



## Village Planning Committee Meeting Summary

### Z-7-25-3

<b>Date of VPC Meeting</b>	May 21, 2025
<b>Request From</b>	C-1, C-2, and C-2 SP
<b>Request To</b>	WU Code T5:5
<b>Proposal</b>	Mixed-use, multifamily residential
<b>Location</b>	Southwest corner of 19th Avenue and Dunlap Avenue
<b>VPC Recommendation</b>	Approval, per the staff recommendation, with an additional stipulation
<b>VPC Vote</b>	14-0

#### **VPC DISCUSSION:**

*Item No. 4 (GPA-NM-1-25-3) and Item No. 5 (Z-7-25-3) are companion cases and were heard together.*

*No members of the public registered to speak on this item.*

#### **STAFF PRESENTATION**

**Robert Kuhfuss**, staff, presented both proposals, providing land use and zoning information on the site and surrounding area, its proximity to the Primary and Secondary Village Cores, and proximity to the light rail station. Mr. Kuhfuss summarized the various policy plans applicable to the site. Mr. Kuhfuss summarized public input received to date, reviewed each of the recommended stipulations, and provided an overview of staff's findings and recommendations.

#### **APPLICANT PRESENTATION**

**Jeff Stapleton**, Community and Economic Development staff, provided an additional presentation. Mr. Stapleton stated that Mr. Kuhfuss had provided a good overview of the project. Mr. Stapleton stated that the city had acquired the site in preparation for the Northwest Light Rail Phase I. Mr. Stapleton stated that the existing park-and-ride is at about 10% utilization and that the existing strip retail center is mostly vacant. Mr. Stapleton stated that the existing zoning will allow multifamily residential uses, and explained that because the site is underutilized, their preference is to rezone the site in a manner that is consistent with the plans and policies previously noted. Mr.

Stapleton stated that the City Council authorized staff to begin the redevelopment process in 2023. Mr. Stapleton referenced the vision as expressed in the 19North Transit Oriented Development Policy Plan, which encourages mixed-use development, enhancing the pedestrian realm, rights-of-way through the use of the Walkable Urban Code. Mr. Stapleton reiterated the Housing Phoenix Plan, which advocates increasing housing opportunities of all types including affordable, workforce, and market. Mr. Stapleton stated that a key element of the Housing Phoenix Plan is to incorporate HUD housing opportunities on city-owned properties. Mr. Stapleton referenced the Metro District Oriented Communities Policy Plan and stated that while the official boundaries of that plan are west of the site, the plan was used for guidance as to how the site might look. Mr. Stapleton reiterated the stipulation requiring the activation of the frontage and referenced a rendering of the site showing Plaza19 relative to a multi-story mixed-use building with retail on the ground floor. Mr. Stapleton referenced two massing studies that illustrated what the site might look like, emphasizing the relationship of the light rail station to the front of the site, with parking towards the rear of the site. Mr. Stapleton stated that the intent is to rezone to the Walkable urban Code so that bidders can simply design to that code and not be concerned whether the site is zoned C-1 or C-2. Mr. Stapleton stated that if the proposed zoning is approved, the site will be much more conducive to mixed-use development. Mr. Stapleton reiterated the maximum building height and the incentive to increase that height by providing 30% Affordable Housing. Mr. Stapleton stated that initially, they were seeking a maximum height of 56 feet but are amenable to the provision for 30% Affordable Housing incentive. Mr. Stapleton stated that having an Industrial land use designation next to light rail is not preferable and reiterated the request for the change in land use designation as requested in the proposed General Plan Amendment. Mr. Stapleton stated that they held a neighborhood outreach meeting on April 8, 2025 at the Cholla Library, which was well attended. Mr. Stapleton stated they were scheduled for the Planning Commission on June 5, 2025 and City Council on July 2, 2025. Mr. Stapleton stated they received a number of questions as there is not a specific project. Mr. Stapleton stated that the Request for Proposal will likely be issued in 2026 or 2027 and explained the Request for Proposal process. Mr. Stapleton stated that they will engage the various community groups and the Village Planning Committee, explaining to those groups the minimum qualifications, and the desired project, prior to going to a City Council subcommittee.

**Committee Member Gabriel Jaramillo** stated that in all the time that he has served on the Village Planning Committee and Planning Commission, he has never seen a group ask for input on a project like this and asked for clarification. Mr. Stapleton stated they utilize this process in the Central City and Encanto Villages. Mr. Stapleton stated that they typically get a number of questions relating the project vision and reiterated their intent for a residential use with neighborhood retail and reiterated the requirement for not less than 5,000 square feet of retail. Mr. Stapleton stated that the Park-and Ride will be right-sized based on current demand and Valley Metro's recommendation. Mr. Stapleton stated they expect to retain about 10% of its current capacity.

