



## Village Planning Committee Meeting Summary Z-117-24-1

<b>Date of VPC Meeting</b>	December 17, 2024
<b>Request From</b>	County RU-43 (Pending S-1) and S-1
<b>Request To</b>	C-2 HGT/WVR DNS/WVR
<b>Proposal</b>	Multifamily residential with a height and density waiver
<b>Location</b>	Northeast corner of 17th Avenue and Happy Valley Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation
<b>VPC Vote</b>	10-1

### VPC DISCUSSION

*No members of the public registered to speak on this request.*

### STAFF PRESENTATION

**Matteo Moric**, staff, provided a brief overview of the rezoning request, surrounding land uses, General Plan Land Use Map designations and zoning, the proposed development, and recommended stipulations.

### QUESTIONS FROM THE COMMITTEE

**Committee Member Keith Greenberg** inquired about improvements along 17th Avenue and the impacts of 400 new dwelling units on the system, stating also that 17th Avenue has restricted turning movements. **Committee Member Braden Lopez-Biggs** added that one could enter and exit onto 17th Avenue from the site as well. **Mr. Moric** stated that normally the developer would be required to dedicate and improve the right-of-way adjacent to the site but suggested they defer the question to the applicant.

**Committee Braden Lopez-Biggs** asked if the 30-foot trail easement referenced in Stipulation No. 9 was inclusive of the ten-foot trail or in addition to it. **Mr. Moric** stated that it was a total of 30 feet inclusive of the trail and clarified that the easement was measured from the property line along Happy Valley Road.

**Mr. Moric** stated the proposed rezone was scheduled for the Planning Commission on January 2, 2025, and City Council on February 5, 2025.

## APPLICATION PRESENTATION

### APPLICATION PRESENTATION

**Ashley Marsh**, representing the applicant with Gammage and Burnham, PC, introduced herself and other members of the project team. Ms. Marsh stated the site was in a vibrant area of north Phoenix, just east of the Norterra shopping mall, which has seen tremendous growth. Ms. Marsh expressed her excitement regarding a new multifamily project for the area being located between two significant employment corridors in addition to TSMC. Ms. Marsh reiterated the site is within the General Plan designation of Mixed-Use Commercial / Commerce Park, and stated the property is in the later stages of annexation and would receive S-1 zoning. Ms. Marsh stated the proposed zoning falls in line with the General Plan designation.

**Ms. Marsh** stated the site involved about 13 developable acres consisting of an L-shaped assemblage of properties, with frontage onto Happy Valley Road and 17th Avenue. Ms. Marsh stated the developer was responsible for half-street dedications and improvements along 17th Avenue and along Happy Valley Road with Happy Valley Road requiring additional median improvements. Ms. Marsh stated that the extent of the improvements would be finalized during the site plan phase based on acceptance of the Traffic Impact Analysis as outlined in the stipulations. Ms. Marsh stated the area was fairly built out.

Ms. Marsh highlighted certain aspects of the proposal stating the project would include 400 dwelling units and include a mix of studio, one and two-bedroom units ranging in size from about 560 square feet to 1,200 square feet. Ms. Marsh stated the buildings would be four stories at a height of 42 feet to the roof and 48 feet to the parapet. Ms. Marsh stated the site is overparked and includes 5% electric vehicle parking. Ms. Marsh stated that the project was overparked with respect to bicycle parking as well and is pedestrian friendly. Ms. Marsh stated the project was “amenity rich” including turf lawns, outdoor kitchen, gathering nodes, additional turf areas, pool, spa, and pickleball court. Ms. Marsh stated the pickleball court was placed near the existing dog agility center to the east due to the noise. Ms. Marsh highlighted the massing of the various buildings and their proximity to Happy Valley Road and the creation of a circulation pattern that goes all the way around the site, which creates a little bit of a buffer. Ms. Marsh further highlighted the interplay of the streetscape between the buildings and Happy Valley Road and how that can be a benefit and a buffer. Ms. Marsh offered a rendering and expressed how the site makes use of the buffer and the multi-use trail, a safe, circular entry, and dimensional architecture. Ms. Marsh gave a detailed overview of the surrounding zoning and land uses and reiterated their request for 30.5 dwelling units per acre, which is consistent with what has been developed along the Happy Valley corridor. Ms. Marsh also reiterated their request for 48-foot height and stated this was consistent with the development that has occurred in the area.

