

PLEASE RESPOND ELECTRONICALLY TO LOGAN ZAPPOLO 2ND FLOOR, 602-256-3322



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned
From: Joshua Bednarek
Planning & Development Department Director
Date: April 15, 2026

Subject: P.H.O. APPLICATION NO. PHO-1-26--Z-45-22-8 – 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 20, 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 **April 22, 2026**.

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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-45-22-8

Council District: 8

Request For: Stipulation Modification

Reason for Request: 1) Modification of Stipulation 1 regarding general conformance to the site plan and elevations.

2) Modification of Stipulation 2 regarding the Town Square site plan and amenity features.

3) Modification of Stipulation 20 regarding the minimum open space required for Lot 1.

4) Modification of Stipulation 23 regarding the depicted site plan.

5) Modification of Stipulation 25 regarding the maximum number of units for Lot 2.

6) Modification of Stipulation 26 regarding the minimum open space required for Lot 2.

7) Deletion of Stipulation 28 regarding district standards.

8) Deletion of Stipulation 29 regarding the maximum number of units for Lot 3.

9) Deletion of Stipulation 30 regarding the minimum open space required for Lot 3.

10) Deletion of Stipulation 31 regarding required bicycle parking.

HEARING INFORMATION

Hearing Type	Hearing Date	Hearing Time	Hearing Location
Planning Hearing Officer	05-20-2026	10:00 AM	Meetings to be held virtually

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Wendy Riddell, Berry Riddell, LLC	Applicant	6750 East Camelback Road, Suite 100 Scottsdale AZ 85251	602-675-9449		zoning@berryriddell.com
Wendy Riddell, Berry Riddell, LLC	Representative	6750 East Camelback Road, Suite 100 Scottsdale AZ 85251	602-675-9449		zoning@berryriddell.com
Larry Miller, Matrix at Dobbins LLC	Owner	10446 North 74th Street Scottsdale AZ 85258			

Property Location: Southeast corner of 59th Avenue and Dobbins Road

Acreage: 38.96

Geographic Information

Zoning Map	APN	Quarter Section
C5	300-02-059F	Q03-15
C5	300-02-059G	Q03-15
C5	300-02-059J	Q03-15

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	04/06/26	PHO (3+ stipulations)



59TH & DOBBINS

Phoenix Hearing Officer (PHO) Written Request



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Table of Contents

1. PURPOSE AND INTENT	4
1.1 PROJECT OVERVIEW.....	4
2. ZONING	4
3. OVERALL DESIGN CONCEPT	5
3.1 CONCEPTUAL SITE PLAN.....	5
3.2 ELEVATIONS AND MATERIALS.....	6
4. STIPULATIONS	7
4.1 LOT 1 (TOWN CENTER AND RETAIL PLAZA).....	11
4.2 LOT 2 (MULTI-FAMILY APARTMENTS).....	12
4.3 LOT 3 (HORIZONTAL MULTI-FAMILY).....	13
5. RATIONALE	14

List of Exhibits

EXHIBIT 1: CONCEPTUAL SITE PLAN.....	15
EXHIBIT 2: ELEVATIONS.....	16

1. PURPOSE AND INTENT

1.1 PROJECT OVERVIEW

The Planning Hearing Officer (PHO) requests modifications to stipulations for 59th and Dobbins (the “Site”), a proposed mixed-use community within the City of Phoenix (the “City”). The Site was approved under Zoning Case Z-45-22-8 in December 2022, with an approved zoning of Intermediate Commercial Height Waiver, Density Waiver (C-2 HGT/WVR DNS/WVR).

The Site consists of approximately 38.96 gross acres (35.95 net acres) located at the southeast corner of 59th Avenue and Dobbins Road. The proposed development includes a town center and retail plaza area (hereafter “Lot 1”) on the northern and western portions of the Site and intended for commercial use. The remaining portion of the Site includes a multi-family residential community (hereafter “Lot 2”) consisting of three hundred sixty (360) dwelling units with a density of approximately 24.83 dwelling units per acre (du/ac).

The purpose of the PHO is to establish modified stipulations to support the proposed site plan while maintaining compatibility with surrounding development and the long-term vision of the area.

2. ZONING

The Site is subject to Zoning Case Z-45-22-8, which approved a zoning designation of Intermediate Commercial, Height Waiver, Density Waiver (C-2 HGT/WVR DNS/WVR).

The approved zoning established a mixed-use development consisting of commercial and residential components through the application of stipulations. The Site was originally planned as a three-lot development, including:

- A. Lot 1: Commercial (Town Center and Retail Plaza)
- B. Lot 2: Multifamily Residential (R-3A standards)
- C. Lot 3: Horizontal Multifamily Residential (R-3 standards)

The modifications to the previously approved development framework propose eliminating Lot 3 (Horizontal Multifamily Residential) and consolidating the Site into a two-lot configuration consisting of:

- A. Lot 1: Commercial (Town Center and Retail Plaza)
- B. Lot 2: Multifamily Residential

The underlying zoning designation (C-2 HGT/WVR DNS/WVR) remains unchanged. The proposed modifications are limited to updates to the stipulations to reflect the revised site plan and building elevations, including the modifications of references to Lot 3.

3. OVERALL DESIGN CONCEPT

The overall design concept for the Site is to create a cohesive mixed-use development that integrates commercial and multi-family residential uses. The Site is designed to provide a complementary relationship between the town center, retail plaza, and residential components, while supporting efficient circulation, pedestrian connectivity, and usable open space.

3.1 CONCEPTUAL SITE PLAN

The plans, renderings, and elevations provided with this submittal are conceptual and are intended to depict the general layout, scale, and design character of the proposed development.

The Site is organized into two primary development areas:

- A. Lot 1: Town Center and Retail Plaza (commercial)
- B. Lot 2: Multi-family residential

The proposed multi-family development (Lot 2) will accommodate a maximum of three hundred sixty (360) dwelling units, designed to provide efficient building configurations that balance density with open space and internal amenities.

Primary access to Lot 1 is provided from Dobbins Road and 59th Avenue with potential secondary access to 57th Avenue. Internal private drives facilitate circulation throughout the commercial portion of the Site and provide connectivity to parking areas, buildings, and common open space.

Primary access to Lot 2 is provided from 59th Avenue for the gated multi-family residential community, with secondary access provided to 57th Avenue. Internal private drives facilitate circulation throughout the residential portion of the Site and provide connectivity to parking areas, buildings, and common open space.

The site design also incorporates a multi-use trail easement (MUTE) along 59th Avenue and designated bus stop pad locations along Dobbins Road and 59th Avenue, supporting multimodal transportation and pedestrian connectivity.

The Site is designed to incorporate an agrarian-inspired development theme that emphasizes a connection between the built environment and open space areas. Site planning incorporates enhanced landscaping, shaded outdoor spaces, and a centralized open space area that is located between the commercial and multi-family portions of the Site and serves as a focal point for the overall development. This area is intended to provide gathering space with pedestrian activity and visual connectivity between land uses. In addition, the multi-family development will include its own internal amenities designed to serve residents within the gated community.

Electric vehicle (EV) capable parking spaces will be incorporated into the development for the commercial and multi-family sites to support evolving transportation trends and sustainability objectives. The specific quantity and location of EV-capable spaces will be determined at the time of Site Plan Review to ensure an efficient and well-integrated design that responds to tenant needs, market conditions, and infrastructure considerations.

Refer to **Exhibit 1: Conceptual Site Plan** for the proposed layout, circulation, and open space integration.

3.2 ELEVATIONS AND MATERIALS

The building elevations provided as part of this request are intended to depict the general architectural character, scale, and design intent for both the commercial and multi-family components of the Site.

Architectural elements are intended to reflect a modern farmhouse design aesthetic through the use of compatible materials and forms, creating a cohesive identity for both the commercial and residential components of the development. The overall design approach supports the character of the surrounding area while providing a functional and integrated mixed-use environment. Final building design and materials will be subject to City review and approval during the design and permitting process.

The proposed development incorporates a deliberate height transition along 57th Avenue by providing a minimum one hundred fifty (150) foot setback from the frontage within which all buildings are limited to two stories. This design approach responds directly to the existing single-family residential neighborhood located across 57th Avenue.

This transition area creates a meaningful buffer in both scale and distance, reducing the visual presence of taller building elements from the perspective of adjacent residents. By concentrating lower intensity along the corridor, the project establishes a compatible edge condition that transitions in scale from the single-family homes.

The one hundred fifty (150) foot two-story height restriction exceeds typical minimum development standards and reflects a proactive planning strategy to minimize potential impacts related to privacy, building mass, and overall intensity. This approach allows the development to achieve its intended density while maintaining sensitivity to its surroundings.

In addition, the two-story zone along 57th Avenue contributes to a more cohesive and pedestrian-scaled streetscape. The reduced height along the frontage supports a balanced corridor appearance and reinforces a gradual transition between land uses.

Overall, the proposed height transition demonstrates a thoughtful and context-responsive design that promotes compatibility, enhances the public realm, and aligns with the City of Phoenix's objectives for well-integrated development.

Refer to **Exhibit 2: Elevations** additional detail.

4. STIPULATIONS

The following stipulations are provided as recorded under Ordinance G-7056 with the Maricopa County Recorder's Office and are included herein for reference and modification.

1. The development shall be in general conformance with the site plan date stamped ~~August 8, 2022~~ **Month XX, 2026** and elevations date stamped ~~July 8, 2022~~ **Month XX, 2026**, as modified by the following stipulations and approved by the Planning and Development Department.

Justification: Requests modification to show conformance with the updated site plan that expands the commercial and consolidates the multi-family into a more integrated and connected development with updated architecture elevations to match new product. No changes to the intent of the stipulation are proposed.

2. Improvements for the Town Square, as identified on the site plan date stamped ~~August 8, 2022~~ **Month XX, 2026**, shall be completed prior to the issuance of any certificate of occupancy for the last phase of residential development (Lot 2 ~~or Lot 3~~). Improvements shall include all streets and parking around the Town Square, all common landscape, walkway landscape furniture and common area features, and a minimum of three (3) amenities (which may include, but is not limited to open seating, pickleball courts, ~~interactive water feature~~, and kids playground with shade structure), but excluding the two commercial buildings and their supporting features such as leased outdoor dining areas and their hardscape and landscape features, as approved by the Planning and Development Department.

Justification: Request modification to reflect updated site plan date that, removes references to Lot 3, and revises the listed amenities to reflect the current development plan, including the addition of pickleball courts. No changes to the overall intent of the stipulation are proposed.

3. The primary entryway to Dobbins Road shall include a minimum of two hundred fifty (250) square feet of enhanced landscaping, planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.

No change

4. A minimum of one (1) milkweed shrub, or other native nectar species, shall be planted for every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

No change

5. The developer shall dedicate a thirty (30) foot wide multi-use trail easement (MUTE) along the east side of 59th Avenue and construct a minimum ten (10) foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.

No change

6. The Developer shall construct a minimum five (5) foot wide sidewalk, a minimum five (5) foot wide multi-use trail and a minimum eleven (11) foot wide landscape area located between the back of the curb and the sidewalk along the south side of Dobbins Road, as approved by the Planning and Development Department.

No change

- a. Minimum three (3) inch caliper shade trees placed a minimum of twenty (20) feet on center or in equivalent groupings.
- b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of twenty-four (24) inches to provide a minimum of seventy-five (75) percent live coverage at maturity.
- c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

No change

7. The developer shall construct a minimum five (5) foot wide detached sidewalk along the west side of 57th Avenue with a minimum five (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 two (2) inch caliper shade trees placed a minimum of twenty (20) feet on center or in equivalent groupings.
- b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of twenty-four (24) inches to provide a minimum of fifty (50) percent live coverage at maturity.
- c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

No change

8. The developer shall construct a minimum five (5) foot wide detached sidewalk along the east side of 59th Avenue with a minimum eleven (11) 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 three (3) inch caliper shade trees placed a minimum of twenty (20) feet on center or in equivalent groupings.
- b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of twenty-four (24) inches to provide a minimum of seventy-five (75) percent live coverage at maturity.
- c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

No change

9. The developer shall dedicate a minimum of fifty-five (55) feet of right-of-way and construct the south side of Dobbins Road, as approved by the Planning and Development Department.

No change

10. The developer shall dedicate a minimum of thirty (30) feet of right-of-way and construct the west side of 57th Avenue connecting at the 56th Glen alignment, as approved by the Street Transportation Department.

No change

11. The developer shall dedicate a minimum of fifty-five (55) feet of right-of-way and construct the east side of 59th Avenue, as approved by the Planning and Development Department.

No change

12. The developer shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is approved. Signal warrant analysis shall be included for 59th Avenue and Dobbins as part of the Study. The developer shall be required to provide a minimum twenty-five (25) percent contribution towards future traffic signal if not warranted for construction by the TIA.

No change

13. Existing irrigation along Dobbins Road are to be undergrounded and relocated outside City of Phoenix 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.

No change

14. 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.

No change

15. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details P1258 and P1260) constructed along eastbound Dobbins Road, as approved by the Planning and Development Department.

No change

16. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details P1258 and P1260) constructed along northbound 59th Avenue, as approved by the Planning and Development Department.

No change

17. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a thirty-three (33) foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

No change

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.

No change

4.1 LOT 1 (TOWN CENTER AND RETAIL PLAZA)

19. The maximum building height shall be thirty (30) feet.

No change

20. A minimum of ~~twenty-eight (28)~~ fifteen (15) percent of the gross area of Lot 1 shall be retained as open space, as approved by the Planning and Development Department.

Justification: Requested modification to reduce the required open space percentage to reflect the revised site plan, which provides an expanded commercial development area for Lot 1. As a result of the increase in commercial acreage, the ratio of open space to building and parking area has decreased, requiring a reduction in the percentage of the required open space. A central open space area is still provided between Lot 1 and Lot 2, but adds pickleball courts.

21. All uncovered surface parking lot areas for employees and customers shall be landscaped with minimum two (2) inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve minimum twenty-five (25) percent shade at maturity, as approved by the Planning and Development Department.

No change

22. A minimum of fourteen (14) bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances 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.

No change

23. Any future Planning Hearing Officer applications for Lot 1, as depicted on the site plan date stamped ~~August 8, 2022~~ **Month XX, 2026**, shall go to the Village Planning Committee for recommendation, and include enhanced notification to require notification of all property owners within six hundred (600) feet of the subject site and all neighborhood organizations registered with the City within one (1) mile of the subject site.

Justification: Requests modification to show conformance with the updated site plan. No changes to the intent of the stipulation are proposed.

4.2 LOT 2 (MULTI-FAMILY APARTMENTS)

24. The development shall adhere to the R-3A zoning district standards, as modified by the following stipulations, and approved by the Planning and Development Department.

No change

25. Lot 2 shall be limited to a maximum of ~~two hundred fourteen (214) units~~ three hundred sixty (360) units.

Justification: Requests modification to increase the maximum number of dwelling units to for Lot 2 to reflect the updated site plan and overall development program for Lot 2. While the unit count for Lot 2 is increasing, the overall multi-family unit count is being reduced by thirty-five (35) units from what is are currently permitted over the whole development. This change reflects a more efficient site layout and responds to current housing demand.

26. A minimum of ~~ten (10)~~ twenty (20) percent of the gross area of Lot 2 shall be retained as open space, as approved by the Planning and Development Department.

Justification: Request modification to increase the required open space percentage to reflect the revised site plan, which provides an expanded and multi-family development area for Lot 2. As a result of the increase in the area of Lot 2, the ratio of open space and to building and parking has increased, permitting an increase to the percentage of open space required.

27. A minimum of ten (10) bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances, amenities, and/or open space 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.

No change

4.3 ~~LOT 3 (HORIZONTAL MULTI-FAMILY)~~

- ~~28. The development shall adhere to the R-3 zoning district standards, as modified by the following stipulations, and approved by the Planning and Development Department:~~
- ~~29. Lot 3 shall be limited to a maximum of one hundred eighty-one (181) units.~~
- ~~30. A minimum of eleven (11) percent of the gross area of Lot 3 shall be retained as open space, as approved by the Planning and Development Department.~~
- ~~31. A minimum of ten (10) bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances, amenities, and/or open space 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.~~

Justification: Stipulations 28 through 31 are proposed to be removed due to the elimination of Lot 3 (horizontal multi-family). The removal of this product type results in an overall reduction of approximately thirty-five (35) dwelling units across the Site while simplifying the development plan.

5. RATIONALE

The requested stipulation modifications for the proposed site plan are necessary to consolidate the multi-family into one viable development and to expand the commercial to align with current market trends while maintaining the intent of Zoning Case Z-45-22-8.

The request includes the following modifications:

- **Removal of Lot 3 (Horizontal Multi-Family):** Lot 3 is no longer proposed. The removal of this development area simplifies the site plan and allows for a more cohesive mixed-use development.
- **Increase in Multi-Family Units (Lot 2):** While Lot 2 increases the number of units from two hundred fourteen (214) units to three hundred sixty (360) units, the overall multi-family unit count reduces from the three hundred ninety-five (395) units that are currently permitted. This change reflects a more efficient site layout and responds to current housing demand while remaining consistent with the R-3A zoning framework.
- **Updated Site Plan:** The revised site plan consolidates the development into two primary areas (commercial and multi-family) and improves overall site organization, circulation, and connectivity.
- **Open Space and Design Improvements:**
 - Lot 1 Open Space
 - Due to the increase in commercial acreage, the ratio of open space to building and parking has decreased, requiring a reduction in the percentage of open space required.
 - A centralized open space area between the commercial and residential sites is still provided to create a focal point for the Site. Additionally, the multi-family development will also include internal amenities for residents.
 - Lot 2 Open Space
 - Due to the increase of Lot 2 Multi-Family Apartments, the ratio of open space and to building and parking has increased, permitting an increase to the percentage of open space required.
- **Deletion of Stipulations 28 through 31 (Lot 3 Horizontal Multi-Family):** These stipulations are no longer needed due to the removal of Lot 3.

