



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

From: Joshua Bednarek
Planning & Development Department Director

Date: September 18, 2026

Subject: P.H.O. APPLICATION NO. PHO-1-26--Z-23-23-7– 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 **October 21, 2026**.
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 **September 25, 2026**.

DISTRIBUTION

Mayor's Office (Tony Motola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
City Council District 7 - Luke Black and staff (council.district.7@phoenix.gov)
Aviation (Jordan D. Feld)
CED (Michelle Pierson), 20th Floor
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Parks & Recreation (Todd Shackelford), 16th Floor
Public Transit (Skitch Kitchen)
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 (Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Logan Zappolo), 2nd Floor
Village Planner (Nayeli Sanchez Luna, Laveen Village), 3rd Floor
Village Planning Committee Chair (Ms. Stephanie Hurd, Laveen Village)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-26--Z-23-23-7

Council District: 7

Request For: Stipulation Modification

Reason for Request: 1) Modification of Stipulation 11 regarding general conformance to the site plan date stamped June 22, 2023.

2) Modification of Stipulation 19 regarding landscape within the parking lot area.

HEARING INFORMATION

Hearing Type	Hearing Date	Hearing Time	Hearing Location
Planning Hearing Officer	10-21-2026	10:00 AM	Meetings to be held virtually

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Mark Ortman Jr, VP Elliot 202, LLC	Owner	8722 East Via De Commercio, Suite 100 Scottsdale AZ 85258	602-459-9925		mark@vintagevp.com
Daniel Chambers, QuikTrip Corporation	Applicant	1116 East Broadway Road Tempe AZ 85282	480-446-6321		dchamber@quiktrip.com
Robert Hannen, Kimley-Horn & Associates, Inc.	Representative	14648 N Scottsdale Road, Suite 200 Scottsdale AZ 85254	602-219-1259		robert.hannen@kimley-horn.com

Property Location: Northwest corner of Elliot Road and 59th Avenue

Acreage: 4.65

Geographic Information

Zoning Map C5	APN 300-02-031G	Quarter Section Q04-14
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
\$1,080.00	\$0.00	09/11/26	PHO (1-2 stipulations)

PHO APPLICATION WRITTEN REQUEST

QT #1514 - NWC of 59th Avenue and Elliot Road



APPLICANT:



Daniel Chambers

QuikTrip Corporation

1116 East Broadway Road

Tempe, AZ 85282

(480) 446-6321

dchamber@quiktrip.com

PROJECT BACKGROUND

QuikTrip Corporation conducted an Option 2 Pre-App meeting for the proposed QuikTrip Store 1514 located at the northwest corner of 59th Ave and Elliot Road. During the pre-application meeting it was discovered that the site is tied to an existing zoning case, ZA-23-23-I, which includes multiple stipulations that conflict with the proposed use of this site. The zoning was approved in June, 2023 when the site had a proposed use of a self-storage facility.

DESCRIPTION OF PROPOSAL

The current proposal seeks to address these conflicts by removing the applicable stipulations to accommodate the development of QuikTrip Store 1514. The following section provides a detailed description of the proposed development and outlines the necessary modifications to align with the new intended use.

EXISTING STIPULATIONS TO BE MODIFIED

The following stipulations from Z-23-23-I

11. The building size and layout of the commercial development portion shall be in general conformance with the site plan date stamped June 22, 2023, as modified or approved by the Planning and Development Department.
19. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.

PROPOSED MODIFICATIONS

11. The building size and layout of the commercial development portion shall be in general conformance with the site plan date stamped ~~June 22, 2023~~, _____, 2026, as modified or approved by the Planning and Development Department.

19. All uncovered surface parking lot area not within the 100-foot SRP no tree easement shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.

RATIONALE

The rationale for each of the stipulation modifications are as follows:

Stipulation 11: We formally request this stipulation be revised to accept a new site plan as the approved site plan is not consistent with the proposed use of a convenience store and fueling station.

Stipulation 19: We formally request that this stipulation be revised to accommodate SRP's 100 ft no tree easement around an existing irrigation line on site.

ORDINANCE G-7169

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-23-23-7) FROM S-1 (APPROVED C-2 OR CP/GCP) (RANCH OR FARM RESIDENCE, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK/ GENERAL COMMERCE PARK OPTION) AND S-1 (RANCH OR FARM RESIDENCE) TO C-2 HGT/WVR DNS/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DENSITY WAIVER).

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

follows:

SECTION 1. The zoning of a 22.37-acre property located approximately 70 feet north of the northwest corner of 59th Avenue and Elliot Road in a portion of Section 7, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 22.03 acres of "S-1 (Approved C-2 or CP/GCP)" (Ranch or Farm Residence, Approved Intermediate Commercial or Commerce Park/General Commerce Park option) and 0.34 acres of "S-1" (Ranch or Farm Residence) to "C-2 HGT/WVR DNS/WVR" (Intermediate Commercial, Height Wavier, Density Waiver).

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:

Multifamily Development

1. Residential development shall comply with the maximum density requirement of the R-3A PRD development standards.
2. The multifamily development shall be in general conformance with the elevations date stamped April 21, 2023, as approved by the Planning and Development Department with specific regard to the following:
 - Pitched or hipped roofs.
 - All elevations contain at least three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size and location, and roof overhangs.
 - Elevations contain material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, tile insets or stamped designs.
 - Elevations incorporate a minimum of three of the following materials: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, tile (matte finish) stucco and exposed aggregate concrete.
 - Perimeter-facing building facades within perimeter design corridor (area of site within 100 feet of 59th Avenue frontage) limited to 75% stucco coverage.
 - Primary building colors limit reflectivity.

- Building trim and accent areas feature different materials and colors.
 - Building massing reduced through variation in roofline and form, inclusion of protected and recessed entrances, use of focal points and vertical accents, use of pronounced wall plane offsets and projections, and provision of windows facing street and pedestrian area.
 - Building facades greater than 60 feet in length provide a minimum of two of the following at appropriate intervals: texture and material changes, offsets, reveals, archways or projecting ribs, wall plane projections or recesses, variation in window systems, vertical landscape feature, and public art.
3. Prior to final site plan approval, the developer shall include with the building plans submitted for Phoenix Building Construction Code compliance review certification by a registered Professional Engineer or registered Professional Architect in the State of Arizona demonstrating the average indoor noise levels of the residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.
 4. A minimum of six amenities shall be provided, which may include but is not limited to barbeques, ramadas, and pools, and the amenities shall be distributed throughout the site, as approved by the Planning and Development Department.
 5. The entry drives shall incorporate enhanced landscaping on both sides, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.
 6. A minimum of 12% of the gross site area shall be retained as common area, as approved by the Planning and Development Department.
 7. Perimeter fencing or walls within 50 feet of a public street shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
 8. Required multifamily landscape setbacks shall be planted with minimum 25% 2-inch caliper and 75% 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with one 5-gallon shrub per tree, as approved by the Planning and Development Department.
 9. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.

- a. A minimum of 30 bicycle parking spaces shall be provided on the multifamily development through inverted U and/or artistic racks dispersed throughout the site or in a secured room and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
- b. A bicycle repair station ("fix it station") shall be provided on the multifamily development. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- c. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.

Commercial Development

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

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

14. A minimum of six bicycle parking spaces shall be provided on the commercial development through Inverted U and/or artistic racks located near the building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, and as approved by the Planning and Development Department.

Overall Development

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

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

21. A minimum of 10% of the required parking spaces shall include EV Capable infrastructure.
22. Right-of-way shall be dedicated and two bus stop pads shall be constructed, one westbound on Elliot Road and the other on southbound 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad on Elliot Road shall be spaced from 59th Avenue according to City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department.
23. A minimum 55-foot right-of-way for the west half of 59th Avenue shall be dedicated, adjacent to the development. The improvements shall be consistent with the arterial CM cross section including the 59th Avenue median and a minimum 6 feet wide detached sidewalk separated by a minimum 10 feet wide landscape strip located between the back of curb and sidewalk.
24. A 20-foot right-of-way radius at the northwest corner of 59th Avenue and Elliot Road shall be dedicated.
25. The developer shall deposit 25% of the cost of the future traffic signal in an escrow account to the Street Transportation Department, prior to final site plan approval.
26. Roadway improvements along Elliot Road shall comply with the Tierra Montana Master Street Plan.
27. Prior to the final site plan approval of the subject site, median openings in the 59th Avenue right-of-way shall align with full access drives located on the east side of 59th Avenue that have received approval, as approved by the Planning and Development Department.
28. Existing SRP facilities along Elliot Road are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval, as approved by the Planning and Development Department.

29. The developer shall construct all streets within and adjacent to the 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.
30. 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.
31. 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 4th day of October, 2023.

