



## Village Planning Committee Meeting Summary

**Z-16-21-6**

REVISED

<b>Date of VPC Meeting</b>	<del>September 7, 2021</del> November 2, 2021
<b>Request From</b>	R1-6 (Single-Family Residence District)
<b>Request To</b>	PUD (Planned Unit Development)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Southeast corner of 31st Street and Clarendon Avenue
<b>Recommendation</b>	Approval, per the staff recommendation with an additional stipulation
<b>Vote</b>	10-6

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Sofia Mastikhina**, staff, provided an overview of the request, including its locational context and surrounding zoning and land uses. She highlighted the proposed development standards and design guidelines, which were designed to accommodate a townhome-style multifamily residential development, outlined the community input received by staff and outlined the main concerns raised. She then provided staff's recommendation of approval and recommended stipulations.

**Ashley Marsh**, representative with Gammage & Burnham, provided an overview of the request, explaining that the proposal will provide a transition from the commercial uses on 32nd Street. She stated that the subject site has remained vacant since at least 1969, while the surrounding area has been built out. She presented photos of adjacent developments to illustrate how the proposal will fit into the surrounding environment. She also provided an overview of the existing entitlements in the surrounding area, and the building heights that are allowed by right, some of which exceed the proposed building height. She then explained that the original proposal consisted of a three-story building with 34 residential units, and that it had been reduced in response to community concerns to two stories and 24 units. She then outlined the key design features and presented conceptual renderings of the project. Due to community concerns regarding traffic, the applicant contracted a traffic engineer to conduct a traffic impact analysis, which concluded that the impact of the proposed development would be minimal to the neighborhood. She also clarified the number of waste collection bins that will be placed on the curb for collection. She concluded by providing an overview of the main development standards, the neighborhood outreach conducted, the proposed

streetscape improvements, and noting that the project had received seven letters in support.

**Hayleigh Crawford** asked what were the densities of adjacent properties that weren't outlined in the respective presentation slide. **Marsh** could not provide the specific densities but pointed out that the adjacent zoning districts allowed high density multifamily by right. **Crawford** also asked if the applicant had provided the letters of support to staff, as the committee had not seen them. **Marsh** stated that they were provided to staff within the Citizen Participation Report and were not submitted separately. **Mastikhina** stated that she will forward the report to the committee members immediately for their review. **Chair Jay Swart** asked that applicants provide community correspondence to staff separately in the future.

**Ashley Nye** commended the applicant for their efforts to modify the design based on community feedback. She stated that the lot would never be developed with six single-family homes, as platted today, and that the proposed plan would be a much better fit for the vacant site. She stated that the site design is much more sustainable and that it will provide much needed housing in the area.

**Blake McKee** asked if the internal streets will be public or private, and what the width of those will be. **Marsh** replied that the streets will be private accessways with a width of approximately 26 feet.

#### **PUBLIC COMMENT**

**Zachary Spaulding** stated that he and his wife purchased their home in the neighborhood in 2019 and had researched the surrounding zoning prior to the purchase. He stated that they had been pleased that the vacant lot was zoned for single-family homes. He also addressed committee member Nye's comment regarding the vacant lot not being developed as single-family due to the site not being suitable for such. He explained that it's not a matter of single-family not fitting into the neighborhood, but rather because the previous owner passed away, and it did not have new ownership for a while. He then stated that the development is still too large for the area and suggested that the developer split the lot in half and place high density multifamily on the northern portion, and single-family homes on the southern portion to provide an appropriate transition. He stated that the housing in the neighborhood is diverse enough and that they don't need further diversity in the housing stock.

**Russ Gunther**, director of the East Clarendon HOA, stated that he was initially not aware of this development and had not received any of the notification letters, nor had anyone in his community. He expressed concern with the proposed density and the strain it will cause to water and sewer infrastructure, which recently had to be repaired at the homeowners' expense. He then expressed concern with the traffic generation and waste collection scheme, stating that most communities in the area have a community collection bin and do not place individual bins in the street.

