



Village Planning Committee Meeting Summary Z-164-24-3

Date of VPC Meeting	February 19, 2025
Request From	C-2
Request To	R-5
Proposal	Multifamily residential
Location	Southwest corner of Cave Creek Road and Peoria Avenue
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	13-0-1

VPC DISCUSSION:

Seven members of the public registered in opposition of this item, four wishing to speak.

Four members of the public registered in support of this item, two wishing to speak.

STAFF PRESENTATION

Robert Kuhfuss, staff, displayed the aerial sketch map and identified the subject site. Mr. Kuhfuss noted the requested zoning designation and summarized the surrounding land uses to the north, west, east, and south. Mr. Kuhfuss stated that the proposed multifamily development would occur within the larger five-acre site and that the area being considered for rezoning was the two-acres located adjacent to Cave Creek Road. Mr. Kuhfuss discussed the site plan and elevations. Mr. Kuhfuss provided the staff findings, recommendations, and proposed stipulations.

APPLICATION PRESENTATION

Alan Beaudoin, representing the applicant with Norris Design, stated they conducted an expensive outreach process and that they agree with all the proposed stipulations. Mr. Beaudoin introduced his team and summarized the existing conditions of the site noting the blighted conditions. Mr. Beaudoin displayed images of the site after the buildings were razed and the existing wash was cleared. Mr. Beaudoin discussed the historic pattern of strip commercial development along Cave Creek Road, the adjacent multifamily zoning, and their desire to rezone the front portion of the larger five-acre site to the same as the current zoning of the rear portion. Mr. Beaudoin displayed the proposed site plan and noted the different accessways of the site. Mr. Beaudoin concluded the presentation by displaying elevation renderings and

perspective drawings, and how the building would interact with the surrounding properties.

QUESTIONS FROM THE COMMITTEE

Committee Member Steve Pamperin stated that he lived down the street from the property and noted that the proposed four-story building was taller than anything in the surrounding area, including a multifamily development north of the site.

Committee Member Pamperin asked why the proposal consisted of a four-story building. **Mr. Beaudoin** stated that the majority of the site was zoned R-5, which allowed for a maximum of four stories, and that the number of units is critically important to the success of the plan. Mr. Beaudoin added that their proposal eliminated possible high commuter commercial development while providing housing that met R-5 development standards. Mr. Beaudoin stated that they had contemplated rezoning the site to PUD but ultimately decided on a request for R-5 zoning. Mr. Beaudoin noted that the Peoria Avenue frontage adjacent to the site has never been improved and that this development will include right-of-way dedication and street improvements on Peoria Avenue which will include a left turn lane and dedicated right turn lane. Mr. Beaudoin added that street lights will also be installed, which will address community concerns over lighting.

Committee Member Elizabeth Pérez-Pawloski stated that the proposed height will drastically change the character of the area. Committee Member Pérez-Pawloski reiterated the existing height established by other surrounding developments and asked if there was a possibility to reconsider the height. **Mr. Beaudoin** noted that staff had expressed the same concerns. Mr. Beaudoin noted that the proposed parking structure was an important part of the proposal and that parking structures were very expensive to construct. Mr. Beaudoin stated that the number of units and height proposed would ensure revenue when compared to the cost of the parking structure. Committee Member Pérez-Pawloski reiterated her concern for the character of the community and added her concerns regarding safety on Cave Creek Road, Peoria Avenue, and 7th Street. Committee Member Pérez-Pawloski stated that there is a lot of congestion due to North Mountain, especially during the weekend, and voiced her concern regarding additional congestion in the area. Mr. Beaudoin stated that their main driveway would be located on Cave Creek Road and that a bus bay would also be installed which would contribute to traffic safety. Committee Member Pérez-Pawloski stated that she appreciated the streetlighting but noted that traffic congestion is a concern. Mr. Beaudoin added that staff had drafted Stipulation No. 1 to ensure consistent architectural features that were compatible with the surrounding buildings, and that Stipulation No. 1 was in direct response to maintaining community character.