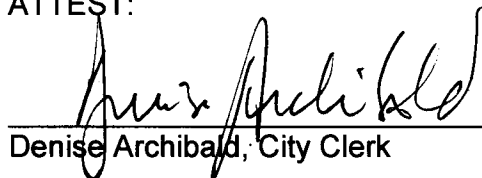


MAYOR

10/6/2023

Date

ATTEST:



Denise Archibald, City Clerk



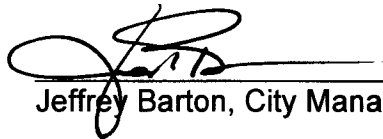
APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: DBenton

David Benton, Chief Counsel

P ml

REVIEWED BY:


Jeffrey Barton, City Manager

PML:ac:(LF23-2260):10-4-23:2400364_1.doc

Exhibits:

- A – Legal Description (2 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-23-23-7

A portion of the Southeast Quarter of Section 7, Township 1 South, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona. Being Described as Follows:

Commencing at the Southeast corner of said Section 7, from which the East Quarter corner of said Section 7, being monumented by a City of Phoenix brass cap in hand hole, bears North 00°22'19" East, a distance of 2641.02 feet;

Thence North 00°22'19" East, along the East line of the Southeast Quarter of said Section 7, a distance of 72.83 feet;

Thence departing said East line, along the ADOT Right of Way line of SR 202 the following 13 courses;

Thence North 89°55'07" West, a distance of 150.25 feet;

Thence North 84°53'58" West, a distance of 121.04 feet;

Thence North 72°07'11" West, a distance of 42.56 feet;

Thence North 82°34'22" West, a distance of 106.42 feet;

Thence North 21°47'32" West, a distance of 64.55 feet;

Thence North 89°54'29" West, a distance of 69.61 feet;

Thence North 18°19'07" West, a distance of 269.13 feet;

Thence North 26°32'30" West, a distance of 201.21 feet;

Thence North 27°18'32" West, a distance of 409.51 feet;

Thence North 23°04'58" West, a distance of 188.29 feet;

Thence North 15°22'43" West, a distance of 174.13 feet;

Thence North 37°26'01" East, a distance of 22.74 feet;

Thence North 89°45'48" East, a distance of 641.20 feet;

Thence departing said Right of Way line, South 00°22'19" West, a distance of 22.73 feet;

Thence North $89^{\circ}43'54''$ East, a distance of 345.97 feet to said East line;

Thence South $00^{\circ}22'19''$ West, along said East line, a distance of 1,237.94 feet to the Point of Beginning.

Containing 914,153.35 square feet or 20.99 acres, more or less.

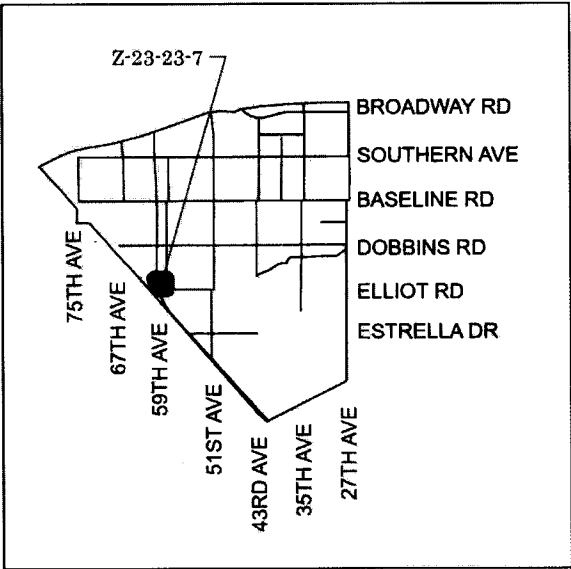
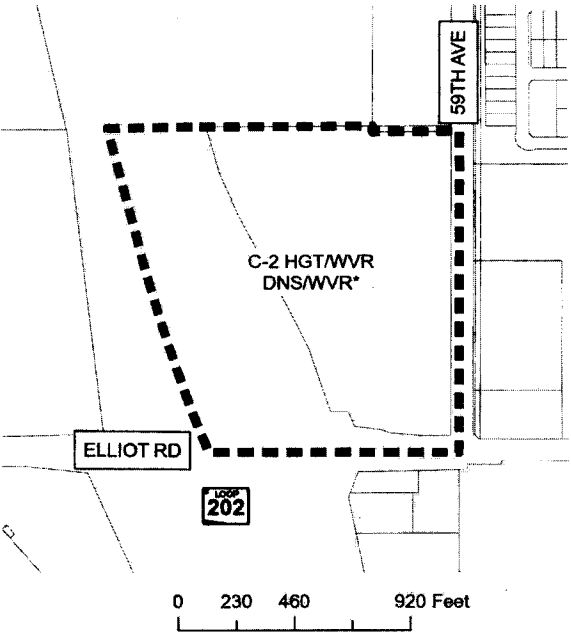
G 7169

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

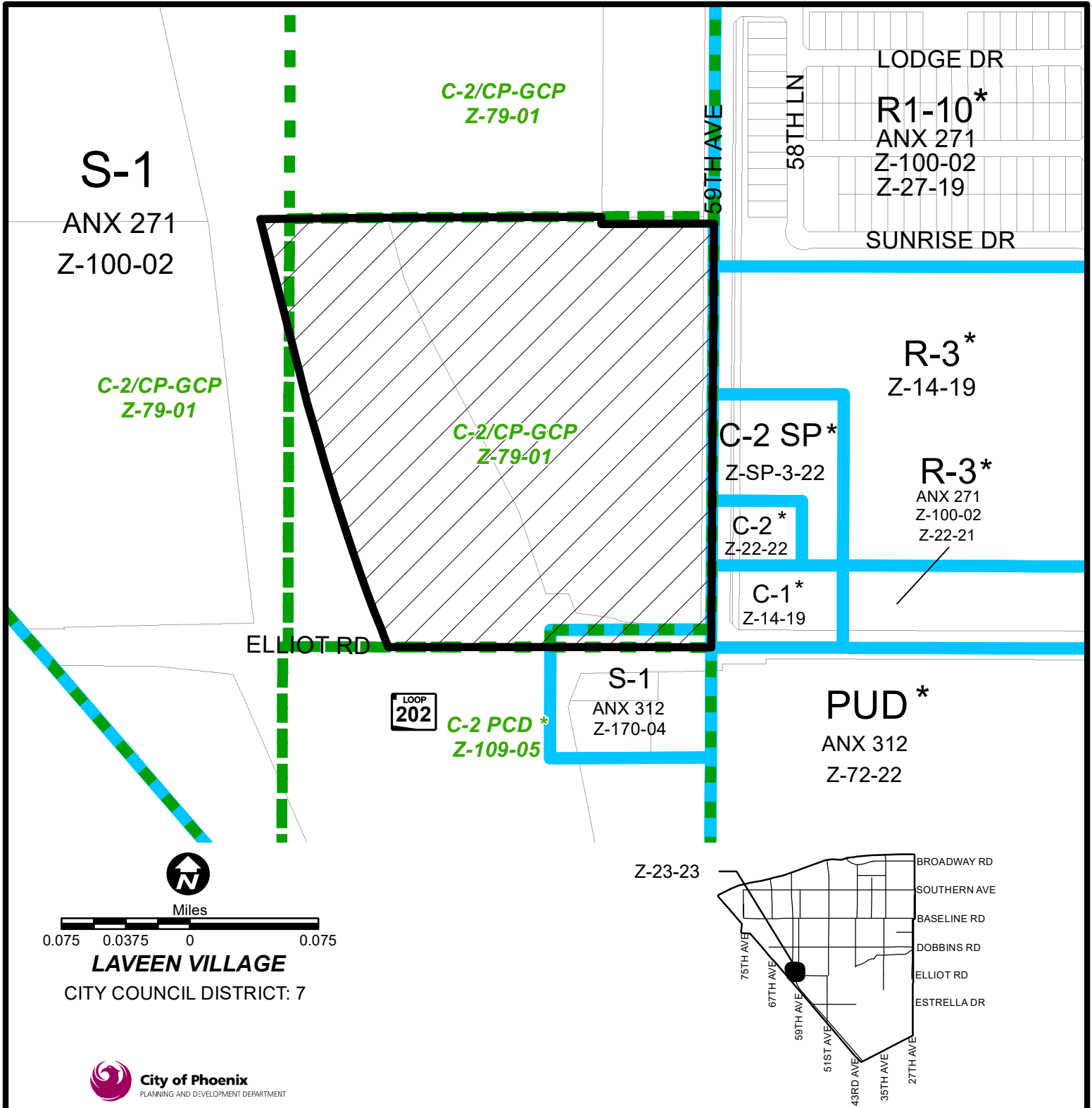
Zoning Case Number: Z-23-23-7
Zoning Overlay: N/A
Planning Village: Laveen