Ms. Marsh discussed their notification and outreach efforts stating they had gone out into the community to solicit feedback and there was no one present from the

neighborhood to speak. Ms. Marsh stated they sent their initial notices out on September 6th followed by door-to-door outreach leaving behind copies of their site plan and graphics. Ms. Marsh stated their neighborhood meeting was held in September and no one from the public was in attendance. Ms. Marsh stated they conducted a second door-to-door outreach in November during which time they received feedback expressing general concerns over traffic, along with appreciation over some of the additional outreach they had done. Ms. Marsh stated they sent out a notice of public hearing, updated their site postings in December, and met with Friends of Deer Valley who offered support for the project. Ms. Marsh also stated they had met with the school district and were happy to enter into a developer agreement with the district. Ms. Marsh also stated they had not received any phone calls or other inquiries regarding the project.

Ms. Marsh summarized by stating the project was a “value-add” along Happy Valley Road, with the project being in conformance with the General Plan with appropriate buffers. Ms. Marsh stated the project will provide housing opportunities in support of employment and addresses the importance of housing. Ms. Marsh stated they would be making improvements along Happy Valley Road and 17th Avenue, along with infrastructure upgrades. Ms. Marsh stated the proposed density is less than what could be achieved and that the contemporary architecture complements the area. Ms. Marsh stated they were in agreement with the 34 recommended stipulations of approval.

#### QUESTIONS FROM THE COMMITTEE

**Committee Member Lopez-Biggs** asked if the vehicular access gate located along 17th Avenue was for ingress and egress or just egress. **Ms. Marsh** stated the gate is full access. **Committee Member Lopez-Biggs** asked if 17th Avenue can handle the significant level of traffic. Ms. Marsh stated they are required to make improvements on 17th Avenue but do not anticipate a ton of traffic. **Committee Member Lopez-Biggs** stated it was his understanding there would not be a traffic signal at the main entrance at Happy Valley Road. Ms. Marsh confirmed that was the case. **Committee Member Lopez-Biggs** stated he believed that 17th Avenue would be used heavily.

**Committee Member Keith Greenberg** stated that he agreed due to the amount to traffic on Happy Valley Road and the resulting traffic conflicts. **Committee Member Greenberg** stated it would be a “traffic nightmare”. **Committee Member Lopez-Biggs** stated there would be back-ups that need to be dealt with. **Vice Chair Freeman** asked if the traffic engineer was present to speak on this issue. Ms. Marsh stated the traffic engineer was present and would invite him up to speak on the issue.

**Committee Member Susan Herber** asked for confirmation that the developer would be making improvements to 17th Avenue. **Ms. Marsh** confirmed they would be making improvements to 17th Avenue along their frontage.

**Committee Member Lopez-Biggs** asked for confirmation that 17th Avenue was getting an upgrade on the half that is not currently built and along Happy Valley Road. **Ms. Marsh** confirmed that was correct. **Committee Member Lopez-Biggs** stated that

did not fully solve the 17th Avenue problem. **Vice Chair Freeman** stated that would be the case if they made a right turn to go north as none of that is addressed by this application and that would be in the county but if it is to the left, that is all road they are improving. Ms. Marsh clarified that everything along their property they have to improve. Committee Member Lopez-Biggs stated that his bigger concern was the number of dwelling units located in the immediate vicinity and the number of people being placed on a section of road that has no traffic signals. Ms. Marsh stated they need to build a median in Happy Valley Road. Vice Chair Freeman clarified that one of the stipulations requires the applicant to have further conversations with the Streets Transportation Department to make sure that what is being done will be sufficient. Ms. Marsh confirmed they would need to provide a final Traffic Impact Analysis to the City of Phoenix.

