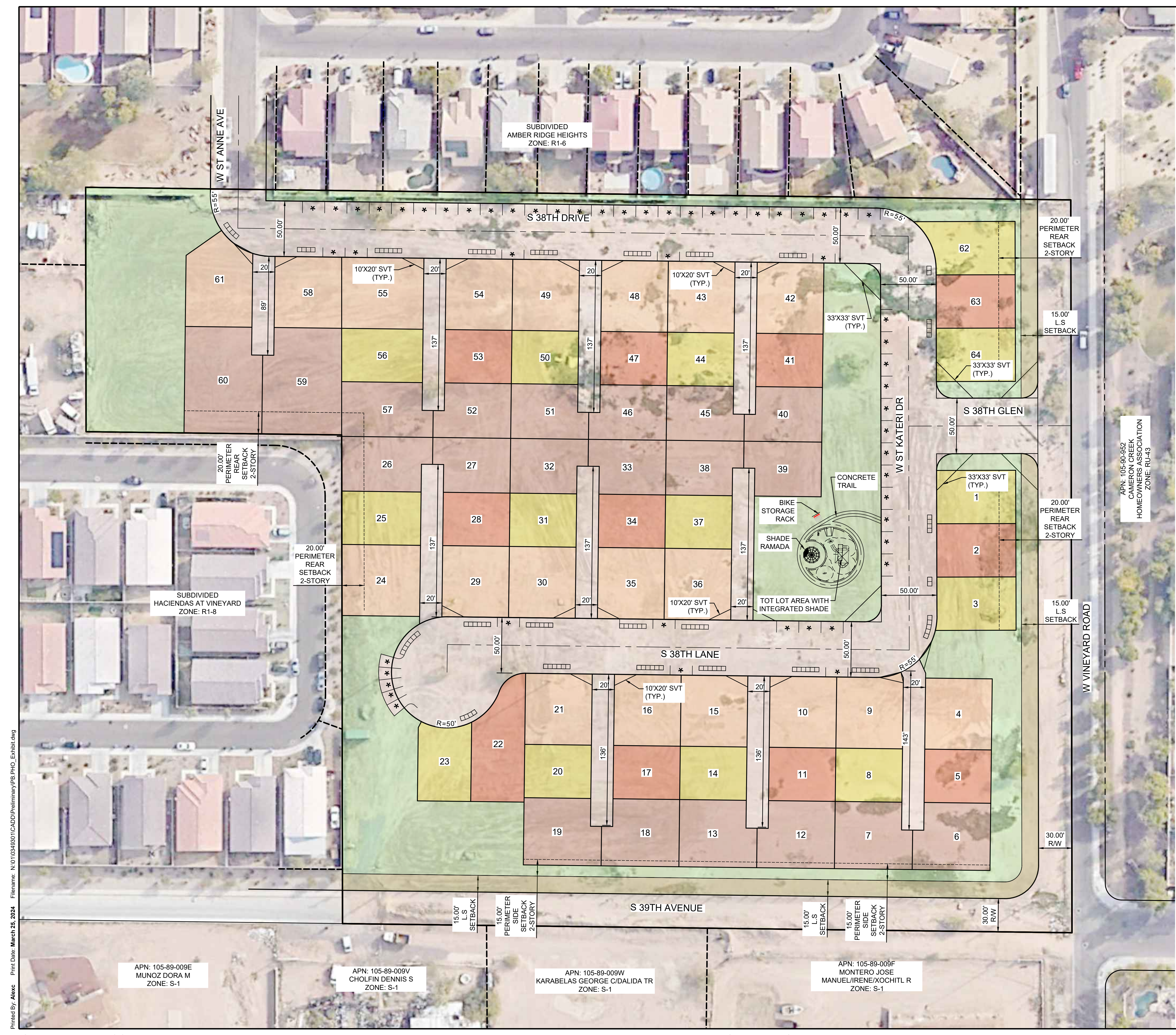




PHO-1-24--Z-19-22-8

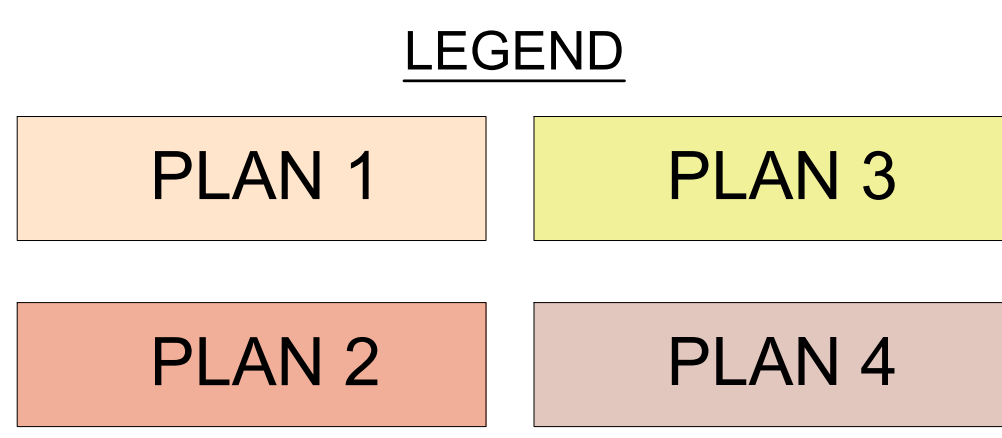
Property Location: Northeast corner of 39th Avenue and Vineyard Road





DEVELOPER
 MERITAGE HOMES
 8800 EAST RAINTREE DRIVE, STE 300
 SCOTTSDALE, ARIZONA 85260
 CONTACT: ED PACKARD

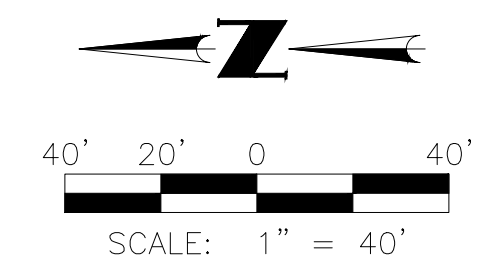
CVL DESIGN TEAM
 CVL CONSULTANTS, INC.
 4550 N. 12TH STREET
 PHOENIX, AZ 85014
 PHONE: (602) 264-4765
 CONTACT: JULIE VERMILLION



39TH AVE & BASELINE - SITE DATA

GROSS AREA	11.10 AC
EXISTING ZONING	R-2 PRD
APN #	105-88-004P
	105-88-004Q
	105-88-004H
	105-88-004F
	105-88-004W
PROPOSED LOT SIZE	140' X 160' CLUSTER
YIELD TOTAL	64
GROSS DENSITY	5.77 DU/AC
* OPEN SPACE AREA	2.06 AC 18.56%
PERIMETER LANDSCAPE AREA	0.40 AC 3.64%
TOTAL LANDSCAPE AREA	2.46 AC 22.20%

* OPEN SPACE AREA EXCLUDES PERIMETER LANDSCAPE AREA



CITY OF PHOENIX

MAR 28 2024

Planning & Development Department

CVL CONSULTANTS
 4550 North 12th Street
 Phoenix, Arizona 85014
 602-264-6831
 www.cvlci.com

DATE

REVISION

NO.

Coe and Van Loo L.L.C.