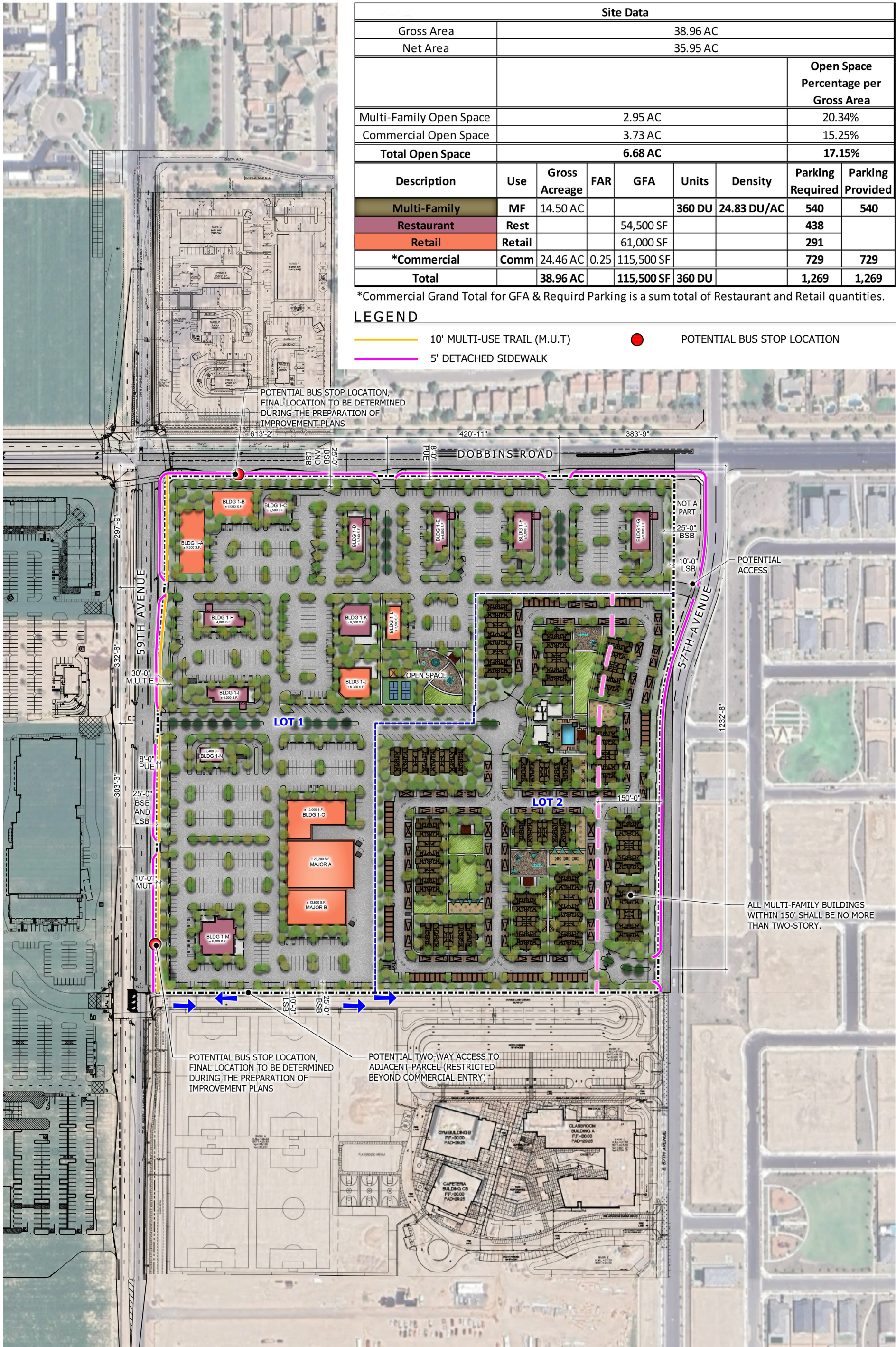
The proposed modifications remain consistent with the original zoning intent and do not alter the underlying zoning designation.

Site Data								
Gross Area	38.96 AC							
Net Area	35.95 AC							
								Open Space Percentage per Gross Area
Multi-Family Open Space	2.95 AC							20.34%
Commercial Open Space	3.73 AC							15.25%
Total Open Space	6.68 AC							17.15%
Description	Use	Gross Acreage	FAR	GFA	Units	Density	Parking Required	Parking Provided
Multi-Family	MF	14.50 AC			360 DU	24.83 DU/AC	540	540
Restaurant	Rest			54,500 SF			438	
Retail	Retail			61,000 SF			291	
*Commercial	Comm	24.46 AC	0.25	115,500 SF			729	729
Total		38.96 AC		115,500 SF	360 DU		1,269	1,269

*Commercial Grand Total for GFA & Required Parking is a sum total of Restaurant and Retail quantities.

LEGEND

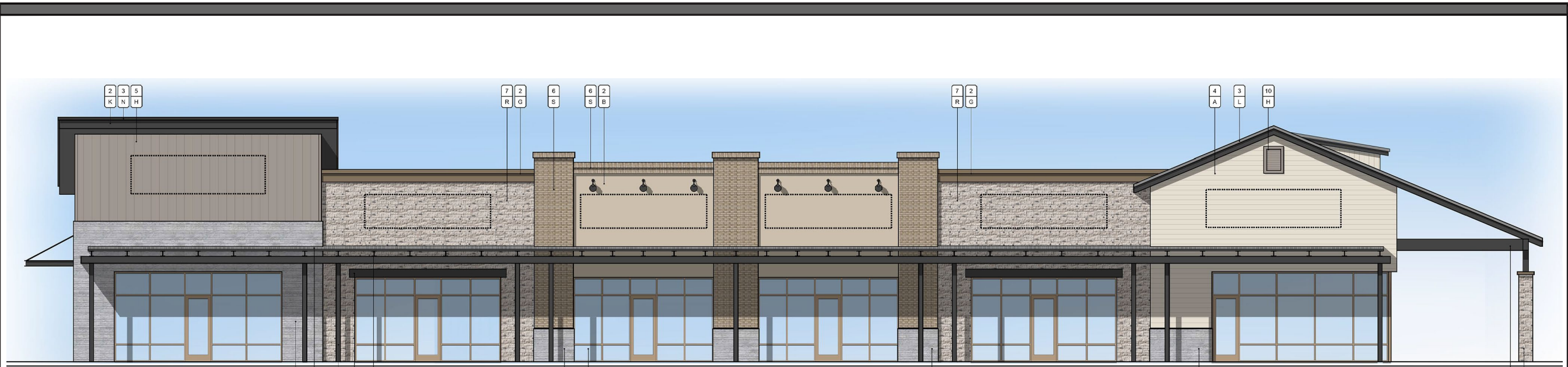
- 10' MULTI-USE TRAIL (M.U.T)
- 5' DETACHED SIDEWALK
- POTENTIAL BUS STOP LOCATION



NOTE: GRAPHIC SHOWS CONCEPTUAL INFORMATION AND IS SUBJECT TO CHANGE. FINAL LOCATIONS, CONFIGURATIONS, AND MATERIALS TO BE DEFINED AT THE TIME OF SUBDIVISION PLAT SUBMITTAL.

EXHIBIT 1: CONCEPTUAL SITE PLAN





1 EAST ELEVATION
SCALE: 3/16" = 1'-0"



2 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

MATERIAL/COLOR SCHEDULE

NOTE: NOT ALL COLORS ARE USED IN THESE ELEVATIONS

MATERIALS		MATERIAL		FINISH	
1.	BOARD FORM CONCRETE VENEER				
2.	INTEGRAL COLORED EIFS - FINE SAND TEXTURE				
3.	STANDING SEAM METAL				
4.	HARDIE BOARD - CAP SIDING				
5.	HARDIE BOARD - BOARD AND BATTEN				
6.	THIN BRICK VENEER				
7.	STONE VENEER				
8.	STEEL - PAINTED				
9.	ALUMINUM STOREFRONT				
10.	LOUVER VENT - PAINTED				
COLORS					
by Sherwin Williams (or Equal):					
A.	SW 7011 - "Natural Choice"				
B.	SW 7511 - "Bungalow Beige"				
C.	SW 6158 - "Sawdust"				
D.	SW 7522 - "Meadowlark"				
E.	SW 7604 - "Smoky Blue"				
F.	SW 6034 - "Dark Auburn"				
G.	SW 7509 - "Tiki Hut"				
H.	SW 7642 - "Pavestone"				
J.	SW 7048 - "Urbane Bronze"				
K.	SW 7069 - "Iron Ore"				
by Western States Metal Roofing (or Equal):					
L.	Silver Metallic				
M.	Champagne				
N.	Dark Bronze				
Aluminum Storefront:					
P.	"CLEAR ANODIZED"				
Q.	"DARK BRONZE"				
by Coronado Stone (or Equal):					
R.	Texas Rubble - "Summer Cottage"				
by H.C. Muddox (or Equal):					
S.	Driftwood - Dry Tumbled				
T.	Iron Mountain - Wire Cut				
by Concrete (or Equal):					
U.	Concrete - Standard Gray Color				

BUILDING 1-A ELEVATIONS
SEC S. 59TH AVE AND W. DOBBINS RD.
PHOENIX, AZ



UPWARD
ARCHITECTS

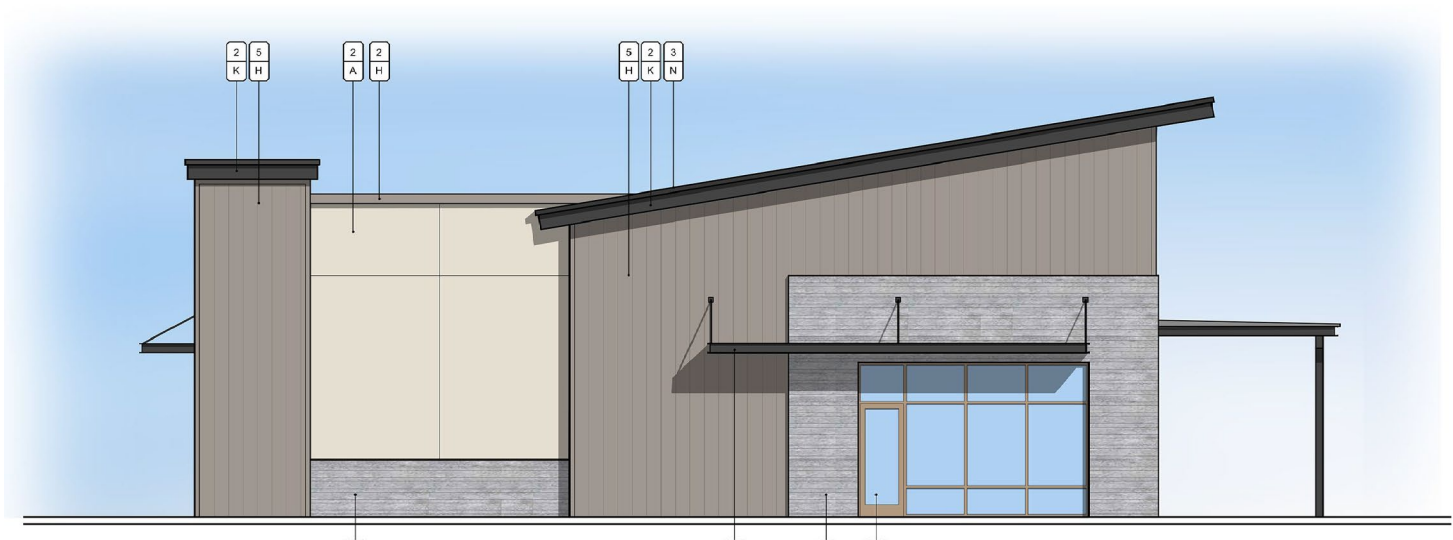
1155 W. Rio Salado Parkway, Suite B-101
Tempe, AZ 85281
Ph 602.753.5222 www.upwardarchitects.com

03.23.2026
PROJECT NO. 26017





3 WEST ELEVATION
SCALE: 3/16" = 1'-0"



4 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

MATERIALS		COLORS	
1. BOARD FORM CONCRETE VENEER		A. SW 7011 - "Natural Choice"	
2. INTEGRAL COLORED EIFS - FINE SAND TEXTURE		B. SW 7511 - "Bungalow Beige"	
3. STANDING SEAM METAL		C. SW 6158 - "Sawdust"	
4. HARDIE BOARD - CAP SIDING		D. SW 7522 - "Meadowlark"	
5. HARDIE BOARD - BOARD AND BATTEN		E. SW 7604 - "Smoky Blue"	
6. THIN BRICK VENEER		F. SW 6034 - "Dark Auburn"	
7. STONE VENEER		G. SW 7509 - "Tiki Hut"	
8. STEEL - PAINTED		H. SW 7642 - "Pavestone"	
9. ALUMINUM STOREFRONT		J. SW 7048 - "Urbane Bronze"	
10. LOUVER VENT - PAINTED		K. SW 7069 - "Iron Ore"	
by Sherwin Williams (or Equal):		L. Silver Metallic	
by Western States Metal Roofing (or Equal):		M. Champagne	
		N. Dark Bronze	
Aluminum Storefront:		P. "CLEAR ANODIZED"	
		Q. "DARK BRONZE"	
by Coronado Stone (or Equal):		R. Texas Rubble - "Summer Cottage"	
by H.C. Muddox (or Equal):		S. Driftwood - Dry Tumbled	
		T. Iron Mountain - Wire Cut	
by Concrete (or Equal):		U. Concrete - Standard Gray Color	

BUILDING 1-A ELEVATIONS
SEC S. 59TH AVE AND W. DOBBINS RD.
PHOENIX, AZ



UPWARD ARCHITECTS

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03.23.2026
PROJECT NO. 26017





1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



2 EAST ELEVATION
SCALE: 3/16" = 1'-0"

MATERIAL/COLOR SCHEDULE

NOTE: NOT ALL COLORS ARE USED IN THESE ELEVATIONS

- MATERIALS**
- BOARD FORM CONCRETE VENEER
 - INTEGRAL COLORED EIFS - FINE SAND TEXTURE
 - STANDING SEAM METAL
 - HARDIE BOARD - CAP SIDING
 - HARDIE BOARD - BOARD AND BATTEN
 - THIN BRICK VENEER
 - STONE VENEER
 - STEEL - PAINTED
 - ALUMINUM STOREFRONT
 - LOUVER VENT - PAINTED

- COLORS**
- by Sherwin Williams (or Equal):
- A. SW 7011 - "Natural Choice"
 - B. SW 7511 - "Bungalow Beige"
 - C. SW 6158 - "Sawdust"
 - D. SW 7522 - "Meadowlark"
 - E. SW 7604 - "Smoky Blue"
 - F. SW 6034 - "Dark Auburn"
 - G. SW 7509 - "Tiki Hut"
 - H. SW 7642 - "Pavestone"
 - J. SW 7048 - "Urban Bronze"
 - K. SW 7069 - "Iron Ore"

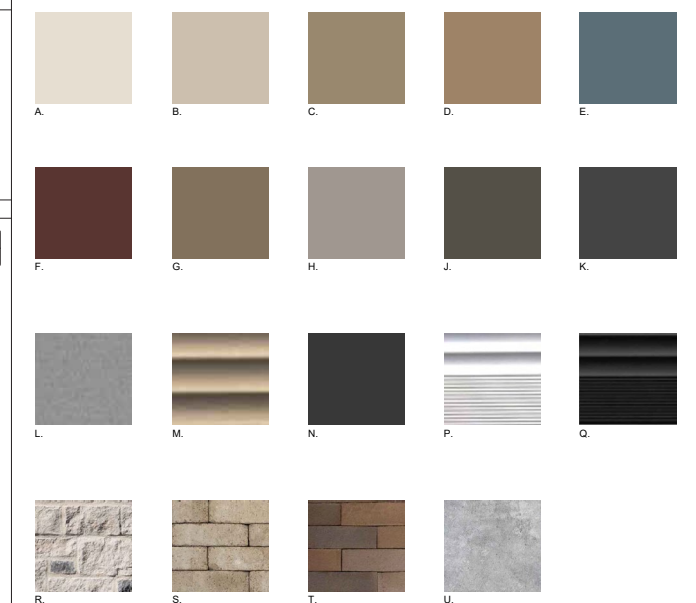
- by Western States Metal Roofing (or Equal):
- L. Silver Metallic
 - M. Champagne
 - N. Dark Bronze

- Aluminum Storefront:
- P. "CLEAR ANODIZED"
 - Q. "DARK BRONZE"

- by Coronado Stone (or Equal):
- R. Texas Rubble - "Summer Cottage"

- by H.C. Muddox (or Equal):
- S. Driftwood - Dry Tumbled
 - T. Iron Mountain - Wire Cut

- by Concrete (or Equal):
- U. Concrete - Standard Gray Color



BUILDING 1-B ELEVATIONS
SEC S. 59TH AVE AND W. DOBBINS RD.
PHOENIX, AZ

03.23.2026
PROJECT NO. 26017



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3 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



4 WEST ELEVATION
SCALE: 3/16" = 1'-0"

MATERIAL/COLOR SCHEDULE

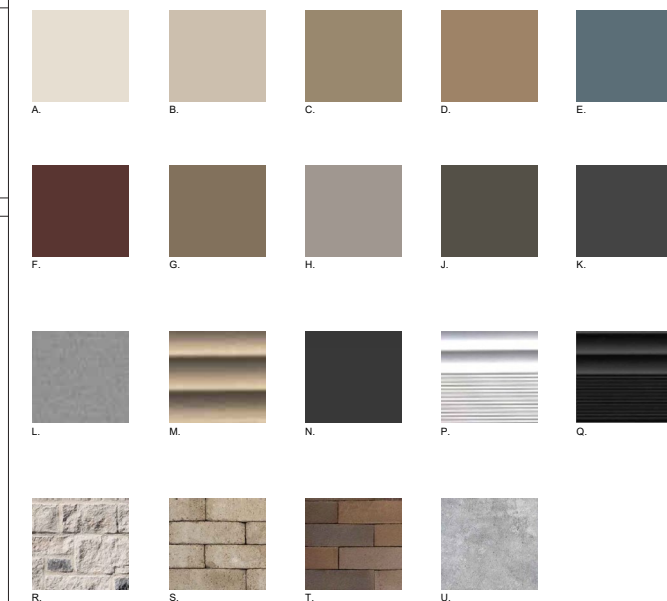
NOTE: NOT ALL COLORS ARE USED IN THESE ELEVATIONS

- MATERIALS**
1. BOARD FORM CONCRETE VENEER
 2. INTEGRAL COLORED EIFS - FINE SAND TEXTURE
 3. STANDING SEAM METAL
 4. HARDIE BOARD - CAP SIDING
 5. HARDIE BOARD - BOARD AND BATTEN
 6. THIN BRICK VENEER
 7. STONE VENEER
 8. STEEL - PAINTED
 9. ALUMINUM STOREFRONT
 10. LOUVER VENT - PAINTED

COLORS

- by Sherwin Williams (or Equal):
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- by H.C. Muddox (or Equal):
- S. Driftwood - Dry Tumbled
 - T. Iron Mountain - Wire Cut
- by Concrete (or Equal):
- U. Concrete - Standard Gray Color

MATERIAL
FINISH



BUILDING 1-B ELEVATIONS
SEC S. 59TH AVE AND W. DOBBINS RD.
PHOENIX, AZ

03.23.2026
PROJECT NO. 26017



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1 WEST ELEVATION
SCALE: 3/16" = 1'-0"



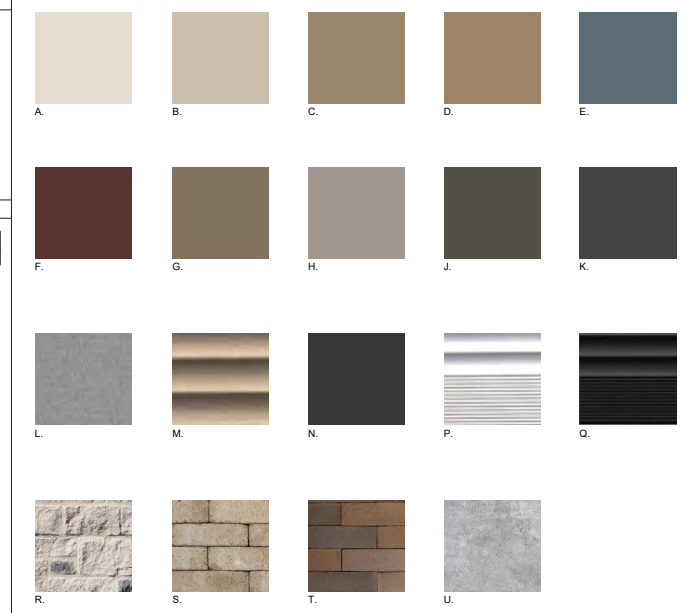
2 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