Committee Member Joshua Carmona asked how many units are proposed for the development. **Mr. Beaudoin** noted that there were approximately 240 units. Committee Member Carmona asked how many two- and three-bedroom units will be available, and if there will be single units proposed. Mr. Beaudoin stated that further evaluation was required to ultimately decide on the number of two- and three-bedroom units. Mr. Beaudoin added that a market analysis would be needed to make

the determination. Mr. Beaudoin asked if the community had a request for the type of units to share that with his team.

Committee Member Massimo Sommacampagna asked if the proposal will require right-of-way dedication and improvements including a sidewalk for the southern portion of Peoria Avenue and along the west side of the subject site. **Mr. Beaudoin** confirmed that the Street Transportation Department requires a dedication of 30 feet to build a collector street. Mr. Beaudoin added that an average collector street consists of 40 feet of pavement measured from curb to curb, but the project will provide more pavement width to allow for a right-turn only lane onto Cave Creek Road. Mr. Beaudoin noted that the Street Transportation Department has added a stipulation to require a six-foot-wide detached sidewalk with large caliper shade trees.

PUBLIC COMMENT

Germain Barnes stated that she was a resident of Pointe Tapatio and that she owned a townhome south of Peoria Avenue and a residence north of Peoria Avenue. Ms. Barnes added that she was a retired law enforcement lieutenant. Ms. Barnes stated that the applicant presentation did not represent the neighborhood to the west, and that this proposal will greatly affect the community. Ms. Barnes stated that most of the streets in the area were not designed for through traffic and noted that when there is a traffic accident on Cave Creek Road, law enforcement is required to guide traffic onto Peoria Avenue causing congestion. Ms. Barnes added that her community pays over 75,000 dollars annually for private law enforcement services due to the high crime rates and that the proposal will increase the population by 20 percent in the area, which will cause serious issues regarding crime and traffic.

Jimmy Marose noted that he lived in the Pointe Tapatio development for over 20 years and is currently on the homeowner's association board. Mr. Marose stated that he wrote an article on this proposal and added that the applicant had stated that they were planning on applying for a height waiver. Mr. Marose noted that the applicant did not have a total number of units because they were applying for the height waiver. Mr. Marose stated that the proposed four-story building will block scenic views of the surrounding townhome developments. Mr. Marose added that Peoria Avenue is only two lanes and an increase in population will increase traffic on a two-way road. Mr. Marose noted that the majority surrounding streets are privately owned or maintained and could not support high traffic congestion. Mr. Marose requested the applicant to reconsider the height and concluded his comment by stating that the applicant had not reached out to the surrounding communities.

Megan Juracek stated that she was a resident on Peoria Avenue and that she was not necessarily opposed to development and is thankful that someone is wanting to develop the property. Ms. Juracek stated that she appreciated that the proposal was a departure from all the commercial uses along Cave Creek Road but had some major concerns. Ms. Juracek stated that she had the same concerns regarding traffic. Ms. Juracek noted that she was part of the group of individuals that advocated for the installation of speed bumps on Peoria Avenue to address the excessive speeding on

the road. Ms. Juracek reiterated that if Cave Creek Road is shut down, then traffic floods into the neighboring communities to the point that residents cannot leave their own driveways. Ms. Juracek added that 14th Street intersects Peoria Avenue close to Cave Creek Road and that traffic backs up on 14th Street when trying to turn left onto Peoria Avenue. Ms. Juracek stated that she was opposed to the density associated with four stories as well as the major entrance being located on Peoria Avenue. **Mr. Kuhfuss** asked for clarification as to whether Ms. Juracek was opposed or in favor. **Chair Fogelson** indicated that the speaker card was in favor. Ms. Juracek stated that she was in favor of development but with changes to the proposal.

