

Encanto

VILLAGE PLANNING COMMITTEE



Village Planning Committee Meeting Summary Z-15-22-4

Date of VPC Meeting	January 9, 2023
Request To	Amend the CNSPD
Proposed Use	Multifamily residential, retail use, and retention of the historic single-family homes.
Location	Northwest corner of 11th Street and McDowell Road
VPC Recommendation	Approve, per staff recommendation
VPC Vote	12-2-1

NOTE:

Rezoning Case No. Z-15-22-4 is a companion to Z-2-22-4. The items were heard together. The below is a summary of the presentations and discussions regarding on Rezoning Case No. Z-15-22-4 and its companion case. The summary following “Floor/Public Discussion Closed: Motion, Discussion, And Vote” solely pertains to Rezoning Case Z-15-22-4.

VPC DISCUSSION:

9 virtual speaker cards were received from members of the public with 2 donating their time to other speakers. One speaker was registered in support and the other 8 in opposition.

STAFF BACKGROUND PRESENTATION

Mr. Joshua Bednarek, staff, introduced the rezoning case and its companion case. The items will be presented together but that separate motions are required for each item. Rezoning Case No. Z-2-22-4 is a Planned Unit Development (PUD) proposal for 271 dwelling units and the preservation and integration of 7 historically designated homes. Rezoning Case No. Z-15-22-4 is a proposal to amend the Coronado Neighborhood Special Planning District (CNSPD) which would provide a site specific exception for the subject site. There has been a significant amount of public input on this proposal including several community meetings organized by the District 4 Council Office. Staff is recommending approval subject to several stipulations and, notably staff is asking for direction from the committee in Stipulation No. 3 which would provide direction between two architectural styles. He then stated that the Historic Preservation

Commission will consider the proposal on February 13, 2023, with regard to the proposed amendment to the HP boundary.

Committee Member Rick Mahrle noted that this site was previously reviewed by the committee and asked if that was a separate proposal or an amendment to that proposal. **Vice Chair Nicole Rodriguez** responded that this applicant presented in the summer of 2022. **Committee Member Paul Benjamin** added that this is a PUD which requires two hearings before the VPC with the first being for “Information Only.”

Committee Member Drew Bryck noted that there was correspondence from the neighborhood stating that there was an error in the sign. **Mr. Bednarek** responded that staff has verified that the posting requirements have been met.

APPLICANT PRESENTATION

Mr. Paul Gilbert, of Beus Gilbert McGroder, and representing the applicant, provided an overview of the project, the public engagement process, and stated that the applicant team is in full agreement with the staff recommendation and stipulations. The site is a vacant, deteriorating, and obsolete medical office at an ideal location for urban redevelopment. The site is directly across McDowell Road from Banner University Medical Center and the proposal has received a strong letter of support from the Miracle Mile Corridor.

The site contains 7 historic homes and, if the rezoning proposal is approved, the homes will be preserved under a 100 year preservation easement, maintain the protection of the historic zoning overlay, and be upgraded with front yard landscaping, windows repaired and/or replaced in a manner consistent with historic standards, front porches stabilized and enhanced as needed, and roofs upgraded in a manner consistent with historic standards as needed. The proposal would move the historic designation boundary by approximately 38 feet to reduce the depth of the rear yards.

The proposed amendment to the CNSPD keeps the site within the plan area but exempts the site from the following standards: to allow commercial access to local roads; to allow an increase in building heights and a reduction in setbacks; and to allow a decrease in the parking requirements. He then stated that the site specific exemptions are appropriate because the project accomplishes many of the broader goals articulated by the plan.

Mr. Ed McCoy, of Fairfield Residential, provided a brief history of how the project evolved over time. Once Fairfield became involved in 2021, the development team began working with the neighborhood and stakeholders and created a working group to refine the project. In response to neighborhood input, there is now a single story amenity building on Coronado Road, the northern building is now four stories with a podium deck oriented to the west, the site has more parking, and the architecture has been revised.

Mr. Paul Gilbert provided an overview of the two architectural options which arose from conflicting opinions from the neighborhood. The committee has the option to select which of the design approaches it feels is most appropriate. He then summarized the proposal and rationale for approval.