MATERIAL/COLOR SCHEDULE

NOTE: NOT ALL COLORS ARE USED IN THESE ELEVATIONS

- MATERIALS**
1. BOARD FORM CONCRETE VENEER
 2. INTEGRAL COLORED EIFS - FINE SAND TEXTURE
 3. STANDING SEAM METAL
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 5. HARDIE BOARD - BOARD AND BATTEN
 6. THIN BRICK VENEER
 7. STONE VENEER
 8. STEEL - PAINTED
 9. ALUMINUM STOREFRONT
 10. LOUVER VENT - PAINTED

- COLORS**
- by Sherwin Williams (or Equal):
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 - C. SW 6158 - "Sawdust"
 - D. SW 7522 - "Meadowlark"
 - E. SW 7604 - "Smoky Blue"
 - F. SW 6034 - "Dark Auburn"
 - G. SW 7509 - "Tiki Hut"
 - H. SW 7642 - "Pavestone"
 - J. SW 7048 - "Urbane Bronze"
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- by Western States Metal Roofing (or Equal):
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- Aluminum Storefront:
- P. "CLEAR ANODIZED"
 - Q. "DARK BRONZE"
- by Coronado Stone (or Equal):
- R. Texas Rubble - "Summer Cottage"
- by H.C. Muddox (or Equal):
- S. Driftwood - Dry Tumbled
 - T. Iron Mountain - Wire Cut
- by Concrete (or Equal):
- U. Concrete - Standard Gray Color



BUILDING 1-D ELEVATIONS
SEC S. 59TH AVE AND W. DOBBINS RD.
PHOENIX, AZ

03.23.2026
PROJECT NO. 26017



UPWARD ARCHITECTS

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3 EAST ELEVATION
SCALE: 3/16" = 1'-0"



4 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

MATERIAL/COLOR SCHEDULE

NOTE: NOT ALL COLORS ARE USED IN THESE ELEVATIONS

- MATERIALS**
1. BOARD FORM CONCRETE VENEER
 2. INTEGRAL COLORED EIFS - FINE SAND TEXTURE
 3. STANDING SEAM METAL
 4. HARDIE BOARD - CAP SIDING
 5. HARDIE BOARD - BOARD AND BATTEN
 6. THIN BRICK VENEER
 7. STONE VENEER
 8. STEEL - PAINTED
 9. ALUMINUM STOREFRONT
 10. LOUVER VENT - PAINTED

COLORS

- by Sherwin Williams (or Equal):
- A. SW 7011 - "Natural Choice"
 - B. SW 7511 - "Bungalow Beige"
 - C. SW 6158 - "Sawdust"
 - D. SW 7522 - "Meadowlark"
 - E. SW 7604 - "Smoky Blue"
 - F. SW 6034 - "Dark Auburn"
 - G. SW 7509 - "Tiki Hut"
 - H. SW 7642 - "Pavestone"
 - J. SW 7048 - "Urbane Bronze"
 - K. SW 7069 - "Iron Ore"

- by Western States Metal Roofing (or Equal):
- L. Silver Metallic
 - M. Champagne
 - N. Dark Bronze

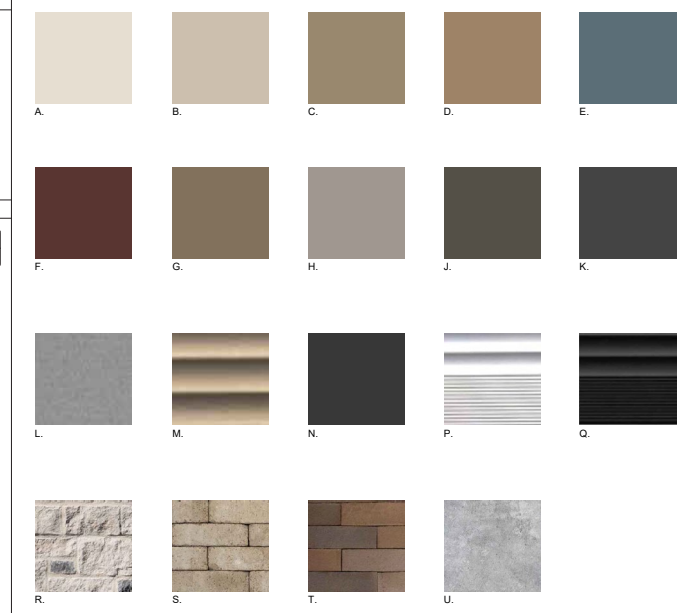
- Aluminum Storefront:
- P. "CLEAR ANODIZED"
 - Q. "DARK BRONZE"

- by Coronado Stone (or Equal):
- R. Texas Rubble - "Summer Cottage"

- by H.C. Muddox (or Equal):
- S. Driftwood - Dry Tumbled
 - T. Iron Mountain - Wire Cut

- by Concrete (or Equal):
- U. Concrete - Standard Gray Color

MATERIAL FINISH



BUILDING 1-D ELEVATIONS
SEC S. 59TH AVE AND W. DOBBINS RD.
PHOENIX, AZ

03.23.2026
PROJECT NO. 26017



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BLD TYPE 1 FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"



BLD TYPE 1 SIDE ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED NEW MULTI-FAMILY PROJECT FOR:
RAI HOLDINGS
59th & DOBBINS MULTIFAMILY
 PHOENIX, AZ

dwg name: PRELIMINARY ELEVATIONS
 BLD TYPE 1
 dwg no: SD2.11
 date: 4-1-2026
 job no: 2026.05 log no:





BLD TYPE 1A FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"



BLD TYPE 1A SIDE ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED NEW MULTI-FAMILY PROJECT FOR:
RAI HOLDINGS
59th & DOBBINS MULTIFAMILY
 PHOENIX, AZ

dwg name: PRELIMINARY ELEVATIONS
 BLD TYPE 1A
 dwg no: SD2.11A
 date: 4-1-2026
 job no: 2026.05 log no:





BLD TYPE 2 FRONT/REAR ELEVATION

SCALE: 1/8" = 1'-0"



BLD TYPE 2 SIDE ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED NEW MULTI-FAMILY PROJECT FOR:
RAI HOLDINGS
59th & DOBBINS MULTIFAMILY
 PHOENIX, AZ

dwg name: PRELIMINARY ELEVATIONS
 BLD TYPE 2
 dwg no: SD2.21
 date: 4-1-2026
 job no: 2026.05 log no:





CLUBHOUSE FRONT ELEVATION
SCALE: 1/8" = 1'-0"



CLUBHOUSE RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



CLUBHOUSE REAR ELEVATION
SCALE: 1/8" = 1'-0"



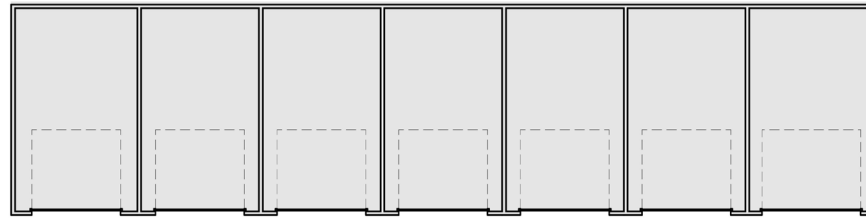
CLUBHOUSE LEFT ELEVATION
SCALE: 1/8" = 1'-0"



PROPOSED NEW MULTI-FAMILY PROJECT FOR:
RAI HOLDINGS
59th & DOBBINS MULTIFAMILY
PHOENIX, AZ

dwg name: PRELIMINARY ELEVATIONS
BLD TYPE CLUBHOUSE
dwg no: SD4.11
date: 4-1-2026
job no: 2026.05 log no:





GARAGE BUILDING FLOOR PLAN

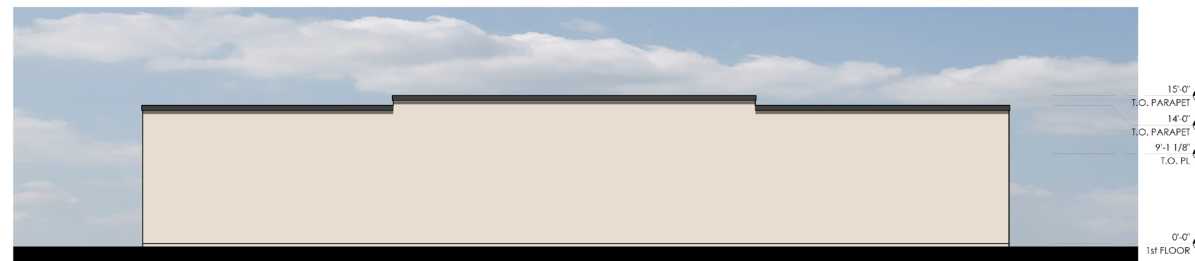
SCALE: 1/8" = 1'-0"



15'-0"
T.O. PARAPET
14'-0"
T.O. PARAPET
9'-1 1/8"
T.O. FL.
0'-0"
1st FLOOR

GARAGE BUILDING FRONT ELEVATION

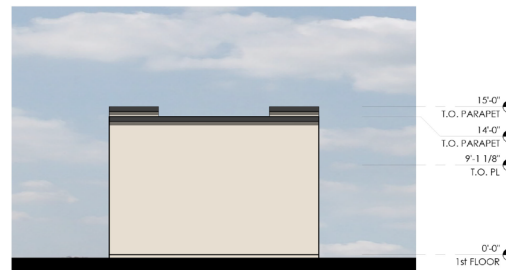
SCALE: 1/8" = 1'-0"



15'-0"
T.O. PARAPET
14'-0"
T.O. PARAPET
9'-1 1/8"
T.O. FL.
0'-0"
1st FLOOR

GARAGE BUILDING REAR ELEVATION

SCALE: 1/8" = 1'-0"



15'-0"
T.O. PARAPET
14'-0"
T.O. PARAPET
9'-1 1/8"
T.O. FL.
0'-0"
1st FLOOR

GARAGE BUILDING SIDE ELEVATION

SCALE: 1/8" = 1'-0"

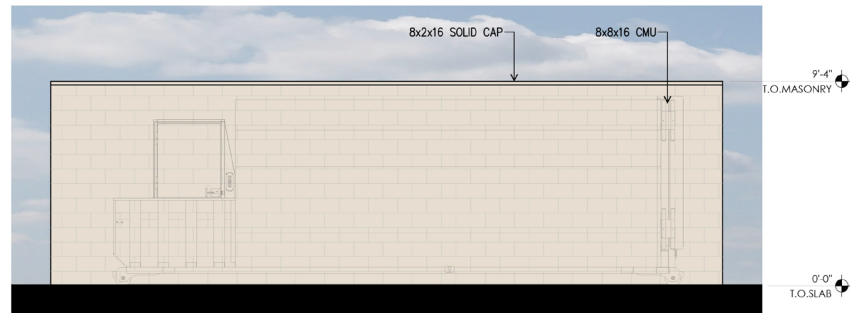


PROPOSED NEW MULTI-FAMILY PROJECT FOR:
RAI HOLDINGS
59th & DOBBINS MULTIFAMILY
 PHOENIX, AZ

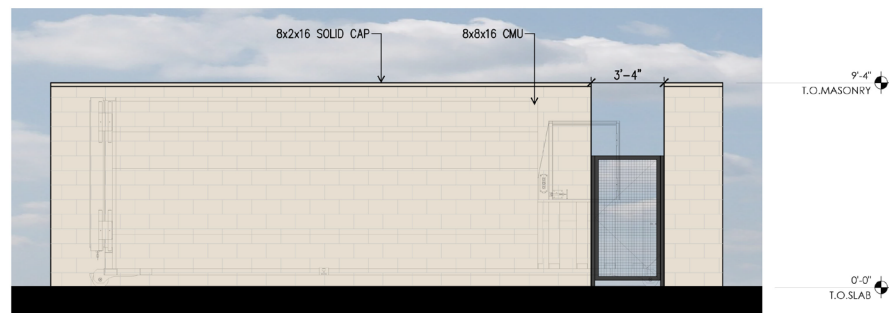


dwg name: PRELIMINARY ELEVATIONS
 GARAGE BUILDING
 dwg no: SD4.20
 date: 4-1-2026
 job no: 2026.05 log no:

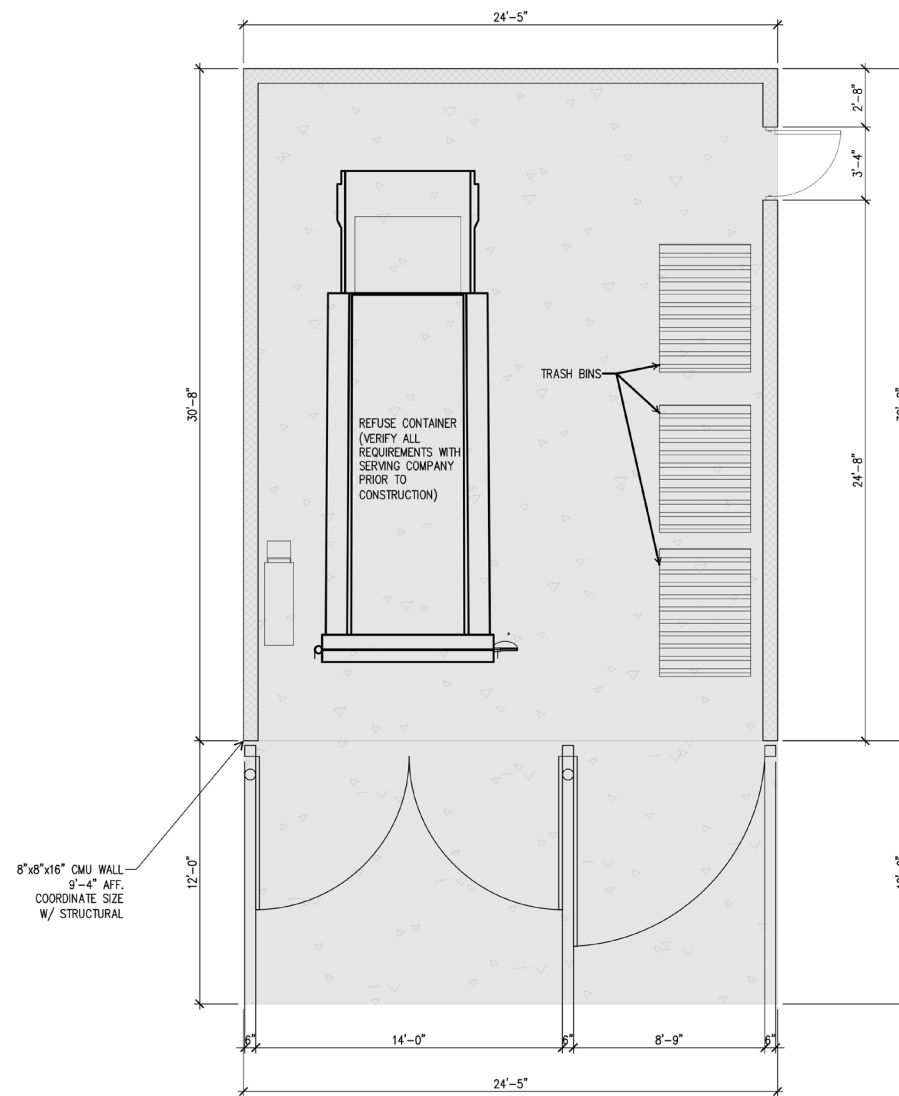




LEFT ELEVATION - COMPACTOR
SCALE: 1/4" = 1'-0"



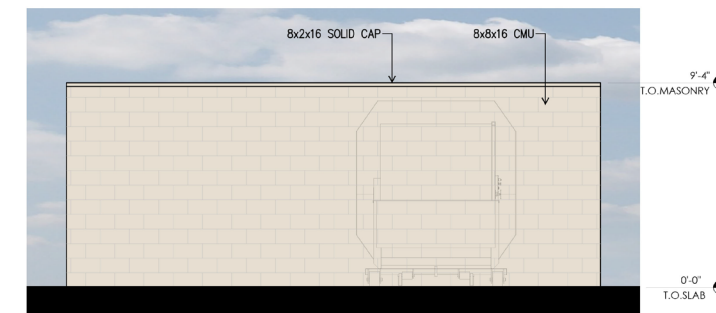
RIGHT ELEVATION - COMPACTOR
SCALE: 1/4" = 1'-0"



FLOOR PLAN - COMPACTOR
SCALE: 1/4" = 1'-0"



FRONT ELEVATION - COMPACTOR
SCALE: 1/4" = 1'-0"



REAR ELEVATION - COMPACTOR
SCALE: 1/4" = 1'-0"

PROPOSED NEW MULTI-FAMILY PROJECT FOR:
RAI HOLDINGS
59th & DOBBINS MULTIFAMILY
PHOENIX, AZ

dwg name: PRELIMINARY ELEVATIONS
COMPACTOR ENCLOSURE
dwg no: SD4.50
date: 4-1-2026
job no: 2026.05 log no:



ORDINANCE G-7056

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-45-22-8) FROM S-1 (APPROVED C-2 HGT/WVR PCD) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, PLANNED COMMUNITY DISTRICT) 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 39.74-acre property located at the southeast corner of 59th Avenue and Dobbins Road in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "S-1 (Approved C-2 HGT/WVR PCD)" (Ranch or Farm Residence District, Approved Intermediate Commercial, Height Waiver, Planned Community District) to "C-2 HGT/WVR DNS/WVR" (Intermediate Commercial, Height Waiver, 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:

- Mod. 1. The development shall be in general conformance with the site plan date stamped August 8, 2022 and elevations date stamped July 8, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
- Mod. 2. Improvements for the Town Square, as identified on the site plan date stamped August 8, 2022, shall be completed prior to the issuance of any certificate of occupancy for the last phase of residential development (Lot 2 or Lot 3). Improvements shall include all streets and parking around the Town Square, all common landscape, walkway landscape furniture and common area features, and a minimum of three amenities (which may include, but is not limited to open seating, interactive water feature, and kids playground with shade structure), but excluding the two commercial buildings and their supporting features such as leased outdoor dining areas and their hardscape and landscape features, as approved by the Planning and Development Department.
- 3. The primary entryway to Dobbins Road shall include a minimum of 250 square feet of enhanced landscaping, planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.
- 4. A minimum of one milkweed shrub, or other native nectar species, shall be planted for every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- 5. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the east side of 59th Avenue and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.