**Karen Scates** stated that she has lived in the neighborhood for 32 years and that, although she understands the need for more housing in the city, it seems like this is being added at the expense of an existing and already diverse neighborhood. She expressed her wish for development that enhances and not overwhelms the community. She explained that a PUD is meant to provide an enhanced built environment, but that

she fails to see the enhancements of this proposal. She expressed concern with the exacerbation of existing traffic problems.

**David Fraijo** stated that he has lived in the neighborhood for 45 years and had known the owners of the subject property. After they passed away, he was heartened to learn that the property would be developed with six homes. He stated that the proposal is obscene, even with the height and density reduction, and that it does not fit with the neighborhood. He urged the committee to listen to the community and to visit the area.

**Amy Notbohm** stated that the developer's reduction of units from their initial proposal is misleading, since the proposal itself is an increase in density from what is currently allowed. She stated that the existence of higher density zoning districts in the neighborhood should not be an argument to justify this proposal. She suggested that the development be modified to detach the sidewalks to increase pedestrian safety and incorporate internal traffic collection so that trash bins are not placed on the street. She stated that the way to address the housing shortage is not to pack in as many units as possible on a lot, but rather to pursue creative design solutions that make a neighborhood better.

**Edward McCallum** stated that the proposed density is going to have a negative impact on the local community, and that the proposal does not address the urban heat island effect or incorporate anything regarding climate action. He noted that the landscaping standards do not mention water conservation and that there is not enough open space.

**Marsh** stated that the developer has received feedback from the community and the committee and reduced their original request by 30 percent, which is not something that is typical of developers, in her experience. She also stated that the proposal would fit in well with the existing diversity of housing in the neighborhood, and that all new infrastructure and improvements to the existing infrastructure will be done by the developer. She explained that the curbside trash collection is consistent with the trash collection for the property to the north, across the street from the project. She also noted that the proposal will provide land use security for the neighborhood, as development standards such as height and density will be limited to what is proposed and is not subject to what is permitted in a conventional zoning district. She then addressed concerns with the streetscape, pointing out that the project will install trees that are larger than what is required by the city, and that the site was designed with the pedestrian in mind, with front-facing patio entrances and internal garages.

**Crawford** expressed frustration with the committee's lack of participation, and with the support letters provided by the applicant. She pointed out that many of the individuals in those letters aren't residents of the neighborhood, and some live outside of the Camelback East Village. **Marsh** explained that the letters come from stakeholders in the area, and that she had also received phone calls from neighbors in support after the plan was reduced. She also noted that the majority of the opposition letters were submitted prior to the plan changing. **Crawford** asked staff how many of the opposition letters were received after the plan was changed. **Mastikhina** replied that, of the 33 letters included in the staff report, seven were received after the height and density were reduced. An additional five letters in opposition were received in the past 48 hours. **Crawford** stated that there are still 12 letters of opposition, even with the change, and noted that the request isn't for reduced units, as the developer is still increasing the

entitlement from the existing six residential units to 24 units. She then expressed frustration with city staff for supporting a proposal despite community opposition.

**Vic Grace** asked if the traffic mitigation for Weldon Avenue he had brought up at the last meeting was incorporated into the plan. Otherwise, he would like to include it in a potential motion. **Marsh** replied that they had discussed this with the Street Transportation Department and were told that the city would not be supportive of a speed bump along Weldon Avenue as it is not currently warranted. She stated that the developer is willing to contribute funds to build one should the neighborhood petition the city to construct one.

**Craig Tribken** stated that a three-story development is not appropriate at this location and that he is against this project. **Chair Swart** explained that the proposal was modified to two stories.