CONCEPTUAL SITEPLAN

39TH AVE AND VINEYARD ROAD
 PHOENIX, ARIZONA

01 SHEET OF 01

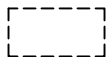


CVL Contact: JULIE VERMILLION
 CVL Project #: 01-0349301

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NOTES:

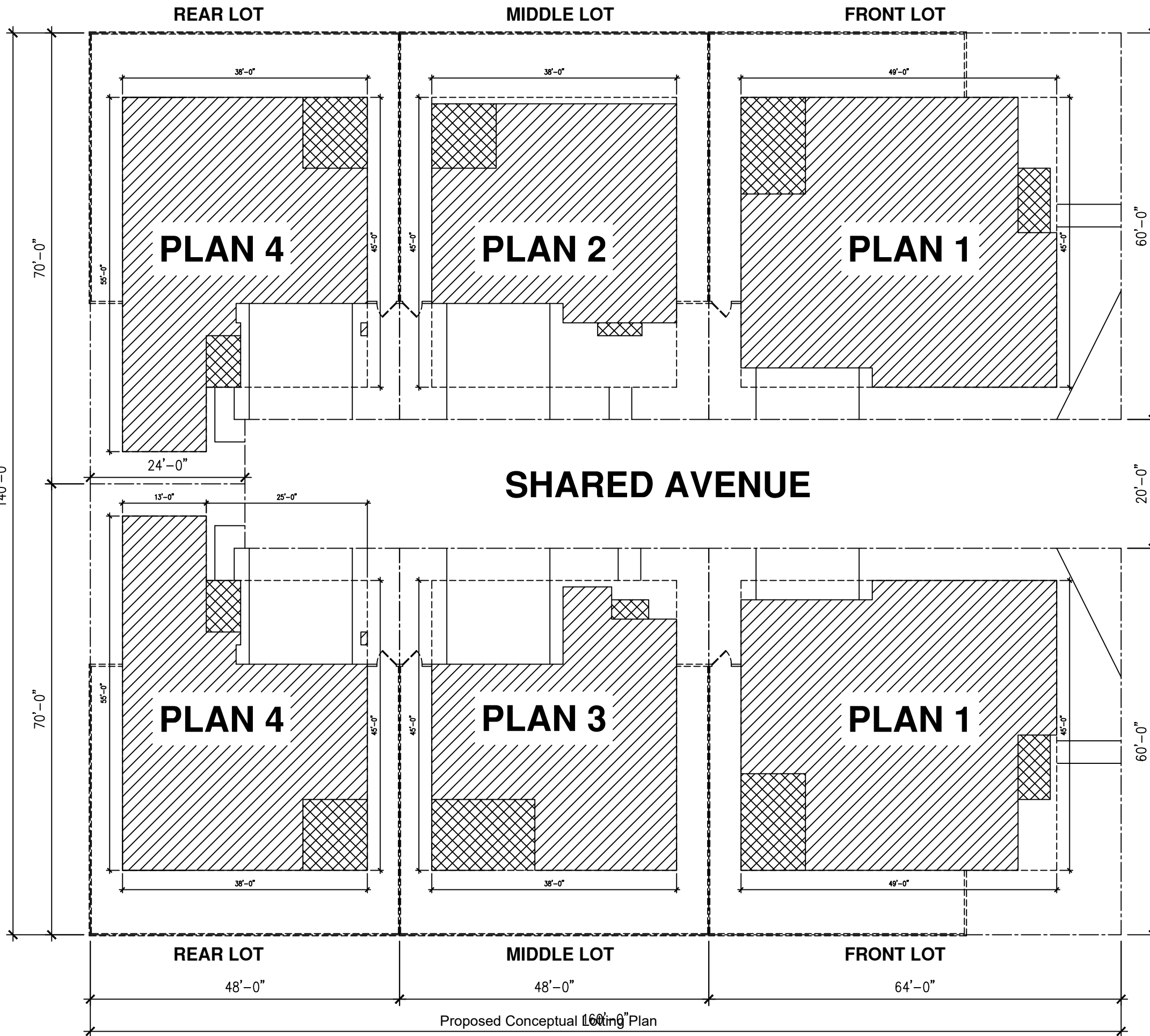
- All front doors face Public Street on Front Lots
- 10ft Setback from Public Street
- 5ft Front Yard Setback
- 10ft Rear Yard Setback
- 5ft Side Yard Setbacks
- 8ft Long Driveways on Plan 1
- 18ft Long Driveway on Plans 2-4

LEGEND:

-  Proposed Setbacks
-  Proposed Footprints
-  Proposed Porch/Patio

PLAN ROSTER:

- Plan 1**
1,446 SQFT Ranch
3 Bed / 2 Bath / 0 Flex
Profile: 3200
- Plan 2**
1,754 SQFT Primary Up
3 Bed / 2.5 Bath / 1 Flex
Profile: 00503201
- Plan 3**
1,976 SQFT Primary Up
3 Bed / 2.5 Bath / 1 Flex
Profile: 00503201 / 00504200
- Plan 4**
2,341 SQFT Primary Up
4 Bed / 3 Bath / 1 Flex
Profile: 11003201



**Phoenix Avenues
Typical 6-Pack Configuration
Typical Density**

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Department

CONCEPTUAL
DESIGN ONLY.
NOT FOR BIDDING.
NOT FOR
CONSTRUCTION.
DO NOT SHARE.



Hearing Date: May 15, 2024

DATE: 2024/03/19

SCALE: 1/16" = 1'-0" (11x17)

CITY OF PHOENIX

MAR 28 2024

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Department



Plan 4 - Bungalow

Plan 3 - Craftsman

Plan 1 - Spanish



Plan 4 - Craftsman

Plan 2 - Spanish

Plan 1 - Bungalow



Plan 4 - Spanish

Plan 3 - Bungalow

Plan 1 - Craftsman

Phoenix Avenues Example Avenue Elevations

DATE: 2024/03/19

SCALE: 1/16" = 1'-0" (11x17)

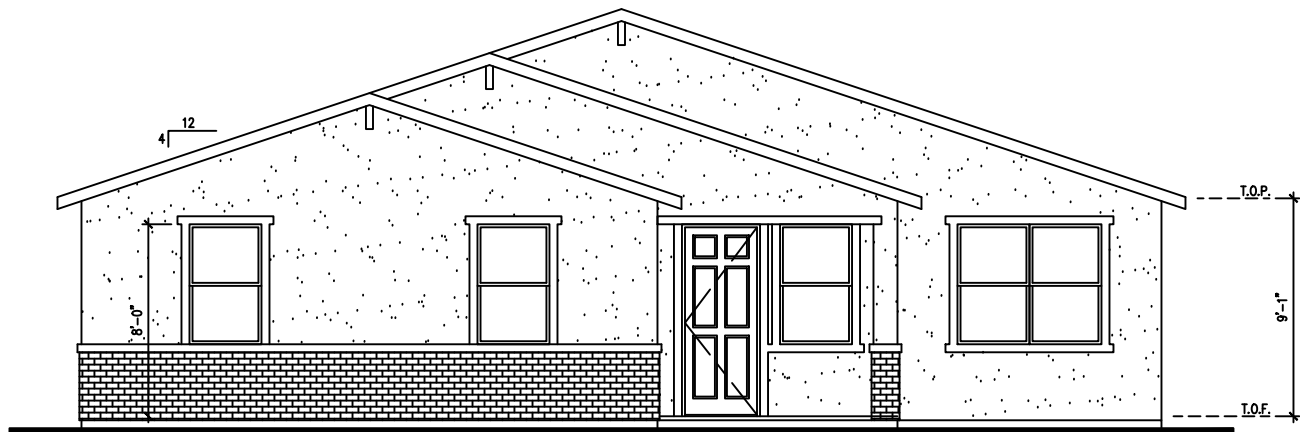
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Hearing Date: May 15, 2024



