



***Revised June 6, 2024**
Village Planning Committee Meeting Summary
Z-113-23-3

Date of VPC Meeting	May 15, 2024
Request From	C-O
Request To	WU Code T5:5
Proposal	Multifamily residential
Location	Approximately 810 feet west of the northwest corner of 23rd Avenue and Townley Avenue
VPC Recommendation	Approval per the staff recommendation with * modifications, deletion, an additional stipulation, and direction
VPC Vote	13-0

VPC DISCUSSION:

One member of the public registered to speak on this item.

Staff Presentation:

Chase Hales, staff, presented an overview of the rezoning request. Mr. Hales explained the location of the site, the requested zoning designation, the existing conditions of the site, and the General Plan Land Use Map designation. Mr. Hales displayed the proposed conceptual site plan, and the proposed conceptual elevations. Mr. Hales summarized the proposed stipulations and their rationale. Mr. Hales explained how a pedestrian walkway was critical in enabling direct access to light rail for pedestrians without a pedestrian walkway through the site, trips on foot for the light rail would become two or three times longer. Mr. Hales concluded the presentation by providing recommendations for modifications to the stipulation language that would make the language simpler and more consistent.

Applicant Presentation:

Taylor Earl, representing the applicant with Earl and Curley, PC, provided an overview of the proposed request. Mr. Earl explained the transects of WU Code generally and compared it to the proposed transect. Mr. Earl showed the existing structure on the site and explained that the existing tenant would remain while Phase I was built on the

eastern side of the site. After Phase I is completed, Phase II will be built. Mr. Earl shared that office vacancies around the city of Phoenix are at an incredible high, with nearby offices having over 50% vacancy rates, and that due to the distance from major roads, the site is not optimal for office uses. Mr. Earl stated that residential on the site, given the proximity to light rail and I-17, would be a much better use. Mr. Earl pointed out the future Metrocenter redevelopment and the construction of the Taiwan Semiconductor Manufacturing Company campus and how they would be catalysts for more housing in the area. Mr. Earl stated that the site as proposed would increase the number of housing units near light rail and increase safety as more people in the area would increase the number of people on the street and increase the number of people using light rail. Mr. Earl shared that as ridership increased, an ecosystem along the light rail would begin to develop. Mr. Earl stated that the project would help foster that ecosystem.

Mr. Earl stated that notifications were given in both Spanish and English, and that he spoke Spanish and was ready to personally share information in Spanish at the neighborhood meeting, but it was not needed. Mr. Earl stated that the applicant had presented at the Violence Impact Project Coalition and shared the letter of support that was written by the Coalition. Mr. Earl explained the phasing in greater detail, showing the proposed conceptual site plan and the division between the two phases. Mr. Earl stated that a paseo would be constructed along the phase line that would connect north to the private drive that connected to Dunlap, creating a pathway through the block to light rail. He showed an example of a live/work unit and explained that although the image was not a conceptual rendering of what would be on site, something similar would be built to create commercial suites along the paseo or Townley Avenue. Mr. Earl presented renderings of the project as well as elevations. Mr. Earl concluded the presentation by reviewing the stipulations and summarizing the proposal.

Questions from the Committee:

Committee Member Jaramillo asked if the project would be gated. **Mr. Earl** stated that the project would be gated.

Committee Member Molfetta asked if the project would all be market rate housing. **Mr. Earl** stated that it was planned that all the units be market rate housing.

Committee Member Sommacompagna asked where the gate would be located on the site plan. **Mr. Earl** presented the site plan and explained that it would be along the private drive near the phase line.

Committee Member McBride stated that the project was an exciting and creative solution.

Committee Member Jaramillo asked if the sidewalk shown on the plan connected to a sidewalk on the private easement to the north and shared concern that the private drive was not public, and therefore did not guarantee it would be maintained in the future, potentially creating a public dead-end.

Committee Member Pamperin asked about traffic counts. **Ric Toris**, representing the * applicant with Earl and Curley, PC, stated that the traffic counts for multifamily residential were less than office uses.

Committee Member Garbarino asked if there were any plans to include wayfinding. **Mr. Earl** stated there were not, but could be included.

Committee Member Sommcampagna asked if there were any concerns regarding vandalism, as nearby properties had had issues. **Mr. Earl** stated that yes, that vandalism could be an issue, but if the project was successful, it would breed success in the area as developers see the rents that are being attained at the property, incentivizing development.

Committee Member O'Hara thanked the applicant for providing notifications in English and Spanish, as proper communication had been an issue with prior cases.

Committee Member Molfetta stated that the project should include some units at an affordable price point.

Committee Member Pamperin stated concern that the pool amenity for residents was adjacent to the public paseo. **Committee Member Krentz** pointed out that there was a building between the pool and the paseo.

Public Comments:

Hardy Good, member of the public, asked if the existing building on the site would be razed.

Applicant Response:

Taylor Earl stated that the building would be razed.