6. The Developer should construct a minimum five-foot-wide sidewalk, a minimum five-foot-wide multi-use trail and a minimum 11-foot-wide landscape area located between the back of the curb and the sidewalk along the south side of Dobbins Road, as approved by the Planning and Development Department.
 - a. Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - 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 Department on an alternative design solution consistent with a pedestrian environment.
7. The developer shall construct a minimum 5-foot-wide detached sidewalk along the west side of 57th Avenue 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 2-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 50% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
8. The developer shall construct a minimum 5-foot-wide detached sidewalk along the east side of 59th Avenue with a minimum 11-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 shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - 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 Department on an alternative design solution consistent with a pedestrian environment.
9. The developer shall dedicate a minimum of 55-feet of right-of-way and construct the south side of Dobbins Road, as approved by the Planning and Development Department.
10. The developer shall dedicate a minimum of 30-feet of right-of-way and construct the west side of 57th Avenue connecting at the 56th Glen alignment, as approved by the Street Transportation Department.
11. The developer shall dedicate a minimum of 55-feet of right-of-way and construct the east side of 59th Avenue, as approved by the Planning and Development Department.
12. The developer shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is approved. Signal warrant analysis shall be included for 59th Avenue and Dobbins as part of the Study. The developer shall be required to provide a minimum 25% contribution towards future traffic signal if not warranted for construction by the TIA.
13. Existing irrigation along Dobbins Road are to be undergrounded and relocated outside City of Phoenix 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.
14. 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. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details P1258 and P1260) constructed along eastbound Dobbins Road, as approved by the Planning and Development Department.
16. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details P1258 and P1260) constructed along northbound 59th Avenue, as approved by the Planning and Development Department.

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.

LOT 1 (TOWN CENTER AND RETAIL PLAZA)

19. The maximum building height shall be 30 feet.
- Mod.** 20. A minimum of 28% of the gross area of Lot 1 shall be retained as open space, as approved by the Planning and Development Department.
21. All uncovered surface parking lot areas for employees and customers 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 minimum 25% shade at maturity, as approved by the Planning and Development Department.
22. A minimum of 14 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances 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.

- Mod.** 23. Any future Planning Hearing Officer applications for Lot 1, as depicted on the site plan date stamped August 8, 2022, shall go to the Village Planning Committee for recommendation, and include enhanced notification to require notification of all property owners within 600 feet of the subject site and all neighborhood organizations registered with the City within one mile of the subject site.

LOT 2 (MULTIFAMILY APARTMENTS)

24. The development shall adhere to the R-3A zoning district standards, as modified by the following stipulations, and approved by the Planning and Development Department.

- Mod. 25. Lot 2 shall be limited to a maximum of 214 units.
- Mod. 26. A minimum of 10% of the gross area of Lot 2 shall be retained as open space, as approved by the Planning and Development Department.
- 27. A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances, amenities, and/or open space 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.

LOT 3 (HORIZONTAL MULTIFAMILY)

- Del. 28. The development shall adhere to the R-3 zoning district standards, as modified by the following stipulations, and approved by the Planning and Development Department.
- Del. 29. Lot 3 shall be limited to a maximum of 181 units.
- Del. 30. A minimum of 11% of the gross area of Lot 3 shall be retained as open space, as approved by the Planning and Development Department.
- Del. 31. A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances, amenities, and/or open space 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.

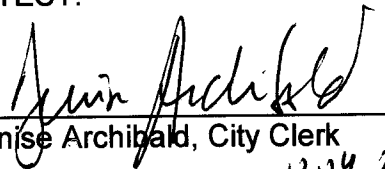
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 16th day of November,
2022.



MAYOR

ATTEST:

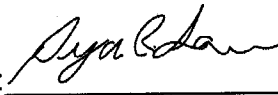


Denise Archibald, City Clerk

12.14.2022



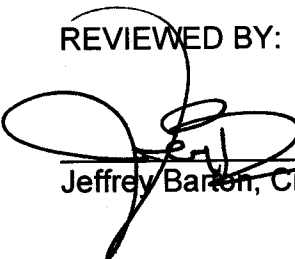
APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: 

Deryck R. Lavelle, Chief Counsel

pml

REVIEWED BY:



Jeffrey Barton, City Manager

PML:am:(LF22-1998):11-16-22:2351670_1.doc

Exhibits:

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

EXHIBIT A

LOT 1:

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 8, FROM WHICH THE NORTH QUARTER OF SAID SECTION 8 BEARS NORTH 89 DEGREES 59 MINUTES 34 SECONDS EAST, A DISTANCE OF 2,633.43 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 34 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, A DISTANCE OF 731.98 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 710.48 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST, A DISTANCE OF 736.75 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, A DISTANCE OF 710.39 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 521,714 SQUARE FEET OR 11.977 ACRES, MORE OR LESS.

LOT 2:

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 8, FROM WHICH THE NORTH QUARTER OF SAID SECTION 8 BEARS NORTH 89 DEGREES 59 MINUTES 34 SECONDS EAST, A DISTANCE OF 2,633.43 FEET; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, NORTH 89 DEGREES 59 MINUTES 34 SECONDS EAST, A DISTANCE OF 731.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 89 DEGREES 59 MINUTES 34 SECONDS EAST, A DISTANCE OF 584.74 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 00 DEGREES 27 MINUTES 30 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 710.58 FEET; THENCE DEPARTING SAID EAST LINE, NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST, A DISTANCE OF 579.05 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 710.48 FEET TO THE POINT OF BEGINNING.

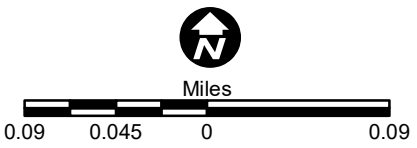
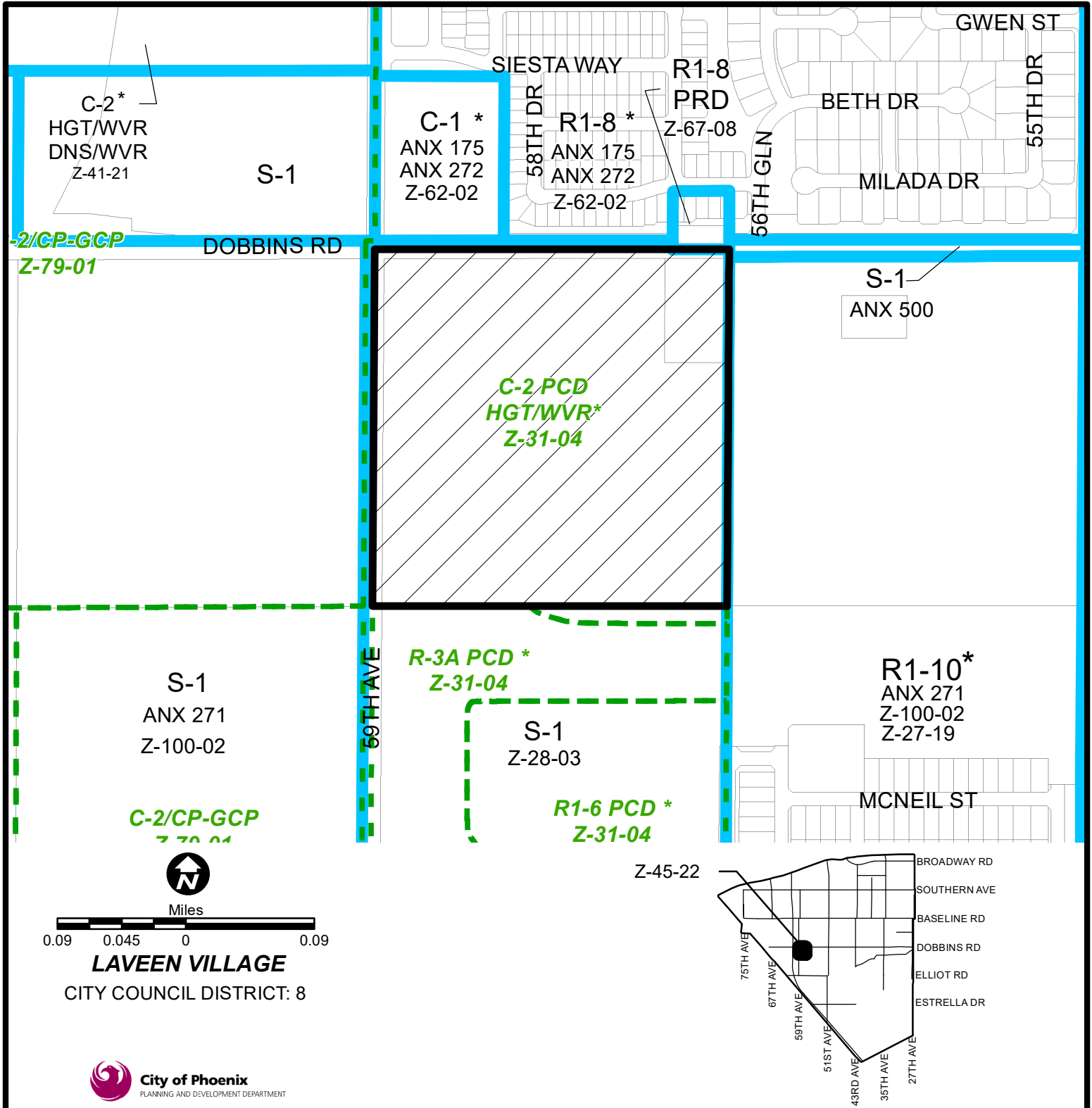
SAID PARCEL CONTAINS 413,445 SQUARE FEET OR 9.491 ACRES, MORE OR LESS.

LOT 3:

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 8, FROM WHICH THE NORTH QUARTER OF SAID SECTION 8 BEARS NORTH 89 DEGREES 59 MINUTES 34 SECONDS EAST, A DISTANCE OF 2,633.43 FEET; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, A DISTANCE OF 710.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS EAST, A DISTANCE OF 1,315.80 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 30 SECONDS WEST, A DISTANCE OF 609.05 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 21 SECONDS WEST, A DISTANCE OF 1,315.03 FEET; THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 23 MINUTES 06 SECONDS EAST, A DISTANCE OF 609.69 FEET TO THE POINT OF BEGINNING.

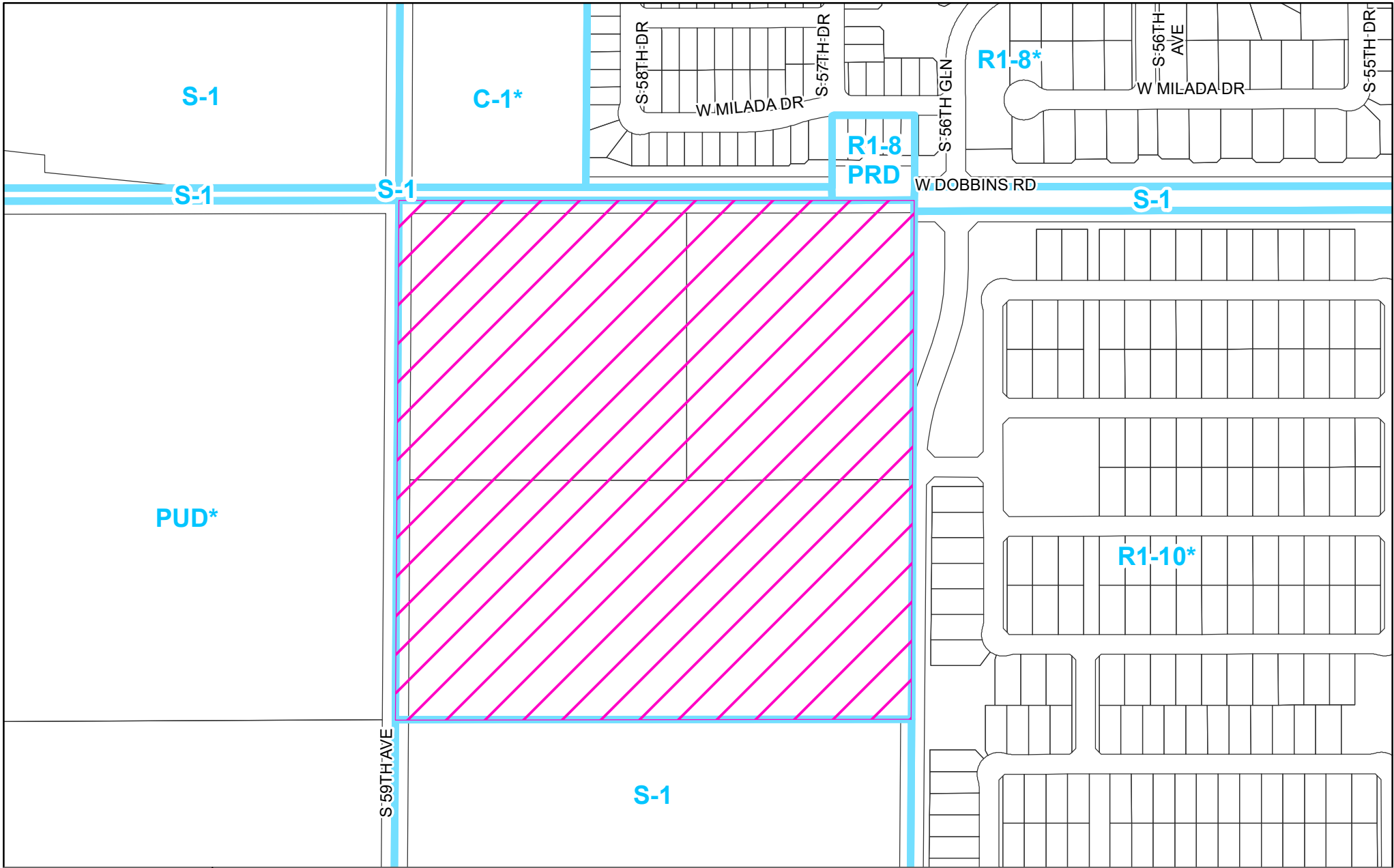
SAID PARCEL CONTAINS 801,549 SQUARE FEET OR 18.401 ACRES, MORE OR LESS.



LAVEEN VILLAGE
CITY COUNCIL DISTRICT: 8



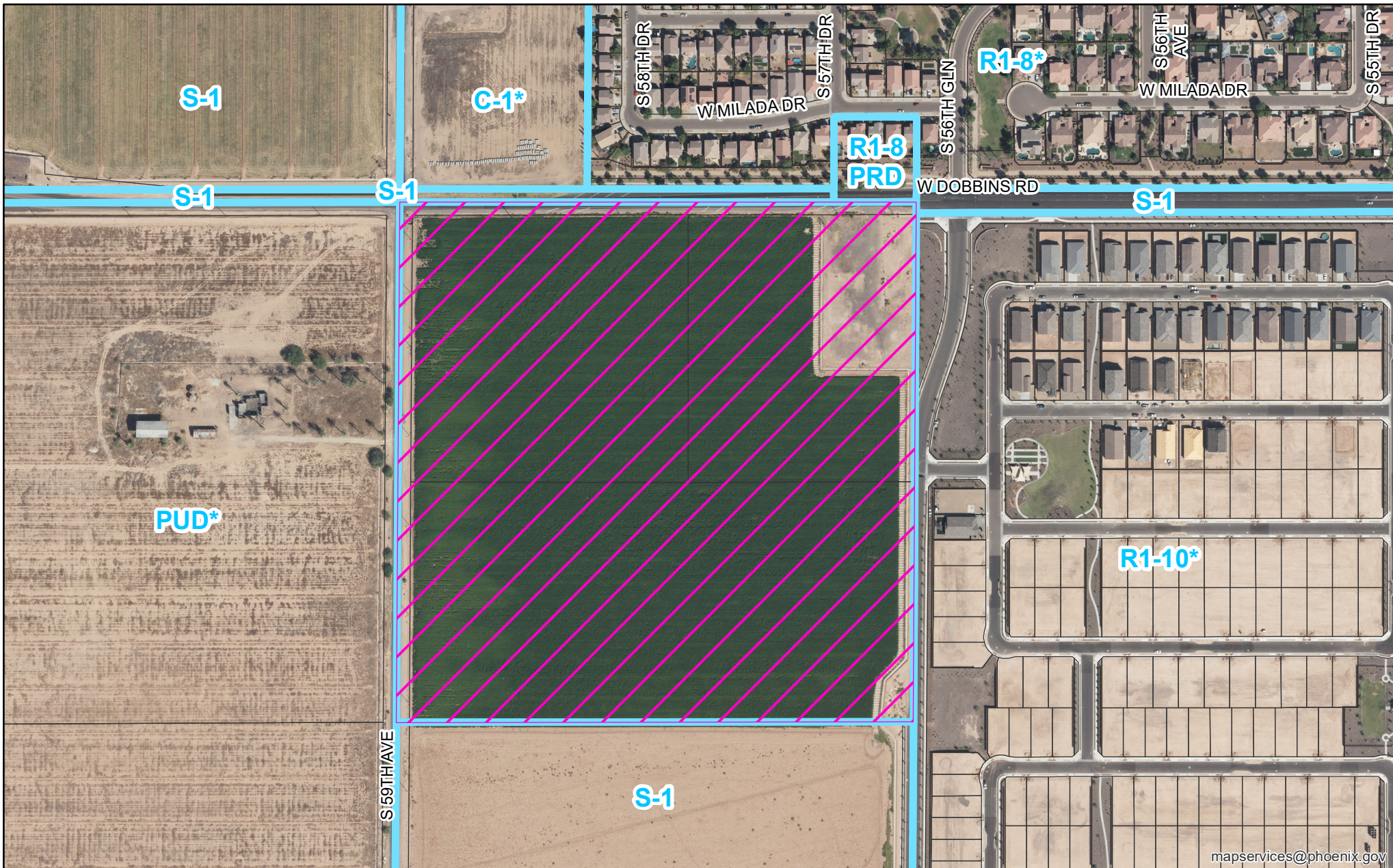
APPLICANT'S NAME: Matrix at Dobbins		REQUESTED CHANGE:	
APPLICATION NO. Z-45-22		FROM: S-1 (Approved C-2 HGT/WVR PCD) (39.74 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 39.74 Acres		TO: C-2 HGT/WVR DNS/WVR (39.74 a.c.)	
DATE: 6/10/2022 <small>REVISION DATES:</small> 7/6/2022		AERIAL PHOTO & QUARTER SEC. NO. QS 03-15 ZONING MAP C-5	
MULTIPLES PERMITTED S-1 (Approved C-2 HGT/WVR PCD) C-2 HGT/WVR DNS/WVR		CONVENTIONAL OPTION 39, 576 1728	
* Maximum Units Allowed with P.R.D. Bonus		* UNITS P.R.D. OPTION N/A, 691 2074	