**Committee Member Patrick Edwards** asked about the number of parking spaces currently on the site. Mr. Stapleton stated there were currently 417 spaces. Mr. Stapleton stated that should the terms of the RFP be approved by the City Council, the RFP will be prepared and issued, which will lead to development proposals being submitted by various developers. Mr. Stapleton stated that each proposal will be evaluated and scored by an evaluation panel, which will lead to the selection of the winning proposer. Mr. Stapleton stated that business terms would then be negotiated, followed by additional community input and City Council Subcommittee evaluation and approval. Mr. Stapleton stated that the City Council would make the final decision to move forward and a Development Agreement would be executed, which would include provisions that implement the various stipulations of approval. Mr. Stapleton stated that construction plans would be submitted and permits issued, which would lead to construction activities on the site, with completion to occur sometime between 2029 or 2030.

#### QUESTIONS FROM THE COMMITTEE

**Vice Chair Joshua Matthews** asked why Transect 5:5 was chosen rather than Transect 5:6, since Transect 5:6 would allow more height, density, and affordability. **Mr. Stapleton** stated that it was about achieving balance with all of the city's policy plans, the existing development in the area, the site's adjacency to light rail, and determining what is the appropriate intensity. Mr. Stapleton stated that outside of downtown, most of the requests that he is familiar with utilize Transect 5:5 as that transect adheres to a plan that has received community support as opposed to a transect that would allow 80 to 100 feet in height.

**Committee Member Massimo Sommacampagna** asked why the number of parking spaces associated with the park-and-ride was not fixed at this time. **Mr. Stapleton** stated that they will seek input from Valley Metro who will determine the number of parking spaces needed, which will then be reflected in the RFP.

**Committee Member Gabriel Jaramillo** asked if the project would include mixed income as well as mixed-use. **Mr. Stapleton** stated that was the case. Committee Member Jaramillo asked for additional information stating that the stipulations only address affordability as a bonus incentive and asked if there could be a stipulation that required mixed income. Mr. Stapleton stated that he would expect that a firm goal would be established through the RFP process that would establish the minimum number of affordable and workforce units, as well as a maximum number of market rate units. Committee Member Jaramillo asked for additional confirmation that the RFP process would establish required percentages regarding affordability beyond the bonus incentive contained in the stipulations. Mr. Stapleton stated that would be the case and that they would come back to the Committee at a later date to demonstrate that had been achieved.

**Vice Chair Matthews** asked how many dwelling units they expected to generate. **Mr. Stapleton** stated that they estimate approximately 300 units if constructed to a height of 48 feet; more if higher.

**Committee Member Steve Pamperin** asked for clarification regarding the percentage of covered parking and the number of EV parking spaces. **Mr. Stapleton** stated that the intent was to set the initial benchmark as was the case with setting the minimum amount of retail at 5,000 square feet. Mr. Stapleton stated that since the city owns the site, the city can require more if the conditions warrant and that setting the minimum number of EV spaces at 5% makes it easier for the developer to scale up. Mr. Stapleton stated that it is possible that a parking structure could be proposed and that he has seen where the developer placed the ground floor retail towards the street with structured parking behind, which makes it easier to build above.

**Mr. Stapleton** stated that the proposal is supported by the Metro District Community Collaboration, which is the business and property owner association to the west of the site. Mr. Stapleton also stated they have been working with Quik Trip to obtain a letter of support.

#### PUBLIC COMMENT

None.

#### COMMITTEE DISCUSSION

**Vice Chair Matthews** stated that he was excited to see this project come in and was happy to see something other than another gas station. Vice Chair Matthews stated that since the city owns the site, the city should be more aggressive in trying to achieve more affordable units, Vice Chair Matthews stated that 10% of 300 units is only 30 units as opposed to the project being allowed to achieve a height of 56 feet with all being affordable housing but also expressed concerns with the market being able to support that type of development. Vice Chair Matthews also expressed concerns over development agreements, stating they can be challenging. Vice Chair Matthews stated there was an opportunity to enhance Plaza19 and the retention area in response to CPTED, and that the city should encourage integration of the front of the building with the light rail.

**Committee Member Jaramillo** stated that he would like the Village Planning Committee to be a part of the RFP process in order to ensure that the number of affordable units is appropriate as opposed to the matter being left up to potential bonuses.

