



## Village Planning Committee Meeting Summary

### Z-33-19-1

<b>Date of VPC Meeting</b>	September 19, 2019
<b>Request From</b>	<a href="#">S-1</a> (18.41 acres)
<b>Request To</b>	<a href="#">R1-18</a> (18.41 acres)
<b>Proposed Use</b>	Single-Family Residential
<b>Location</b>	Northwest corner of 33rd Avenue and the Jomax Road alignment
<b>VPC Recommendation</b>	No Recommendation due to abstentions
<b>VPC Vote</b>	2-4-2, 4-2-2

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

**Mr. David Simmons**, staff, provided an overview of the rezoning request (Z-33-19-1). He displayed graphics in the presentation including the General Plan Land Use map, zoning map, and site layout. He went over staff's findings and shared the recommended stipulations outlined in the staff report.

**Mr. Ron Harris, Norris Design**, provided the applicants presentation. He shared that due to lack of quorum at last month's VPC meeting he has opted to come back for a recommendation rather than going straight to Planning Commission with no recommendation from the VPC.

*Mr. Stuart Kimball left the meeting at 6:40 bringing the quorum to 8.*

**Mr. Harris** went over the history of the site as well as the family ownership and the roles they played in shaping this area going back generations. He went over density, hillside percentages, the General Plan designations, and surrounding zoning in the area. He touched on several General Plan goals. He stated that a change to R1-18 will ensure predictable development on the site as it is low density residential like the abutting subdivision to the west. We went over the evolution of the site plan as a result of public input to date. He went over the project timeline, went over public notification requirements and the results of their neighborhood meetings. Lastly, he went over the hillside slope analysis and density and elaborated on citizen concerns in the area.

**Vice Chair DiLeo** left the room at 6:51 bringing quorum down to 7.

**Chairman Joseph Grossman** asked the applicant to please address citizen concerns after public comment.

**Mr. Harris** stated that he wanted to address concerns upfront. He went on to discuss the addition of a middle right hand turn lane on 35th Avenue, which was a result of citizen concerns with traffic safety due to a blind hill people are known for speeding over, which is located just to the south of the egress/ingress point of this project. He shared that he is continuing to address neighbors' concerns.

**Mr. Ozzie Virgil** asked why some lots on the conceptual site plan are so much larger than others.

**Mr. Harris** explained that the larger lots are the hillside lots. The lots in their entirety are nondevelopable. The smaller lots are typical R1-18 lots and meet those standards.

**Ms. Ann O'Brien** inquired about the addition of the righthand turn lane proposed.

**Mr. Harris** shared that the new turn lane is located in the center of 35th Avenue, which will allow cars to queue before turning into the subdivision. This will limit the risk of collisions from cars that may be going too fast over the hill.

**Public Comment:**

**Ms. Merri Barrett** voiced concerns about proposed density and community not being heard.

**Mr. Bill Levy** asked where Ms. Barrett lives in relation to the site.

**Ms. Barrett** stated that she lives in Sage Apartments on the other side of the I-17.

**Ms. Ann O'Brien** asked how this project would affect Ms. Barrett if she lives on the other side of I-17.

**Ms. Barrett** stated that her views will be impacted, traffic would increase, and a population increase in the area.

**Mr. Bob Saigh** voiced concerns about traffic, storm water runoff and density. He appreciates the applicant's efforts working with the community in particular about the addition of the center left turn lane on 35th Avenue. He stated that Stetson Hills is a unique area and fears loss of character to the area. He stated that the 2015 Deer Valley Character Area Plan applies to this case and he found 3 provisions in the plan that this project violates.

**Ms. Ann O'Brien** asked when Mr. Saigh purchased his property.

**Mr. Saigh** shared that he purchased his property 4 years ago.

**Mr. Levy** asked my Saigh if this proposal was similar to that of Stetson Hills.

**Mr. Saigh** stated that this proposed project is denser.

**Mr. Virgil** asked Mr. Saigh is the homes in Stetson Hills were on ½ acre lots.

**Mr. Saigh** stated that he thinks the Stetson Hills lots are around 1400 square feet.

**Mr. Richard Ross** shared that he is opposed to the project due to density concerns, traffic increase and the character of the area changing. He also stated that public notification was poor.