**Committee Member Herber** asked for clarification as to the character of the trail and dog run along Happy Valley Road and who would be maintaining it. **Ms. Marsh** stated that was the responsibility of the apartment complex and confirmed there were stipulations to the effect as well.

**Committee Member Greenberg** asked if the project was guaranteed, assuming the zoning is approved. **Ms. Marsh** stated they intend to build it.

**Committee Member Ozzie Virgil** asked if the buildings were going to be insulated for sound given the proximity to Deer Valley Airport and expressed concerns over the potential for noise complaints to the City of Phoenix. **Ms. Marsh** stated that one of the stipulations required airport notification to all residents. Committee Member Virgil stated they were trying to protect the airport which has been there for a long time and that they want commercial in this area. Committee Member Virgil stated that he did not like to see these project in this area. **Committee Member Lopez-Biggs** stated that stipulation 32 requires notification. Committee Member Virgil stated that he understood but that was not going to prevent something from happening there. Committee Member Lopez-Biggs stated his understanding was the disclosure would prevent people from making those complaints. Committee Member Virgil stated that would not stop people from calling. **Committee Member Greenberg** stated that he thought the question had more to do with sound-proofing. Ms. Marsh stated she was not familiar with the building materials that would be used and that it would be more of an enforcement issue, noting that the stipulation would place potential residents on notice of the adjacency to the airport.

**Committee Member Ozie Virgil** asked how many people they spoke to when they went door-to-door. **Ms. Marsh** stated they talked to approximately ten people.

**Committee Member Ricardo Romero** asked about rental pricing. **Ms. Marsh** stated that unit pricing would be based on market conditions, but likely in the range of \$1,400 to \$2,500 per month.

**Committee Member Clark** asked if the landscape tract on the south end would be maintained by the complex or the City. **Ms. Marsh** stated that both entities would be

responsible for a portion of the maintenance with the City taking care of the right-of-way dedication and the complex taking care of private property.

**Committee Member Lopez-Biggs** asked to hear from the traffic engineer. **Mr. Mick Matthew** with CivTech Engineering addressed the issue of traffic on 17th Avenue stating they had conducted turning movement counts from 16th Avenue extending one mile to the east and the west then applied that information to the starting year of the project to “grow” the background traffic for the final year. Mr. Matthew stated that based on that information, 17th Avenue is functioning at acceptable levels of service per the City’s requirements. Mr. Matthew stated they conducted a turn lane warrant analysis which revealed that a turn lane would be required and that the entire north half of Happy Valley Road would be developed at half of the total six lanes providing ample capacity to serve the project. **Vice Chair Freeman** asked about the size of the road at this time. Mr. Matthew stated the roadway was transitioning down and was two lanes at this location but would ultimately be three-median-three at this location.

**Committee Member Virgil** asked how much traffic was on the road at this time and how many cars would be leaving in the morning versus arriving at night. Mr. Matthew stated that based on ITE trip generation this development would generate 1,862 trips per day with AM peak-hour turning movements at 164 and PM peak-hour turning movements at 156. Mr. Matthew further stated that the turning movements would be split 60/40 out versus in during the AM peak and the opposite during the PM peak. Committee Member Virgil asked how much traffic would be using Happy Valley Road. Mr. Matthew stated that he did not have that number handy but through their analysis found the road would be operating at acceptable levels of service. Committee Member Virgil stated that the road was currently about 90 feet in width and asked for confirmation that it was going to 120 feet. Mr. Matthew stated it would be 150 feet based on 75-foot half width and presented a slide depicting trip generation data along Happy Valley Road from the entrance to the Norterra shopping center to 7th Avenue. Committee Member Virgil stated that in his experience there is a lot of traffic heading towards 7th Avenue to gain access to the freeway and he felt this area was going to be a mess. **Ms. Marsh** reiterated that they still needed to go through another round of reviews for the Traffic Impact Analysis with the City and stated that the City asked them to verify the percentages of traffic heading in each direction and at each intersection. Ms. Marsh stated they would need to work with the City regarding any resulting improvements. Committee Member Virgil observed there would be an island in the middle. Mr. Matthew stated there would be a median break at 17th Avenue, 16th Avenue, and 15th Avenue. Committee Member Lopez-Biggs asked about the timing of the Traffic Impact Analysis. Ms. Marsh clarified the timing. **Committee Member Clark** stated that traffic in the area has blown up over the past couple years and asked about the ultimate extension of Happy Valley Road to the east. Ms. Marsh stated that she did not have that information. **Committee Member Hoffman** stated that the City just updated its General Plan which included a street transportation map and asked if staff could at some point provide the Committee with a map that shows where the arterials would be located. **Mr. Moric** answered in the affirmative.