Spanish Concept 'A' - Street



Bungalow Concept 'B' - Street



Craftsman Concept 'C' - Street

Phoenix Avenues
Plan 1: 1,446 SQFT
PROFILE: 3200

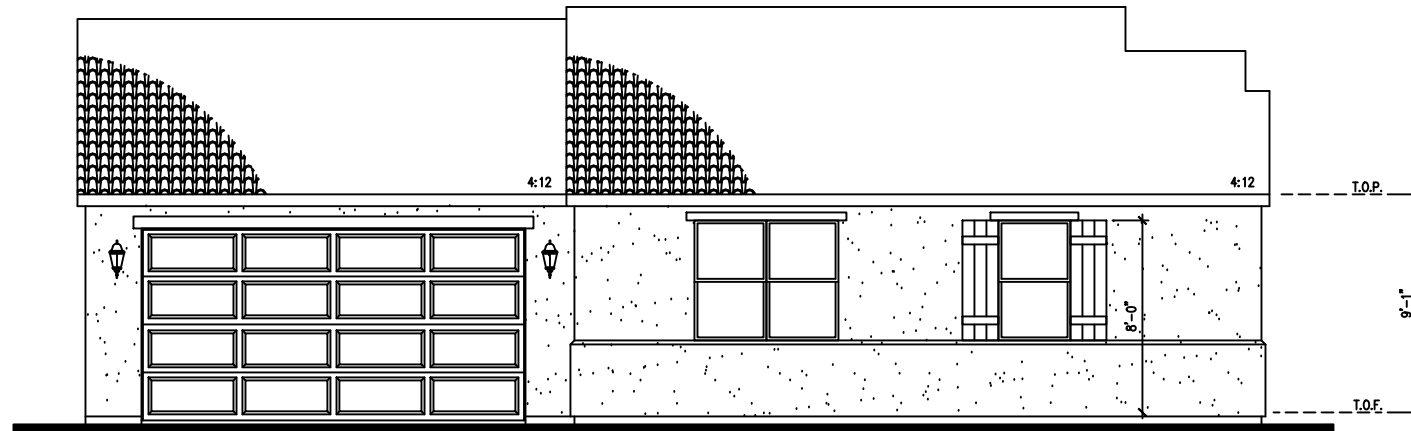
DATE: 2024/03/19

SCALE: 1/8" = 1'-0" (11x17)

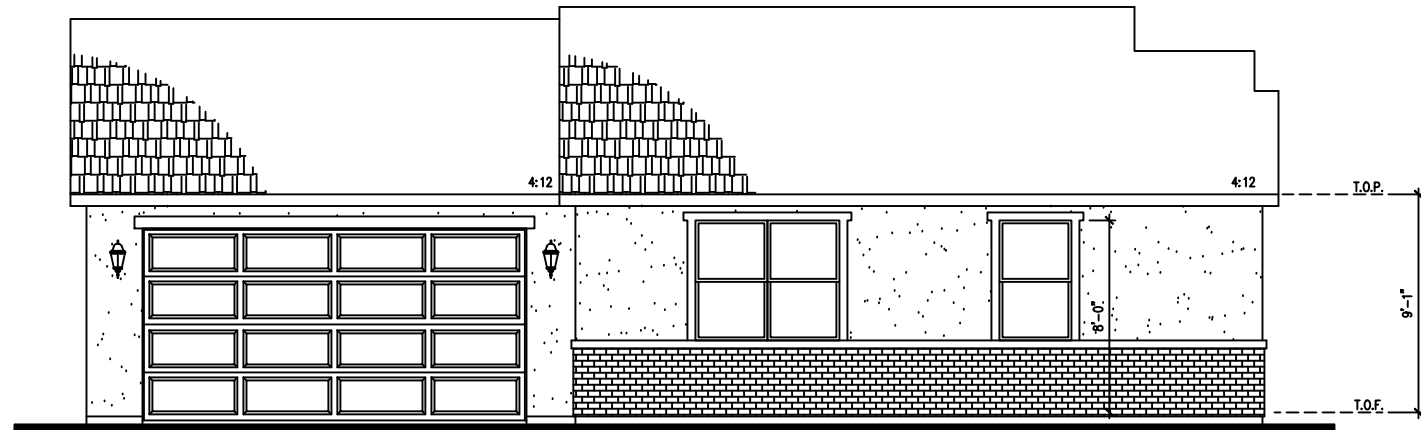
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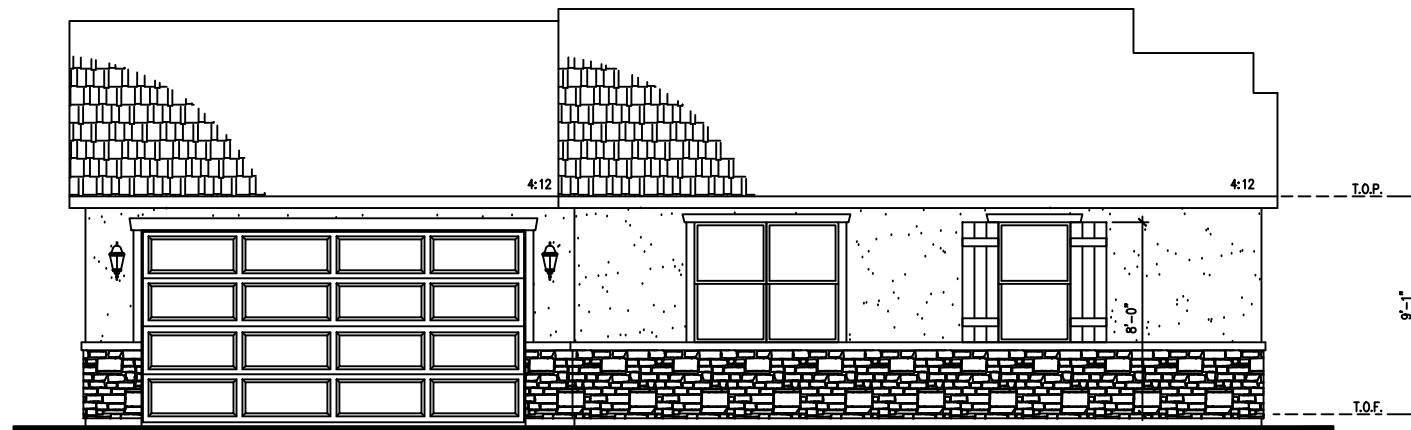
Hearing Date: May 15, 2024



Spanish Concept 'A' - Avenue



Bungalow Concept 'B' - Avenue



Craftsman Concept 'C' - Avenue

Phoenix Avenues
Plan 1: 1,446 SQFT
PROFILE: 3200

DATE: 2024/03/19

SCALE: 1/8" = 1'-0" (11x17)

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Hearing Date: May 15, 2024



Craftsman Concept 'C'



Spanish Concept 'A'



Bungalow Concept 'B'

Phoenix Avenues
Plan 2: 1,754 SQFT
PROFILE: 00503201

DATE: 2024/03/19

SCALE: 1/8" = 1'-0" (11x17)

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Hearing Date: May 15, 2024



Craftsman Concept 'C'



Spanish Concept 'A'



Bungalow Concept 'B'

Phoenix Avenues
Plan 3: 1,976 SQFT
PROFILE: 00503201

DATE: 2024/03/19

SCALE: 1/8" = 1'-0" (11x17)

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Hearing Date: May 15, 2024



Craftsman Concept 'C'



Spanish Concept 'A'



Bungalow Concept 'B'