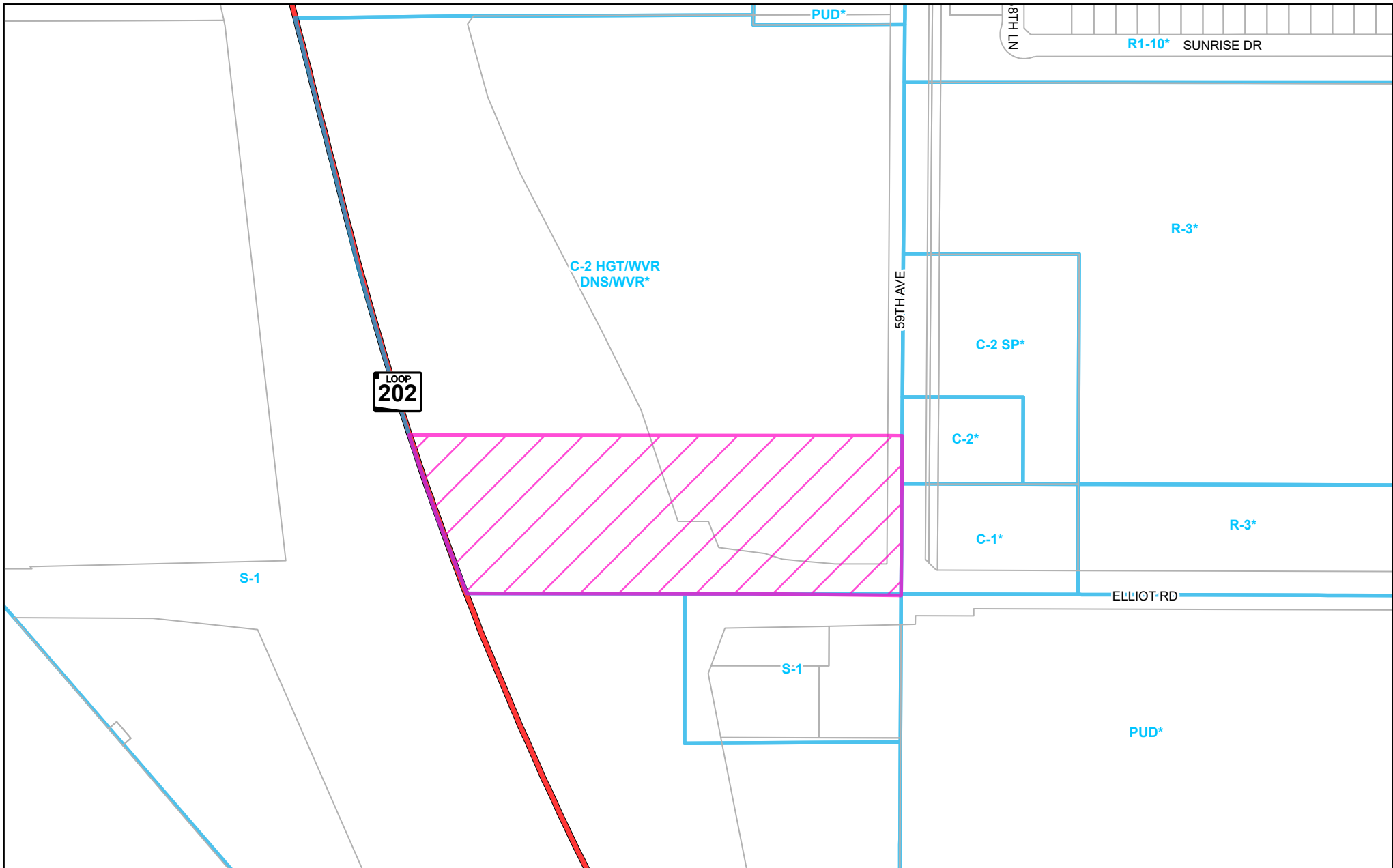
NOT TO SCALE

Drawn Date: 9/11/2023

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APPLICANT'S NAME: VP Elliott 202, LLC		REQUESTED CHANGE: FROM S-1 (Approved C-2 or CP/GCP) (22.03 a.c.) S-1 (0.34 a.c.) TO: C-2 HGT/WVR DNS/WVR (22.37 a.c.)	
APPLICATION NO. Z-23-23	DATE: 5/10/2023 REVISION DATES: 7/25/2023	* UNITS P.R.D. OPTION N/A (383), N/A 1167	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 22.37 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 04-11 ZONING MAP C-5		
MULTIPLES PERMITTED S-1 (Approved C-2 or CP/GCP), S-1 C-2 HGT/WVR DNS/WVR		CONVENTIONAL OPTION 22 (319), 0 973	
* Maximum Units Allowed with P.R.D. Bonus			



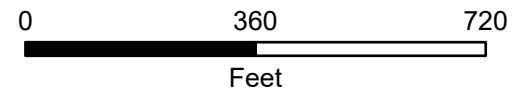
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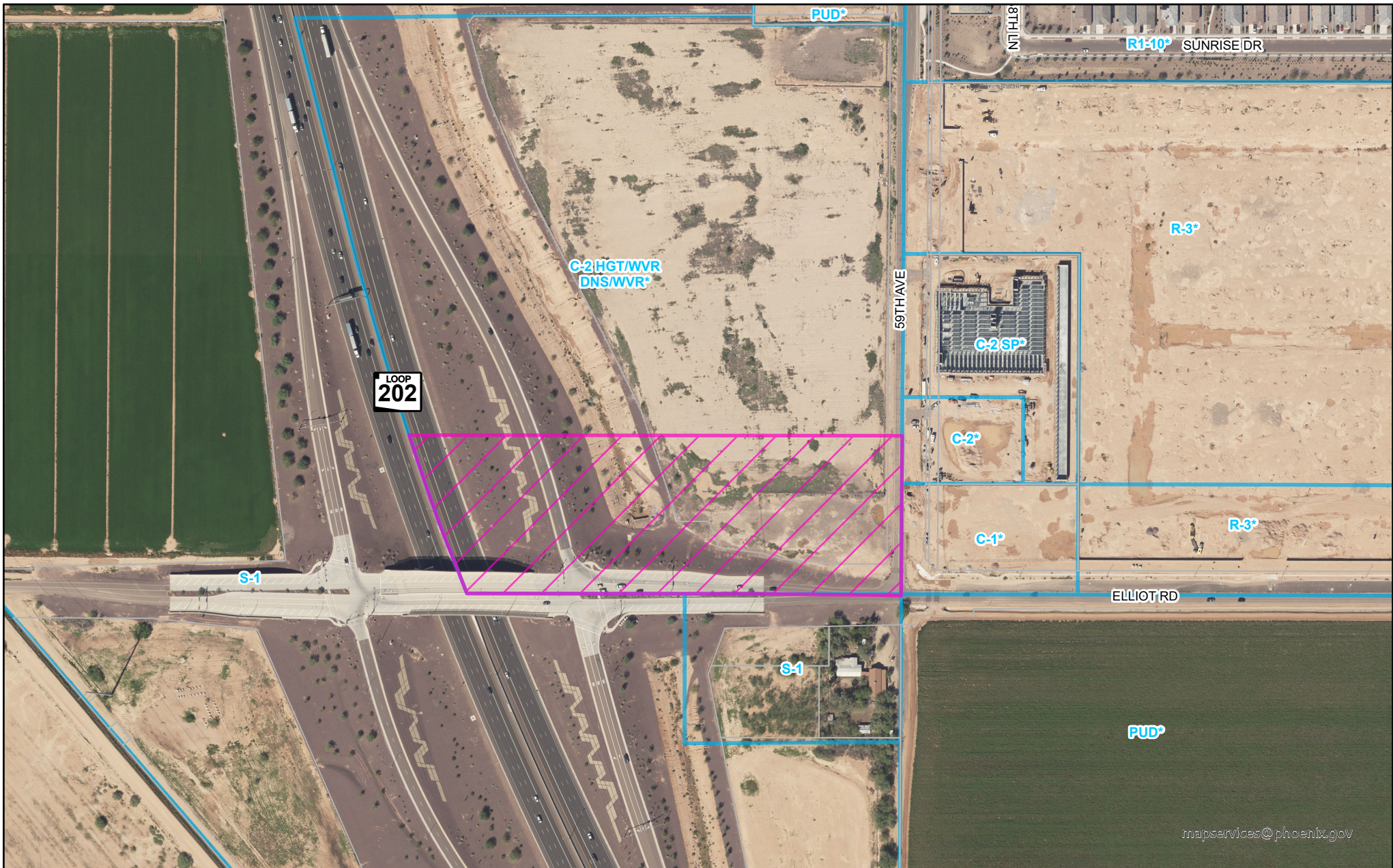
Property Location: Northwest corner of Elliot Road and 59th Avenue