Natalie Davenport stated that she was a resident of Palo Verde, located north of the subject property. Ms. Davenport noted that she was in favor of the development and that the proposal was a great change from all the commercial development along Cave Creek Road. Ms. Davenport added that she was a supporter of additional housing but had some concerns specific to this proposal. Ms. Davenport stated there are severe traffic safety concerns at the intersection of Peoria Avenue and Cave Creek Road and agreed that traffic has been filtering into the adjacent neighborhoods. Ms. Davenport advised adding more major entrances and exits directly onto Cave Creek Road. Ms. Davenport added that she had concerns about the number of units because it would contribute to the traffic congestion in the area. Ms. Davenport noted that the applicant and developer have been very communicative with their neighborhood group. Ms. Davenport stated that there have been fatalities on these roads where drivers drive at 90 miles per hour and requests support for additional traffic controls.

Alison Moran stated that she had no relation to the developer's representative by the same name. Ms. Moran noted that she was the board president of a neighborhood community north of Peoria Avenue. Ms. Moran added that she agreed with the concerns of 14th Street and added that there were concerns with the intersection at Desert Cove Avenue and Cave Creek Road. Ms. Moran noted that the intersection of 14th Avenue and Peoria Avenue was very congested and dangerous during peak hours and added that she was an avid bike rider and voiced safety concerns when turning left off Cave Creek Road onto Peoria Avenue due to the proposed additional driveways. Ms. Moran voiced her support for development but noted there were concerns regarding traffic and proposed height. **Chair Fogelson** asked for clarification if Ms. Moran was in support or opposition. Ms. Moran stated that she was opposed as proposed.

Pat Ford stated that she was in favor of rezoning the site and appreciated the cleanup of the site but reiterated community concerns regarding traffic. Ms. Ford noted that she was particularly concerned regarding 14th Street and Peoria Avenue and stated that residents who live north of Peoria Avenue are forced to use 14th Street to get to Peoria Avenue or Desert Cove Avenue to access Cave Creek Road. Ms. Ford noted the limited accessways onto the arterial and stated that the distance between Cave Creek Road and 14th Street is only 80 feet. Ms. Ford noted that drivers turning left off 14th Avenue are in danger of drivers on Peoria Avenue and Cave Creek Road. Ms. Ford added that the community has been advocating for a

traffic signal on Desert Cove Avenue and Cave Creek Road. Ms. Ford stated that she was opposed to the proposed height because it would allow individuals to peer over residents. Ms. Ford concluded her comments by stating that she supported apartments or condos but was opposed to the height.

APPLICANT RESPONSE TO PUBLIC COMMENT

Mr. Beaudoin stated that they did not avoid conversations with the community. Mr. Beaudoin noted that his team followed the notification requirements and hosted a neighborhood meeting that was open to the public. Mr. Beaudoin added that no one who was present at the neighborhood meeting voiced any concerns and that that was reflected in their Citizen Participation Report. Mr. Beaudoin stated that they attended a meeting with the Palo Verde Neighborhood and used their comments to modify the proposal. Mr. Beaudoin encouraged members to reach out to him and his team. Mr. Beaudoin noted that the misaligned streets, such as the short distance between 14th Street and Cave Creek Road, occurred before the area was annexed into the City. Mr. Beaudoin added that they were willing to work with the community to address these concerns and work with the Street Transportation Department and Planning and Development Department to explore solutions. Mr. Beaudoin stated that they were not requesting a height and density waiver. Mr. Beaudoin noted that the R-5 zoning has been established for over 30 years and that the multifamily zoning designation originated from the County. Mr. Beaudoin stated that the more eyes on the street and within the community will help alleviate crime. Mr. Beaudoin noted that more households create more buying power for businesses, restaurants, coffee shops, etc. Mr. Beaudoin added that this development would be a step forward for the community. Mr. Beaudoin reiterated that the proposed intensity is in response to the existing R-5 zoning. Mr. Beaudoin stated that Peoria Avenue is designed as a collector street, which is designed to feed traffic to arterial streets.

COMMITTEE DISCUSSION:

Committee Member Carmona stated that the site was already zoned R-5 which would allow the applicant to develop two, three, or four stories by right. Committee Member Carmona asked if the community would like to keep the site C-2 to limit the height to two-stories in order to preserve views. Committee Member Carmona added that any commercial development would also generate traffic and stated that while he was in favor, he would like to see a solution to the traffic situation in the area.