QUESTIONS FROM THE COMMITTEE

Committee Member Mahrle asked if retail parking will be entirely located within the parking structure. **Mr. Paul Gilbert** confirmed. **Committee Member Mahrle** stated that it is critically important that the parking lot on Coronado Road include spaces oriented toward the apartments, so headlights do not shine into homes across Coronado Road.

Committee Member Jewett thanked the applicant team for including recycling and for the paseo. He asked if there is on-street parking on one or both sides of Dayton Street and requested more information regarding the traffic control device stipulated. He also asked who owns the historic homes. **Mr. Paul Gilbert** stated that the residential homes are owned by a separate owner and that these homes will not be owned by Fairfield Residential. There will only be parking on one side of Dayton Street. The traffic control device is intended to be a HAWK style crossing across McDowell Road; the applicant is funding the device, but it will be designed by the Street Transportation Department.

Chair Opal Wagner commended the applicant for not trying to amend the CNSPD because there are many conservation plans throughout the city and such a removal could set a precedent.

Committee Member Randy Schiller asked how much guest parking will be provided in the parking structure and whether solar will be added to the project. **Mr. Paul Gilbert** stated that there are currently no plans for solar and that the parking calculations do not include the parallel spaces on Dayton Street. **Mr. Ed McCoy** stated that the parking structure will include unrestricted residential guest parking in the structure, resident parking will be restricted to the top of the garage, and retail will be toward the bottom of the garage.

Vice Chair Nicole Rodriguez asked if there are any design features to prevent headlights in the Coronado Road parking lot from shining into apartment units. **Mr. Orion Pientak**, from the applicant team, responded that there are some windows planned along that building face but that headlights will be blocked by patios with low walls and landscaping. **Mr. Ed McCoy** stated that the surface parking spaces are intended to be utilized by the residents of those units.

Committee Member Ann Cothron thanked the applicant team for listening to neighborhood and committee input and for adding both recycling and composting. Further, she thanked the applicant team for the option of the architectural styles because the site is in a historic area. She noted that there are some mature trees on the site and asked the developer to preserve those trees. **Mr. Paul Gilbert** stated that they plan to preserve the trees.

Committee Member Paul Benjamin asked if the Coronado Neighborhood Association has taken a position on the proposal and if that is something they normally would. **Mr. Paul Gilbert** stated that the Coronado Neighborhood Association does not take positions on zoning cases although the applicant team has met with many of their board members and other stakeholders.

Committee Member Stephen Procaccini stated that he is glad that the homes will be preserved. He asked if they will be restored to the City of Phoenix Historic Preservation guidelines. He asked if egress from the parking structure onto Dayton Street will be physically restricted to left turn only. **Mr. Gilbert** responded that the conservation easement requires adherence to the City of Phoenix Historic Preservation guidelines. He stated that there are no plans for a physical restriction to limit right-turns onto Dayton Street. **Mr. Ed McCoy** added that the egress will be permitted to turn either left or right but that the traffic report indicates that more than 90 percent of the traffic will be left turn egress.

PUBLIC COMMENTS

Dr. Donna Reiner stated that she has lived in the neighborhood for more than 20 years and is a local historian. The purpose of the neighborhood association and the Coronado Neighborhood Conservation Plan is to preserve the unique character of our neighborhood. The developer was responsive to neighborhood comments with alterations early in the process but, from the images shown tonight, some of those alterations have disappeared. Height is a central concern since there is not a single residential complex at a height of seven stories. The increase in height will set a precedent for future proposals along McDowell Road. The preservation of the historic homes is being misused as rationale for increased height beyond that permitted in the conservation plan. The conservation plan was created in response to the former surgicenter on the site, the removal of historic homes, and the encroachment of commercial properties into the neighborhood. Neither architectural option is consistent with those that were shown to the neighborhood and the traditional option cannot be called "Spanish Revival." She asked the committee to continue the rezoning case and modify the design by making a good faith effort to satisfy the neighborhood's desire for a maximum height of 5 stories on McDowell Road.