**Mr. Virgil** asked Mr. Ross how far away he lives from the proposal.

**Mr. Ross** shared that he lives about 1/8 mile away.

**Applicant's Response:**

**Mr. Ron Harris** addressed lighting and dark sky concerns he had received from surrounding property owners, which resulted in minimized lighting within the development. We went over traffic counts, the left-hand turn lane and explained that he went down to 36 lots where a total of 47 lots are allowed by code under R1-18 standards.

**Vice Chair DiLeo** asked what the homes sizes were to be as well as the price point.

**Mr. Harris** shared that they do not have a builder secured as of yet but stated that the homes will start in the mid 500K rang.

**Mr. Virgil** stated that the lot sizes look rather small for R1-18.

**Mr. Harris** stated that all of the lots meet ordinance standards for lot size.

**Mr. Ricardo Romero** asked what the lot coverage is.

**Ms. O'Brien** asked if the bike lanes will stay with the addition of the turn lane on 35th Avenue.

**Mr. Harris** stated that the bike lanes will stay.

**MOTION:**

**Vice Chair Trilese DiLeo** made a motion to approve per staff's recommendation. No second.

**Ms. O'Brien** asked for clarity on street lights.

**Mr. David Simmons**, staff, shared that these are private streets, therefore, do not follow stringent city standards for street lights. The VPC may stipulate street lights in this case.

**Chairman Grossman** requested staff notify VPC of future stipulation changes that take place through the entitlement process.

**Ms. O'Brien** asked how we ensure dark skies are protected.

**Chairman Grossman** explained the difference between public and private streets.

**Mr. Harris** stated that he would be ok with a street light stipulation.

**Mr. Virgil** stated that he has a problem with the size of the smaller lots depicted on the plan.

**Mr. Russel Osborn** stated that this area is currently zoned S-1 and would prefer it stayed that way.

**Ms. O'Brien** asked the applicant to go back to the presentation slide with the yellow dots depicting letters of support, so the applicant can go over the surrounding zoning again. She asked what the zoning designation is the northwest of the site.

**Mr. David Simmons**, staff, shared that the zoning to the northwest of the site is also zoned R1-18.

**Mr. Osborn** shared that 35th Avenue drops down to a high school that generates a lot of traffic.

**Mr. Levy** asked how many dots there are on the map.

**Ms. O'Brien** counted the dots and shared that there are 34.

**Vice Chair DiLeo** stated that she is typically supportive of this proposal especially since there will be street improvements to include a center turn lane.

The VPC had a discussion about abstentions.

**Ms. Racelle Escolar** explained that the City of Phoenix is legally obligated to represent any VPC member in the event of a lawsuit resulting from their service on the VPC.

**Vice Chair DiLeo** stated that the City Attorney needs to be a part of this conversation.

**Mr. Levy** stated that the VPC votes do not count according to his accusations.

**Chairman Grossman** stated that Vice Chari DiLeo still has a motion on the floor.

**Ms. Trilese DiLeo** amended her original motion to include an additional Stipulation that street lights be limited to 12-feet in height.

**Ms. Ann O'Brien** seconded the motion.

**VOTE:**

**(2-4-2), The motion to approve Case No. Z-33-19-1 subject to an additional stipulation resulted in no recommendation; with Committee Members DiLeo and Kenney in favor; Committee Members Levy, Osborne, Romero and Virgil not in favor; Committee Members Grossman and O'Brien abstaining.**

**Chairman Grossman** called for a second motion.

**MOTION:**

**Mr. Russell Osborn** made a motion to deny Case No. Z-33-19-1.

**Mr. Ozzie Virgil** seconded the motion.

**VOTE:**

**(4-2-2), The motion to deny Case No. Z-33-19-1 resulted in no recommendation; with Committee Members Levy, Osborne, Romero and Virgil in favor; Committee Members DiLeo and Kenny not in favor; Committee Members Grossman and O'Brien abstaining.**