Committee Member Pérez-Pawloski asked if the existing R-5 zoning allowed any height the applicant wanted. **Mr. Beaudoin** noted that it would allow four stories or 48 feet. Committee Member Pérez-Pawloski asked if there was anything they could do, as a recommending body, to cap density. Committee Member Pérez-Pawloski noted that based on community input, they were not opposed to development, but rather the density and height. Committee Member Pérez-Pawloski appreciated the extensive outreach and asked if the applicant was willing to consider less units. Mr. Beaudoin stated that the proposed parking garage will cost about 35,000 dollars per parking space as it requires a lot of material and steel, and that the cost was still to be

determined. Mr. Beaudoin noted that he did not support arbitrarily reducing the number of units without first having an in-depth analysis. Mr. Beaudoin asked if reducing the height along Cave Creek Road would alleviate any concern and stated that if the committee thought that reducing the height was appropriate, then that was their prerogative. Mr. Beaudoin added that reducing the number of units arbitrarily would be meaningless. Committee Member Pérez-Pawloski asked if the applicant would then not be supportive of further discussions. Mr. Beaudoin stated that he could not answer that because he did not know the number of units that would be removed. Committee Member Pérez-Pawloski added that they have heard serious concerns and noted that it seems that the applicant is not willing to have further discussions with the community. Mr. Beaudoin stated that they might consider it but cannot decide during this hearing because of the lack of analysis. Mr. Beaudoin added that if the committee thought it was appropriate, then the committee could add the stipulation.

Committee Member Arick O'Hara asked if because the applicant is seeking a zone change on the eastern two acres of the site, are they opening up the debate over the entire five-acre site as opposed to if they left the site how it is, then the developer could build whatever R-5 allowed and build commercial on the C-2 portion of the site. **Mr. Kuhfuss** stated that the stipulations attached to the zoning case would only apply to the area that is the subject of the zoning case and do not apply to the western three acres of the site.

Committee Member Patrick Edwards stated that while the argument regarding traffic was well intended, it was minimal because of the relative size of the property that is the subject of the rezone. Committee Member Edwards noted that the site is already zoned R-5 and a difference between 200 or 240 units is minimal when it comes to traffic congestion. Committee Member Edwards stated that he was empathetic to the property owners and the economics associated with the project and added that he appreciated the parking garage. Committee Member Edwards added that the alternative would be an undeveloped parcel that is an eyesore to the community.

Committee Member Nadine Alauria noted that she traveled along Cave Creek Road daily and agreed that more traffic signals are needed along the street. Committee Member Alauria asked how the community could advocate and work with the city to get more traffic lights in the area. **Mr. Kuhfuss** noted that that discussion would have to involve the Street Transportation Department and added that the rezoning application required a Traffic Impact Analysis and that the report would indicate whether traffic signals are warranted. Committee Member Alauria reiterated the concern over traffic on Peoria Avenue. Committee Member Alauria asked if the multifamily development would have any private security. **Mr. Beaudoin** stated that the project will be managed by a property management company and would provide security for the residents. Mr. Beaudoin reiterated that the new development will put eyes on the street.

Committee Member Pamperin stated that he lived in the area and agreed that there was a lot of commercial development along Cave Creek Road and stated that he

would like to see the site redevelop. Committee Member Pamperin asked if they could add a stipulation which would require a traffic signal on Desert Cove Avenue. **Mr. Kuhfuss** indicated that the applicant submitted a Traffic Impact Analysis for their proposal. Mr. Kuhfuss noted that he was unaware of all the requirements listed in the acceptance letter but if a traffic signal was warranted, then it would be found in the Traffic Impact Analysis. **Chair Fogelson** stated that she understood that discussions regarding the regional traffic issues are beyond the Committee's purview but noted that it was important because of community concerns. Mr. Kuhfuss stated that he would follow up with the Street Transportation Department.