Phoenix Avenues
Plan 4: 2,341 SQFT
PROFILE: 11003201

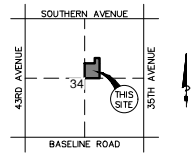
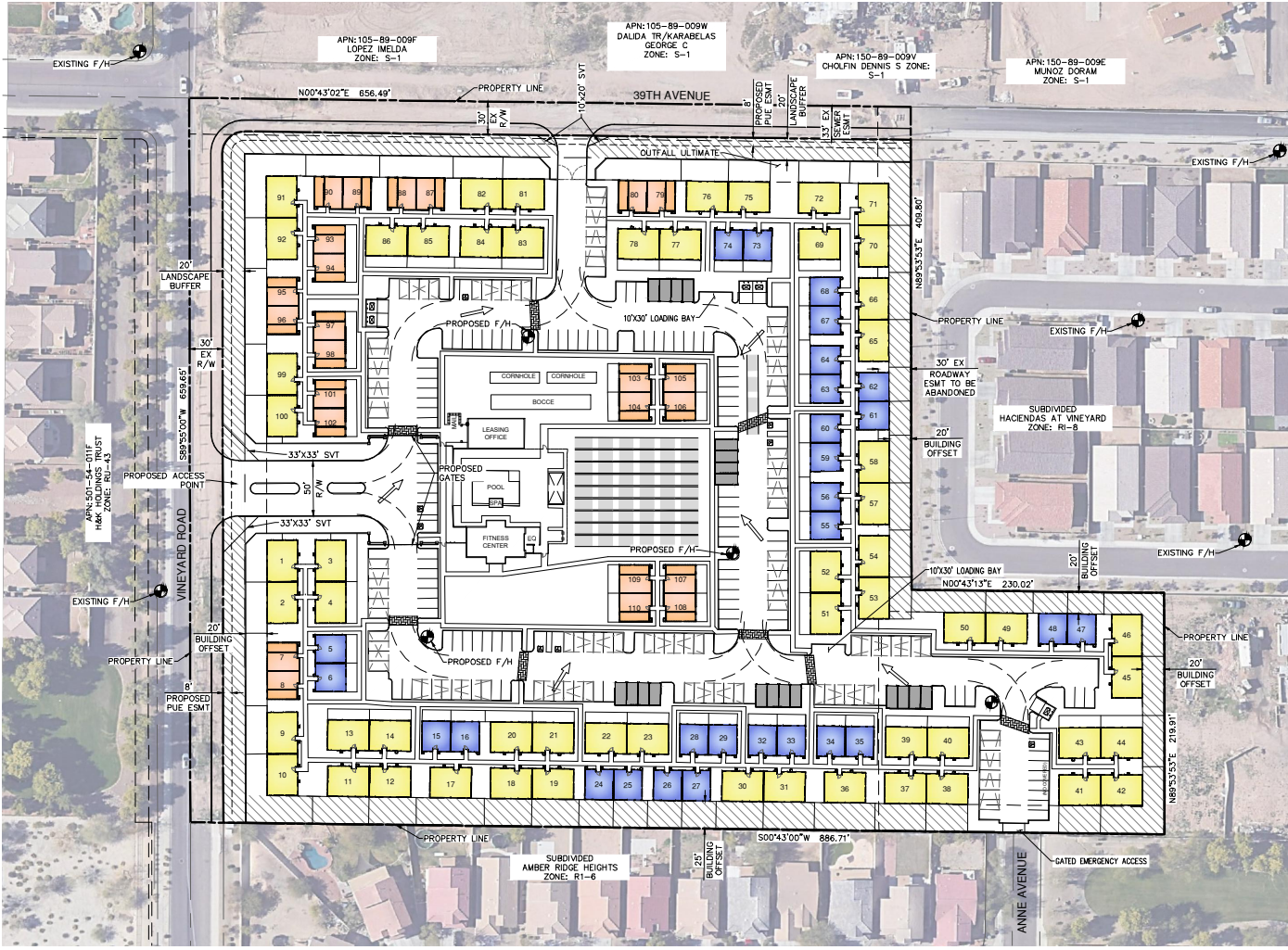
DATE: 2024/03/19

SCALE: 1/8" = 1'-0" (11x17)

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Hearing Date: May 15, 2024



ENGINEER
BOWMAN
1600 N. DESERT DRIVE, SUITE 210
TEMPE, AZ 85281
CONTACT: BRUCE LARSON
EMAIL: BLARSON@BOWMAN.COM
PHONE: (480) 346-1425

OWNER
LAVEN LAND LLC, LLC
6605 S 39TH AVE
PHOENIX, AZ 85041

DEVELOPER
JASON PANCAMO - PRESIDENT
PRESTIGE BECKSHAR DEVELOPMENT, LLC
10603 N. HAYDEN ROAD, SUIT 110
SCOTTSDALE, ARIZONA 85260
PHONE: (480) 409-0373
EMAIL: JASON@BECKSHAR.COM

LEGEND

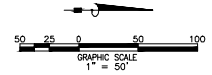
- HANDICAP PARKING
- ONE BEDROOM
- TWO BEDROOM
- THREE BEDROOM 2 STORY
- GARAGES
- DRAINAGE FLOW
- FIRE HYDRANT
- ▨ LANDSCAPE AREA
- R/W RIGHT OF WAY
- L/S LANDSCAPE

SITE DATA	
PROPERTY ADDRESS	NEC 39th AVE AND VINEYARD ROAD
APN	105-89-0004P, 105-89-0004Q, 105-89-0004H, 105-89-0004F, 105-89-0004R
GROSS AC	±11.10 AC
NET AC	±10.22 AC
REZONING CASE NUMBER	PA 21-107
CURRENT ZONING	R1-8
PROPOSED ZONING	R-2 PRD
LOT SALE	NO
BUILDING HEIGHT	30
NUMBER OF UNITS	110
GROSS DU/AC	9.9
NET DU/AC	10.8
LOT COVERAGE	30%

MULTI-FAMILY UNITS AND PARKING				
	NUMBER OF UNITS	MIX %	REQUIRED PARKING PER UNIT	TOTAL PARKING PROVIDED
1 BEDROOM	28	25%	1.5	42
2 BEDROOM	58	53%	1.5	87
3 BEDROOM	24	22%	2.0	48
TOTALS	110	100%		177
OVERALL PARKING REQUIRED				177
GUEST PARKING FOR 1 AND 2 BEDROOM (0.5 SPER UNIT)				43
GUEST PARKING FOR 3 BEDROOM (1 SPER UNIT)				24
TOTAL PARKING PROVIDED				248
TOTAL PARKING PROVIDED INCLUDES GARAGES				

KIV# 21-4395
SDEV#
PAPP# 2107507
OS#
CASE#
PRJ#
SCM#

CITY OF PHOENIX
MAR 17 2022
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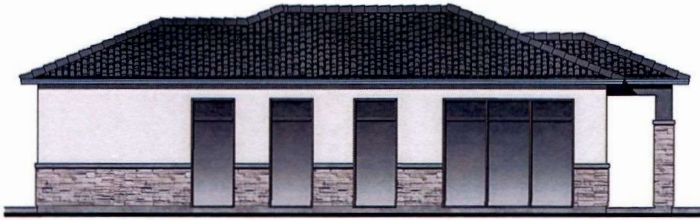




REAR ELEVATION
ELEVATION B
1/4" = 1'-0"



RIGHT ELEVATION
ELEVATION B
1/4" = 1'-0"



LEFT ELEVATION
ELEVATION B
1/4" = 1'-0"



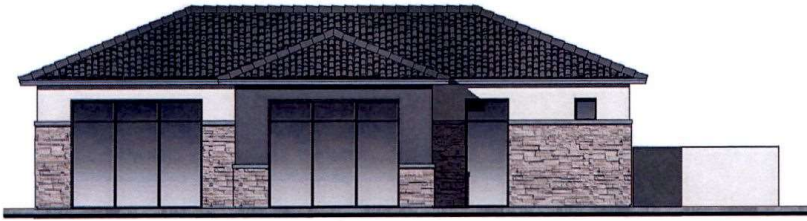
FRONT ELEVATION
ELEVATION B
1/4" = 1'-0"

CITY OF PHOENIX
JUL 0 8 2022
Planning & Development
Department

COLOR SCHEME 4
LEASING | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-28-2022





REAR ELEVATION
ELEVATION B 1/4" = 1'-0"



RIGHT ELEVATION
ELEVATION C 1/4" = 1'-0"



LEFT ELEVATION
ELEVATION D 1/4" = 1'-0"



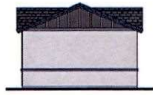
FRONT ELEVATION
ELEVATION E 1/4" = 1'-0"

CITY OF PHOENIX
JUL 08 2022
Planning & Development
Department

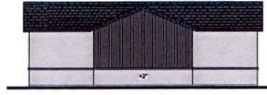
COLOR SCHEME 4
FITNESS | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-28-2022





LEFT ELEVATION
ELEVATION A 18' x 11'-0"



REAR ELEVATION
ELEVATION A 18' x 11'-0"



RIGHT ELEVATION
ELEVATION A 18' x 11'-0"



FRONT ELEVATION
ELEVATION A 18' x 11'-0"

CITY OF PHOENIX
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COLOR SCHEME 2
GARAGE | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

3-10-2022





LEFT ELEVATION
ELEVATION A
18'-11/2"



REAR ELEVATION
ELEVATION A
18'-11/2"



RIGHT ELEVATION
ELEVATION A
18'-11/2"