**Committee Member Elizabeth Pérez-Pawloski** asked if the Committee can amend the stipulation regarding the amount of affordable housing units. **Mr. Kuhfuss** stated that the Committee could amend that or any stipulation and reminded the Committee that the numbers contained in that stipulation were the result of conversations between the city's Planning, Housing, and Community and Economic Development Departments. Committee Member Pérez-Pawloski asked how a change to a stipulation could be achieved. Mr. Kuhfuss explained that whoever makes the motion could include in that motion a proposed change to the applicable stipulations, which

would then be included in the second and ultimate vote. **Committee Member Pamperin** asked what the stipulation was regarding affordability for the Metrocenter project. **Mr. Kuhfuss** stated that he did not have that information committed to memory. **Mr. Stapleton** stated that he was the city's project manager for The Metropolitan and that there are no stipulations or affordability benchmarks except for one circumstance where the developer applied for the Government Property Lease Excise Tax program which involved an in-lieu payment to the Affordable Housing Trust Fund but that was when the developer was looking at providing 3,000 units and has since pivoted away from that goal. **Committee Member Jaramillo** stated that Concord Wilshire is working in good faith towards providing affordable housing at Metrocenter but there were no stipulations that require them to do so. **Committee Member Jaramillo** stated that now is a good opportunity to add stipulations regarding affordability. **Chair Stephanie Fogelson** expressed concerns regarding the red tape at the state level when it comes to affordable housing. **Vice Chair Matthews** stated that the tax credit process is available but there is no requirement to do so. **Vice Chair Matthews** stated that typically if a project were to be 100% affordable housing, the project could pencil out, but at a lesser amount, incentives are needed to achieve economies of scale. **Vice Chair Matthews** asked Mr. Stapleton if he, as the applicant, would be opposed to the Committee stipulating to 20% affordable housing, and how the Committee could be involved in the RFP process. **Mr. Stapleton** stated that outside of Arizona, where there is an exclusionary zoning regime, the benchmark is typically 20%. **Mr. Stapleton** further stated that they could come back to the Village with the terms of the RFP as well as the site plan. **Committee Member Jaramillo** stated that his preference would be to participate in the RFP process rather than attach an arbitrary number. **Committee Member Pérez-Pawloski** stated there was an opportunity to make a statement rather than accept a minimal deal. **Vice Chair Matthews** stated that this site is not the only park-and-ride site that will be redeveloped, and that this development could set the tone for future projects. **Vice Chair Matthews** stated that he would like to be aggressive when possible and that this site literally includes a light rail station making this a prime opportunity. **Vice Chair Matthews** stated that he is considerate of the city not pushing itself out of the market but is also willing to let the site remain vacant until the right project comes along. **Vice Chair Matthews** referenced a project at the northwest corner of 7th Avenue and McDowell Road where more could have been achieved. **Vice Chair Matthews** reiterated that building something now for the sake of doing so could result in a missed opportunity. **Vice Chair Matthews** stated that he did not want to be part of the Development Agreement process but would like to set the expectations. **Vice Chair Matthews** stated that as a city-owned site, it is conceivable that the site could develop at 50% or 100% affordable housing but needed to know what that threshold is. **Committee Member Pamperin** stated that the area should include a mix of housing opportunities.

**Vice Chair Matthews** asked Mr. Stapleton if he would be amenable to a stipulation requiring a minimum of 20% affordable housing. **Mr. Stapleton** stated that would be acceptable. **Committee Member Heather Garbarino** stated that she is reticent to go against staff's recommendation and asked what the appropriate percentage is. **Mr. Stapleton** stated that 20% would be consistent with other states that have an

exclusionary zoning regime and that financing a larger percentage becomes more difficult. Mr. Stapleton stated that 20% also leaves the door open for a mixed income development.

**MOTION:**

**Vice Chair Joshua Matthews** motioned to recommend approval of Z-7-25-5 per the staff recommendation, with an additional stipulation requiring not less than 20% affordable housing. **Committee Member Steve Pamperin** seconded the motion.

**DISCUSSION:**

**Committee Member Gabriel Jaramillo** offered a friendly amendment to require the VPC to participate in the RFP process at the appropriate time. **Vice Chair Matthews** stated that he was not comfortable with that amendment since it is not clear what that process would look like and that the language of that stipulation may not be enforceable. Committee Member Jaramillo clarified that the VPC's participation would occur prior to the RFP being issued and the developer being involved in the process. Vice Chair Matthews stated that he would prefer that the Committee provide direction to engage the VPC in the RFP process. **Committee Member Patrick Edwards** asked if there was a precedent. Mr. Stapleton stated there is no requirement in the city code but that the Community and Economic Development Department considers it to be best practice to present the terms of the RFP to the VPC and community groups. Mr. Stapleton stated that it would be likely that they would be back before the Committee within the next 18 months. Vice Chair Matthews stated that based on this discussion, he would let his original motion stand.