Mr. Cody Castelletti stated that he lives nearby and has been working with Fairfield Residential to help move the project to a design that would be more compatible with the historic character of the neighborhood. He stated that he does not know why there are now two design options as no residents have requested a contemporary design. The site is limited to 48 feet by the CNSPD and that an increase beyond that should offer a benefit to the historic neighborhood. As proposed, the project does not go far enough and, if the contemporary design is chosen, the height should be limited to 48 feet because it is incompatible with the area.

Mr. Ryan Boyd introduced himself as a representative of the Urban Phoenix Project and stated that he is supportive of a few elements, concerned with a few, and agnostic on the aesthetic. He stated that any design should be pedestrian friendly with ground

floor units opening onto the street and a mix of uses to create a vibrant streetscape environment. He stated that they are concerned with the push for additional parking on the site. The CNSPD standard of 2 spaces per unit is extremely high and that Transit Line 17 (McDowell Road) carries the 7th highest volume of any route within the system. The site is on an arterial street with a high volume bus system and is therefore equipped to handle density.

Mr. Robert Warnicke stated that the request is to break the CNSPD by exempting the site from its regulatory provisions and cautioned that this is a slippery slope. The argument that the historic homes are under threat and their preservation warrants additional intensity is misleading. The proposal is higher and denser than most and is not situated between the 7s where the city is trying to promote intensity.

Ms. Jennifer O'Connor expressed concern with the 80 foot height and stated that it would set precedent in the neighborhood. She expressed concern with the intensity and asked that the density be reduced further. She asked why the developer would decrease the number of units and add parking. She expressed concern regarding pedestrian safety and urged that the design of the street is an important factor in safety.

Ms. Nancy Giles stated that the developer has used certain concessions as a justification for ignoring some items that are important to the neighborhood. She expressed concern with the parking supply not adhering to the CNSPD. She stated that a stated goal of the CNSPD is that housing should be “in keeping with the character of the neighborhood.” The architecture is very important and deserves certainty beyond two options. Further, she expressed skepticism regarding the assertion that most neighbors prefer the contemporary design. The site specific exemption creates a precedent for how future developers will circumvent a conservation plan. She expressed concern over the proposed height and traffic impact on Dayton Street and 11th Street. She echoed Ms. O'Connor’s concerns regarding traffic safety concerns, especially on Dayton Street north of Coronado.

APPLICANT RESPONSE

Mr. Paul Gilbert stated that he is disappointed to hear concerns about the lack of communication. There have been four neighborhood meetings including the last meeting that was attended by several of the individuals who have spoken tonight. The applicant team has gone above and beyond the requirements for neighborhood engagement.

Regarding the assertion that the project is not doing enough to recognize the history of the site, he stated that this site was home to the first surgicenter in the United States and that there simply wasn’t enough time in the presentation. Regarding height, all arguments asserting incompatibility require that Banner and its 250 feet of height entitlement be ignored from consideration. Regarding the assertion that the project will not be affordable to ordinary workers, the only other option available under the CNSPD are single family homes and those are unaffordable also and continue to increase in value. Regarding the design change, the design is not changing but they are instead

offering two options. At the last meeting, there was an immense amount of criticism about the elevations on the basis that they were not modern enough, so the applicant team is trying to provide an option to the committee. Regarding the criticism that the historic homes are under threat of development by the applicant, Fairfield Residential does not own the historic homes, but they have been included in the PUD to provide certainty that they will be preserved. Regarding the pedestrian safety, there is a stipulation that will require speed humps between McDowell Road and Coronado Road. For speed humps north of Coronado Road, the applicant team does not have control of that portion of street, but the neighbors can ask the city to install speed humps. Regarding traffic impact, the traffic study objectively identifies that the proposed project will produce fewer vehicle trips than what would be permitted by a medical office building. He concluded by stating that there is a strong staff recommendation to approve and that there is no opposition to the 48 foot building that is adjacent to residential neighbors.

Mr. Ed McCoy stated that Phoenix is in a housing crisis and that there needs to be flexibility in older plans since so much has changed in the past 37 years. The height of 80 feet is appropriate due to its location on a major arterial and adjacent to Banner University Medical Center which is constructed to a height of 200 feet and approved for 250 feet.