PHO-1-26--Z-45-22-8

Property Location: Southeast corner of 59th Avenue and Dobbins Road





mapservices@phoenix.gov

PHO-1-26--Z-45-22-8

Property Location: Southeast corner of 59th Avenue and Dobbins Road

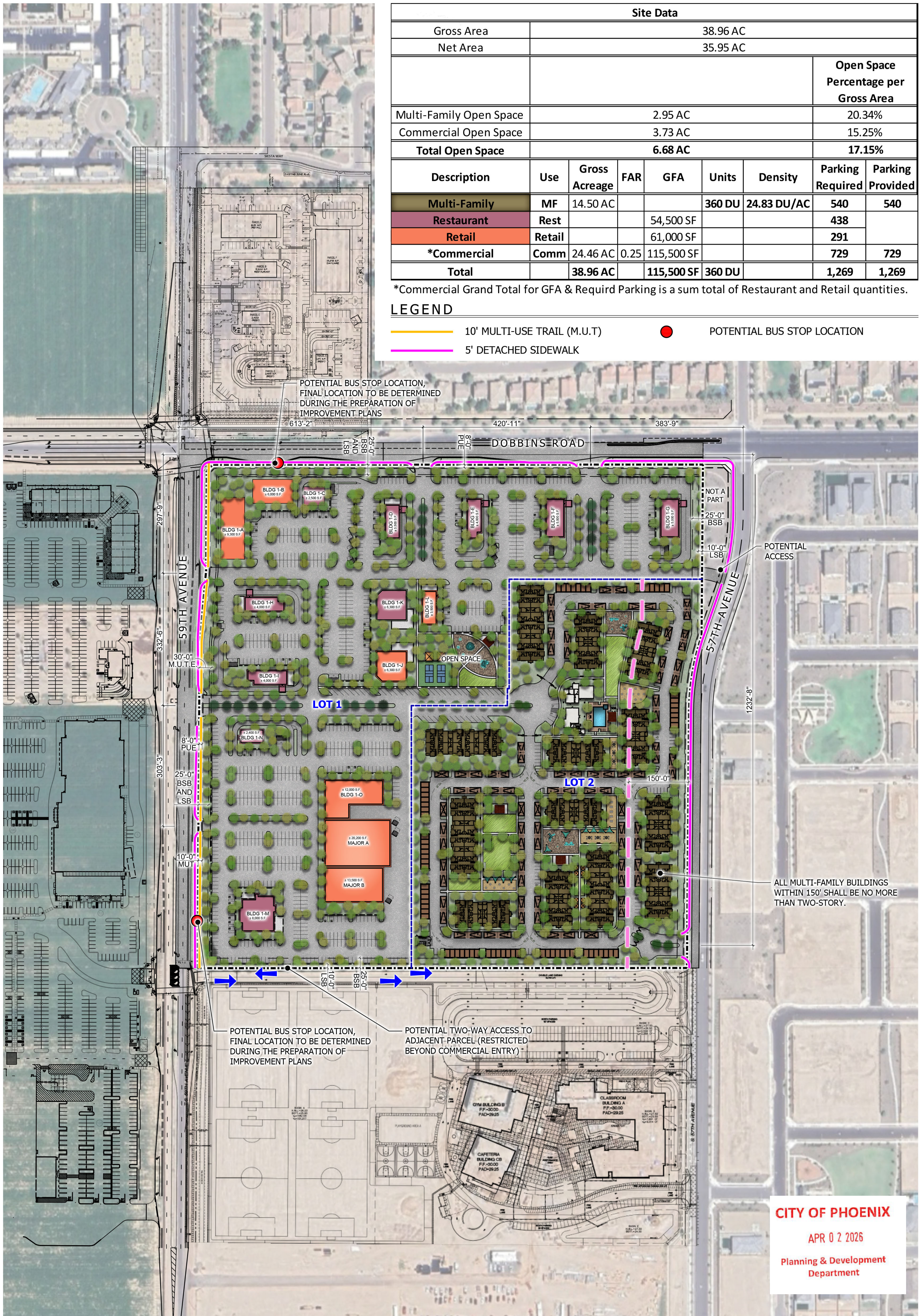


Site Data								
Gross Area	38.96 AC							
Net Area	35.95 AC							
								Open Space Percentage per Gross Area
Multi-Family Open Space	2.95 AC						20.34%	
Commercial Open Space	3.73 AC						15.25%	
Total Open Space	6.68 AC						17.15%	
Description	Use	Gross Acreage	FAR	GFA	Units	Density	Parking Required	Parking Provided
Multi-Family	MF	14.50 AC			360 DU	24.83 DU/AC	540	540
Restaurant	Rest			54,500 SF			438	
Retail	Retail			61,000 SF			291	
*Commercial	Comm	24.46 AC	0.25	115,500 SF			729	729
Total		38.96 AC		115,500 SF	360 DU		1,269	1,269

*Commercial Grand Total for GFA & Required Parking is a sum total of Restaurant and Retail quantities.

LEGEND

- 10' MULTI-USE TRAIL (M.U.T)
- 5' DETACHED SIDEWALK
- POTENTIAL BUS STOP LOCATION



CITY OF PHOENIX
 APR 02 2026
 Planning & Development
 Department

OVERALL SITE DEVELOPMENT

- A - 002 OVERALL SITE PLAN
- A - 003 APARTMENT - SITE PLAN
- A - 004 HORIZONTAL MULTI FAMILY - SITE PLAN
- A - 005 COMMERCIAL - SITE PLAN

- A - 200 TOWNSQUARE PERSPECTIVES
- A - 201 TOWNSQUARE ELEVATIONS
- A - 202 TOWNSQUARE ELEVATIONS
- A - 203 TOWNSQUARE ELEVATIONS
- A - 204 TOWNSQUARE ELEVATIONS
- A - 205 TOWNSQUARE ELEVATIONS
- A - 206 TOWNSQUARE ELEVATIONS
- A - 207 APARTMENT PERSPECTIVES
- A - 208 APARTMENT ELEVATIONS
- A - 209 APARTMENT ELEVATIONS
- A - 210 APARTMENT PERSPECTIVES
- A - 211 APARTMENT ELEVATIONS
- A - 212 APARTMENT ELEVATIONS
- A - 213 HORIZONTAL MULTI FAMILY PERSPECTIVES
- A - 214 CLUBHOUSE ELEVATIONS
- A - 215 HORIZONTAL MULTI FAMILY ELEVATIONS

- L - 001 OVERALL ILLUSTRATIVE LANDSCAPE PLAN
- L - 002 PLANTING LEGEND
- L - 003 APARTMENTS - ILLUSTRATIVE LANDSCAPE PLAN
- L - 004 HORIZONTAL MULTI FAMILY - ILLUSTRATIVE LANDSCAPE PLAN
- L - 005 COMMERCIAL - ILLUSTRATIVE LANDSCAPE PLAN
- L - 006 RETAIL DISTRICT LANDSCAPE PLAN
- L - 007 RETAIL DISTRICT VIEW
- L - 008 RETAIL DISTRICT IMAGE BOARD
- L - 009 PARK IMAGE BOARD
- L - 010 RESIDENTIAL COMMUNITY IMAGE BOARD

59TH & DOBBINS

PHOENIX, AZ | APRIL 13.2022

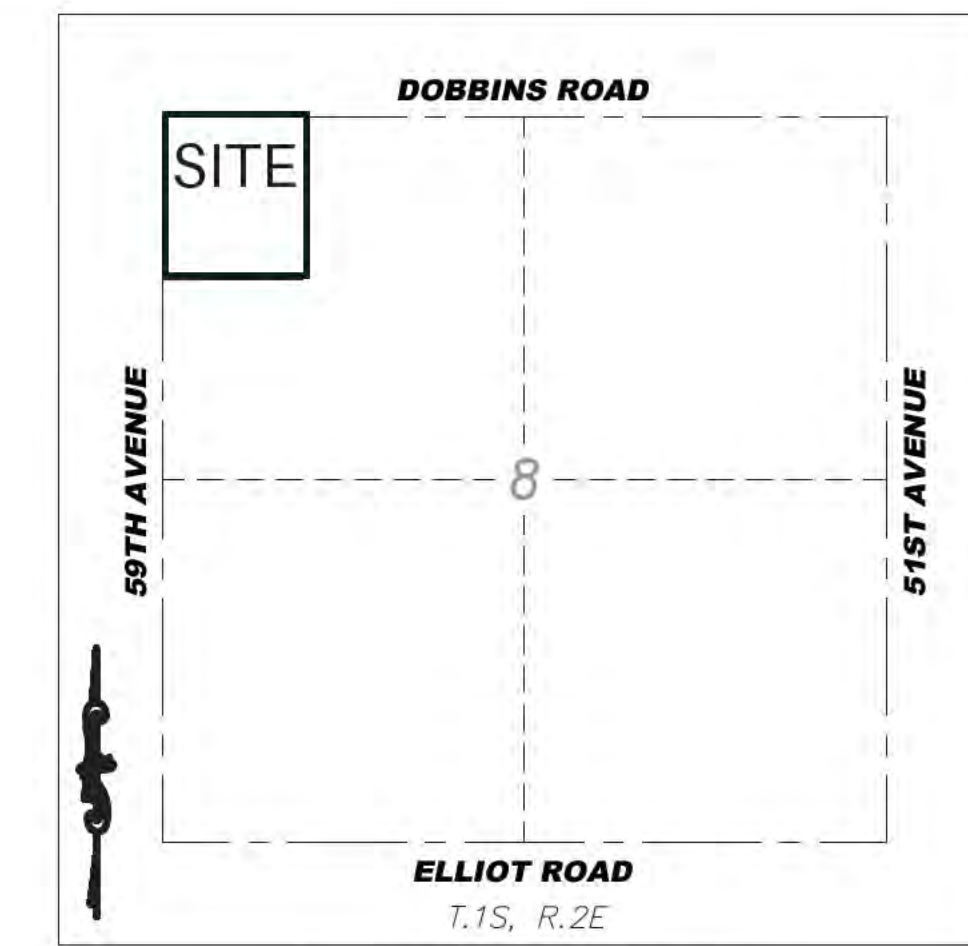
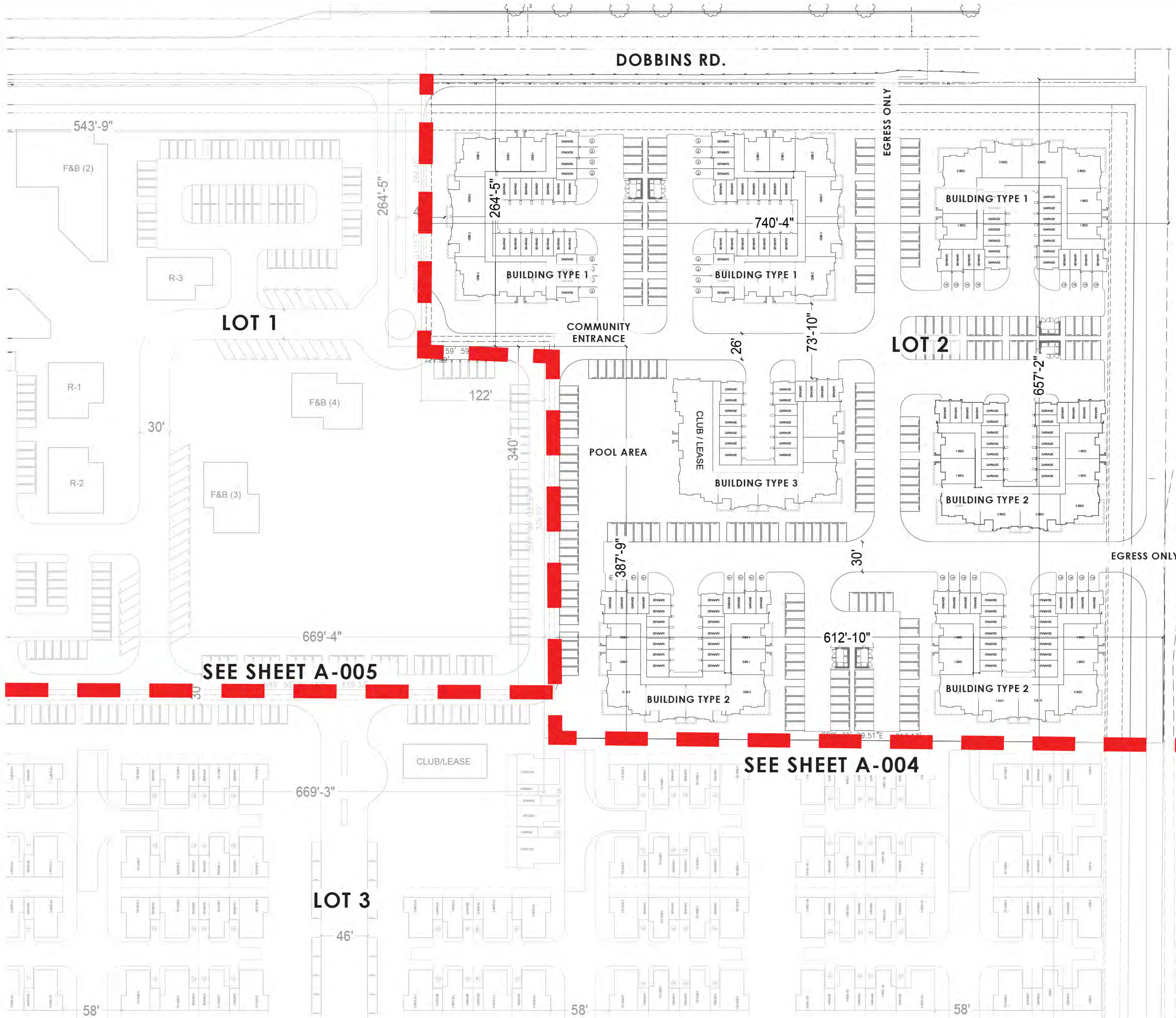


PROJECT LOCATION

CITY OF PHOENIX

MAY 27 2022

Planning & Development
Department



Apartments Type 1				
	Floor to Floor Height	UNITS		
		1 Bdrm	2 Bdrm	Total
Ground Floor	10'-0"	4	4	8
Level 2	10'-0"	6	8	14
Mix (%)		10	12	22 Units
Mix (%)		45.5	54.5	100 %
Building Height (Top of Flat Roof) = 20'-0"				

Apartments Type 2				
	Floor to Floor Height	UNITS		
		1 Bdrm	2 Bdrm	Total
Ground Floor	10'-0"	4	4	8
Level 2	10'-0"	6	8	14
Level 3	10'-0"	6	8	14
Mix (%)		16	20	36 Units
Mix (%)		44.4	55.6	100 %
Building Height (Top of Flat Roof) = 30'-0"				

Apartment Type 3 (Leasing)				
	Floor to Floor Height	UNITS		
		1 Bdrm	2 Bdrm	Total
Ground	13'-0"	2	3	5
Level 2	10'-0"	6	8	14
Level 3	10'-0"	6	8	14
Mix (%)		14	19	33 Units
Mix (%)		42.4	57.6	100 %
Building Height (Top of Flat Roof) = 33'-0"				

APARTMENTS BUILDINGS SUMMARY				
	BUILDING COUNT	UNITS		GROSS AREA (SQ.FT)
		1 Bdrm	2 Bdrm	
Apartments Type 1	3	10	12	32,000
		30	36	
Apartments Type 2	3	16	20	48,000
		48	60	
Apartment Type 3 (Leasing)	1	14	19	48,000
		14	19	
TOTAL	7	92	115	207
Mix (%)		44.4	55.6	100.0 %

REQUIRED PARKING		
1-Bed	1.5	138
2-Bed	1.5	172.5
Guests	0.5	103.5
TOTAL		414

Provided Parking		
Garage		150
Tandem / Guests		56
Guest		208
TOTAL		414

Density	
Total Site Area (sq. ft.)	435,600
Total Site Area (acres)	10.00
Total Apartments	207
Total (D.u./Acre)	20.70

Open Space	
Acres	2.13
%	21

Lot Coverage	
%	25.7

CITY OF PHOENIX
MAY 27 2022
Planning & Development Department



NO.	BY	DATE	REVISION

SIGNATURE _____ DATE _____

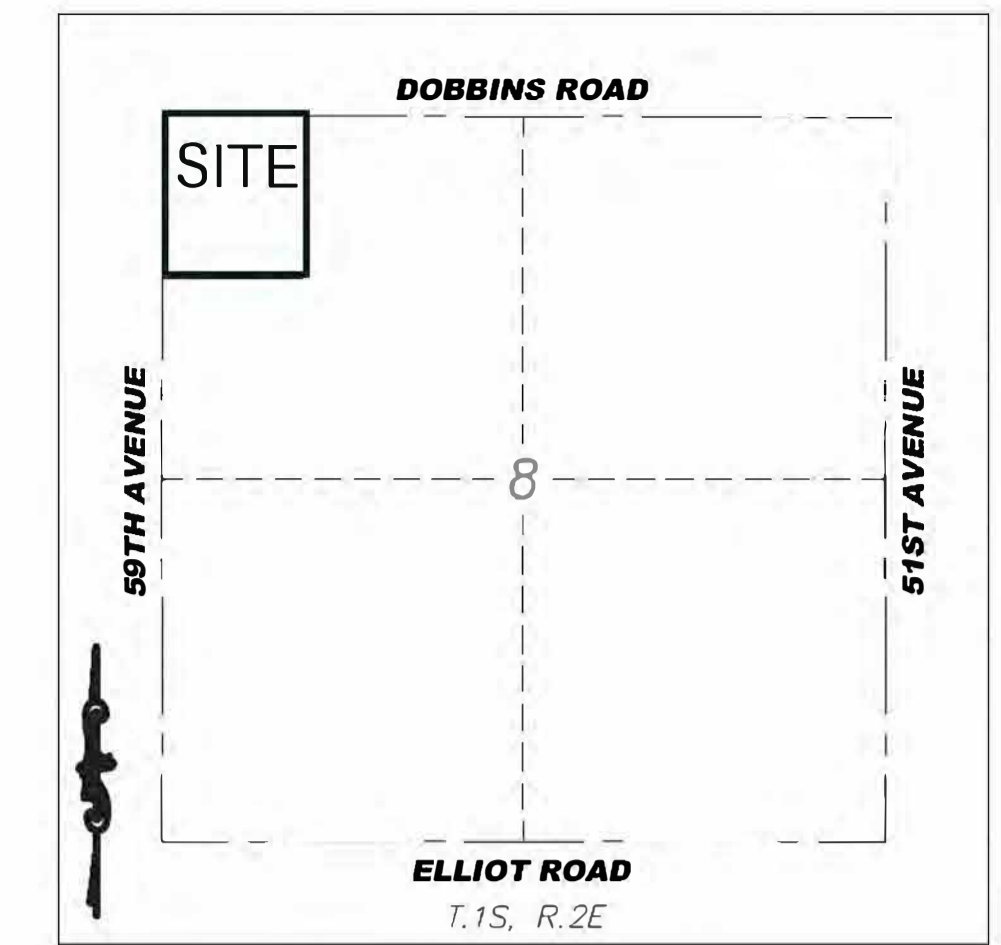
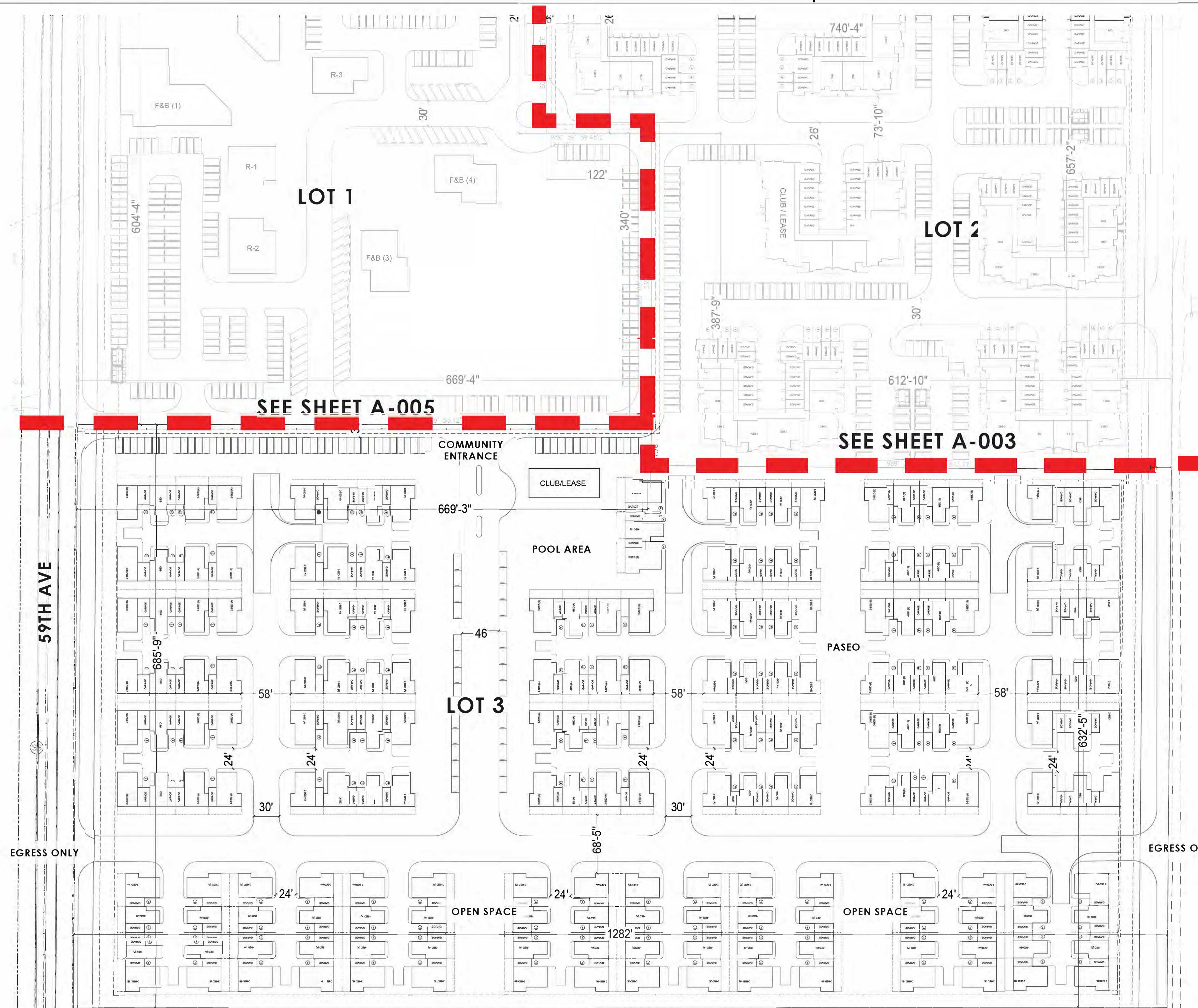