COLOR SCHEME 1
BUILDING 1 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

CITY OF PHOENIX
JUL 08 2022
Planning & Development
Department

6-27-2022





PERIMETER UNITS
LEFT ELEVATION
ELEVATION A 1/8" = 1'-0"



PERIMETER UNITS
REAR ELEVATION
ELEVATION A 1/8" = 1'-0"



PERIMETER UNITS
RIGHT ELEVATION
ELEVATION A 1/8" = 1'-0"



COLOR SCHEME 1
BUILDING 1 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

CITY OF PHOENIX
JUL 0 8 2022
Planning & Development
Department

6-27-2022





LEFT ELEVATION
ELEVATION 1 1/2" x 1/2"



REAR ELEVATION
ELEVATION 2 1/2" x 1/2"



RIGHT ELEVATION
ELEVATION 3 1/2" x 1/2"



PLAN 2

FRONT ELEVATION
ELEVATION 4 1/2" x 1/2"

CITY OF PHOENIX

JUL 0 6 2022

Planning & Development
Department

COLOR SCHEME 3

BUILDING 2 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-27-2022

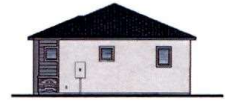




PERIMETER UNITS
LEFT ELEVATION
ELEVATION B 1/8" = 1'-0"



PERIMETER UNITS
REAR ELEVATION
ELEVATION B 1/8" = 1'-0"



PERIMETER UNITS
RIGHT ELEVATION
ELEVATION B 1/8" = 1'-0"



PLAN 2
PERIMETER UNITS
FRONT ELEVATION
ELEVATION B 1/8" = 1'-0"

- CONCRETE ROOF TILE
- WOOD FASCIA
- COACH LIGHT
- ADDRESS MARKER
- STUCCO FINISH
- PINK CEMENT SIKING
- STUCCO POP-OUT
- MASONRY VENEER

CITY OF PHOENIX
JUL 08 2022
Planning & Development
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COLOR SCHEME 3
BUILDING 2 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-27-2022

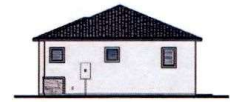




LEFT ELEVATION
ELEVATION B
1/4" = 1'-0"



REAR ELEVATION
ELEVATION B
1/4" = 1'-0"



RIGHT ELEVATION
ELEVATION B
1/4" = 1'-0"

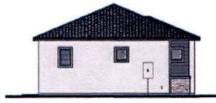


CITY OF PHOENIX
JUL 08 2022
Planning & Development
Department

COLOR SCHEME 4
BUILDING 3 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-27-2022

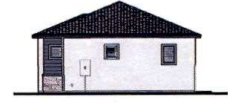




PERIMETER UNITS
LEFT ELEVATION
ELEVATION B 1/8" = 1'-0"



PERIMETER UNITS
REAR ELEVATION
ELEVATION B 1/8" = 1'-0"



PERIMETER UNITS
RIGHT ELEVATION
ELEVATION B 1/8" = 1'-0"



PLAN 2D

PERIMETER UNITS
FRONT ELEVATION
ELEVATION B 1/8" = 1'-0"

PLAN 2D

CITY OF PHOENIX

JUL 06 2022

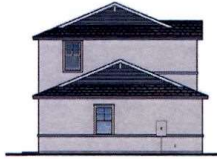
Planning & Development
Department

COLOR SCHEME 4

BUILDING 3 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-27-2022





PERIMETER UNITS
LEFT ELEVATION
ELEVATION C 1/8" = 1'-0"



PERIMETER UNITS
REAR ELEVATION
ELEVATION C 1/8" = 1'-0"



PERIMETER UNITS
RIGHT ELEVATION
ELEVATION C 1/8" = 1'-0"



CITY OF PHOENIX
JUL 06 2022
Planning & Development
Department

COLOR SCHEME 5
BUILDING 4 | PRESTIGE ON VINEYARD | PHOENIX, ARIZONA

6-27-2022



25. **Application #:** Z-19-22-7
From: R1-8
To: R-2
Acreage: 11.08
Location: Northeast corner of 39th Avenue and Vineyard Road
Proposal: Multifamily residential
Applicant: Prestige BeckShar Development, LLC
Owner: Laveen Land, LLC
Representative: Michael T. Maerowitz, Snell & Wilmer

Ms. Racelle Escolar stated that Item No. 25 is Z-19-22-7, a request to rezone 11.08 acres located at the northeast corner of 39th Avenue and Vineyard Road from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential.

The Laveen Village Planning Committee recommended approval, per the staff recommendation (Addendum A Staff Report) with a modification and additional stipulations by an 8 to 0 vote. The Village Planning Committee recommended modifying Stipulation No. 1 to reference updated elevations presented at the meeting, and adding stipulations regarding traffic mitigation along Vineyard Road, adding a shaded playground element in the open space area, and adding the option for EV-Ready garages and a minimum number of EV-Ready charging stations.

Staff recommends approval, per the Laveen Village Planning Committee recommendation.

Ms. Escolar stated that the applicant was available to answer questions.

Chairman Howard asked the applicant to come up and make a very brief presentation on this item, because he knows that there have been some changes since this was heard at the Village. He thought it would be good to go over a couple of those changes prior to voting.

Mr. Michael T. Maerowitz stated that he would forgo a formal presentation due to the length of tonight's meeting. He stated that they are in support of the staff recommendation with the stipulations as modified by the Laveen Village Planning Committee. They do not have any modifications to those.

Chairman Howard asked if this item is the one where the applicant detached the units after the Village hearing.

Mr. Maerowitz responded, no, that was not this case.

Chairman Howard apologized for the mix up. He stated that since there were no speakers in support or opposition to this case, he would invite a motion.

Commissioner Busching asked to speak. She stated that she drove this property and agrees that it is in bad need of development. People have to drive on Vineyard Road on a one-lane road and share the road, which is difficult, and 39th Avenue is not built out. But this is a property in the middle of a lot of single-family with lush landscaping, open areas, amenities that are open to everybody. This is going to put a four-walled, single-family, for-rent property in the middle of it. The people that are in the single-family, for-rent are going to be able to use all of the amenities in the neighborhood, but the neighborhood is not going to be able to use any of their amenities. She stated that she had asked the applicant for a wall plan. They said, maybe they could get it. She stated that there are certainly going to be walls all along 39th Avenue and all along Vineyard Road. They do not know if those walls are going to be attractive to the neighborhood or going to make this property look like a prison in the middle of a very nice single-family neighborhood. She is not in favor of this project.

Commissioner Perez commented that when it comes to Laveen cases, she makes sure she touches base with the Chair or the Vice-Chair. She stated that they were happy with this project. The Laveen Village Planning Committee goes through their stipulations and does their due diligence. Most of the applicants that go to Laveen also have to go through Laveen Citizens for Responsible Development (LCRD), which also approved this case. She understands what Commissioner Busching was saying; however, for Laveen to vote 8 to 0 and be happy with this project, she would support it. If they approved it and are comfortable with it and the way it is going to look, along with their stipulations, she thinks they should move it forward. There was no one from Laveen on the list of participants to speak.

Vice-Chairwoman Mangum stated that she is very familiar with this area and agrees with Commissioner Perez. It is going to add a lot to the neighborhood. She respects what Commission Busching stated; however, she thinks it is a really good project, and she will be in support of it.

Chairman Howard stated that he would echo that. It is a good project. He thinks that the elevations, in particular, are very attractive. He asked Commissioner Busching if her objections were that it has walls, or is it something specific that she wants to see regarding those walls. He stated that it sounded like there was some concern that the surrounding neighborhood would not be able to use the amenities, however, it is a private community with private amenities. He was not sure that he totally understood what the alternative is.

Commissioner Busching responded that she thinks it is a great project for a different location. It is not a great project for this location, because this location is surrounded by properties that are not walled or gated. This being a for-rent project, people will be able to use the amenities of the other projects that are around there and the converse is not true. That is one big issue for her. Another big issue is the fact that they have no idea what all these single-family homeowners in the neighborhood are going to be looking at on all these walls

that are being created. She thinks that a village needs to know if they are going to be looking at walls when they drive around every day, what they are going to look like, and whether they are going to be happy with them.

