



Village Planning Committee Meeting Summary

PHO-1-25--Z-58-24-8

Date of VPC Meeting	August 12, 2025
Date of Planning Hearing Officer Hearing	August 20, 2025
Request	<ol style="list-style-type: none"> 1) Legislative review and approval of conceptual site plan and landscape plan by the Planning Hearing Officer per Stipulation 1 2) Legislative review and approval of conceptual elevations by the Planning Hearing Officer per Stipulation 2
Location	Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
VPC Recommendation	Denial, with direction
VPC Vote	12-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Committee Member Petra Falcon joined during this item bring quorum to 12 members present (11 needed for quorum).

Three members of the public registered to speak in opposition to this item and three members of the public registered in opposition, not wishing to speak. One member of the public donated their time to Jewel Clark.

STAFF PRESENTATION

Samuel Rogers, staff, provided an introduction and overview of the proposal, identifying the size, location, zoning, adjacent land uses, and General Plan Land Use Map designation. Mr. Rogers discussed the PHO (Planning Hearing Officer) process, history of the site, and explained the request.

APPLICANT PRESENTATION

Mr. Fox, representing the applicant, presented to proposal, described the one change to the development layout, stated that the temporary turnaround would require the use of a portion of two lots, explained that a permanent traffic calming circle had been added to the site design, noted that a split rail fence had been added, and explained retaining walls in specific areas of the site had been added. **Mr. Fox** stated that the

project complies with all stipulations established by City Council and described the elevations.

QUESTIONS FROM THE COMMITTEE

Committee Member Lee Coleman asked for more information on the traffic calming device.

Mr. Fox explained that he worked with the City on the design and stated that he was looking for a way to keep the cul-de-sac design and avoid easements.

Mr. Rogers explained that a portion of the most southern two lots had previously been proposed to be in a right-of-way (ROW) easement to accommodate the cul-de-sac.

Chair Arthur Greathouse III asked if the proposal is for 16 lots.

Mr. Fox confirmed that the proposal is for 16 lots.

Committee Member George Brooks asked if the road will eventually push through to the south.

Mr. Fox confirmed that the road will connect to the south if that property develops and explained that the property to the south is not being sold currently.

Committee Member Greg Brownell asked if the proposal would be a build to rent community.

Mr. Fox stated that the development is not proposed to be a build to rent community, explained that build to rent communities are generally many units on one lot, and stated that this proposal is not set up to be a build to rent community.

Committee Member Trent Marchuk stated that the proposal is within the Rio Montaña Area Plan, asked if the homes would have staggered setbacks and asked what the orientation of the homes would be.

Mr. Fox stated that the proposal will include staggered setbacks as stipulated, explained that the two southern most homes will have angled orientations, and stated that he will look into varying the orientation of the other homes. Committee Member Marchuk asked about the number of roof lines and facades. Mr. Fox displayed the proposed elevations and described three elevation packages and their roof lines.

Committee Member Mark Beehler asked if the elevations are samples provided by a potential builder. **Mr. Fox** confirmed that the elevations are samples from a potential builder and explained that if he has to make a change to the elevations he will come back to the Village Planning Committee (VPC).

Chair Greathouse explained that the VPC is evaluating the site plan for approval and stated that the VPC could hear the elevations at a later date. **Mr. Rogers** stated that when cases are heard by the Planning Hearing Officer (PHO), they stipulate general conformance to the site, landscape plan, and elevations and stated that if the elevations are stipulated to general conformance, any change would have to be approved through the PHO process.

Committee Member Beehler stated that there are schematic drawings and colored elevations in the packet that do not match. **Mr. Rogers** explained that the packet includes the old documents as well as the new documents.

Committee Member Beehler stated that the elevations do not meet his standards, explained that they do not have enough material deviation, there should be more stone, the colors are too similar, there is not enough variation in the roof line and stated that the elevations look like rental properties.

Committee Member Marchuk asked Committee Member Beehler what could be added as a stipulation to satisfy his concerns.

Committee Member Beehler stated that the previous elevations were much better and explained that there was a good amount of stone as well as tower entries. Committee Member Beehler stated that the VPC could require that a maximum 70% of each elevation be stucco, that the elevations include better color blocking, inclusion of popouts, a percentage of stone veneer, and windows on the garage doors.

Committee Member Tamala Daniels stated that the City has guidelines that developers are required to build to, stated that the proposed elevation do not include elements such as iron work and wood window shutters, explained that the color pallet is outdated, stated that the proposed elevations do not have much architectural variation, and stated the color palettes are outdated.

Committee Member Beehler stated the elevations should have four sided architecture.

Mr. Fox thanked the committee for their comments.