**Christina Eichelkraut** stated that the matter of the urban heat island has come up with similar past projects and that continues to be a concern with this type of development. She also stated that many projects come through the process claiming walkability and pedestrian-friendly design, but they rarely truly are. Traffic studies are important, and they are scientifically-based, but there is a disconnect between practical application and actual technical compliance. These studies do not take into account people's tendency to cut through neighborhoods to access major streets, or those avoiding a speed bump and taking residential streets, and so on. Simple traffic generation numbers do not paint the full picture of a project's traffic impact, and developers should heed the community's feedback on this matter as an additional data source. She also expressed similar concern to committee Crawford regarding the supposed reduction in units, but from a different perspective. She explained that she sees it as a negotiation tactic, and that the developer always wanted 24 units, but started with 34 to give the impression that they compromised. She also stated that the cost of speed mitigation falls on property owners and that the committee should at least find a way to hold the developer accountable for their fair share of the cost, with the understanding that this can't be stipulated with an entitlement case.

**Nye** stated that the purpose of the Village Planning Committee is to come together in a collaborative and engaging way to achieve a positive outcome for the community and expressed concern with committee members criticizing other committee members for not participating in the meeting. She also stated that, from a planning perspective, six single-family homes aren't realistic for this property given the surrounding uses, which include condos, apartments, and offices. She stated that the proposal is consistent with the existing land uses and would likely have a positive impact on property values.

## **MOTION**

**Nye** made a motion to approve the request as filed. **Chair Swart** requested to amend the motion to include a stipulation that the developer shall work with the Street Transportation Department to construct a speed hump along Weldon Avenue, and that the developer shall be responsible for the cost of the speed hump. **Nye** accepted the amendment. **Vice Chair William Fischbach** seconded the motion.

**Craig Tribken** stated that the density of the project is too high for this small lot.

**Linda Bair** stated that there was no good faith from the applicant in listening to the community's concerns and expressed concern with the use of the PUD district.

**Vic Grace** expressed concern with the misleading nature of the support letters submitted by the applicant.

**Barry Pacey** stated that the project is too dense for the area and expressed concern with the overuse of the PUD district in the village.

**Tom O'Malley** clarified that just because some committee members don't ask questions during the meeting, it does not mean that they are not engaged and participating. He stated that he has driven out to see the site in person, he has met with developers on cases and asked questions beforehand, and all committee members put a lot of effort to thoroughly understand the requests that come before them.

### **VOTE**

**10-6:** Motion passes with committee members Swart, Fischbach, Abbott, Bayless, Thraen, Garcia, McKee, Nye, O'Malley, and Rush in favor, and committee members Bair, Crawford, Eichelkraut, Grace, Pacey, and Tribken opposed.

### **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

The following stipulations incorporate the changes approved by the Camelback East Village Planning Committee on November 2, 2021:

1. An updated Development Narrative for the Paisley PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 18, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: October 18, 2021; City Council adopted: [Add adoption date].
  - b. Page 9, Development Standards: Add the following statement at the beginning of this section: "The Single-Family Attached development option of Table B of the R3-A (Multifamily Residence – Zoning Ordinance Section 616) District shall apply to The Paisley except for as noted within the tables provided below."
  - c. Page 10, Minimum Open Space/Common Area: Revise to read as follows: "5% of gross area inclusive of landscape areas, amenity areas, walkways and commonly held tracts.

Landscape areas a minimum of 130 square feet in size shall be applied toward requirement regardless of level surface area or grade."

- d. Page 10, Landscape Standards Table, Streetscape: Add the following statement at the beginning of the second column: "Streetscape plantings (trees, shrubs and groundcover provided within right-of-way between the sidewalk and individual lot property lines and minimum landscape setback areas on-site), in accordance with the following standards:"
  - e. Page 11, Landscape Standards Table, Streetscape: Add the following at the end of this section: "Common Area Tract - On-site streetscape plantings within minimum landscape setback shall be provided within a minimum five-foot wide common area tract along all street frontages."
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
  3. 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.
  4. THE DEVELOPER SHALL WORK WITH THE STREET TRANSPORTATION DEPARTMENT TO INSTALL AND PAY FOR A SPEED MITIGATION HUMP ALONG WELDON AVENUE.