Commissioner Gaynor asked Mr. Maerowitz what the wall is going to look like.

Mr. Maerowitz stated that was a great question. They have not gotten to the point in the site plan review process with the City about what exactly the wall is going to look like. That stated, he appreciates the comments from all the Commissioners. They will comply with the City's design guidelines that are applicable to perimeter walls in Section 507. The perimeter wall will be a decorative wall that will match the architecture of the rest of the project, in terms of colors. He added that this is a development team that has gone above and beyond the typical development standards, in terms of design. He thinks that is evident by the unanimous recommendation approval by the Village. They will not short circuit that effort with a wall that is a plain block wall. It will be a decorative wall with colors that match the high quality and enhanced architecture of the rest of the community.

Commissioner Gaynor thanked Mr. Maerowitz for his explanation. He stated that he lives in a neighborhood that is surrounded by walls. People who have driven into his neighborhood to visit them from Salt Lake City, Detroit, and Mexico love the way the neighborhood looks, because of the trees and brush added to the area. He is surrounded by walls, and he loves coming into his neighborhood and it looks beautiful. He thinks that the City has been very strict with what the design guidelines are. He is going to rely on the Village. It sounded to him like they really went through this process. It is their village and he would support the project.

Commissioner Busching responded to Commissioner Gaynor and Mr. Maerowitz. Yes, the design guidelines do provide for enhanced design on walls. Unfortunately, what she has been seeing is that there are many situations where the developers do not comply, and it is up to the inspectors to enforce it. Inspectors find that there are a lot of other issues that are much more pressing than how the perimeter walls look, so they do not do it, and they end up with block walls. Nobody wants to take down a wall that is already up, so they end up with walls that are not in accordance with the design guidelines. That is why she is really concerned for the people that have to look at them.

Chairman Howard stated that he wanted to be careful that they are not creating obstacles that are out of order for applicants. If this is really something that is part of the site plan approval or part of the construction documents, he wanted to be careful that they did not make it an imposition at this stage in the process, before an applicant knows that they have the land use that they would need to have in order to obviously spend the money on those subsequent designs. He asked staff if a wall plan is required at this stage in the process. If it is, he thinks that they should defer to that. If it is not, then he thinks that they should defer to whatever the policies and procedures of staff are.

Commissioner Perez asked if the design could come back to the Village or go through a PHO regarding the design element. She stated that would satisfy Commissioner Busching if they were able to review it before it went forward, to add something where they would come back to the Village. They have done it for a lot of other cases, where they have gone back to Laveen for design review to make sure that they are meeting it, such as wanting a rural look. Many of the zoning attorneys at this meeting knows that they have gone back to Laveen to make sure that they looked at those. If that would satisfy Commissioner Busching, then maybe they should add it.

Chairman Howard stated that he thinks the solution is, if there are things that inspectors are overlooking, they should make sure that the inspectors enforce the rules. It is not to create another barrier for applicants to add another six weeks to an approval process, to go back to a Village after already getting through a Village. He asked staff if wall plans are required at this time.

Ms. Escolar stated no, a wall plan is not required with a rezoning process, but it would be required with the next step, which is typically a preliminary site plan approval.

Commissioner Johnson stated that he agreed with what Commissioner Gaynor had said. Creating a stipulation where they have to put up wall plans is really great for big builders, but for a small builder, like himself, it is an added cost that really starts to push out local builders and only really attract some of the big builders in the Valley, which is not really what the Commission wants. They want to make sure they are having a good mix of both, in his opinion. Secondly, he stated that if there are these inspectors out there, he would encourage staff to start sending them to his site, because he has not encountered that ever. The inspectors that they have are very meticulous in what they inspect, and they require it to be verbatim, exactly what is on the site plan, to the point where it can be frustrating as a builder, but he also understands that it is their job. He agrees with Chairman Howard and what Commissioner Gaynor stated. This is not really something that is part of the process, and he does not think that it should be added to the process. If the applicant decides to offer this up, he is supportive of that on future cases. But, right now on this case the Village has signed off, the neighborhood has signed off, staff has signed off. There is zero opposition, and considering sending it back to the Village for wall plans does not seem fair to him.

Vice-Chairwoman Mangum made a motion to approve Z-19-22-7, per the Laveen Village Planning Committee recommendation.

Commissioner Gaynor SECONDED.

There being no further discussion, Chairman Howard called for a vote and the MOTION Passed 8-1 (Busching).

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.~~ 10. 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.
- ~~9.~~ 11. 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.
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.~~ 13. 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.
- ~~11.~~ 14. A minimum of 28 bicycle parking spaces shall be provided through Inverted U 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.~~ 15. If determined necessary by the Phoenix Archaeology Office, the applicant shall 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.~~ 16. If Phase I data testing is required, and if, upon review of the results from the Phase 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
18. Proposition 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.

**LAVEEN VILLAGE PLANNING COMMITTEE
MEETING MINUTES**

Monday, July 11, 2022

Meeting was held electronically via a video conferencing platform

MEMBERS PRESENT

Linda Abegg, Vice Chair
Francisco Barraza
Toni Buggs
Stephanie Hurd
JoAnne Jensen
Carlos Ortega
Rebecca Perrera
Jennifer Rouse

MEMBERS EXCUSED

Tonya Glass, Chair
Elijah Flores
Gary Flunoy
Christopher Joseph
Gizette Knight

STAFF PRESENT

Julianna Pierre

The items for this meeting were heard in the following order: 1, 2, 3, 8, 9, 4, 5, 6, 7, 10.

1. Call to order, introductions, and announcements by Chair.

Vice Chair Linda Abegg called the Laveen Village Planning Committee meeting to order at 6:30 p.m. with a quorum of seven members present (seven members required for a quorum).

2. Review and approval of the **June 13, 2022** meeting minutes.

Committee member Jennifer Rouse arrived to the meeting during this item, bringing quorum to 8 members.

MOTION

Committee member Carlos Ortega made a motion to approve the June 13, 2022 minutes. The motion was seconded by **Committee member Stephanie Hurd**.

VOTE

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

3. Public comments concerning items not on the agenda.

Dan Penton and **Phil Hertel** indicated that they had no comments and wanted to reserve their time for the public comment portion of other agenda items.

4. **PHO-3-22--Z-96-06-7: Presentation, discussion, and possible recommendation regarding a request to modify stipulations of entitlement for the property located at the southwest corner of 59th Avenue and Southern Avenue. Request for review of conceptual elevations per stipulation number 2.**

STAFF BACKGROUND PRESENTATION

Julianna Pierre indicated that this item was heard by the Village Planning Committee (VPC) at last month's meeting and was continued to address concerns with the conceptual elevations. She provided information regarding the location of the site and surrounding zoning. She stated that the applicant is coming before the Committee for review of conceptual elevations per Stipulation No. 2. She displayed the proposed elevations for the residential and support buildings.

APPLICANT PRESENTATION

Alan Beaudoin, applicant and representative with Norris Design, stated that at last month's meeting he presented elevations, but the VPC wanted to see more detailing with accent materials and colors. He displayed the revised elevations and stated that since the last meeting he had discussions with Committee members and made adjustments as recommended.

QUESTIONS FROM COMMITTEE

Vice Chair Linda Abegg stated that through discussions with the applicant they decided to modify Stipulation No. 2 to general conformance to the revised elevations with specific regard to the following elements:

- The roof material at the covered entries will be standing seam metal.
- The elevations will utilize a minimum of 3 different siding materials, generally as shown above.
- The units will utilize farmhouse style gooseneck lamps at the entries.
- Eaves will extend 18 inches off of primary facades.
- The individual unit types will be located on the site plan per the provided key plans.
- Black window frames should be used for white colored elevations that face a street.

Alan Beaudoin indicated that the vinyl for the windows may not come in black, but instead a dark brown. **Vice Chair Linda Abegg** stated that the vinyl should be a darker color, either black or dark brown.