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department





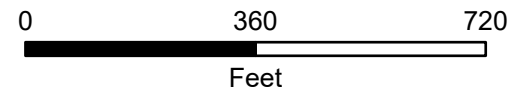
PHO-1-26--Z-23-23-7

Property Location: Northwest corner of Elliot Road and 59th Avenue



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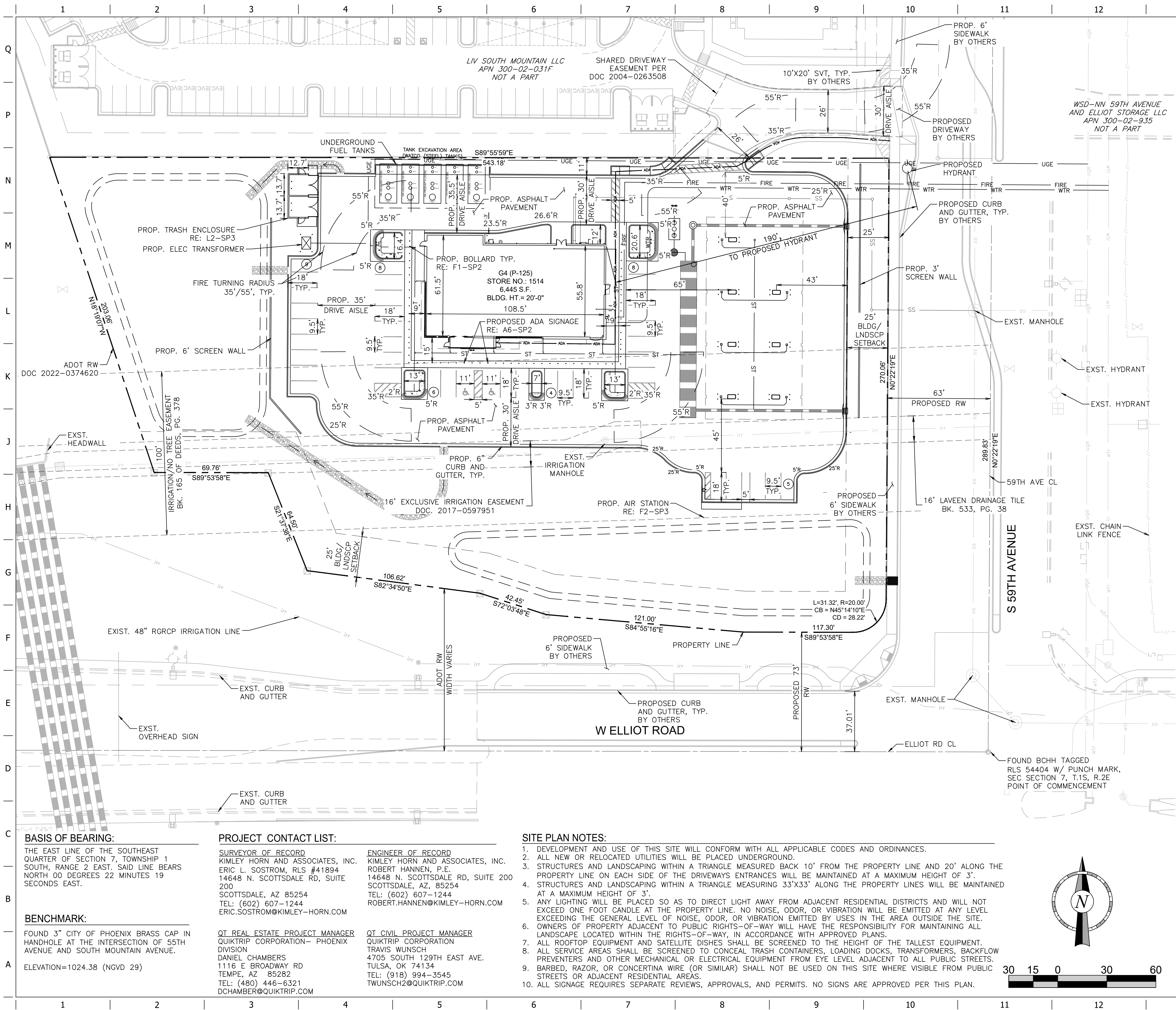


CITY OF PHOENIX

SEP 04 2026

Planning & Development
Department

PHO-1-26--Z-23-23-7



Vicinity Map
SECTION 7
T.1S., R.2E., G.&S.R.B.&M.
MARICOPA COUNTY, ARIZONA
NTS

SITE DATA

PROPOSED/EXISTING ZONING: C-2 HGT/WVR DNS/WVR*
ZONING CASE: ZA-631-25
EXISTING USE: UNDEVELOPED
PROPOSED USE: GAS STATION/CONV. STORE
ADJACENT ZONING: NORTH: PLANNED UNIT DEVELOPMENT
SOUTH: RANCH OR FARM RESIDENCE
EAST: INTERMEDIATE COMMERCIAL
WEST: RANCH OR FARM RESIDENCE
GENERAL PLAN CLASSIFICATION: INTERMEDIATE COMMERCIAL
APN: 300-02-031G
ADDRESS: NWC OF S. 59TH AVE AND W. ELLIOT RD

SITE AREA INFORMATION:
NET AREA (QT SITE): 60,796 S.F. 1.39 A.C.
GROSS AREA: 131,931 S.F. 3.03 A.C.
QUIKTRIP BUILDING: 6,445 S.F.
QUIKTRIP FUELING CANOPY: 7,287 S.F.
PARCEL COVERAGE: 13,732/131,931 = 10.4%
LANDSCAPE COVERAGE: 62,963/131,931 = 47.7%
PARKING REQUIRED: (6,170 S.F. X 1 SPACE/300 S.F. FLOOR AREA) = 21 P.S.
PARKING PROVIDED: 38 PLUS 2 ACCESSIBLE
PROPOSED BUILDING HEIGHT: 20'-0" AT FRONT DOOR
CONSTRUCTION TYPE: V-B SPRINKLERED

PROJECT DESCRIPTION

CONSTRUCTION OF A NEW 6,445 S.F. CONVENIENCE STORE AND 7,287 S.F. FUELING CANOPY WITH EIGHT (8) MPD'S.

SITE LEGEND

- BOUNDARY LINE
- EXISTING CENTER LINE
- CONCRETE CURB AND GUTTER
- "NO PARKING - FIRE LANE" CURB PAINT
- MOUNTABLE CURB W/RADIUS PROTECTOR
- PARKING SPACE INDICATOR
- AREA LIGHT
- MULTIPLE PRODUCT DISPENSER WITH CANOPY COLUMNS AND BOLLARDS
- TRANSFORMER
- FUEL SYSTEM ACCESS MANWAY
- PROPOSED ASPHALT PAVEMENT
- CITY OF PHOENIX FIRE DEPARTMENT TRUCK TURN (INSIDE RADIUS=35', OUTSIDE RADIUS=55')

MUNICIPAL ENDORSEMENT AREA

DSD Tracking Numbers:	
KIVA#	SCMJ#
SDEV#	CPG#
QS#	PAPP#
PRLM#	PLAT#

PROJECT NO.: 291443050

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
14648 NORTH SCOTTSDALE RD., SUITE 200
SCOTTSDALE, ARIZONA 85254 (602) 944-5500

QuikTrip No. 1514
NWC OF 59TH AVENUE AND ELLIOT ROAD
PHOENIX, AZ 85339



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ANY UNAUTHORIZED USE, REPRODUCTION,
PUBLICATION, DISTRIBUTION, OR SALE IN
WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-125
DIVISION:
VERSION: 001
DESIGNED BY: JHT
DRAWN BY: AAB
REVIEWED BY: RMH

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: 06/01/22

SHEET TITLE:

PRELIMINARY SITE PLAN

SHEET NUMBER:

SP1

SHEET 1 OF 3

Proposed Conceptual Site Plan

Hearing Date: October 21, 2026

100

Owner: Rosemary McKenzie, DHM Trading, LLC

Applicant/Representative: Thomas Owens, Owens Design Consultants

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Aug. 1, 2023, and recommended approval, per the staff recommendation, by a vote of 12-0.

PC Action: The Planning Commission heard this case on Sept. 7, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 6-0.

Location

Southwest corner of 8th Street and Minnezona Avenue

Council District: 4

Parcel Address: 4512 N. 8th St. and 711 E. Minnezona Ave.

This item was adopted.

**84 Amend City Code - Ordinance Adoption - Rezoning Application
Z-23-23-7 - Approximately 70 Feet North of the Northwest Corner of
59th Avenue and Elliot Road (Ordinance G-7169)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-23-23-7 and rezone the site from S-1 (Approved C-2 or CP/GPC) (Ranch or Farm Residence, Approved Intermediate Commercial or Commerce Park/General Commerce Park option) and S-1 (Ranch or Farm Residence) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow commercial and multifamily residential.

Summary

Current Zoning: S-1 (Approved C-2 or CP/GCP) (22.03 acres) and S-1 (0.34 acres)

Proposed Zoning: C-2 HGT/WVR DNS/WVR

Acreage: 22.37 acres

Proposed Use: Commercial and multifamily residential

Owner/Applicant: VP Elliot 202, LLC

Representative: Manjula Vaz, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on Aug. 14, 2023, and recommended approval, per the staff recommendation (Addendum A) with modifications and an additional stipulation, by a vote of 7-0.

PC Action: The Planning Commission heard this case on Sept. 7, 2023, and recommended approval, per the Laveen Village Planning Committee recommendation with modifications, by a vote of 5-1.

Location

Approximately 70 feet north of the northwest corner of 59th Avenue and Elliot Road

Council District: 7

Parcel Address: N/A

This item was adopted.

**85 Amend City Code - Ordinance Adoption - Rezoning Application
Z-35-23-8 - Northeast Corner of 27th Avenue and Southern Avenue
(Ordinance G-7171)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-35-23-8 and rezone the site from S-1 (Ranch or Farm Residence), R1-6 (Single-Family Residence District), R-4 (Multifamily Residence District), and C-1 (Neighborhood Retail) to C-1 (Neighborhood Retail) to allow a convenience store, gas station, and retail.

Summary

Current Zoning: S-1 (0.28 acres), R1-6 (0.62 acres), R-4 (0.15 acres), and C-1 (1.93 acres)

Proposed Zoning: C-1

Acreage: 2.98 acres

Proposed Use: Convenience store, gas station, and retail

Owner: AD Alliance II, LP, et al.