**Committee Member Herber** asked if there was any consideration given toward providing three-bedroom units to accommodate growing households given that studios,

one-bedroom, and two-bedroom units will result in a much more transient population. **Ms. Marsh** stated the development was only programmed for studio, one-bedroom, and two-bedroom units, and that the number of units would remain the same. **Vice Chair Freeman** asked about the distribution of units. Ms. Marsh stated there would be 75 studio units, 145 one-bedroom units, and 108 two-bedroom units.

**Committee Member Romero** asked about the anticipated age demographics. **Ms. Marsh** introduced Jim Deakyn as the developer of the project. **Mr. Deakyn** stated they had consciously looked at providing three-bedroom units but determined that segment was already served in the area. Mr. Deakyn further stated they saw an opportunity for smaller, more efficient units that would be more affordable for young professionals. Mr. Deakyn stated their studios are very efficiently designed but live well and a resident in one of their studio units could save about \$400 versus a one-bedroom unit.

**Committee Member Hoffman** asked if they had conducted any workforce studies given the demand created by TSMC and other employment in the area. **Mr. Deakyn** stated they had not conducted a formal study but looked at the issue in-house.

**Committee Member Hoover** asked why they chose this particular site given its proximity to the airport. **Mr. Deakyn** stated that they walked the site, which is over one mile from the airport, and did not observe any noise related to the airport. Mr. Deakyn further stated that current building code standards are effective with respect to sound attenuation. Mr. Deakyn also stated they selected the subject property due to its proximity to Norterra and that they looked at both the General Plan and the political feasibility and found it to be a good fit. Mr. Deakyn also stated it was difficult to find a ten-acre site. Committee Member Hoover summarized the developer's objective as filling a gap in the market. **Vice Chair Freeman** stated that he was not sure of the number of studio apartments the Committee had in the past year or so, and that this filled a certain niche.

**Committee Member Hoffman** stated that she retired from the City of Phoenix in December of 2022 and for two years prior was working on the TSMC project during which time she observed that TSMC had absorbed all of the rental units along Happy Valley Road, even as they were being built. Committee Member Hoffman further stated the subject site is ideally located in close proximity to employment centers as well as the Happy Valley park-and-ride facility, which provides direct access to downtown Phoenix. Committee Member Hoffman stated there were multi-modal opportunities including electric bikes and that Happy Valley Road is an arterial with multi-use trail slash sidewalk where people are protected from the traffic. Committee Member Hoffman stated that overall this is a good location. **Mr. Deakyn** reiterated the walkability of the site.

**Committee Member Lopez-Biggs** asked if staff could discuss traffic issues along Happy Valley Road as a future agenda item.

#### PUBLIC COMMENTS:

None.

**APPLICANT RESPONSE TO PUBLIC COMMENTS:**

None.

**MOTION:**

**Committee Member Lopez-Biggs** motioned to recommend approval of Z-117-24-1, per the staff recommendation. **Committee Member Hoffman** seconded the motion.

**VOTE:**

**10-1**, motion to recommend approval of Z-117-24-1, per the staff recommendation passed with Committee Members Clark, Davenport, Greenberg, Herber, Hoffman, Hoover, Kenney, Lopez-Biggs, Romero, and Vice Chair Freeman in favor; and Committee Member Virgil opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION**

None.