Committee Discussion:

Vice Chair Matthews asked if the paseo would be completed in Phase I or Phase II. **Mr. Earl** stated that the construction of the Paseo would occur in Phase II. **Committee Member Molfetta** expressed concern that if the economy or some other factor changed after the beginning of Phase I but before Phase II, there might never be a paseo built. **Committee Member Krentz** suggested that a temporary paseo be built. **Mr. Earl** stated that his only hesitation to constructing a temporary paseo was if it would conflict with the current tenant's rights and shared his interest in working with the architect for the project and City staff in figuring that out. **Mr. Earl** also explained his client's interest in ensuring that a pedestrian connection be created in the private easement to the north, as it was critical component for the project that it be connected to light rail.

Vice Chair Matthews asked if signage for wayfinding to the light rail could be built. **Mr. Earl** stated that wayfinding signs could be built. Vice Chair Matthews recommended that the applicant investigate providing a pedestrian connection within the private easement.

Motion:

Committee Member O'Hara motioned to recommend approval of Z-113-23-3 per the staff recommendation with modifications, a deletion, and an additional stipulation requiring signage for wayfinding to the light rail be constructed and direction for the applicant to investigate the construction of pedestrian connections along the private easement north of the site. **Committee Member McBride** seconded the motion.

Vote:

13-0, Motion to recommend approval of Z-113-23-3 per the staff recommendation with modifications, a deletion, an additional stipulation, and direction passed with Committee Members Alauria, Barraza, Garbarino, Jaramillo, Krentz, Larson, McBride, Molfetta, O'Hara, Pamperin, Sommacompagna, Whitney, and Vice Chair Matthews in support.

VPC Recommended Stipulations:

1. The site plan and conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to final site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. The development shall contain a minimum of one north-south public pedestrian accessway that complies with Section 1304.H. of the Phoenix Zoning Ordinance which shall be located approximately on the 25th Avenue alignment.
 - b. The building elevations along Townley Avenue shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials.
2. A public pedestrian accessway shall be situated approximately (no less than 100 feet from) the 25th Avenue alignment to facilitate pedestrian and bicyclist travel toward the light rail station at 25th Avenue and Dunlap Avenue. The public pedestrian accessway shall be no less than 10 feet in width and comply with the following, as approved or modified by the Planning and Development Department.
 - a. Shall comply with ~~the standards contained in~~ Section 1304.H. of the Phoenix Zoning Ordinance
 - b. A minimum of one continuous building frontage lining one side of the public

pedestrian accessway for no less than 50 percent of the total distance.

- c. Include no less than 45 percent of the required publicly accessible open space under Section 1304.G of the Phoenix Zoning Ordinance in or adjacent to the accessway.

***D. INCLUDE SIGNAGE FOR WAYFINDING FROM TOWNLEY AVENUE TO THE STIPULATED PASEO WITHIN THE SITE.**

- 3. The following ground-level activation shall be provided with some frontage on the 25th Avenue public pedestrian accessway or Townley Avenue, as approved or modified by the Planning and Development Department:
 - a. The ground floor shall include a minimum of 5,000 square feet of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents.
 - b. Five Live-Work units shall be provided. Live-Work units ~~shall~~ **MAY** be characterized as two-level units that are designed to allow for professional services or sale of goods (inside) Live-Work units shall have a storefront “frontage type” (outside). Live-Work Units shall be designed for small commercial entrepreneurs and/or professionals servicers to live and work in their unit.
- 4. A minimum 6-foot-wide sidewalk detached from the back of curb by a minimum 8-foot-wide landscape area shall be constructed on the north side of Townley Avenue, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Large canopy, single-trunk, drought-tolerant shade trees shall be planted 25 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
- 5. Within the sidewalk easement adjacent to the Townley Avenue right of way, there shall be a minimum of one foot candle illumination throughout the easement. Uniform lighting shall be placed along the entire easement to avoid bright high glare areas and low visibility dark areas.
- 6. A Traffic Impact Study shall be required for this development, and no preliminary approval of plans shall be granted until the City has reviewed and approved the study. The developer shall be responsible for funding and construction of all

recommendations of the study.

7. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
8. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. Along Townley Avenue, there shall be no continuous frontage type exceeding 200 linear feet. For the purpose of this requirement, “common entry” frontage types do not interrupt the above-referenced measurement because they provide street access to upper units.
10. A minimum of four building entries shall be provided with the building frontage design along Townley Avenue to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved by the Planning and Development Department.
11. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, bus stops, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.
12. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of one bicycle repair stations (“fix it stations”) shall be provided and maintained along public pedestrian accessway or Townley Avenue.
 - d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.
13. A minimum five percent of the required parking spaces shall be EV capable. A minimum of five of the required parking spaces shall have EV infrastructure installed.

14. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
- ~~15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (Smart Controller or similar) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.~~
- ~~16. A minimum of 25 percent of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees at maturity, or a combination thereof.~~
- ~~17. Only materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.~~
- ~~18. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.~~
- ~~19. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.~~
- ~~20. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.~~
- ~~21. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.~~
- ~~22. 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.~~
- ~~23. A minimum of 10 percent of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.~~

~~Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.~~

24. Prior to final site plan approval, the landowner shall execute a Proposition 207
23. waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Staff comments regarding VPC Recommendation:

*Staff has no concerns with the modification, deletions, and additional stipulation.