PROJECT NO: 19461
DATE: 03-31-2022

DRAWN/DESIGNED BY: XXXX
CHECKED BY: XXXX

59TH & DOBBINS

DRAWING TITLE
APARTMENTS - SITE PLAN
DRAWING NO.
A-003



Horizontal MF Model Home Cluster			
	UNITS		Total
	1 Bdrm	2 Bdrm	
	1	2	3
Mix (%)	33.3	66.7	100.0 %
Building Height (Not to Exceed) = 20'			
Horizontal MF Cluster Type 2			
	UNITS		Total
	1 Bdrm	2 Bdrm	
	2	4	6
Mix (%)	33.3	66.7	100.0 %
Building Height (Not to Exceed) = 20'			
Horizontal MF Cluster Type 3			
	UNITS		Total
	1 Bdrm	2 Bdrm	
	4	4	8
Mix (%)	50.0	50.0	100.0 %
Building Height (Not to Exceed) = 20'			
Horizontal MF Cluster Type 4			
	UNITS		Total
	1 Bdrm	2 Bdrm	
	2	6	8
Mix (%)	25.0	75.0	100.0 %
Building Height (Not to Exceed) = 20'			

HORIZONTAL MULTI FAMILY PRODUCT SUMMARY				
	TOTAL CLUSTER COUNT	UNITS		GROSS AREA (SQ.Ft)
		1 Bdrm	2 Bdrm	
Horizontal MF Model Home Cluster	1	1	2	3,354
Horizontal MF Cluster Type 2	3	2	4	22,908
Horizontal MF Cluster Type 3	14	4	4	134,904
Horizontal MF Cluster Type 4	8	56	56	83,296
TOTAL	26	79	118	244,462
Mix (%)		40.1	59.9	100.0 %

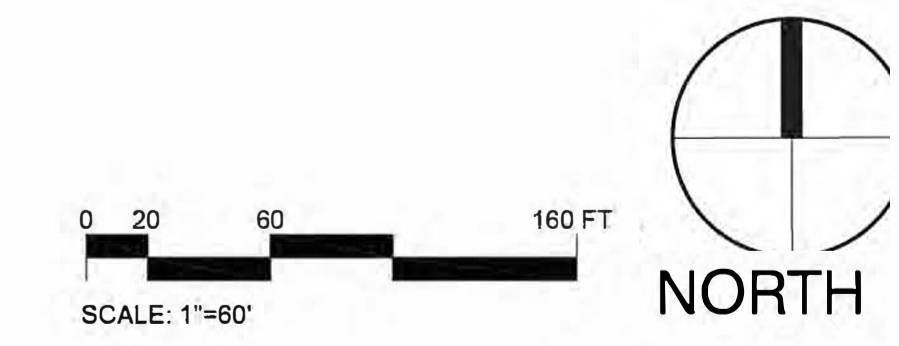
REQUIRED PARKING		
1-Bed	1.5	118.5
2-Bed	1.5	177
Guests	0.5	98.5
Total		394

Provided Parking		
Garage		197
Tandem / Guests		197
Guest		52
Total		446

Density	
Total Site Area (sq. ft.)	848,113.20
Total Site Area (acres)	19.47
Total Homes	197
Total (D.u./Acre)	10.12

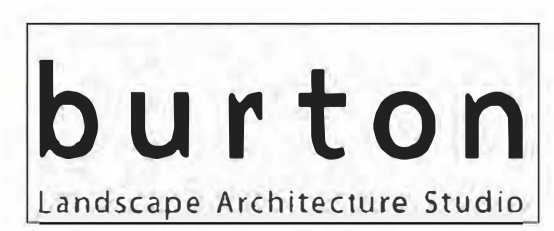
Open Space		
Acres		2.9
%		1.5
Lot Coverage		
%		2.1

CITY OF PHOENIX
MAY 27 2022
Planning & Development
Department



NO.	BY	DATE	REVISION

SIGNATURE _____ DATE _____

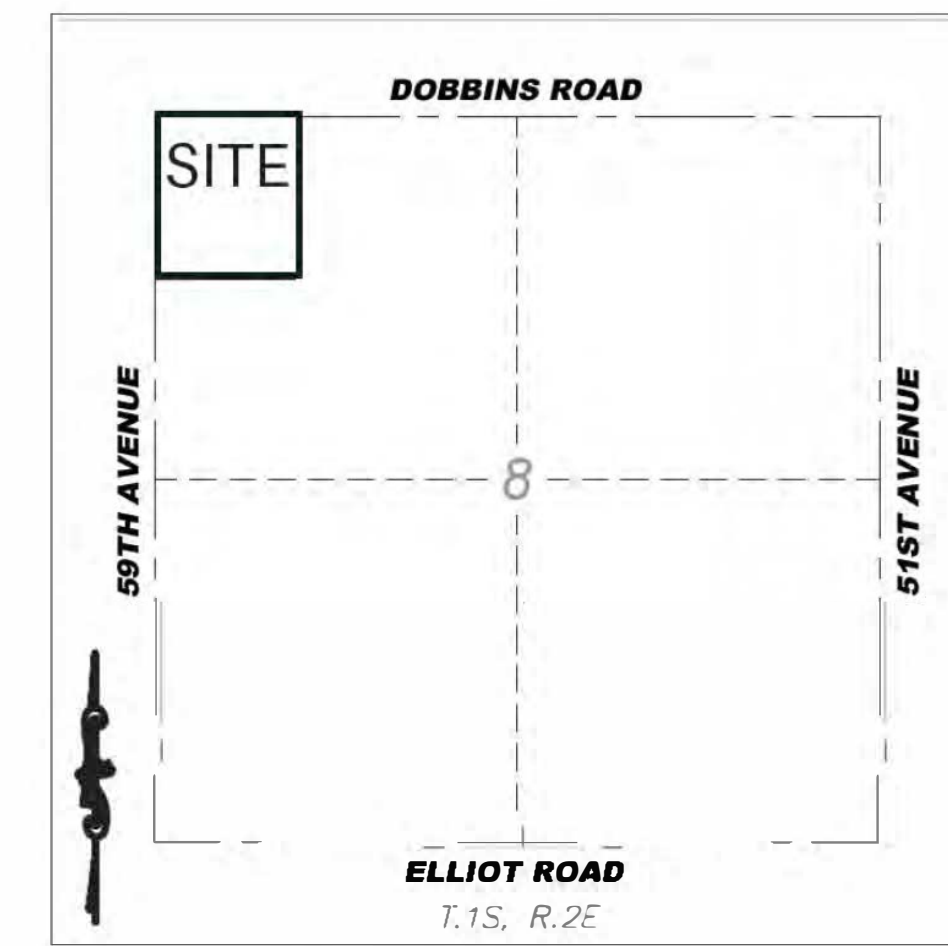
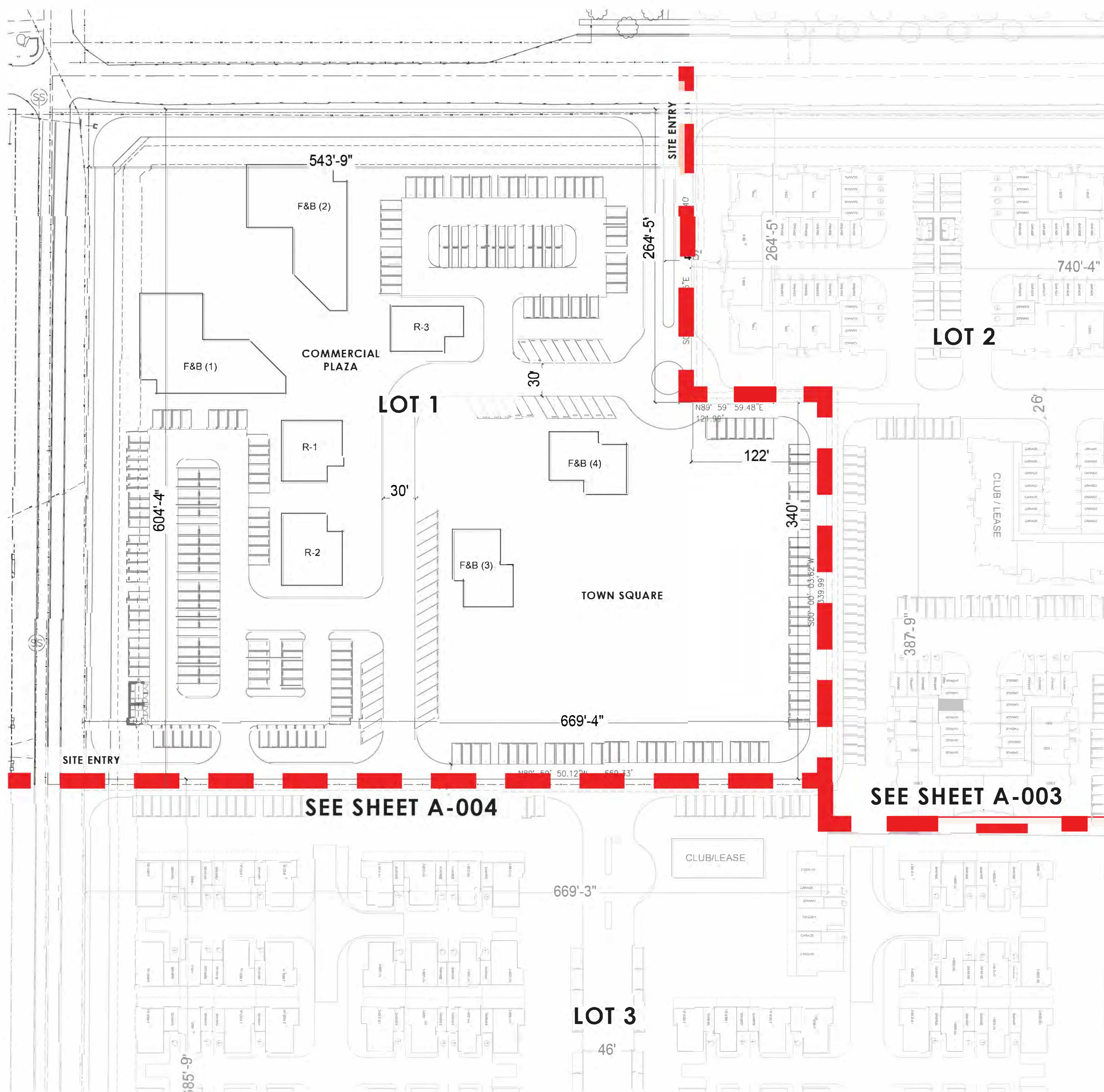


PROJECT NO: 19461
DATE: 03-31-2022

DRAWN/DESIGNED BY: XXXX
CHECKED BY: XXXX

59TH & DOBBINS

DRAWING TITLE
HORIZONTAL MULTI-FAMILY APARTMENTS
DRAWING NO.
A-004



Land Use	Building#	Commercial Bldg SF	Restaurant SF - Indoor	Restaurant SF - Outdoor	Retail Parking Requirement	Restaurant Bldg SF - Dining	Restaurant Parking Requirement - Dining	Restaurant BOH	Restaurant Parking Requirement - BOH	Restaurant Parking Requirement - Outdoors	Total Parking Required	
					1 per 300 sf	60% of Bldg	1 per 50 sf	40% of Bldg	1 per 300 sf	1 per 200 sf		
Restaurant	1		7,900	3,160.0	0	4740	95	3160	11	16	121	
Restaurant	2		7,900	3,160.0	0	4740	95	3160	11	16	121	
Restaurant	3		2,850	228.00	0	1710	34	1140	4	1	39	
Restaurant	4		2,850	228.00	0	1710	34	1140	4	1	39	
Commercial	5	3,000	0	0	10	0	0	0	0	0	10	
Commercial	6	3,000	0	0	10	0	0	0	0	0	10	
Commercial	7	3,000	0	0	10	0	0	0	0	0	10	
SF subtotals		9,000	21,500	6,776							Parking Required	351
Gross Building Area				30,500							Parking provided	351
Outdoor Leasable SF				6,776								
Commercial Site Area			371,131.2 sq.ft									
F.A.R.			0.08									
Maximum Height			40ft.									

Open Space		
Acres		1.87
%		22

Lot Coverage		
%		8

CITY OF PHOENIX
MAY 27 2022
Planning & Development
Department



NO.	BY	DATE	REVISION

SIGNATURE _____ DATE _____



Know what's below.
Call before you dig.







PROJECT NO: 19461	DRAWN/DESIGNED BY: XXXX
DATE: 03-31-2022	CHECKED BY: XXXX

59TH & DOBBINS

DRAWING TITLE
COMMERCIAL SITE PLAN
DRAWING NO.
A-005

Absent: 1 - Councilwoman Ansari

**107 Public Hearing and Ordinance Adoption - Rezoning Application
Z-45-22-8 - Southeast Corner of 59th Avenue and Dobbins Road
(Ordinance G-7056)**

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-45-22-8 and rezone the site from S-1 (Approved C-2 HGT/WVR PCD) (Ranch or Farm Residence District, 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.

Summary

Current Zoning: S-1 (Approved C-2 HGT/WVR PCD)

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

Acreage: 39.74 acres

Proposal: Mixed-use development

Owner: Tyson Family, LTD, et al.

Applicant: Matrix at Dobbins

Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on July 11, 2022, and continued the case, by a vote of 8-0. The Laveen Village Planning Committee heard this case on Aug. 8, 2022, and recommended approval, per the Addendum A Staff Report, with modifications and an additional stipulation, by a vote of 6-3.

PC Action: The Planning Commission heard this case on Aug. 4, 2022, and continued the case, by a vote of 9-0. The Planning Commission heard this case on Sept. 1, 2022, and recommended approval, per the Laveen Village Planning Committee recommendation, with a modification and an additional stipulation, by a vote of 7-0.

Location

Southeast corner of 59th Avenue and Dobbins Road.

Council District: 8

Parcel Address: 5703, 5775, and 5875 W. Dobbins Road; and 9250 and 9365 S. 59th Ave.

Discussion

Councilmember Garcia asked for clarification on stipulation number one and added that the Laveen community and surrounding communities were waiting to know what would become of the development.

Planning and Development Assistant Director Joshua Bednarek explained that the stipulation required general conformance to a site plan and elevations that show on the immediate corner on 59th avenue a commercial development occurring. He added that the elevations that accompany any development will be required to conform to the stipulation and if they were to deviate, a request for modification or deletion of the stipulation would be necessary. He concluded that the stipulation added protection to ensure that what was shown would be required to be developed unless developers went back through the public hearing process.

Mayor Gallego declared the public hearing open. She added that Jonathan Bastianelli was present to speak if necessary.

Noting that there were no members of the public or the Council who wished to speak, Mayor Gallego declared the public hearing closed.

The hearing was held. A motion was made by Councilmember Garcia, seconded by Councilman DiCiccio, that this item be approved per the Planning Commission recommendation, with a modification to Stipulation 6 to read as follows, "The Developer should construct a minimum five foot wide sidewalk, a minimum five foot wide multi-use trail and a minimum 11 foot wide landscape area located between the back of the curb and the sidewalk along the south side of Dobbins Road, while maintaining the subsections A through C in the stipulation as approved by the Planning and Development Department.", with adoption of the related ordinance. The motion carried by the following vote:

Yes: 8 - Councilman DiCiccio, Councilmember Garcia, Councilwoman Guardado, Councilwoman O'Brien, Councilwoman Stark, Councilman Waring, Vice Mayor Pastor and Mayor Gallego

No: 0

Absent: 1 - Councilwoman Ansari

108 (CONTINUED FROM NOV. 2, 2022) - Public Hearing and Ordinance Adoption - Rezoning Application Z-27-22-6 (Zola North Central PUD) - Northeast Corner of 7th Street and Colter Street (Ordinance G-7052)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-22-6 and rezone the site from C-2 (Intermediate Commercial) to PUD (Planned Unit Development) to allow multifamily residential.

Summary

Current Zoning: C-2

Proposed Zoning: PUD

Acreage: 2.55 acres

Proposal: Multifamily residential

Owner: 7th Street and Colter, LLC

Applicant: ZOM Living

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Info Only: The Camelback East Village Planning Committee heard this case on June 7, 2022, for information only.

VPC Action: The Camelback East Village Planning Committee heard this case on Sept. 6, 2022, and recommended approval, per the staff recommendation, by a vote of 14-2-1.

PC Action: The Planning Commission heard this case on Oct. 6, 2022, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 7-2.

The Planning Commission recommendation was appealed by a community member and a petition for a 3/4 vote was submitted on Oct. 13, 2022. A 3/4 vote is not required.

Attachment G - Letters of Support

REZONING

12. **Application #:** **Z-45-22-8 (Continued from August 4, 2022)**
From: S-1 (Approved C-2 HGT/WVR PCD)
To: C-2 HGT/WVR DNS/WVR
Acreage: 39.74
Location: Southeast corner of 59th Avenue and Dobbins Road
Proposal: Mixed-use development
Applicant: Matrix at Dobbins
Owner: Tyson Family, LTD, et al.
Representative: Jason Morris, Withey Morris, PLC

Ms. Racelle Escolar stated that Item No. 12 is Z-45-22-8 a request to rezone 39.74 acres located at the southeast corner of 59th Avenue and Dobbins Road to C-2 (Intermediate Commercial District) with a height and density waiver to allow a mixed-use development.