PUBLIC COMMENTS

Dan Penton requested that the updated elevations be forwarded to the Laveen Citizens for Responsible Development (LCRD). He added that the modified elevations are better without pastel colors, and he appreciated the improvements in aesthetics, specifically nothing the 18-inch overhangs. He asked if the units would incorporate 22-foot driveways. **Alan Beaudoin** stated that 22-foot driveway have been incorporated into the most recent site plan.

Phil Hertel appreciated the inclusion of the LCRD comments.

MOTION

Committee member Stephanie Hurd made a motion to approve PHO-3-22--Z-96-06-7 with the following modifications to Stipulation No. 2:

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- The roof material at the covered entries will be standing seam metal.
- The elevations will utilize a minimum of 3 different siding materials, generally as shown above.
- The units will utilize farmhouse style gooseneck lamps at the entries.
- Eaves will extend 18 inches off of primary facades.
- The individual unit types will be located on the site plan per the provided key plans.
- Black window frames should be used for white colored elevations that face a street.

The motion was seconded by **Committee member Jennifer Rouse**.

VOTE

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

5. **Z-19-22-7**: Presentation, discussion, and possible recommendation regarding a request to rezone 11.08 acres located at the northeast corner of 39th Avenue and Vineyard Road from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential.

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 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 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 palm 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.

6. **Z-22-22-8 (Companion Case Z-SP-3-22-8): Presentation, discussion, and possible recommendation regarding a request to rezone 4.90 acres located approximately 220 feet north of the northeast corner of 59th Avenue and Elliot Road from C-1 (Neighborhood Commercial) to C-2 (Intermediate Commercial) to allow commercial uses.**

Item No. 6, Z-22-22-8, and No. 7, Z-SP-3-22-8, were heard concurrently.

STAFF PRESENTATION

Julianna Pierre provided information regarding the request, location, and surrounding zoning for Rezoning Case No. Z-22-22-8 and Special Permit Case No. Z-SP-3-22-8. She stated that the Special Permit would allow a self-service storage facility comprised of three buildings, and the remainder of the site still subject to Z-22-22-8 would be or future commercial uses. She stated that the site would have enhanced landscaping and the self-service storage facility's roll-up doors would be oriented away from

residences. She reviewed the community input, staff findings, recommendation, and stipulations for both cases.

APPLICANT PRESENTATION

Adam Baugh, representative with Withey Morris, PLC, discussed the location, general plan designation, and history of the site for both Z-22-22-8 and Z-SP-3-22-8. He discussed the site layout, noting that the southwest corner of the site will be retained as a future retail parcel. He reviewed the conceptual elevations and project highlights and benefits. He stated that the self-service storage use is an ideal buffer for adjacent residential because it is a low-intensity commercial use. He added that, per discussion with the Committee, the developer was open to adding a stipulation requiring a Planning Hearing Officer hearing for the future commercial portion and a modification to the shading requirement for the 5-foot-wide detached sidewalk along 59th Avenue.

QUESTIONS FROM COMMITTEE

Committee member JoAnne Jensen asked for clarification about community correspondence. **Vice Chair Linda Abegg** stated that the applicant does community outreach, but staff will typically note that there has been no community correspondence if no emails have been received.

Committee member Linda Abegg asked about increasing shade to 75%. **Adam Baugh** explained that there are space constraints, and it would not be possible to add a second row of trees to provide 75% shade. He stated that they will meet the Ordinance requirement of 50% shading.

PUBLIC COMMENT

Dan Penton appreciated that the elevations were discussed with the LCRD and community input was taken into account. He expressed concerns with the orientation of the primary building considering residential is proposed directly adjacent to the self-service storage facility. He recommended that front of the primary building face south and incorporate four-sided architecture. He also expressed concern regarding the ratio of storage and residential in the Village. He added the commercial that is approved should be revenue generating and usable.

APPLICANT RESPONSE

Adam Baugh clarified that the building is oriented as proposed because there will be a right in-right out entry to the site. He added that a corner of the site is set aside for future commercial and there is zoning across 59th Avenue or future commercial.

MOTION

Committee member Carlos Ortega made a motion to approve Z-22-22-8 with the modification of Stipulation No. 4, regarding review and comment, to instead require a PHO and modification of Stipulation No. 11.a to include language for 50% shading of the detached sidewalk. 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.

7. **Z-SP-3-22-8 (Companion Case Z-22-22-8)**: Presentation, discussion, and possible recommendation regarding a request to rezone 3.60 acres located approximately 420 feet north of the northeast corner of 59th Avenue and Elliot Road **from C-1 (Pending C-2) (Neighborhood Commercial, Pending Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage warehouse and underlying commercial uses.**

Item No. 6, Z-22-22-8, and No. 7, Z-SP-3-22-8, were heard concurrently.

MOTION

Committee member Carlos Ortega made a motion to approve Z-SP-3-22-8 with the modification of Stipulation No. 9.a to include language for 50% shading of the detached sidewalk. The motion was seconded by **Vice Chair Linda Abegg**.

VOTE

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

8. **GPA-LV-1-22-8 (Companion Case Z-25-22-8)**: Presentation, discussion, and possible recommendation on a request to amend the General Plan Land Use Map Designation on approximately 4.99 acres located at the southwest corner of 43rd Avenue and Baseline Road **from Residential 2 to 3.5 dwelling units per acre to Commercial to allow commercial development.**

Item No. 8, GPA-LV-1-22-8, and No. 9, Z-25-22-8, were heard concurrently.

STAFF PRESENTATION

Julianna Pierre stated that this item was heard by the Committee last month for information only. She provided information regarding the request, location, and surrounding zoning for General Plan Amendment, GPA-LV-1-22-8, and Rezoning Case No. Z-25-22-8. She stated that the PUD request and associated General Plan Amendment would permit a veterinary hospital and other commercial uses. She discussed the proposal of a veterinary hospital and clinic on the south side of the site and the north side of the site is proposed for future commercial uses. She discussed the prohibited uses, development standards, and design of the proposal. She stated that there was community input about traffic issues caused by the adjacent school. She reviewed the staff findings, recommendation, and stipulations for Z-25-22-8 and noted that the associated General Plan Amendment did not have any stipulations.

APPLICANT PRESENTATION

Adam Baugh, representative with Withey Morris, PLC, provided an overview of the site and the proposal. He stated that the use developing on the southern portion of the

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site will be the Laveen Veterinary Center and that the northern portion of the site will be for future commercial uses. He stated that since last month, the developer had talked with the Community and Economic Development Department to determine the demographics in the area and what types of commercial uses would be best for the north side of the site. He emphasized that the intent of the PUD is to develop and asset for the community.

PUBLIC COMMENTS

Dan Penton stated that he was in favor of the proposal, but requested that the north side of the parcel be dustproofed until uses were ready to be built.

MOTION

Committee member JoAnne Jensen made a motion to approve GPA-LV-1-22-8. The motion was seconded by **Committee member Jennifer Rouse**.

VOTE

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

9. **Z-25-22-8 (Companion Case GPA-LV-1-22-8):** Presentation, discussion, and possible recommendation regarding a request to rezone 4.99 acres located at the southwest corner of 43rd Avenue and Baseline Road **from S-1 (Ranch or Farm Residence) to PUD (Planned Unit Development) for the Laveen Veterinary Hospital & Clinic PUD to allow a veterinary hospital and commercial uses.**

Item No. 8, GPA-LV-1-22-8, and No. 9, Z-25-22-8, were heard concurrently.

MOTION

Committee member JoAnne Jensen made a motion to approve Z-25-22-8. The motion was seconded by **Committee member Jennifer Rouse**.