Committee Member T. Daniels stated that the previous elevations were much more detailed. **Mr. Fox** described the elevations, explained when the density was required to be lowered the previous builder backed out, explained that there are popouts on the proposed elevations, and stated he does not have 3D rendering of the elevations.

Committee Member T. Daniels asked about the number of proposed floor plans. **Mr. Fox** stated there are nine skews, stated that there are two two-story floor plans, and stated there are three one-story floor plans.

Committee Member Beehler clarified that the developer will be able to build one two-story floor plan on only three of the lots. **Mr. Fox** stated there are multiple two-story floor plan options, stated he is here to go over his presentation, and stated that he cannot answer the VPC's questions. **Mr. Rogers** stated that the elevations are being brought to the Village Planning Committee (VPC) for approval.

Committee Member T. Daniels asked how many floor plans will be available for buyers to select. **Mr. Fox** stated that he does not have the number of floor plans.

Chair Greathouse stated that there is no builder, stated that the VPC is in a grey area because they are being asked to approve elevations when there is not a builder, and asked staff what the options are to require Mr. Fox to come back when he has a builder. **Committee Member Tamala Daniels** stated that the Committee has consistently expressed concern when applicants come forward with zoning requests without prepared architectural plans.

Chair Greathouse asked which portion of the proposed elevations is expected to change. **Mr. Fox** stated that he does not anticipate changes to the elevations, and that he had submitted them in accordance with City requirements. **Mr. Fox** stated that the site plan would remain the same, but the landscape plan would be updated.

Committee Member T. Daniels asked how the Committee could approve elevations when the applicant has not selected a builder. **Mr. Fox** stated that he had developed a concept that he would like the Committee to approve. **Committee Member T. Daniels** expressed concern that without a confirmed builder, there is no assurance that the presented elevations would be constructed. Mr. Fox stated that the exact floor plans may change.

Committee Member Greg Brownell stated that the Committee can include stipulations in a motion to require certain design elements. **Mr. Fox** stated that requiring elevation approval was a special stipulation that had been added to the case, which he had never encountered before, and stated that he was not sure how that stipulation had originated. **Mr. Rogers** explained that when a project comes forward without finalized design plans, it is common practice to require the applicant to return to the Village Planning Committee for elevation approval. Mr. Fox expressed confusion that the process required returning to both the VPC and the Planning Hearing Officer (PHO). Mr. Rogers clarified that it is within the VPC's purview to comment on elevations, particularly when there is concern that the submitted plans may not reflect what will ultimately be built. Mr. Fox stated that he intends to proceed to the PHO for a ruling on the elevations.

PUBLIC COMMENT

Jai Goudeau introduced himself, stated that he had met with the proposed builder, shared that while the builder had expressed interest in proceeding, there were no clear commitments, stated that Mr. Fox had previously expressed interest in pursuing rental

housing, and raised concerns about a proposed traffic circle, noting that Street Transportation Department staff had indicated it would only be feasible after the adjacent street is extended. Mr. Goudeau stated that the neighborhood is upset about the uncertainty surrounding the project and noted that there are six two-story and three single-story elevations being considered.

Jewel Clark introduced herself, described where she lives, stated that she does not know which elevations will be built and cited Stipulation 18, which requires covered porches at both the front and back of homes. Ms. Clark explained that the presented elevations do not meet that porch requirement, appear to be standard plans from a home builder, referenced Stipulation 29, which requires shaded sidewalks, and stated that it is unclear whether the plans meet the shade requirement.

Mike Josic introduced himself, shared his address, characterized the applicant's presentation as inadequate and stated that the plans have changed multiple times throughout the process. Mr. Josic stated that Committee Member Busching had worked with the applicant to craft stipulations, stated that the developer attempted to revise them at Planning Commission, expressed that the community does not support rental developments and criticized the proposed elevations as uninteresting. Mr. Josic urged the Committee to oppose the request.

APPLICANT RESPONSE

Mr. Fox stated that any improvements located within the right-of-way would be dedicated to and maintained by the City and expressed appreciation for the comments shared during public comment.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

Committee Member Darlene Jackson asked why the elevations had been changed. **Mr. Fox** stated that he was present to discuss the elevations but may not proceed with the current builder. **Committee Member Jackson** questioned why the elevations were being presented if they were not finalized. Mr. Fox explained that he was directed to present conceptual plans to both the VPC and the PHO and was available to answer questions. Committee Member Jackson expressed disappointment, stating that the community had worked hard to refine the earlier plans and that changes had occurred without transparency, noted that similar issues have occurred too frequently in South Phoenix. Mr. Fox apologized and shared that he was also disappointed but emphasized that he had been instructed to present the current plans and would be moving forward with them to the PHO. Committee Member Jackson stated that she was frustrated by the applicant's framing of the process as out of his control and reiterated her disappointment.