The Laveen Village Planning Committee continued the case by an 8 to 0 vote at their July meeting. After the meeting the applicant revised their plan to address concerns raised at the Village Planning Committee meeting.

There was an addendum provided to the Village Planning Committee to revise an acreage calculation for the site and address the revised site plan and elevations. The addendum recommended the following modifications:

- Stipulation No. 1 was modified to update the dates of the stipulated plans.
- Stipulation No. 19 was modified to increase the required open space area for Lot 1 from 25% to 28%.
- Stipulation No. 28 was modified to increase the required open space area for Lot 3 from 12% to 13%.

The Laveen Village Planning Committee recommended approval, per the Addendum A Staff Report with modifications and an additional stipulation by a vote of 6 to 3.

- Stipulation No. 1 was modified to update the date of the stipulated site plan.
- Stipulation No. 2 was added to require that specific improvements be made to the Town Center (Lot 1) prior to the issuance of a certificate of occupancy for the second residential development (whichever comes second, either Lot 2 or 3).
- Stipulation No. 24 (previously 23) was modified to increase the number of units on Lot 2 from 207 unit to 214 units.
- Stipulation No. 25 (previously 24) was modified to increase the required open space area for Lot 2 from 9% to 10%.

- Stipulation No. 29 (previously 28) was modified to decrease the number of units on Lot 3 from 197 unit to 181 units.

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

Ms. Escolar stated that the applicant was available to provide a presentation or answer questions.

Chairman Howard asked if there were any questions from Commissioners.

Commissioner Gorraiz stated that he understood the three individuals who voted against the case at the Laveen Village Planning Committee may have done so because of the last motion made for the last stipulation, which is going to require the developer to build one of the commercial buildings before they can open it up for people to move in. He asked for clarification.

Chairman Howard invited the applicant to speak for two or three minutes, in order to get some clarification on this case. He called on Mr. Tate.

Mr. Ben Tate started by commending the applicant's enormous list from the July Village Planning Committee meeting to the August Village Planning Committee August Committee, on this case, to address all of the concerns of the community, of the Laveen Citizens for Responsible Development (LCRD), and of the Laveen Village Planning Committee, as recited by Ms. Escolar. The only thing that they were here to discuss this evening in that respect has to do with what Commissioner Gorraiz stated. They had worked very hard ahead of the meeting to craft the stipulations that would require them voluntarily to build some of the community amenities and community open space in the commercial portion of the site, as part of the second phase of residential.

Mr. Tate stated that a motion was made by the Vice-Chair with the stipulation, as they had presented it. Then, an ultimate motion was made by the Chair to add language to that stipulation that would require to build a commercial building shell along with those community amenities, (open space inside the town square). From their perspective, there were two things. Firstly, the three people who voted against in the 6-3 vote, voted against the addendums to that stipulation to add that commercial building. So, he does not think that the vote is representative of the actually unanimous support that they had for this project at the Village. He stated that all they are asking for is to simply go back to the language as it was originally presented. The reason was, by requiring a builder to build a commercial building without necessarily the guarantee of a tenant, all that does is tie the hand of the developer, while not getting the Village any closer to what it wants, which is a thriving commercial center on Lot 1. As long as the commercial tenants are there, they are going to do that anyways. He does not think that the Planning Commission, City Council, or the Chair of the Laveen

Village would want a developer to build a building with nobody to occupy it. All they are simply asking to do is go back to the following stipulation language.

Improvements for the Town Square, as identified on the site plan date stamped August 8, 2022, shall be completed prior to the issuance of any Certificate of Occupancy for the last phase of residential development (Lot 2 or Lot 3). Improvements shall include all streets and parking around the Town Square, all common landscape, walkway landscape furniture and common area features, and a minimum of three amenities (which may include, but is not limited to open seating, interactive water feature, and kids playground with shade structure), but excluding the two commercial buildings and their supporting features such as leased outdoor dining areas and their hardscape and landscape features, as approved by the Planning and Development Department.

Mr. Tate stated that the purpose of this stipulation was simply to ensure that the Laveen Village does not end up in a situation it previously ended up in, where the residential phases of a mixed-use project get filled, but all of the stuff that was enticing the community, all the stuff that was in it for the community was never constructed. That is what they have done here. They are simply asking to go back to the language and not tie the builder to a commercial building shell, which may not have a tenant in tow. He was happy to answer any questions.

Chairman Howard wanted to clarify all the facts. He asked Mr. Tate to display their site plan. He stated that it looks like there are four components to this project, a commercial component, a single-family for rent component, a multifamily component, and a town square component, which as he understood are some community amenities that would have to be built. He asked if that was correct.

Mr. Tate responded yes, that was correct.

Chairman Howard stated that if he understood correctly, there was a stipulation that the applicant could build the first phase of residential, but after that first phase was residentially built, they would have to build out the amenities in the town square before they could build the second phase of residential.

Mr. Tate responded that he was very close. He clarified that they would have to construct the town square amenities/improvements before they can receive any Certificate of Occupancy for the second phase of residential. They could be built in hand.

Chairman Howard stated that the alternate stipulation that was requested at the Village was rather than building out the town square, the infrastructure itself, that one of the first commercial buildings be completed before that Certificate of

Occupancy was granted on the second phase of residential. He asked if that was correct.

Mr. Tate responded that he was also very close. It would be all of the town square improvements plus a commercial building.

Chairman Howard asked if they were just requesting to go back to the original stipulation that was part of the case, which was that the town square itself be built out, but not the commercial building.

Mr. Tate stated that was correct.

Chairman Howard stated that he understood and wanted to make sure the audience and the Commissioners did, as well. He invited any questions by the Commissioner members.

Commissioner Perez stated that she understands there were competing motions for this thing, but she thinks there was a purpose. For anyone that has driven down to this area and seen this property, it is wide-open field. There was a reason that the second motion was made, to make sure that they would not go back and decide to change that area. She has a problem with not making a commitment. She understands that Mr. Tate keeps talking about market rate and it is not sustainable. They want to build all of these apartments, but not the commercial when most communities are begging for commercial and not more multifamily housing. She thinks that the emotion was not to be aggressive and mean, it was just to make sure the applicant is keeping their commitment to the community, by providing some commercial, while they are adding all of this multifamily. She does not think that is a ridiculous request on their part. She stated that she would vote no on this case. She thinks it is something to be considered.

Chairman Howard asked Commissioner Perez if she is speaking with any tenants that want to go there.

Commissioner Perez responded that it is a demand for anyone in a rural area. She stated, if we are going to get all of this housing, we want commercial to balance it. She lives in a quasi-rural area. They are building all of these houses and multifamily, but there is no commercial to support it. Laveen is also one of those communities that has a lot of multifamily, a lot of buildings, but the commercial is not supporting it. So, it is not an uncommon request. It is just something they need to balance, the amount of housing without any services that are going along with it. She does not think that is a crazy ask.

Chairman Howard stated that he understood. He was asking if it is the desire of folks in the neighborhood to have commercial, or was she speaking with folks that build commercial and rent that want to go there.

Commissioner Perez responded that she has spoken with people in Laveen, in general, about cases in the past, present, and future that are being considered. Commercial is always the number one concern for that area. They might have other plans for it. Her opinion is that we need to balance these kinds of multifamily, when we have this many units, with a commercial product. She understands the applicant's position is, "Let us fill all this multifamily, then we will come back and do this." There is a genuine fear in her area and probably in Laveen too, that once they get that done, they decide not to do the commercial. They would like to get some guarantee that the applicant is not going to back out, and that it does not become this massive multifamily area. That might sound ridiculous, she stated, but she asked them to take a drive down there to understand.

Chairman Howard called on the support speaker, Ms. Joanne Jensen.

Ms. Joanne Jensen, support speaker, stated that she is a member of the Laveen Village Planning Committee, wanting to discuss her vote and views on the proposal before the Planning Commission. During their August 8, 2022, Laveen Village Planning Committee meeting, competing motions were made and seconded. One was to approve, as presented, the other was to approve with additional stipulation language. The latter was considered first and it prevailed with a vote of 6-3. Hers was one of the three against the motion, however, in no way should her vote be construed as opposition for this plan. In fact, she assured the Planning Commission that she supports it. Either motion, if accessible would have resulted in their approving the proposal. It was the additional stipulation language that she did not favor. In sum, she supports the plan without the modified stipulation language. Her belief is that this developer went over and above what others may have done in similar circumstances. The amount of commercial, available square-footage was increased significantly. The number of single-family units was decreased significantly. They worked really hard in response to the Laveen Village Planning Committee, as well as to the community. It is a good fit as it stands with the Village goals. There is always concern about rooftops versus retail. Her personal belief is that retail will follow, and that, in the end, all of this discussion and additional language is going to be a wash. Built as conceived, this is going to be a major asset to the Laveen community.

Commissioner Gorraiz stated that with all of those changes, and the significance of those changes, that demonstrates the commitment of the developer. He is not familiar with any of the other developments where they have done this sort of thing. He thinks that the rooftop, retail/commercial etc., is in the plan. He has a problem saying that you have to building this commercial or build a shell without knowing who the occupants are going to be, because typically a lot of these developments are done to suit. So, whoever wants to come in and do some of these things would be involved with the design. To put something ahead of that

is premature. He supports this project and wants to have the August 8th stipulation without the last additional stipulation. He thinks that the developer has demonstrated his commitment to that community, that area, and that development.

Commissioner Gaynor stated that he agreed with Commissioner Gorraiz. He lives in this area and has to drive pretty far to reach commercial/restaurant opportunities, and he certainly cannot walk there. He likes to put the pressure on developers to make sure that they comply with their commitments to the plan, the community, etc. However, it sounds like here the developer cannot build the next phase without complying with what they have committed to in this phase. He asked if he was wrong.

Ms. Escolar stated that they can build it, but they would have to build out the required elements of the commercial portion, prior to Certificate of Occupancy for any of the units in that second phase of residential development.

Chairman Howard stated that he thought that was wrong. Under the current stipulation, they would have to build out both the town square, as well as one building of the commercial. They are asking to only build the town square. Commissioner Gaynor was asking if the applicant would have to go through a second public hearing process to change the zoning of the commercial land. The answer is yes. From Chairman Howard's perspective, it is not as though they could 'bait and switch'. They could not just build multifamily where commercial is assigned. They would have to go through a separate public hearing process, and the remedy there is not to approve the zoning.

Commissioner Gaynor added that he agrees with Commissioner Gorraiz. If you build a commercial structure, there is absolutely zero guarantee that you are going to get a tenant for it. Actually, in his experience, it is going to end up costing significantly more to remodel, adjust, add, and do whatever is needed to that commercial structure to bring that tenant in. It just does not serve the development with the intent that they are trying to reach here. As long as it is possible to go through the process mentioned by the Chair, he is supportive of this project. The builder has worked above and beyond with the community and he loves this Village feel and this development. He does not see enough of this in Phoenix. He wants to see this development near his area. He is supportive of this project.

Commissioner Perez stated that her understanding is they are requesting it to go to C-2 with a height waiver and a density waiver. If they wanted to in the future, C-2 does allow for multifamily. So, she is not sure how they would have to go back through the entire process versus going to a Planning Hearing Officer (PHO) hearing. She was asking for clarification and for specifics. She does not think they would have to go through the whole process, as was stated earlier. She asked Ms. Escolar to clarify.

Ms. Escolar responded that one of the recommended stipulations is general conformance to the site plan; so, if they are moving forward and wanted to develop multifamily at the immediate corner, they would have to amend that first stipulation, potentially others as well, through the PHO (Planning Hearing Officer) process.

Commissioner Perez heard Ms. Escolar stated that they would have to go back for a general conformance. They would go to PHO, which in theory goes back to some Villages and if they request the PHO to come to them. It would go to the PHO, to the Village, and back to the City Council.

Ms. Escolar stated that the PHO case would go to the Village if the Village Chair requested to hear it. Typically, Laveen likes to hear all PHO cases. Then, it would go to the Planning Hearing Officer for a recommendation, and then to City Council. The only time it comes to Planning Commission is if there is an appeal of the Planning Hearing Officer's recommendation.

Commissioner Perez asked what the recommended outreach is for PHO cases.

Ms. Escolar stated that there is still a requirement to notify property owners within the 600 feet. They are required to notify neighborhood associations within one mile. Sometimes, there are additional requirements, if they are added to the case, but that does not apply to this specific case.

Commissioner Perez stated that when cases goes through PHO, the requirement for notification is pretty small. It is up to the Chair's discretion whether or not it comes to the Village and then it moves along. She stated, call it paranoia, call it experience, where someone has changed the zoning on her, she feels like that is why that additional stipulation was put in place. She completely understands where Mr. Tate is coming from on this case. But, again, the 'bait and switch' has happened too many times, therefore she cannot support that. She can understand why they would. She would be voting no on this.

Chairman Howard asked Ms. Escolar if there was a way to put a stipulation in place. He does not want the developer to have to build a commercial building. Maybe they could add a stipulation that requires if they were to change the use of the northwest portion of the site plan, anything that is meant to be commercial on the site plan, either they have to have enhanced noticing, or they have to go through the Village again, or maybe not be a PHO process, but a full zoning case. He was trying to think of what they can do to ensure that there is not the proverbial bait and switch, but while still approving the case.

Ms. Escolar stated yes. That could be stipulated as far as enhanced notification, or requiring that the case go to the Village if there is a Planning Hearing Officer request.

Chairman Howard asked Commissioner Perez if it would satisfy her to know that they would have to go back through the Village if they tried to change the site plan, with relation to the commercial.

Commissioner Perez stated yes. That would give her some comfort.

Commissioner Howard invited the applicant back to respond.

Mr. Tate stated that if the concern is that this can be taken immediately back through a PHO process, then they would certainly be fine with the requirement rather than the Chairs discretion that this go back to the Village as part of a PHO.

Chairman Howard stated that he was in support of removing the stipulation that something be built on spec, and replacing it with the stipulation that if they change the commercial portion of the site, they have to go back to the Village.

Commissioner Boyd stated that he was happy they were reaching this kind of conclusion, because he was going in a similar direction where he is not so comfortable with requiring it on spec.

Chairman Howard stated that he did understand some of the concern about approving one thing and then building another. From his perspective, to cause anyone to build anything on spec is just a misuse of the process. What the City of Phoenix does as a governing body, from his perspective, is they put approval and approved uses in places where they think people will want to go. If someone that builds commercial wants to go there, they will. It is a fact that retail follows rooftops. If you want sit-down restaurants in the area, put density, incomes, people, visibility, put them on major arterial streets. We cannot make the commercial users go there if they do not want to go there. All that we can do or should do as a City and a governing board is approve the use and allow the market to do what the market does. He thinks that this is a really good solution. He wanted to say a couple of words about a trend that he has seen from some of the stipulations recommended by villages. He thinks that is a bad precedent to set; it is a dangerous precedent to set. He thinks that the best we can do in this situation is to say it is commercial, and commercial only, and if you want to change that, you have to go through a public hearing process. He invited a motion.

Commissioner Perez asked for a clarification of the language for this motion. She agrees with what Chairman Howard said. She does not think that it is not a dangerous precedent, she thinks it is important for a neighborhood to talk about this. She stated, maybe they think that their only voice is to put in stipulations as far as the Village Planning Committees go. They are just a recommending body and rely on their sage advice and votes from their Council members. In this case, it is District 8. She wanted to state that she agreed with some of the things he

was saying, but she thinks that the Village Planning Committees should have the privilege to be able to put in stipulations if they feel that is important for their neighborhoods. She would not want to silence them. She asked for clarification on the language they were voting on.

Commissioner Gorraiz MOTIONED to approve Z-45-22-8, per the Laveen Village Planning Committee recommendation, without the last stipulation, going back to the August 8, 2022 stipulation, and require that if anything is changed on that corner, moving it from commercial to residential, then it has to go back to the Village Planning Committee, and an enhanced process, rather than just to a Planning Hearing Officer.

Commissioner Boyd asked Chairman Howard for confirmation that they were going to use the language that the developer had on an exhibit that said that the amenities were being constructed. He asked if that was all agreed to.

Chairman Howard responded yes, and with the additional stipulation, as read into the record that if there is a modification to the site plan, rather than giving deference to the Village to hear the case, they are requiring that the case go back to the Village.

Chairman Howard stated that they had a motion by Commissioner Gorraiz. He asked for a second.

Ms. Escolar asked Commissioner Gorraiz that when he referenced the last stipulation, the stipulation in question is Stipulation No. 2 that requires the town center improvements to be done. She asked him if he wanted to delete that stipulation.

Commissioner Gorraiz responded yes, and go with the August 8th, stipulation.

Ms. Escolar stated that the August 8 stipulation is a separate stipulation (Stipulation No. 1). She asked if he wanted to delete Stipulation No. 2 and add a stipulation to require that any future Planning Hearing Officer applications for Lot 1, as depicted on the site plan date stamped August 8, 2022, shall go to the Village Planning Committee for recommendation, and include enhanced notification to require that all property owners within 600 feet of the subject site be notified and also all neighborhood organizations registered with the City, that are within one mile radius of the subject site, will also be notified.

Commissioner Gaynor SECONDED.

Commissioner Boyd stated that he wanted to clarify something. At the very start of this, he thought that the developer had said there was an agreed upon version of Stipulation No. 2, that did not include requiring to do the speculative office. It required some other things be constructed in a certain order, he thought was

agreed to by the developer and the community. He wanted to get clarity on that point. After getting clarity if that was an agreed to item, whether the rest of the Commission would be amenable to not delete Stipulation No. 2, but exchange it for that previous language.

Mr. Tate stated that Commissioner Boyd was correct. All the applicant was asking for was deletion of the part of the stipulation that referenced the building of the commercial shell. The remainder of the stipulation language would still apply. That is what they are requesting, as it was written on his exhibit.

Commissioner Boyd asked whether it would be better to substitute that language. He is in favor of substituting language that no one opposes.

Chairman Howard stated that he was fine procedurally; however, they decided to proceed. He stated that the intention is to get rid of the requirement to build a shell. It sounded like there was other language that they would like to retain. He asked the applicant or staff if there was some language for a motion that they would like to suggest.

Commissioner Gaynor asked Ms. Escolar if Commissioner Boyd's question had been answered or if she would have a way to rewrite the motion to answer his question.

Ms. Escolar stated yes. **The ideal way to proceed would be to have Commissioner Gorraiz amend his motion to not delete Stipulation No. 2, but to modify Stipulation No. 2, per the applicant's request. They can use the language that the applicant had on his exhibit.**

Commissioner Perez asked if they would add the enhanced notification and all that other stuff as a different stipulation or make it a part of it.

Commissioner Gorraiz answered that he was fine making it a part of it.

Ms. Escolar stated it was Commissioner Gorraiz's discretion to decide if he wanted to include it all. The modification to Stipulation No. 2 would be enhanced notification and review at the Village.

Commissioner Gaynor SECONDED.

Commissioner Boyd stated that he was satisfied that it is as the applicant mentioned and also the enhanced notification. He would support that.

Commissioner Perez stated that she was in agreement as long as the enhanced notification is in there.