12. **Application #:** **Z-23-23-7**
From: S-1 and S-1 (Approved C-2 or CP/GCP)
To: C-2 HGT/WVR DNS/WVR
Acreage: 22.37
Location: Approximately 70 feet north of the northwest
 corner of 59th Avenue and Elliot Road
Proposal: Commercial and multifamily residential
Applicant: VP Elliott 202, LLC
Owner: VP Elliot 202, LLC
Representative: Manjula Vaz, Gammage & Burnham, PLC

Ms. Racelle Escolar stated that Item No. 12 is Z-23-23-7 a request to rezone 22.37 acres at approximately 70 feet north of the northwest corner of 59th Avenue and Elliot Road from S-1 (Ranch or Farm Residence District) and S-1, Approved C-2 (Intermediate Commercial District) or CP/GCP (Commerce Park/General Commerce Park option) to C-2 with a height and density waiver to allow commercial and multifamily residential.

The Laveen Village Planning Committee recommended approval, per the staff recommendation (Addendum A) with modifications and an additional stipulation.

The modifications were related to the building elevations; and adding, “as approved by the Planning and Development Department (PDD)” to stipulations related to the alignment of median openings in 59th Avenue, and a stipulation related to relocating SRP facilities.

The additional stipulation requires a two-story height limit for buildings north of the primary entrance as shown on the site plan.

Staff recommends approval, per the Addendum B Staff Report.

The addendum addresses the Village Planning Committee recommended stipulations. Staff recommends modifications to Stipulations 2 and 3 related to the building elevations and site standards; and modifications and an additional stipulation related to street dedications and improvements, and any SRP facilities.

Chairman Howard called on the applicant to speak.

Ms. Linda Schube stated that she was speaking on behalf of Vintage Partners and Liv Communities. She stated that she was before the Planning Commission with a 7-0 vote from the Laveen Village Planning Committee. They would like the Planning Commission to approve their case tonight with the stipulations as approved by the Village, except for the height restriction, which is Stipulation No. 3. As seen in the packet, the Village Chair, upon further reflection, sent an email stating that she is comfortable keeping the three-story height along 59th Avenue, given the site location, near the freeway, across from future mini-storage and multifamily. The applicant thinks that the three stories are appropriate, and upon

reflection and agreement by the Village Chair. It is worth pointing out that there is a 230-foot separation between their buildings and the nearest multifamily. Given the adjoining uses, the physical and visual separation between the uses, and their project's adjacency to the freeway, they think that three stories is appropriate. As for the other stipulations added by staff today, they were requesting approval of the Village stipulations. What they allow the applicant to do is continue to work with staff. It is not a free pass. They are very close to ADOT (Arizona Department of Transportation), so they are going to work with ADOT and the City and continue to work through the process. In order to have viable commercial, they would like the opportunity to work with staff and not be put inside such a tight box. She respectfully requested approval, reminding them of the 7-0 vote from the Village, with the Village stipulations, other than Stipulation No. 3 and respectfully requesting the deletion of that, with support from the Chair, in their packet.

Chairman Howard asked if there were any questions or comments from the Commission members.

Commissioner Busching stated that she was a little confused and asked Ms. Schube if she had seen the Addendum B Staff memo.

Ms. Schube stated that she had read it.

Commissioner Busching asked if she did not like it.

Ms. Schube responded that they would like the stipulations as they were drafted at the Village. There is more specificity in the stipulations from the Transportation Department. What they are respectfully requesting is the opportunity to continue to work with the Transportation Department and leave the stipulations the way they were coming out of the Village, other than Stipulation No. 3.

Commissioner Boyd stated that he was looking at the extensive Stipulation No. 2. He asked how much that is going to add to the rents of this property to go into that level of detail.

Ms. Schube responded that they are still trying to work out the commercial portion of the site plan. In order to have viable commercial, they need more access points. They are just looking for the opportunity to work through them.

Commissioner Boyd stated that he was looking at Stipulation No. 2. He read it to her. "... Multifamily design criteria... that seems to be counter to a lot of the conversation they have had about building more affordable housing. He was looking at a wish list that almost designs their entire property in the stipulation.

Ms. Schube responded that she did not know what stipulations he was referring to. They are comfortable with the stipulations as they came at the Village. The addendum contains stipulations regarding transportation. Those are the ones that

they have concern with. The ones regarding architecture are online with their architecture, and they are very comfortable with those.

Commissioner Boyd stated that in Stipulation No. 3, they were saying that they did not want the height. He noticed that at least in the Village version, he sees it limited to two stories with 30 feet, for any building north of the primary entrance. In the staff memo, that still exists.

Ms. Schube responded, that is correct. They would like that deleted. At the Village meeting, there was some discussion about compatibility of land uses. Yet, there is practice of having stair-stepping the height. In this case, because of the proximity to the freeway and the mini storage, upon further reflection the Village Chair and other members have found that three stories are appropriate to get the density to deal with the housing crisis. They would like three stories. They believe it is appropriate. At the hearing there was some concern that maybe they should stairstep the height. After further reflection, the Village is now comfortable with three stories all the way around. So, they are asking for deletion of Stipulation No. 3.

Commissioner Busching asked if there is a feet limitation with the three stories.

Ms. Schube stated yes. The other height limitations are fine. There was an added stipulation at the Village Planning Committee meeting requesting that a couple of the buildings be two stories. Now, they are requesting that all the buildings be three stories, in conformance with the site plan that is on file.

Commissioner Busching stated that her question was, the former stipulation said, "...limited to two stories at 30 feet." She asked if she wanted it changed to three stories or 30 feet.

Ms. Schube responded that they would like it stipulated to certain elevations. The elevations that they have on file have the three stories, not the 30 feet or the two stories. The case that was presented to the Village had three stories. There was a reaction to think that some of the buildings should be two stories. They further met with the members of the Village; and now, they are comfortable with the case as presented to the Village that allows three stories.

Chairman Howard stated that Ms. Schube commented having an email from the Chair of that Village who voted on this case.

Ms. Schube responded, that is correct. There should be an email in the packets, sent two days ago from the Chair saying that she is comfortable with the three stories.

Chairman Howard reiterated that they voted one way with a stipulation that limited height. Afterwards, there was subsequent conversations with that Village. That Village has now said that they support the removal of that stipulation which would allow the applicant to go back to the original proposed height.

Ms. Schube agreed.

Chairman Howard asked if there were any other comments or discussion.

Commissioner Boyd commented that he will probably support the case, but Stipulation No. 2 is micromanaging to an extreme, “The multifamily development shall be in general conformance with the elevation date stamped ..., with specific regard to the following: “ He stated that it seems to go beyond the purview of what they should ruling on. He would do an amendment request that may or may not get anywhere. He asked if there was anyone that could convince him of this amount of detail put into a stipulation when they are trying to build more affordable housing. He does not understand the purpose of that.

Ms. Schube agreed with Commissioner Boyd that less is more. There are stipulations and they are moving towards micro-management. She generally agrees wholeheartedly. These stipulations are all incorporated in their architecture, and they are responsive to the Laveen Village and what they look for in projects. While she full-heartedly agrees that less is more, they are very comfortable with the way that Stipulation No. 2 is drafted, responding to the Laveen Village. The elevations in the Commission members’ packets and the site plan do include all of these, and they are comfortable with it.

Chairman Howard asked Commissioner Boyd if his critique is more philosophical in terms of how they should be writing their stipulations in the staff reports, or if it is an objection specifically to this case and what the applicant is requesting.

Commissioner Boyd responded that he believes it is best put as philosophical to the point where they are talking about these requirements. This is going to add costs. Any housing produced under this is going to automatically cost more in the rent. He thinks there is a time and a place for many different stipulations. He is looking at a wall at this moment, where it is down to micromanaging to the point where the Commission is choosing to a certain point, if this is done on every project, who can live in certain places. That is going to be only affordable for certain kinds of people.

Chairman Howard agreed. We are making the process harder, thereby adding costs to that process. He asked Commissioner Boyd if that was a fair summation.

Commissioner Boyd stated yes.

Chairman Howard agreed with the comment and stated that it is fair. He asked staff to take note of that. He thinks it is something they should be thinking about in how they draft stipulations and in how the process is conducted. He is also hearing that Commissioner Boyd does not have any issues with what the applicant is proposing on the two stipulations that they are seeking relief from. He is hearing from the applicant that they have a case that has unanimous support at the Village. There is a little bit of difference of opinions between staff and the

applicant, but it seems to him there are no objects to what the applicant is asking for. He invited further discussion on that point.

Vice-Chairman Gaynor asked what stipulation they are requesting to delete.

Ms. Schube responded that they are comfortable with Stipulation No.2. They are asking for the deletion of Stipulation No. 3. Further into the addendum, delete Stipulations 24, 28, 29, and 30.

Commissioner Boyd asked if it would be simpler to do what the Village recommended, minus Stipulation No. 3, which is what the applicant is asking, otherwise it is more confusing.

Ms. Escolar stated that the addendum also cleans up Stipulation No. 2. There are a couple of items in there that are more related to site layout rather than building elevations, such as pedestrian access ways. Those are items that they removed in the addendum, and they are already addressed in other stipulations and through the Zoning Ordinance. That was the reasoning for those deletions.

Chairman Howard entertained a motion.

