



Village Planning Committee Meeting Summary

PHO-1-21—Z-69-08-8

Date of VPC Meeting	October 12, 2021
Planning Hearing Officer	October 20, 2021
Hearing Date	
Request	<ol style="list-style-type: none"> 1) Request to modify Stipulation No. 1 regarding general conformance to the site plan and elevations date stamped July 3, 2008. 2) Technical corrections to Stipulation Nos. 4 and 5.
Location	Northwest corner of 36th Street and Southern Avenue
VPC Recommendation	Approval with a modification and additional stipulation.
VPC Vote	9-0-1 , motion passed; Members Brooks, Brownell, Busching, Muhammad Roque, Shepard, Smith, Viera, Marchuk and Daniels in favor; None in dissent. Member Aldama abstained.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No members of the public registered to speak on this item.

Enrique Bojórquez, staff, introduced himself and provided a presentation on this case noting the location of the site, existing zoning, and proposed use. The requested modification to the case stipulation for Z-69-08-8 were presented and the new proposed site plan plus building elevations were shown. He then invited the applicant to provide a brief presentation to the committee.

Benjamin Tate, with Whitey Morris PLC, introduced himself as the applicant and discussed the location of the site, surrounding uses, and existing site conditions. A history of the site was provided, followed by the new proposed site plan and elements within that plan which were modified slightly from the site plan provided to the committee. Renderings of the proposed site were shown, and the requested stipulation modification was presented. Elements from the General Plan were discussed, and the presentation was concluded.

Greg Brownell stated that the building elevations look very plain and cheap with the materials depicted. The partnership with Tiger Mountain Foundation is good, but he does not know how the relationship will continue. He discussed the landscaping and adding a new stipulation to allow flexibly with the spacing of trees. **Mr. Tate** responded that he would be concerned with adding a stipulation

that might have unintended consequences regarding the landscaping but appreciates the suggestion.

Mr. Brownell stated that the stipulation can remain, but the applicant should work with a certified arborist to determine the spacing of the trees. **Mr. Tate** responded that he prefers to not over-regulate the standards, as it makes sense from a practical perspective. He discussed the repositioning of retail uses and critical mass in the area.

Emma Viera asked if drought-tolerant trees could be used. **Mr. Tate** responded that tree species from the Mixed-Use Agricultural (MUA) zoning district were required per the previous stipulation on the case.

Dr. Viera asked staff if drought-tolerant tree species were required, as some of the tree species proposed are not appropriate due to high-water usage. **Mr. Bojórquez**, responded that drought-tolerant plant species are typically required along perimeter landscaping, but in this case, the previous stipulation requires landscaping to adhere to the MUA zoning district plant list. The committee could vote to change this stipulation.

Emma Viera asked if cool pavement could be used in this project. **Ryan Hartman**, with Avenue North, responded that this had not been considered but he can look into this.

Fatima Muhammad Roque asked if there were other community gathering areas besides the pool. **Mr. Tate** responded that the focus was to create open space areas where someone can recreate. He discussed the sidewalk along 36th Street that will connect residents to Esteban Park, north of the site.

Ms. Muhammad asked if there will be a clubhouse for residents to use and how far is Esteban Park from this site. **Mr. Tate** responded that a barbecue area, ramada and pool were some of the amenities provided. This for-rent community is planned to feel like a townhome community.

Ms. Muhammad asked the following questions to the applicant:

- Why was a clubhouse not provided?
- How many parking spaces will there be on the site?
- Are any balconies proposed?
- Where is your surface water retention area located?

Mr. Tate responded that the project is intended to feel like a townhome community where it is convenient for residents to walk back to their home. The site plan proposed exceeds the required number of parking stalls and no balconies are proposed since adjacent to the existing residential community.

Mr. Hartman discussed the required parking and stated that water retention will be along open space areas.

Ms. Muhammad asked if a traffic signal light will be required. **Mr. Tate** responded that a traffic signal warrant analysis was done for the project to the north, but not traffic light was warranted.

Ms. Muhammad asked for an update regarding public outreach. **Mr. Tate** stated that a series of conversations with the adjacent HOA had taken place, and a letter of support was issued for this project by the HOA.

Ms. Muhammad asked for clarification on the location of electric charging stations. **Mr. Tate** responded that these will be inside the garages.

Mr. Hartman added that they may install electrical wiring in other parking areas in case electric charging stations are placed there in the future.

Ms. Muhammad asked what the market-rate for these units and planned project completion date is. **Mr. Hartman** responded that 85 units took about 24 months to build nearby, thus expects this project to take 15 to 18 months or early 2022 to break ground.

Ms. Muhammad asked the following questions:

- Has a community benefit agreement been considered?
- What will be your application process and fees?
- Have you considered setting aside several units to help members in the community?

Mr. Tate responded that the operator must be careful with Fair Housing Laws.

Mr. Hartman added that at their 18th Street and Baseline Road project, they refund fees to people who have previous convictions. Application fees usually cover the cost associated with processing the application.

Ms. Muhammad asked how rent deposits were handled. **Mr. Hartman** responded that usually one-months rent is required, but there are great programs that renters can use to get further assistance.

Ms. Muhammad asked if these rental assistance programs were part of the application process. **Mr. Hartman** discussed the management of the property and providing housing for people.

Ms. Muhammad asked for clarification on the square footage of the buildings. **Mr. Hartman** discussed the square footage and floor plans. These will be three-bedroom units proposed on this site.

Vice Chair Marchuk thanked the applicant for their work. He asked if elevation enhancements were considered. He asked staff to display stipulation language on the screen regarding building elevation enhancements.

Mr. Hartman is happy to incorporate the stipulation language, but also must consider the cost associated with it. He will work with his team to update the building elevations.

Vice Chair Marchuk stated that he wants the building elevations to look appealing. **Mr. Tate** accepted the stipulation proposed.

Mr. Hartman would like to keep a solid wall along Southern Avenue but can incorporate some view fencing along the 36th Street frontage. **Vice Chair Marchuk** agrees with this proposal.

Mr. Hartman discussed fencing changes.

Vice Chair Marchuk discussed the community and changes to the site plan.

Ms. Muhammad is concerned with impacts to elderly or disabled persons due to the two-story design of the community. **Mr. Hartman** responded that his company owns other communities in the area with one-story floor plans that could be offered.

Chairwoman Daniels stated that the building elevations could be improved. But that the new stipulation will help improve these elevations. She discussed the community.

MOTION:

Ms. Busching motioned to approve case PHO-1-21—Z-69-08-8 as filed with a modification to Stipulation No.1 and an additional stipulation. **Ms. Shepard** seconded the motion to approve.

Modification to Stipulation No. 1:

1. That the development shall be in general conformance to the site plan ~~and elevations~~ date stamped August 12, 2021, with specific regard to the amount and location of the common open space, however, the development shall follow the Mixed Use Agriculture (MUA) zoning district standards pertaining to quantity and type of landscape materials, and the parking lot landscaping standards, as approved by the Planning and Development Department.

Additional Stipulation No. 2:

2. New building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

- a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
- b. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.

VOTE:

9-0-1, motion passed; Members Brooks, Brownell, Busching, Marchuk, Muhammad, Shepard, Smith, Viera and Daniels in favor; None in dissent; Member Aldama abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.