There being no further discussion, Chairman Howard called for a vote and the MOTION Passed 7-0. (Absent: Busching and Simon)

Stipulations:

1. The development shall be in general conformance with the site plan date stamped ~~June 30, 2022~~ JULY 7, 2022 AUGUST 8, 2022 and elevations date stamped ~~May 27, 2022~~ AND JULY 8, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. ~~IMPROVEMENTS FOR THE TOWN CENTER, AS IDENTIFIED ON THE SITE PLAN DATE STAMPED AUGUST 8, 2022, SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF ANY (INCLUDING TEMPORARY) CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT IN THE SECOND RESIDENTIAL LOT DEVELOPED (EITHER LOT 2 OR LOT 3), WHICHEVER IS DEVELOPED LATER. IMPROVEMENTS SHALL INCLUDE ALL STREETS AND PARKING AROUND THE TOWN CENTER; ALL COMMON LANDSCAPING, WALKWAY LANDSCAPE FURNITURE, AND COMMON AREA FEATURES; A MINIMUM OF THREE AMENITIES, WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO OPEN SEATING, AN INTERACTIVE WATER FEATURE, AND KIDS' PLAYGROUND WITH SHADE STRUCTURE; AND AT LEAST ONE OF THE COMMERCIAL BUILDINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
IMPROVEMENTS FOR THE TOWN SQUARE, AS IDENTIFIED ON THE SITE PLAN DATE STAMPED AUGUST 8, 2022, SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR THE LAST PHASE OF RESIDENTIAL DEVELOPMENT (LOT 2 OR LOT 3). IMPROVEMENTS SHALL INCLUDE ALL STREETS AND PARKING AROUND THE TOWN SQUARE, ALL COMMON LANDSCAPE, WALKWAY LANDSCAPE FURNITURE AND COMMON AREA FEATURES, AND A MINIMUM OF THREE AMENITIES (WHICH MAY INCLUDE, BUT IS NOT LIMITED TO OPEN SEATING, INTERACTIVE WATER FEATURE, AND KIDS PLAYGROUND WITH SHADE STRUCTURE), BUT EXCLUDING THE TWO COMMERCIAL BUILDINGS AND THEIR SUPPORTING FEATURES SUCH AS LEASED OUTDOOR DINING AREAS AND THEIR HARDSCAPE AND LANDSCAPE FEATURES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2. The primary entryway to Dobbins Road shall include a minimum of 250 square feet of enhanced landscaping, planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.
3. A minimum of one milkweed shrub, or other native nectar species, shall be
4. planted for every required tree in addition to the required shrubs, and shall be

planted in groups of three or more, as approved by the Planning and Development Department.

4. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE)
5. along the east side of 59th Avenue and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
5. The developer shall construct a minimum 5-foot-wide detached sidewalk and
6. minimum 11-foot-wide landscape area located between the back of curb and sidewalk along the south side of Dobbins Road, as approved by the Planning and Development Department.
 - a. Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - 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 Department on an alternative design solution consistent with a pedestrian environment.
6. The developer shall construct a minimum 5-foot-wide detached sidewalk along
7. the west side of 57th Avenue 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 2-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 50% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
7. The developer shall construct a minimum 5-foot-wide detached sidewalk along
8. the east side of 59th Avenue with a minimum 11-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 shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - 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 Department on an alternative design solution consistent with a pedestrian environment.
- ~~8.~~ The developer shall dedicate a minimum of 55-feet of right-of-way and construct the south side of Dobbins Road, 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 west side of 57th Avenue connecting at the 56th Glen alignment, as approved by the Street Transportation Department.
 - ~~10.~~ The developer shall dedicate a minimum of 55-feet of right-of-way and construct the east side of 59th Avenue, as approved by the Planning and Development Department.
 - ~~11.~~ The developer shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is approved. Signal warrant analysis shall be included for 59th Avenue and Dobbins as part of the Study. The developer shall be required to provide a minimum 25% contribution towards future traffic signal if not warranted for construction by the TIA.
 - ~~12.~~ Existing irrigation along Dobbins Road are to be undergrounded and relocated outside City of Phoenix 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.
 - ~~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.
 - ~~14.~~ The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details P1258 and P1260) constructed along eastbound Dobbins Road, as approved by the Planning and Development Department.
 - ~~15.~~

- 15. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix
- 16. Standard Details P1258 and P1260) constructed along northbound 59th Avenue, as approved by the Planning and Development Department.

- 16. 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.

- 17. Prior to preliminary site plan approval, the landowner shall execute a Proposition
- 18. 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

LOT 1 (TOWN CENTER AND RETAIL PLAZA)

- 18. The maximum building height shall be 30 feet.
- 19.

- 19. A minimum of 25% 28% of the gross area of Lot 1 shall be retained as open
- 20. space, as approved by the Planning and Development Department.

- 20. All uncovered surface parking lot areas for employees and customers shall be
- 21. landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve minimum 25% shade at maturity, as approved by the Planning and Development Department.

- 21. A minimum of 14 bicycle parking spaces shall be provided through Inverted U
- 22. and/or artistic racks located near building entrances 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.

- 23. **ANY FUTURE PLANNING HEARING OFFICER APPLICATIONS FOR LOT 1, AS DEPICTED ON THE SITE PLAN DATE STAMPED AUGUST 8, 2022, SHALL GO TO THE VILLAGE PLANNING COMMITTEE FOR RECOMMENDATION, AND INCLUDE ENHANCED NOTIFICATION TO REQUIRE NOTIFICATION OF ALL PROPERTY OWNERS WITHIN 600 FEET OF THE SUBJECT SITE AND ALL NEIGHBORHOOD ORGANIZATIONS REGISTERED WITH THE CITY WITHIN ONE MILE OF THE SUBJECT SITE.**

LOT 2 (MULTIFAMILY APARTMENTS)

~~22.~~ The development shall adhere to the R-3A zoning district standards, as modified
~~23.~~ by the following stipulations, and approved by the Planning and Development
24. Department.

~~23.~~ Lot 2 shall be limited to a maximum of ~~207~~ 214 units.
~~24.~~
25.

~~24.~~ A minimum of ~~9%~~ 10% of the gross area of Lot 2 shall be retained as open
~~25.~~ space, as approved by the Planning and Development Department.
26.

~~25.~~ A minimum of 10 bicycle parking spaces shall be provided through Inverted U
~~26.~~ and/or artistic racks located near building entrances, amenities, and/or open
27. space 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.

LOT 3 (HORIZONTAL MULTIFAMILY)

~~26.~~ The development shall adhere to the R-3 zoning district standards, as modified
~~27.~~ by the following stipulations, and approved by the Planning and Development
28. Department.

~~27.~~ Lot 3 shall be limited to a maximum of ~~197~~ 181 units.
~~28.~~
29.

~~28.~~ A minimum of ~~12%~~ ~~13%~~ 11% of the gross area of Lot 3 shall be retained as
~~29.~~ open space, as approved by the Planning and Development Department.
30.

~~29.~~ A minimum of 10 bicycle parking spaces shall be provided through Inverted U
~~30.~~ and/or artistic racks located near building entrances, amenities, and/or open
31. space 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.

Helana Ruter stated that historic districts are oftentimes residential, but can be commercial or industrial, and are typically implemented when a number of properties are associated with the same historic there and time period. Ms. Ruter added that the challenges have occurred since the implementation of Proposition 207, which requires a waiver signed by all property owners if a rezoning were to occur.

Dan Penton asked if a historic overlay could be applied to Dobbins Road since it is a historic scenic corridor.

Helana Ruter stated that she would discuss that possibility with Planning and Development staff, particularly since there is still municipal and county land running along and through Dobbins Road. Ms. Ruter stated that she would do more research and provide that information.

6. **Z-45-22-8: Presentation, discussion, and possible recommendation regarding a request to rezone 39.74 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.**

Two members of the public requested to speak on this item.

Chair Tonya Glass requested that the applicant ask for a continuance to work through community concerns about the project. Chair Glass stated that since the last meeting the applicant has worked with committee members regarding the project, but the outreach to the community was not done. Chair Glass added that there are still concerns with the 3-story apartment buildings along Dobbins Road and the applicant should reach out to residents of the single-family development to the north since they would be directly impacted by increased height.

Ben Tate, representative with Withey Morris, PLC, stated that a significant amount of work was done over the past month to revise the proposal to address concerns and comments. Mr. Tate stated that per the Committee's direction, since the last meeting they have engaged more with the community and anyone who had concerns. Mr. Tate added that the case was noticed appropriately, and the applicant had conversations with adjacent residents.

Chair Tonya Glass stated that some community members may not have fallen within the required notification radius, but they should still be contacted. Chair Glass stated that she wants to ensure the community has the information they need and that she had reservations about how the commercial component will be secured. Chair Glass stated that she understood if the applicant wanted to move forward without the continuance.

Ben Tate stated that he would like to move forward without the continuance and present the proposal with the updated plans.

STAFF PRESENTATION

Julianna Pierre reviewed the request, location of the site, adjacent zoning and uses, and general plan designation. Ms. Pierre stated that at last month's VPC meeting, the item was continued to allow time for the applicant to work with the Committee and community regarding the proposal. Ms. Pierre added that the applicant also asked for a continuance at the August 4th Planning Commission hearing. Ms. Pierre stated that taking into consideration the revised plan, staff is recommending approval, per Addendum A dated July 8, 2022, with modifications. Ms. Pierre reviewed the modifications, which included updates to the date stamp date for the site plan, open space percentages, and maximum unit numbers.

APPLICANT PRESENTATION

Ben Tate, representative with Withey Morris, PLC, provided information regarding the site location and noted that the defunct Laveen Town Center Planned Community District (PCD) is no longer supported. Mr. Tate 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. Mr. Tate stated that this site is the last privately owned parcel in the PCD, and the City owns the 40 acres to the south, which is planned for a park and elementary school. Mr. Tate added that the developer has agreed to contribute \$300 per unit to the Laveen Elementary School District. Mr. Tate then reviewed the proposal, specifically describing key information regarding Lots 1, 2, and 3. Mr. Tate displayed the conceptual site plan, elevations, and various renderings and described the modifications made to the site plan including: increased commercial square footage of Lot 1, increased number of commercial pads, increased size of the Town Center, increased height of residential buildings along Dobbins Road, increased setbacks in Lot 2, and reduction of units in Lot 3.

Mr. Tate proposed an additional stipulation to address the Town Center improvements:

Improvements for the Town Center, as identified on the site plan date stamped August 8, 2022, shall be completed prior to the issuance of any Certificate of Occupancy for the last phase of residential development (Lot 2 or Lot 3).

Improvements shall include all streets and parking around the Town Center, all common landscape, walkway landscape furniture and common area features, and a minimum of three amenities (which may include, but is not limited to open seating, interactive water feature, and kids playground with shade structure), but excluding the two commercial buildings and their supporting features such as leased outdoor dining areas and their hardscape and landscape features, as approved by the Planning and Development Department.

Mr. Tate stated that this stipulation ensures that the Town Center's open space would be developed prior to the last phase of residential development.

QUESTIONS FROM COMMITTEE

Committee member Stephanie Hurd stated that the applicant has made improvements to the proposal including more open space and additional commercial pads. Ms. Hurd stated that some may not like the three-story residential buildings along Dobbins Road, but as a tradeoff the setback was increased. Ms. Hurd expressed concerns about the commercial not being built but hoped that a stipulation or agreement could be reached to ensure the commercial development.

Vice Chair Linda Abegg stated that she was excited to have a mixed-use development in this area because often the Committee has been told that mixed use is not a possibility. Vice Chair Abegg expressed concern that the Town Center open space would not be developed. Vice Chair Abegg stated that stipulation language could be workshopped to ensure that is completed. She added that the intent should be specific because the intent may not be honored in future process unless clearly stated.

Chair Tonya Glass stated that at least one commercial building should be built as part of the second phase to facilitate support for the rest of the community.

Ben Tate stated that the commercial buildings were intended to be built as the market dictates. Mr. Tate added that the priority was to ensure that the open space portion of the Town Center be built along with the residential phases to provide space for the community.

Chair Tonya Glass stated that it would not be unreasonable for the stipulation to ensure at least one of the commercial spaces be built, which would support the open space and residents.

Committee member JoAnne Jensen stated that this is the third plan she's seen for the site and this iteration is the best. Ms. Jensen expressed concern about stipulating that a commercial building be completed when the tenant is unknown, and development may not meet a vendor's requirements. Ms. Jensen added that it may be beneficial to understand what a tenant wants before building. Ms. Jensen stated that there should be language that ensures the Town Center open space would be developed.

Chair Tonya Glass explained that residents to the north may have concerns with the three stories along Dobbins Road as it obstructs their view. Chair Glass added that the proposed height is not conducive adjacent to the scenic corridor. Chair Glass recommended that the two-story building be adjacent to Dobbins Road and three-story buildings interior to the site.

Vice Chair Linda Abegg asked if all the garden style apartments will be three stories.

Ben Tate stated that the apartments adjacent to Dobbins Road are three stories and all the other buildings are two stories. Mr. Tate stated that the height of the buildings

along Dobbins Road was increased because the northwestern most residential building was deleted for an additional commercial pad.

PUBLIC COMMENTS

Dan Penton stated that there have been improvements to the development, but he still had concerns about the size of the Town Center open space. Mr. Penton also expressed concerns with the increased number of parking spaces and location of the additional commercial pad. Mr. Penton stated that the VPC has been adamant about nothing in excess of two stories along Dobbins Road because it is a scenic corridor, so there are concerns about allowing three stories. Mr. Penton added that residents across Dobbins Road may have their view obstructed by buildings at that height. Mr. Penton also asked if there was any way to work with the City to have the proposed park directly south of this development. Mr. Penton stated that no matter what stipulations are applied to the property, if a new developer comes along and wants to redevelop, they can apply for the Planning Hearing Officer (PHO) process to modify stipulations to accommodate a new proposal. Mr. Penton expressed concerns that nothing can ensure the developer will build out the proposal as currently depicted.

Phil Hertel stated that fifteen to twenty years ago the site of the Town Center was envisioned to be a community center and gathering place for residents. Mr. Hertel stated that the proposal needs more creativity to truly be a gathering place. Mr. Hertel stated that the site should be reorganized to have the single-family portion adjacent to Dobbins Road and the three-story residential on the southern portion of the site. Mr. Hertel stated that it seems as though the developer is going to flip the site rather than build what is proposed. Mr. Hertel suggested an additional stipulation ensuring that no stipulations for the rezoning case could be modified in the future to ensure the development is built as currently proposed.

Committee member Stephanie Hurd expressed concern with the possibility of the site being sold and redeveloped with a different proposal.

APPLICANT RESPONSE

Ben Tate discussed the modifications to the plan. Mr. Tate stated that there was a decrease in leasable outdoor square footage in order to allow an increase in the Town Center open space. Mr. Tate added that because there was an addition of another commercial pad, the parking had to increase in order to meet the City's minimum parking requirements. Mr. Tate stated that the location and density of the three-story residential use is warranted given the proximity to an arterial-to-arterial corner near the Loop 202 Freeway and Village Core. Mr. Tate added that the site was already approved with a height waiver permitting 3-stories and they are not asking for any additional height. Mr. Tate added that discussion regarding the location of the park and school south of the site is between the City of Phoenix and Laveen Elementary School District. Mr. Tate agreed that it would be preferable to have the park directly to the south rather than the school. Mr. Tate stated that the stipulations for the case would also be applicable to a subsequent purchaser.

COMMITTEE DISCUSSION

Chair Tonya Glass expressed concerns with last minute changes being made to the plan, which made it difficult to review appropriately. Chair Glass added that the applicant has not provided any guarantees about future commercial.

Vice Chair Linda Abegg expressed concerns with the site being sold and redeveloped as another use. Vice Chair Abegg added that the Committee has specific concerns with that issue because it has happened at other locations in the Village. Vice Chair Abegg stated that a stipulation modification through the PHO process would be easier than if the site were rezoned as a PUD and a subsequent amendment need to be made.

Committee member JoAnne Jensen expressed concern that if this proposal is not approved, nothing will develop on the site. Ms. Jensen stated that the developer has worked to incorporate comments and concerns by revising the proposal.

Chair Tonya Glass stated that she would feel comfortable approving the proposal if there was language in a phasing stipulation to ensure the Town Center open space and at least one commercial building were to be developed.

Committee member Rebecca Perrera stated that if the idea of needing residential prior to commercial is not based on one parcel. Ms. Perrera stated that increased residential throughout the community can support the proposed commercial. Ms. Perrera stated that she would like to see language ensuring the commercial will be developed.

Committee member Francisco Barraza stated that he was okay with the three-story residential since there is an increased setback from Dobbins Road.

Committee member Carlos Ortega stated that he was okay with three stories along Dobbins Road. Mr. Ortega added that he would like to come to an agreement on stipulation language so the Committee could move forward and vote.

MOTION

Vice Chair Linda Abegg made a motion to approve Z-45-22-8, per Addendum A dated July 8, 2022, with modifications and an additional stipulation stating:

Improvements for the Town Center, as identified on the site plan date stamped August 8, 2022, shall be completed prior to the issuance of any (including temporary) Certificate of Occupancy for any development in the second residential lot developed (either Lot 2 or Lot 3), whichever is developed later. Improvements shall include all streets and parking around the Town Center; all common landscaping, walkway, landscape furniture, and common area features; and a minimum of three amenities, which may include, but are not limited to open seating, an interactive water feature, and kids' playground with shade structure; but excluding the two commercial buildings and their supporting

features such as leased outdoor dining areas and their hardscape and landscape features, as approved by the Planning and Development Department.

Vice Chair Abegg clarified that the intent was to ensure that the Town Center open space improvements (excluding commercial buildings) were made prior to the last phase of residential development. The motion was seconded by **Committee member Carlos Ortega**.

Chair Tonya Glass made a substitute motion to approve Z-45-22-8, per Addendum A dated July 8, 2022, with modifications and an additional stipulation stating:

Improvements for the Town Center, as identified on the site plan date stamped August 8, 2022, shall be completed prior to the issuance of any (including temporary) Certificate of Occupancy for any development in the second residential lot developed (either Lot 2 or Lot 3), whichever is developed later. Improvements shall include all streets and parking around the Town Center; all common landscaping, walkway landscape furniture, and common area features; a minimum of three amenities, which may include, but are not limited to open seating, an interactive water feature, and kids' playground with shade structure; and at least one of the commercial buildings, as approved by the Planning and Development Department.

Chair Glass stated that the intent was to ensure that both the Town Center open space and commercial space improvements were made prior to the last phase of residential development. The motion was seconded by **Committee member Rebecca Perrera**.

VOTE

6-3, motion to approve Z-45-22-8, per Addendum A dated July 8, 2022, with modifications and an additional stipulation passed; with Committee members Glass, Barraza, Knight, Ortega, Perrera, and Rouse in favor and Committee members Abegg, Hurd, and Jensen in opposition.

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

Julianna Pierre provided the following updates:

- **PHO-3-22--Z-96-06-7:** (Southwest corner of 59th Avenue and Southern Avenue). Review of conceptual elevations per Stipulation 2. On July 20, 2022, the Planning Hearing Officer recommended approval with a modification and an additional stipulation.
- **Z-19-22-7:** (Northeast corner of 39th Avenue and Vineyard Road). Rezoning from R1-8 to R-2 to allow multifamily residential. On August 4, 2022, Planning Commission recommended approval, per the Laveen VPC recommendation by a vote of 8 to 1.