Commissioner Gorraiz commented that in consideration of the reconsideration of the Laveen Village Planning Committee, he is fine with the elimination of Stipulation No. 3. Regarding Stipulation No. 2, he does not believe that this is necessarily a stipulation that is going to be precedent setting, while he thinks staff has heard loud and clear that they do not care to have that type of micro-management, but with the applicant having no problem with those, he does not see why all that stuff on No. 2 is an issue. He is comfortable with the elimination of Stipulation No.3. and No. 2 remaining in place.

Commissioner Gorraiz made a motion to approve Z-23-23-7, without Stipulation No. 3, per the Laveen Village Planning Committee recommendation, allowing the applicant to continue working with the others on 24, 28, 29, and 30, per modified staff recommendation.

Chairman Howard asked if Commissioner Gorraiz was making a motion to confirm per the staff recommendation, not the Laveen Village Planning Committee recommendation, in terms of stipulations.

Commissioner Gorraiz responded, no. He is fine with the Laveen recommendation, just without Stipulation No. 3.

Chairman Howard asked the applicant if that was what she would like to see.

Ms. Schube responded, yes. They are comfortable with Stipulation No. 2 as drafted by staff, the deletion of Stipulation No. 3 and the balance of the stipulation as recommended by the Village.

Vice-Chairman Gaynor SECONDED.

Commissioner Boyd asked the Chair if that includes the staff recommendations to remove the two parts out of Stipulation No. 2 that were site plan issues, not zoning issues.

Commissioner Gorraiz stated that it includes Stipulation No. 2.

Commissioner Boyd asked if it includes the Stipulation No. 2 from the staff memo or from the Village, because the Village included tree planting and open space, exceeding City standards in the site plan, as being stipulated.

Commissioner Gorraiz responded that he had missed that they are completely different.

Commissioner Boyd stated that he wanted to be clear about the first thing they are voting on.

Ms. Escolar stated that it sounded like **Commissioner Gorraiz's intent is to approve per the Laveen Village Planning Committee recommendation, but with the removal of Stipulation No. 3 (having that height limitation), and then also agreeing to staff's Stipulation No. 2 in the addendum.**

Commissioner Gorraiz agreed.

Commissioner Boyd proposed an amendment to modify that to reject Stipulation No. 2, from everything with specific regard to the following onwards.

Chairman Howard asked Commissioner Boyd if he was striking just those two lines or the entire thing.

Commissioner Boyd responded, everything beyond Stipulation No. 2.

Chairman Howard stated, okay. He asked Commissioner Gorraiz if he accepted Commissioner Boyd's amendment.

Commissioner Gorraiz stated no, he did not second his amendment. Hearing no others, he suggested that Commissioner Boyd's motion died for lack of a second.

Chairman Howard explained that he did not accept Commissioner Boyd's amendment to his motion. So, there was a motion made by Commissioner Gorraiz, a second by Vice-Chairman Gaynor, and an amendment by Commissioner Boyd which died for the lack of a second or acceptance. Chairman Howard stated that he was inclined to vote on the initial motion if the Commission was okay with that.

Commissioner Gorraiz called for the vote.

There being no further discussion, Chairman Howard called for a vote and the MOTION Passed 5-1 (Busching) (Absent: Mangum, Perez, Simon).

Commissioner Busching explained her vote. She would have much preferred to go with the Laveen Village Planning Committee recommendations as opposed to using the staff changes. That is why she voted no.

Chairman Howard stated that was a fair comment.

Stipulations:

Multifamily Development

1. Residential development shall comply with the maximum density requirement of the R-3A PRD development standards.
2. The multifamily development shall be in general conformance with the elevations date stamped April 21, 2023, as approved by the Planning and Development Department—WITH SPECIFIC REGARD TO THE FOLLOWING:
 - PITCHED OR HIPPED ROOFS.
 - ~~TREE PLANTING AND OPEN SPACE EXCEEDING CITY STANDARDS~~
 - ALL ELEVATIONS CONTAIN AT LEAST THREE OF THE FOLLOWING ARCHITECTURAL EMBELLISHMENTS AND DETAILING: TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND ROOF OVERHANGS.
 - ELEVATIONS CONTAIN MATERIAL AND TEXTURAL DIFFERENCES, SUCH AS STUCCO AND/OR SPLIT FACE BLOCK WITH A DECORATIVE ELEMENT, SUCH AS TILE, TILE INSETS OR STAMPED DESIGNS.
 - ELEVATIONS INCORPORATE A MINIMUM OF THREE OF THE FOLLOWING MATERIALS: NATIVE STONE, BURNT ADOBE, TEXTURED BRICK, WOOD (WHEN SHADED BY OVERHANDS OR DEEP RECESSES), SLUMP BLOCK, TILE (MATTE FINISH) STUCCO AND EXPOSED AGGREGATE CONCRETE.
 - ~~WELL CONNECTED ON SITE AND OFF SITE PEDESTRIAN NETWORK/ACCESS~~
 - PERIMETER-FACING BUILDING FACADES WITHIN PERIMETER DESIGN CORRIDOR (AREA OF SITE WITHIN 100 FEET OF 59TH AVENUE FRONTAGE) LIMITED TO 75% STUCCO COVERAGE.
 - PRIMARY BUILDING COLORS LIMIT REFLECTIVITY.
 - BUILDING TRIM AND ACCENT AREAS FEATURE DIFFERENT MATERIALS AND COLORS.
 - BUILDING MASSING REDUCED THROUGH VARIATION IN ROOFLINE AND FORM, INCLUSION OF PROTECTED AND RECESSED ENTRANCES, USE OF FOCAL POINTS AND

VERTICAL ACCENTS, USE OF PRONOUNCED WALL PLANE OFFSETS AND PROJECTIONS, AND PROVISION OF WINDOWS FACING STREET AND PEDESTRIAN AREA.

- BUILDING FACADES GREATER THAN 60 FEET IN LENGTH PROVIDE A MINIMUM OF TWO OF THE FOLLOWING AT APPROPRIATE INTERVALS: TEXTURE AND MATERIAL CHANGES, OFFSETS, REVEALS, ARCHWAYS OR PROJECTING RIBS, WALL PLANE PROJECTIONS OR RECESSES, VARIATION IN WINDOW SYSTEMS, VERTICAL LANDSCAPE FEATURE, AND PUBLIC ART.

~~3. ANY BUILDINGS NORTH OF THE PRIMARY ENTRANCE AS SHOWN ON THE CONCEPTUAL SITE PLAN SUBMITTED BY THE APPLICANT SHALL BE LIMITED TO TWO STORIES OR 30 FEET.~~

~~3.~~ Prior to final site plan approval, the developer shall include with the building
~~4.~~ plans submitted for Phoenix Building Construction Code compliance review
~~3.~~ certification by a registered Professional Engineer or registered Professional Architect in the State of Arizona demonstrating the average indoor noise levels of the residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.

~~4.~~ A minimum of six amenities shall be provided, which may include but is not
~~5.~~ limited to barbecues, ramadas, and pools, and the amenities shall be
~~4.~~ distributed throughout the site, as approved by the Planning and Development Department.

~~5.~~ The entry drives shall incorporate enhanced landscaping on both sides,
~~6.~~ planted with a variety of at least three plant materials, as approved by the
~~5.~~ Planning and Development Department.

~~6.~~ A minimum of 12% ~~percent~~ of the gross site area shall be retained as common
~~7.~~ area, as approved by the Planning and Development Department.
~~6.~~

~~7.~~ Perimeter fencing or walls within 50 feet of a public street shall be a minimum
~~8.~~ of 50% open view fencing, as approved by the Planning and Development
~~7.~~ Department.

~~8.~~ Required multifamily landscape setbacks shall be planted with minimum 25%
~~9.~~ 2-inch caliper and 75% 3-inch caliper large canopy drought-tolerant trees, 20
~~8.~~ feet on center or in equivalent groupings, with one 5-gallon shrub per tree, as approved by the Planning and Development Department.

~~9.~~ The development shall incorporate bicycle infrastructure as described below
~~10.~~ and as approved by the Planning and Development Department.
~~9.~~

- a. A minimum of 30 bicycle parking spaces shall be provided on the multifamily development through inverted U and/or artistic racks dispersed throughout the site or in a secured room and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
- b. A bicycle repair station (“fix it station”) shall be provided on the multifamily development. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- c. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.

Commercial Development

- ~~40.~~
~~44.~~
10. Commercial development shall be limited to a maximum building height of 35 feet.
- ~~41.~~
~~42.~~
11. The building size and layout of the commercial development portion shall be in general conformance with the site plan date stamped June 22, 2023, as modified or approved by the Planning and Development Department.
- ~~42.~~
~~43.~~
12. Conceptual commercial building elevations shall be reviewed and approved by the Planning Hearing Officer (PHO) through the public hearing process for stipulation modification prior to preliminary site plan approval. This PHO review is a legislative review for the conceptual building elevations only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
- ~~43.~~
~~44.~~
13. The sidewalks along Elliot Road shall be detached with a minimum landscaped strip located between the back of curb and sidewalk and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity

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

- ~~14.~~ A minimum of six bicycle parking spaces shall be provided on the commercial
~~15.~~ development through Inverted U and/or artistic racks located near the building
14. entrances and installed per the requirements of Section 1307.H. of the
Phoenix Zoning Ordinance, and as approved by the Planning and
Development Department.