VOTE

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

10. **Z-45-22-8:** Presentation, discussion, and possible recommendation regarding a request to rezone 41.60 acres located at the southeast corner of 59th Avenue and Dobbins Road **from S-1 (Approved C-2 HGT/WVR PCD) (Ranch or Farm Residence, Approved Intermediate Commercial, Height Waiver, Planned Community District) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow mixed-use development.**

STAFF PRESENTATION

Julianna Pierre provided information regarding the request, location of the site, adjacent zoning and uses, and general plan designation. She reviewed the proposal which consists of Lot 1, the commercial town center and retail plaza; Lot 2, the two-

and three-story multifamily apartments; and Lot 3, the one-story multifamily development with courtyard clusters. She reviewed the conceptual site plan and elevations. She discussed the community input, staff findings, recommendation, and stipulations.

APPLICANT PRESENTATION

Ben Tate, representative with Withey Morris, PLC, provided information regarding the site location, general plan designation, and adjacent zoning. He discussed the site history and noted that the defunct Laveen Town Center Planned Community District (PCD) is no longer supported. He added that the applicant is requesting to zone out of the PCD due to the stipulations requiring master planning, which are difficult to satisfy for one parcel. He added that the density and height for the new proposal matches that of the PCD and the proposal is an adaptation of what was proposed in 2004. He reviewed the proposal, specifically describing the key information for Lots 1, 2, and 3. He displayed the conceptual site plan, elevations, various renderings, and color options.

QUESTIONS FROM COMMITTEE

Committee member Carlos Ortega expressed concern with the lack of commercial. He recommended that the entire frontage of 59th Avenue be commercial uses. He added that the applicant had modified their original plan, but the retail space of Lot 1 was not increased, only the parking area. He added that the commercial will not be accessible to other Laveen residents and will only function as an amenity for those who live in Lots 2 and 3. He also expressed concern with the lack of open space in the residential lots. **Committee member Rebecca Perrera** added that there is a need for more commercial and what is proposed will not be accessible to other residents within the Laveen Village.

Committee member Stephanie Hurd stated that the proposal looks great, but needs additional commercial space. She stated that commercial zoning in the Village is always used for multifamily development or a self-service storage facility and there is a need for more usable commercial. She stated that the Committee should continue to item to allow the applicant more time to modify the proposal to Laveen's advantage.

Committee member Jennifer Rouse stated that she was disappointed with the proposal and there should be additional commercial integrated into the development. **Committee member Carlos Ortega** stated that the three residential buildings in Lot 2 along Dobbins Road should be commercial. He reiterated that the residential lots need more open space and Laveen wants more open space that is required by the Ordinance. He recommended that the applicant continue to work with the Committee and community to modify the proposal.

Vice Chair Linda Abegg stated that the 40 acres to the south is intended to be a public park with 20 acres leased to the school district for a school. She stated that the applicant should work with the City regarding the park space because there is a need for additional open space considering the number of units proposed. **Committee**

member Rebecca Perrera also expressed concerns with the lack of open space incorporated into the proposal.

Committee member JoAnne Jensen stated that she understood it would take more people than proposed in the development to support additional commercial. She recommended that the development provide additional spaces that could be converted into retail in the future. **Committee member Stephanie Hurd** stated that most commercial in the Village has become multifamily, but commercial users do want to return to Laveen. **Ben Tate** stated that the proposed amount of commercial is what can be supported in the future.

PUBLIC COMMENTS

Dan Penton stated that the proposal shows a lack of vision and unwillingness to listen to the Committee and community. He also expressed concern with the neighborhood meeting. He added that he held a poll on Facebook where 98% of respondents indicated they wanted more commercial and open space to be included in the development. He added the developer increased the town square, but did not increase the retail space, but only the parking area. He recommended that the developer keep the number of units the same, but increase the proposed height to allow for more open space and commercial. He expressed concerns that the commercial uses will only function as an amenity for Lots 2 and 3. He recommended that the applicant ask for a continuance to receive additional input from the community and modify the proposal.

Justin Ferrandi stated that commercial development needs to be supported by rooftops. He stated that the Committee should allow additional rooftops to be built and commercial development will follow.

APPLICANT RESPONSE

Ben Tate stated that Lot 1 will have indoor and outdoor leasable area for retail. He added that the developer may be able to add additional commercial, but it has to be sustainable for the market. He stated that the number of residents living on site will not be enough to service the proposed commercial, and the intent is for the commercial area to be used by residents on and off site. He added that additional commercial may remain unleased, detracting from the mixed-use environment.

COMMITTEE DISCUSSION

Vice Chair Linda Abegg stated that there had been discussions with the applicant and the town square portion of the development would have to be built before the second phase of residential is built.

Committee member Stephanie Hurd stated that the Committee should consider a continuance to give the applicant time to modify the proposal to incorporate more commercial. She said the commercial users, such as Target, were considering coming to the Village when there was primarily one acre lots.

Committee member Carlos Ortega stated that a continuance should be considered because the Committee wants to see something different and there needs to be more community input. **Committee member Rebecca Perrera** stated that the Committee should consider a continuance over a vote.

MOTION

Committee member Carlos Ortega made a motion to continue Z-45-22-8 to the August 8th VPC meeting to give the applicant time to consider modifications to the proposal that incorporate more commercial and open space. The motion was seconded by **Committee member Jennifer Rouse**.

VOTE

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

11. Staff update on cases recently reviewed by the Committee.

Julianna Pierre provided the following updates:

- PHO-2-22--Z-39-12-7: (Approximately 660 feet north of the northeast corner of 51st Avenue and Baseline Road). Request to delete stipulation number 3, regarding a 50-foot landscape setback along 51st Avenue and Baseline Road, and stipulation number 4, regarding a multi-use trail along 51st Avenue and Baseline Road. The Planning Hearing Officer took the case out from under advisement on June 23, 2022, and recommended approval with additional stipulations. She added that the additional stipulations were regarding general conformance to a landscape plan, to address requirements for archaeological survey and testing, and regarding submittal of a Proposition 207 Waiver of Claims form prior to preliminary site plan approval.
- Dobbins Industrial Tech Park: **Julianna Pierre** stated that she is still in contact with Planning and Development management, City Council, and CED to provide an update presentation to the VPC. She indicated that she had not received a response, but hoped the update would be provided at the August VPC meeting. **Vice Chair Linda Abegg** stated that she has also requested management to attend the meeting multiple times to discuss Dobbins Industrial Tech Park. She discussed how the PUD was approved with the intent to have no distribution uses. She also discussed the informal interpretation that allowed a loophole for candy items to be packaged and distributed. However, this was not considered to be distribution because the site would allow people to come in and buy the candy. She stated that a portion of the proposal is currently in development review, but there are still issues with the number of dock doors.

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- Laveen Spectrum: A portion of the Laveen Spectrum PUD went through the preliminary site plan approval process. The elevations and site plan are similar to what was proposed during the preapplication process, but there was a slight difference in the number of units.

12. Committee member announcements, requests for information, follow up, or future agenda items.

Vice Chair Linda Abegg stated that if other members of the Committee wanted to be involved in meetings with developers to let staff know, so they can pass along contact information.

Committee member Carlos Ortega requested that the Committee be provided information about how to generate commercial investment from additional rooftops. **Committee member Stephanie Hurd** discussed the retail analysis that was initiated by the Mayor and City Council. **Vice Chair Linda Abegg** and **Committee member JoAnne Jensen** asked for contact information for Planning and Development Department staff, Community and Economic Development Department staff, and Council District 7 and 8 offices.

Committee member Jennifer Rouse discussed the Talk About STEAM event occurring on July 16th. She added that it will be open to the public with food trucks and projects that are STEAM based. She also discussed the town hall hosted by Councilwoman Ansari. She also discussed the Phoenix Neighborhood Patrol training. **Committee member Stephanie Hurd** asked if District 7 and District 8 were both involved in the town hall. **Committee member Jennifer Rouse** stated that she was not aware of District 8 being involved. She stated that Councilwoman Ansari has been working with the community regarding issues in the Village.

Committee member Francisco Barraza asked when VPC meetings will return to in person. **Julianna Pierre** explained that as of right now, VPC meetings will still be virtual, but if that does change, she will let the Committee know.

13. Adjournment.

Vice Chair Linda Abegg made a motion to adjourn the meeting. The motion was seconded by **Committee member Carlos Ortega**.

The meeting was adjourned at 10:45 p.m.