Committee Member Pérez-Pawloski asked if there was a set timeline of when the project needed to be built and wondered if the applicant could have further conversations with the community. **Mr. Beaudoin** stated that there was no hard deadline but noted that there were set dates for the Planning Commission and City Council. Mr. Beaudoin added that they would have to send out hundreds of letters to surrounding residents. Mr. Beaudoin agreed that there were traffic concerns in the area and noted that Desert Cove Avenue is not adjacent to the site. Committee Member Pérez-Pawloski asked if the applicant was willing to come back and further discuss the height and traffic issues. Mr. Beaudoin stated that they had R-5 zoning by right. Mr. Beaudoin added that the main question is whether the Committee wanted to see the eastern portion of the site develop as commercial or residential. Committee Member Pérez-Pawloski stated that her goal was to see if the applicant would be willing to have those conversations. Mr. Beaudoin stated that they welcomed members of the community to reach out to them and discuss the proposed project. Mr. Beaudoin noted that they would not be removing units arbitrarily. Committee Member Pérez-Pawloski added that these conversations would be a sign of good faith. Mr. Beaudoin agreed and noted that they were willing to educate and talk with the community.

Committee Member Mike Krentz stated that they could build up to four-stories by right but by bringing this via a rezoning case, it would allow for some form-based design and conditions. Committee Member Krentz asked if the applicant was willing to consider step backs. Committee Member Krentz stated there were single-family houses across the street zoned R-5 that could be redeveloped with a maximum height of 48 feet and four-stories. Committee Member Krentz added that by making a rezoning request, the street will be improved, and that the committee could consider a step back in height. Committee Member Krentz reiterated that the west end of the site is already zoned R-5.

Committee Member O'Hara noted a similar project on Indian School Road and Central Avenue that involved a parking garage. Committee Member O'Hara agreed that the street was narrow but added that C-2 would allow for numerous commercial opportunities, bringing more people to the area. Committee Member O'Hara further added that the parking garage would help alleviate crime and there would be no added benefit to the community to discuss surrounding traffic issues if they still have to go to Planning Commission by March 6th. Committee Member O'Hara stated that the main concerns are height and density but on three-fourths of the site the height

and density are already permitted. Committee Member O'Hara reiterated that the parking garage would add to the security of the area.

Committee Member Matthew Knapp noted that if the proposed development does not include the eastern portion of the site, there would not be any way for traffic to exit the site other than through Peoria Avenue. Committee Member Knapp stated that a holistic plan was required to meet the community traffic needs.

Committee Member Heather Garbarino stated that without the "parallelogram" being rezoned it could lead to the elimination of the parking garage. Committee Member Garbarino stated that they could still put in as many units as they want and parking will be on the ground level, thus not helping traffic. Committee Member Garbarino added that she liked the design but would like for it to blend more harmoniously with the community aesthetic and stated that were this development to occur, the goal would be to make it happen gracefully. **Committee Member Krentz** stated that they didn't have a voice in design until the ordinance is changed.

Chair Fogelson encouraged the community to voice their support or opposition by submitting letters to staff or attending the Planning Commission hearing or the City Council meeting.

MOTION:

Committee Member Arick O'Hara motioned to recommend approval of Z-164-24-3 per the staff recommendation, with direction for the applicant to hold another neighborhood meeting prior to the Planning Commission hearing on March 6, 2025. **Committee Member Patrick Edwards** seconded the motion.

DISCUSSION:

Committee Member O'Hara stated he valued the input from the public and that the concerns expressed only pertained to a small portion of the site but wanted them to have the opportunity to engage with the applicant.

Committee Member Pamperin stated that he had concerns regarding traffic and would like for the City to look at Desert Cove Avenue.

Committee Member Pérez-Pawloski stated that the project was going to happen but were tied by existing zoning and asked the developer to have more engagement with the community.

VOTE:

13-0-1, motion to recommend approval of Z-164-24-3 per the staff recommendation with direction passes with Committee Members Barraza, Carmona, Edwards, Garbarino, Harris, Jaramillo, Knapp, Krentz, O'Hara, Pamperin, Pérez-Pawloski, Sommacampagna, and Fogelson in favor, none opposed, and Alauria in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.