Overall Development

- ~~15.~~ A perimeter wall no less than 6 feet in height shall be provided along the Loop
~~16.~~ 202 freeway. This wall shall include material and textural differences, such as
15. stucco and/or split face block with a decorative element, such as tile or
stamped design, as approved by the Planning and Development Department.
- ~~16.~~ Where pedestrian walkways cross a vehicular path, the pathway shall be
~~17.~~ constructed of decorative pavers, stamped or colored concrete, or other
16. pavement treatments that visually contrast parking and drive aisle surfaces, as
approved by the Planning and Development Department.
- ~~17.~~ At least one pedestrian pathway shall be provided to connect the proposed
~~18.~~ multifamily development to the proposed commercial development, as
17. generally depicted on the site plan dated June 20, 2023, as approved by the
Planning and Development Department.
- ~~18.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native
~~19.~~ nectar species, and shall be planted in groups of three or more, as approved
18. by the Planning and Development Department.
- ~~19.~~ All uncovered surface parking lot area shall be landscaped with minimum 2-
~~20.~~ inch caliper size large canopy drought tolerant shade trees. Landscaping shall
19. be dispersed throughout the parking area and achieve 25% shade at maturity,
as approved by Planning and Development Department.
- ~~20.~~ A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide
~~21.~~ landscape strip between the back of curb and sidewalk shall be provided
20. along the west side of 59th Avenue, planted to the following standards, as
approved by the Planning and Development Department
- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant
shade
trees to provide a minimum 75% shade.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers to
achieve a minimum of 75% live coverage at maturity

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

- ~~21.~~ A minimum of 10% of the required parking spaces shall include EV Capable
~~22.~~ infrastructure.
21.
- ~~22.~~ Right-of-way shall be dedicated, and two bus stop pads shall be constructed,
~~23.~~ one westbound on Elliot Road and the other on southbound 59th Avenue. The
22. bus stop pad shall be constructed according to City of Phoenix Standard
Detail P1260 with a minimum depth of 10 feet. The bus stop pad on Elliot
Road shall be spaced from 59th Avenue according to City of Phoenix
Standard Detail P1258, as approved by the Planning and Development
Department.
- ~~23.~~ A ~~minimum 70-foot flared intersection tapering to a~~ minimum 55-foot right-of-
~~24.~~ way for the west half of 59th Avenue shall be dedicated, adjacent to the
23. development. The improvements shall be consistent with the arterial CM cross
section including the 59th Avenue median and a minimum 6 feet wide
detached sidewalk separated by a minimum 10 feet wide landscape strip
located between the back of curb and sidewalk.
- ~~24.~~ A 20-foot right-of-way radius at the northwest corner of 59th Avenue and Elliot
~~25.~~ Road shall be dedicated.
24.
- ~~25.~~ The developer shall deposit 25% of the cost of the future traffic signal in an
~~26.~~ escrow account to the Street Transportation Department, prior to final site plan
25. approval.
- ~~26.~~ Roadway improvements along Elliot Road shall comply with the Tierra
~~27.~~ Montana Master Street Plan, ~~or as approved by the Street Transportation~~
26. Department.
- ~~27.~~ Prior to the final site plan approval of the subject site, median openings in the
~~28.~~ 59th Avenue right-of-way shall align with full access drives located on the east
27. side of 59th Avenue that have received approval, AS APPROVED BY THE
PLANNING AND DEVELOPMENT DEPARTMENT.
- ~~28.~~ Existing SRP facilities along Elliot Road are to be relocated outside of City
~~29.~~ right-of-way. Contact SRP to identify existing land rights and establish
28. appropriate process to relocate facility. Relocations that require additional
dedications or land transfer require completion prior to obtaining plat and/or
civil plan review approval, AS APPROVED BY THE PLANNING AND
DEVELOPMENT DEPARTMENT.
- ~~29.~~ The developer shall construct all streets within and adjacent to the
~~30.~~ development with paving, curb, gutter, sidewalk, curb ramps, streetlights,
29. median islands, landscaping and other incidentals, as per plans approved by
the Planning and Development Department. All improvements shall comply
with all ADA accessibility standards.

- ~~30.~~ In the event archaeological materials are encountered during construction, the
~~31.~~ developer shall immediately cease all ground-disturbing activities within a 33-
30. foot radius of the discovery, notify the City Archaeologist, and allow time for
the Archaeology Office to properly assess the materials.
- ~~34.~~ Prior to preliminary site plan approval, the landowner shall execute a
~~32.~~ Proposition 207 waiver of claims form. The waiver shall be recorded with the
31. Maricopa County Recorder's Office and delivered to the City to be included in
the rezoning application file for record.

Questions From Committee:

None.

Public Comments:

Phil Hertel noted that the applicant has worked with the Laveen Citizens for Responsible Development (LCRD) and is supportive of the continuance.

Stephanie Hoffman stated that she did not support the rezoning request. Ms. Daley noted that the proposed request was not compatible with the surrounding large lot houses and agrarian land uses. Ms. Daley concluded her comment by stating that Laveen needs large agrarian properties.

Applicant Response:

None.

Committee Discussion:

None.

Motion:

Jennifer Rouse motioned to continue Z-77-22-8 to the September meeting. **Vice Chair Stephanie Hurd** seconded the motion.

Vote:

7-0, Motion to continue passed, with Committee Members Barraza, Nasser-Taylor, Ortega, Rouse, Rubio-Raffin, Hurd, and Abegg in favor.

4. **Z-23-23-7**: Presentation, discussion, and possible recommendation regarding a request to rezone 22.37 acres located at approximately 70 feet north of the northwest corner of 59th Avenue and Elliot Road from S-1 (Approved C-2 or CP/GCP) (Ranch or Farm Residence, Approved Intermediate Commercial or Commerce Park, General Commerce Park Option) and S-1 (Ranch or Farm Residence) to C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow commercial and multifamily residential.

Four members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, presented an overview of Z-23-23-7. Mrs. Sanchez Luna discussed the location of the site, the requested zoning designation, the surrounding land uses, and current General Plan Land Use Map designation. Mrs. Sanchez Luna

provided an overview of the proposed development including the site plan and elevations. Mrs. Sanchez Luna concluded the presentation by summarizing the staff findings, providing the staff recommendation and proposed stipulations.

Applicant Presentation:

Manjula M. Vaz, representing the applicant with Gammage and Burnham, provided an overview of the proposed case. Ms. Vaz provided an overview of Vintage Partners, and Liv Communities. Ms. Vaz summarized the rezoning request and noted that both uses complied with the General Plan Land Use Map designation and compatible with surrounding land uses. Ms. Vaz displayed the site plans for the commercial portion and the multifamily portion of the site and noted the enhanced architectural elements. Ms. Vaz concluded the presentation by summarizing the staff recommendation and requesting the modification of three Street Transportation Department stipulations.

Questions from the committee:

Mixen Rubio-Raffin asked if the proposed site plan depicted a 55-foot easement or a 75-foot easement. **Ms. Vaz** noted that the proposed site plan depicted a 55-foot-wide easement. **Ms. Rubio-Raffin** asked for the width of the sidewalks and if it would be a meandering sidewalk.

Carlos Ortega asked for the number of proposed units. **Ms. Vaz** noted that the site plan depicted 362 units. **Mr. Ortega** stated that the number of bicycle parking was not sufficient for the multifamily. Mr. Ortega asked if the proposal would have a total of six bicycle parking spaces or six bicycle stations. Mr. Ortega stated that there should be more commercial. Mr. Ortega added that the commercial uses would serve the multifamily development and not the village. Mr. Ortega asked for the proposed height. **Ms. Vaz** noted that the proposed height is three stories. Mr. Ortega noted that he had concerns with the proposed height and suggested a stepback provision.

Jennifer Rouse asked for the number of parking spaces. **Ms. Vaz** provided the number of parking spaces for the multifamily and noted that the commercial portion of the site did not have a definite number of parking spaces. **Ms. Rouse** noted that she had concerns with the number of proposed parking, asked about the lighting, and agreed with Committee Member Ortega's comments regarding height.

Patrick Nasser-Taylor asked if the commercial walkways would connect to the south part of the commercial area along Elliot Road. Mr. Nasser-Taylor asked for the reasoning behind the increase in density and height. Mr. Nasser-Taylor noted that the new subdivision would not have scenic views and asked about the notification and neighborhood meetings. Mr. Nasser-Taylor asked if the development could apply for the 50 percent parking reduction if Text Amendment Z-TA-8-23-Y is adopted.

Vice Chair Stephanie Hurd noted that the proposal was compatible with the surrounding land uses including the Loop 202. Vice Chair Hurd noted that she was

confident that the future commercial development would be adequate for the Village. Vice Chair Hurd asked if there would be a proposed sound wall. **Ms. Vaz** confirmed. **Vice Chair Hurd** noted that the community had voiced a desire for a trail along the freeway and more bicycle stations for residents and the community.

Chair Linda Abegg thanked the applicant for having slides that confirmed the characteristics that the Village wants regarding development. **Chair Abegg** noted that she supported mixed use and was supportive of the development. Chair Abegg asked regarding the type of amenities and if the reduction to a 55-foot right-of-way would prevent a right turn. **Ms. Vaz** stated that a right turn lane would be achievable with a 55-foot right-of-way.