**VOTE:**

**14-0**, motion to recommend approval of Z-7-25-3 per the staff recommendation with an additional stipulation passes with Committee Members Alauria, Barraza, Carmona, Edwards, Garbarino, Harris, Hepperle, Jaramillo, Larson, Pamperin, Pérez-Pawloski, Sommacampagna, Matthews, and Fogelson in favor and none opposed.

**VPC RECOMMENDED STIPULATIONS**

1. The site plan and elevations shall be presented for review and comment to the North Mountain Village Planning Committee prior to preliminary site plan approval.
2. The frontage adjacent to Plaza19 and the light rail station shall be treated as a Primary Frontage in accordance with Section 1303.A.6 of the Phoenix Zoning Ordinance.
3. The northern edge of the site, along the light rail station and Plaza19, shall be treated as street frontage and building setbacks/build-to dimensions shall be measured from the back of any easements (public utilities, public pedestrian access, maintenance, etc.), as approved by the Planning and Development Department.

4. Development adjacent to the northeast corner of the site (Plaza19 and light rail station) shall contain a vertical mix of land uses such as residential and non-residential uses, as approved by the Planning and Development Department. A minimum of 5,000 square feet of non-residential uses shall be provided and shall not include lobby, exercise, reception areas or other similar uses intended for exclusive use by residents.
5. **A MINIMUM OF 20% OF THE DWELLING UNITS SHALL BE AFFORDABLE HOUSING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND HOUSING DEPARTMENT.**
56. The maximum building height shall not exceed 48 feet, except that the maximum building height may be increased to 56 feet, subject to a minimum of 30% of the dwelling units are provided as Affordable Housing, as approved by the Planning and Development Department and Housing Department.
67. 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 bicycle repair station ("fix it station") shall be provided and maintained in an area of high visibility, in close proximity to the Light Rail station, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
    - i. Standard repair tools affixed to the station;
    - ii. A tire gauge and pump affixed to the base of the station or the ground;
    - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
  - d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.

- 78. A minimum of 5% EV Installed infrastructure shall be provided for the required number of residential vehicle parking spaces, whether surface or structured, as approved by the Planning and Development Department:
- 89. If public parking is provided, a minimum of 5% of the parking provided shall be EV Installed.
- 910. The bus pad on southbound 19th Avenue south of Dunlap Avenue shall be retained, as approved by the Planning and Development Department.
- 4011. A vehicular and pedestrian circulation plan shall be submitted to the Street Transportation Department and the Planning and Development Department for approval before applying for preliminary site plan review. The circulation plan shall incorporate the Community Vision Themes, Urban Principles and Strategies established in the *19 North Transit Oriented Development Plan* and demonstrate the following:
  - a. Routes for vehicles and pedestrians shall be designed to ensure seamless and safe movement for pedestrians, with pedestrian safety and accessibility taking priority.
  - b. A shaded, pedestrian-only paseo, providing public access and a direct connection from the adjacent land uses through the site to the transit facility, key internal destinations, and common open spaces.
  - c. Designated areas for vehicle loading, pick-up, and drop-off.
  - d. Proposed measures to mitigate potential conflicts between vehicles and pedestrians, both within and adjacent to the site.
  - e. Bicycle parking and fix-it station/s focused primarily adjacent to the public right-of-way to promote multi-modal transportation in conjunction with secure internal bike parking facilities for residents, employees, and guests.
- 4412. Vehicular access points shall be restricted to a maximum of one on 19th Avenue and a maximum of two on Dunlap Avenue.
- 4213. A minimum 14-foot-wide vehicular access easement shall be provided for future shared access onto Dunlap Road along the western property line to access properties to the south and west.
- 4314. The existing sidewalk along 19th Avenue shall be detached with a minimum 6-foot-wide sidewalk and a minimum 10-foot-wide landscape area between back of curb and sidewalk and shaded to a minimum of 75% tree shade coverage.



- ~~44~~**15.** Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
- ~~45~~**16.** 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.
- ~~46~~**17.** 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.
- ~~47~~**18.** A minimum of 25% of any surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum two-inch caliper, drought tolerant, shade trees, or a combination thereof.
- ~~48~~**19.** A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- ~~49~~**20.** Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup Program for a minimum of 10 years, or as approved by the Planning and Development Department.
- ~~20~~**21.** A minimum of 10% 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.
- ~~21~~**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.
- ~~22~~**23.** 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

Staff recommends Stipulation No. 5, regarding a minimum of 20% of the units be provided as affordable housing, be deleted. Arizona Revised Statutes 9-461.16 prohibits the creation of a requirement that has the effect of establishing the sale or lease price of a housing unit as a condition of approval. It does not prohibit implementing an incentive or density bonus for the purposes of supplying moderate or lower cost housing, which is already addressed in Stipulation No. 6.