Committee Member Marchuk raised concerns about whether the presented elevations comply with the approved stipulations, specifically the requirements for front and rear

porches and 75% sidewalk shading. **Mr. Fox** acknowledged that not all stipulations had been fully addressed but stated that the current plans include covered entryways in the front and porches in the back. **Mr. Fox** stated that the front entryways are similar to those found in neighboring homes, but they are not technically porches, emphasized that no floor plans had been submitted, stated that final plans will be designed in compliance with the stipulations, and stated that he does not intend to change the stipulations.

Committee Member Brownell stated that the Committee does not support rental developments because they do not encourage long-term neighborhood investment, explained that the Committee cannot legally prevent a project from being used as rental housing, and noted that single-family homes often transition to rental properties over time. **Committee Member Beehler** suggested that requiring higher-quality architecture is one way to indirectly discourage for-rent communities. **Mr. Rogers** reminded the Committee that it is illegal to discriminate against rental properties and advised against making comments that suggest such intent.

Committee Member T. Daniels reiterated concerns that if the Committee approves the elevations, they will become the default plans moving forward, stated that the previous elevations were more modern, less garage-dominated, and featured quality design elements such as metal-framed doors, and noted that builders typically have their own design styles and are unlikely to construct plans developed by others.

Mr. Fox stated that once a builder is selected, he would return to the Committee to present their elevations. **Committee Member T. Daniels** asked why the current elevations should be approved if a return is already anticipated. Mr. Fox explained that the Committee has the authority to deny the elevations, in which case he would present them to the PHO.

Committee Member Marchuk asked if the previously approved elevations, dated April 23, 2025, could be displayed. **Mr. Rogers** displayed the referenced elevations. Committee Member Marchuk stated that the April 2025 elevations were the product of a collaborative effort and had been deemed acceptable by the community.

Committee Member T. Daniels stated that the current elevations do not meet required stipulations, including the provision of 60-square-foot porches at the front and rear of the home. **Mr. Fox** stated that the entryways were designed to be consistent with neighborhood character. Committee Member T. Daniels explained that porched in the adjacent neighborhood is not relevant, stated that this rezoning had stipulation specific to the proposed development, and stated that the stipulations require usable porches that allow activities such as seating. Mr. Fox stated that furniture could be placed in the entryways.

Committee Member Marchuk reiterated that the April 23, 2025 elevations had previously been approved by the VPC and that the original builder had since left the

project and suggested that the Committee recommend denial of the PHO request and provide direction to include the elements found in the April 2025 elevations.

Chair Greathouse asked whether the VPC could stipulate the previously approved elevations. **Mr. Rogers** cautioned against referencing the April 2025 elevations directly, as they are owned by a builder no longer associated with the project and explained that the Committee could require the applicant to return for elevation approval once a new builder is selected. Mr. Rogers explained that PHO hearings are not urgent for applicants and that years often pass between entitlement approval and final builder selection. Mr. Rogers noted that the VPC's discussion had focused on the elevations and that there appeared to be no significant concerns with the site plan or landscape plan, both of which are already subject to general conformance stipulations.

Committee Member Beehler asked whether the landscape plan complies with the sidewalk shading requirement. **Mr. Rogers** responded that compliance will be evaluated during the site plan review process. Committee Member Beehler noted that few trees were shown on the plan. **Committee Member T. Daniels** stated that landscape plans should include tree counts and dimensioned drawings.

Chair Greathouse commented that the case appeared to have been brought to the Committee prematurely and asked whether the Committee would be interested in denying the request with direction for the applicant to return once a builder is selected.

Committee Member Shepard inquired about the shade requirements in the Zoning Ordinance. **Mr. Rogers** responded that the base code requires 50% sidewalk shading, but that a stipulation for this project increased the requirement to 75%. Committee Member Shepard stated that the applicant is required to meet the stipulation.

MOTION

Committee Member Greg Brownell made a motion to recommend denial of PHO-1-25--Z-58-24-8 with direction for the applicant to return to the Village Planning Committee for review and approval once a builder is selected. **Committee Member Lee Coleman** seconded the motion.

VOTE

12-0, motion to recommend denial of PHO-1-25--Z-58-24-8 with direction for the applicant to return to the Village Planning Committee for review and approval once a builder is selected, passed with Committee Members Beehler, Brooks, Brownell, Coleman, F. Daniels, T. Daniels, Falcon, Jackson, Marchuk, Shepard, Viera, and Greathouse in favor.

Committee Member Petra Falcon stated that she reviewed the elevations and was alarmed and emphasized the Committee's responsibility to uphold design standards and protect community interests.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.