Jon Hanna, with Triac Design, noted that the proposed detached sidewalks would be 6 feet wide and contain a 10-foot landscape strip between the sidewalk and curb. Mr. Hanna noted that the development proposes 30 bicycle parking spaces in six corrals but that they were willing to provide more bicycle parking. Mr. Hanna added that residents would keep their bicycles in their unit or balcony.

Ms. Vaz noted that the 50 percent reduction would only apply to areas of the Walkable Urban Code and the Downtown Code. **Ms. Sanchez Luna**, staff, noted that the 50 percent reduction would apply to affordable housing development. **Ms. Vaz** noted that the multifamily development would not be affordable housing. **Vice Chair Hurd** asked if the parking would be modified. **Ms. Vaz** stated that parking would not be reduced. **Mr. Nasser-Taylor** noted that there were concerns with parking areas being converted to additional buildings.

Chair Abegg asked if the 12 percent common space included hardscape. **Ms. Vaz** confirmed. **Ms. Sanchez Luna**, staff, noted that it would not include buildings. **Ms. Vaz** confirmed.

Mr. Ortega asked if the splash pad was the only amenity for children. **Mr. Hanna** noted that there was a playground on site. **Mr. Ortega** voiced his concerns of apartment units not having east access to amenities for children.

Dawn Cartier, with the applicant's team, noted that the right turn lane could be built with a 55-foot right-of-way. Ms. Cartier stated that the existing roads have dead ends and lead to the Loop 202. Ms. Cartier added that having right turn lanes discourage pedestrians from crossing the street. Ms. Cartier noted that the traffic study didn't warrant a right turn lane. **Ms. Sanchez Luna** noted that the Streets Transportation Department did not support the requested changes to the stipulations. Ms. Sanchez Luna noted that the reduction of the right-of-way would not guarantee a right-turn lane, median breaks are utilized for future traffic lights, and safety, and utilities are expected to be relocated. Ms. Sanchez Luna reiterated that the Streets Transportation Department doesn't support the proposed changes.

Mr. Nasser-Taylor asked if there would be two lanes and if Streets is requesting a

right-turn lane. **Ms. Cartier** confirmed. Ms. Cartier noted that the concern would be the 55-foot right-of-way but that the applicant would move the sidewalk to an additional easement to ensure the right-turn lane. **Ms. Vaz** noted that they hosted a neighborhood meeting and contacted anyone who had questions. **Mr. Nasser-Taylor** noted that he was not contacted and that he had concerns with the proposal. **Ms. Vaz** noted that the proximity to the Loop 202 made it compatible.

Walter Crutchfield, with the applicant's team, noted that this location would be ideal for multifamily because it would be next to the Loop 202 freeway. Mr. Crutchfield noted that they wanted to provide mixed use and concluded that a horizontal approach would be best. Mr. Crutchfield noted that they are working on making the commercial portion an entertainment center. Mr. Crutchfield noted that the multifamily development would increase the population and attract more business and services.

Ms. Raffin-Rubio asked what the rental rates would be for the multifamily development. **Ms. Vaz** noted that the multifamily development is at market rate. **Ms. Raffin-Rubio** asked for the market rate. **Beath Heath**, with the applicant's team, stated that rental rates have not been established. Ms. Heath noted that the rental rates would range from \$1,400 to \$2,200 a month. **Ms. Raffin-Rubio** asked if the studio apartment included a room. **Vice Chair Hurd** stated that a separate bedroom is not provided.

Chair Abegg asked if the applicant could provide two stories along 59th Avenue. **Ms. Heath** noted that they have done that in the past but noted that there would be a large setback including the street and landscape setbacks. **Chair Abegg** asked what the setback would be and stated that the multifamily on Dobbins Road is three-stories in height. **Rob Lane**, with the applicant's team, noted that the setback would be 21 feet in addition to the landscaping.

Mr. Crutchfield noted that the majority of residents would serve individuals looking for a house.

Mr. Ortega asked if there would be a donation to Laveen schools. **Ms. Vaz** stated that the applicant would donate a portion to the Laveen District. **Mr. Ortega** noted that some community members have stated that a payment has been made. **Chair Abegg** noted that the committee could not stipulate to a donation.

Public Comment:

Phil Hertel asked for confirmation if the landscaping was going to be 25% 2-inch and 25% 3-inch caliper trees. **Ms. Sanchez Luna**, staff stated that the landscaping would be 25% 2-inch and 75% 3-inch caliper size trees. **Mr. Hertel** stated that the commercial development needed a landscape plan and that he opposes the density and height waiver. Mr. Hertel agreed that a stipulation could not be added regarding a school donation. Mr. Hertel added that the project was conceptual and that details should be provided.

Jon Kimoto noted that he was supportive of the proposal. Mr. Kimoto noted that the increase in hardscape has resulted in high temperatures and requested twice as much landscaping. Mr. Kimoto requested a soften asphalt to reduce the temperature. Mr. Kimoto noted that the commercial component needed more defined stipulations and that the building elevations needed more detail. Mr. Kimoto requested more parking stalls and parking landscaping.

Jim La Salvia asked for a clarification on the acreage because there were different values in the application, site plan, and Maricopa County. Mr. Salvia also asked why it stated that they were exempt from taxes.

Jack Purvis asked for the projected number of residents and if 59th Avenue would be a four-lane road. **Dawn Cartier** confirmed. **Mr. Purvis** asked if the dog park would be private or public. **Ms. Vaz** stated that it would be private. **Mr. Purvis** asked if the proposal would include billboards. **Chair Abegg** noted that they are not requesting a zoning designation that allows billboards. **Mr. Purvis** asked if the proposal would have noise mitigating walls. Mr. Purvis noted that there has been issues with homelessness and he supported multifamily development rather than commercial. Mr. Purvis also asked if a truck stop would be proposed. **Chair Abegg** noted that would be on the Gila Foothills PUD but not this site. **Vice Chair Hurd** asked if Mr. Purvis was in favor or opposed to the proposal. **Mr. Purvis** noted that he was in favor of the multifamily development.

Chair Abegg noted that on slides 15 and 16 of the PowerPoint listed all the architectural elements that Laveen always requested. Chair Abegg asked if the applicant would be willing to add these statements as part of Stipulation No. 2 regarding general conformance to the proposed elevations. **Ms. Vaz** noted that the supported the modification.

Applicant Response:

Ms. Vaz stated that the city has the gross acreage that is why the acreage is different from the Maricopa County's website. **Ms. Vaz** noted that they are expected to have about 500 residents.

Committee Discussion:

Vice Chair Hurd asked if the applicant would consider having two stories along 59th Avenue. **Ms. Vaz** stated that that would cause issues with the proposed density. **Chair Abegg** asked if 50 percent of the buildings along 59th Avenue could be two-stories. **Mr. Ortega** stated that he approved of the two-story limitation on 59th Avenue. **Ms. Raffin-Rubio** stated that she didn't oppose the two stories, but a configuration could allow for open space along 59th Avenue and a larger building setback. **Ms. Vaz** stated that they were open to discussion and if they could allow for some flexibility.

Vice Chair Hurd asked for the proposed height of the self-storage warehouse across

the street. **Mr. Ortega** noted that it was almost two stories. **Mrs. Sanchez Luna**, staff, displayed the zoning map and demonstrated where the self-storage warehouse would be located. **Mr. Nasser-Taylor** noted that everything north of the primary entrance could be two-stories.

Mr. Nasser-Taylor stated that 59th Avenue would act as a main entrance to the single-family multifamily project across the street and any development on the east portion of the site. **Mr. Nasser-Taylor** stated that he wanted to ensure a right-turn lane with the applicant's modifications. **Chair Abegg** confirmed.

Chair Abegg asked staff if they could do a setback provision that before a certain amount of feet the height would have to be two stories. **Ms. Sanchez Luna**, staff, confirmed. **Mr. Nasser-Taylor** stated that he would prefer the buildings that are adjacent to 59th Avenue and north of the primary entrance. **Chair Abegg** agreed.

Motion:

Patrick Nasser-Taylor motioned to recommend approval of Z-23-23-7 per the staff recommendation (Addendum A) with the modifications to Stipulation Nos. 2, 23, 27, 28 regarding general conformance to the elevations and street improvements and the following additional stipulation:

- Any buildings north of the primary entrance as shown on the conceptual site plan submitted by the applicant shall be limited to two stories or 30 feet.

Jennifer Rouse seconded the motion.

Vote:

7-0, Motion passed with Committee Members Barraza, Nasser-Taylor, Ortega, Rouse, Raffin-Rubio, Hurd, and Abegg in favor.

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

Mrs. Sanchez Luna announced that the city-wide text amendment Z-TA-5-23-Y has received a favorable Planning Commission recommendation. Also, the city-wide text amendment Z-TA-8-23-Y has received a favorable Planning Commission recommendation with modifications. **Mr. Nasser-Taylor** asked for a summary of the modifications to Z-TA-8-23-Y. **Ms. Sanchez Luna** summarized the proposed modifications and announced that both cases will be heard by the City Council on September 6.

6. Public comments concerning items not on the agenda.

None.