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

Vice Chair Nicole Rodriguez asked Dr. Reiner about the conservation plan's goal to ensure affordable housing opportunities to all residents and what the neighborhood has done to implement that goal. **Dr. Donna Reiner** stated that is outside the ability of the neighborhood to address but that what has happened is that owners have squeezed out renters and demolished or renovated and increased the rent. **Vice Chair Nicole Rodriguez** asked Dr. Reiner if there are plans to update the conservation plan because some items may be out of date. **Dr. Reiner** agreed that the conservation plan should be updated with regard to some items that may have changed such as parking, but she asserted that height remains a common denominator and that the guidance in the plan is still relevant. **Vice Chair Rodriguez** stated that the history of the Coronado neighborhood suggests that while it was never redlined, it was established for working class white families. **Dr. Reiner** agreed.

Committee Member Brent Kleinman stated that there has been significant progress but more that can be done by working with the neighborhood. He suggested the item be tabled until the February meeting because there was some confusion on the purpose of tonight's meeting and to allow for another meeting between the developer and stakeholders before it returns to the committee for a recommendation. He also stated that he would like to see a list of the people in support, opposition, concerns, and a response from the applicant to each of the concerns. **Chair Wagner** asked if Committee Member Kleinman is making a motion. **Committee Member Kleinman** declined.

Committee Member Jeremy Thacker asked staff if the committee has the authority to make aesthetic recommendations. **Mr. Joshua Bednarek** responded that in a traditional rezoning case, the committee has the authority to require “general conformance” to elevations. For a PUD, the committee is not only review design guidelines but also elevations. In this case, the committee can give direction to the commission and the city council. **Committee Member Jeremy Thacker** asked how these standards would be enforced when the project moves toward construction and what would happen if they were to make changes to the proposal. **Mr. Joshua Bednarek** responded that there is a definition for “general conformance” that would allow a maximum deviation of 10 percent from the plans submitted. If the changes exceed 10 percent and “general conformance” is stipulated, the stipulation would need to be amended through a public process. He then added that the applicant has agreed to a stipulation that would require adherence to certain design elements for the Spanish style or to return to the committee for ‘review and comment’ if the contemporary aesthetic is chosen. **Committee Member Jeremy Thacker** noted that there is a limited amount of land resources within the city and that density and height are often necessary.

Committee Member Drew Bryck asked the applicant if they feel another month would be productive in working toward a resolution. **Mr. Ed McCoy** stated that they have been working on the project for two years and that of the 2,000 homes in the Coronado neighborhood, only 5 have expressed concerns tonight and these individuals attended many of the many neighborhood meetings. He stated that most of the concerns related to height and architecture. Regarding architecture, Fairfield is agreeable with either of the two aesthetic approaches. Regarding height, Fairfield has decreased the height on Dayton Street from 5 to 4 stories, on Coronado Road from 3 to 1 stories, and the only way to make the project work is to place 7 stories on McDowell Road which is a major arterial street. He concluded by stating that he does not believe they will get to a point where the height will be satisfactory to the opponents.

Committee Member Drew Bryck asked if the Spanish Revival style was shared early enough to give the neighborhood time to review it. **Mr. Ed McCoy** responded that it was part of the PUD and that they worked directly with Mr. Castelletti and Mr. Vigil on that design for several months. He stated that the only distinctions from the preferences of Mr. Castelletti and Mr. Vigil is that they wanted a maximum of 5 stories and no balconies. The Spanish Revival style has been shared publicly for months and the contemporary option is in response to more recent comments from the neighborhood. Regarding affordability, he added that the rents are intended to provide missing middle housing for tenants such as nurses, teachers, and police officers.

Vice Chair Nicole Rodriguez stated that 270,000 housing units are needed. She stated that the parking requirements are arbitrary, but that housing demand is not and is drastically needed. In reviewing the conservation plan, the 7 stories are outside of the area that is being amended. She stated that 43 percent of households have 1 or fewer vehicles available. If serious about reducing housing costs, the parking supply should be reduced. Parking stalls in garages can range from \$30,000 to \$40,000 per space.

The applicant provided a thorough packet on neighborhood engagement, and she indicated that the case should move forward tonight rather than being delayed another month.

Committee Member G.G. George expressed support for a delay. She asked if the applicant has a record of the citizens who attended each of the meetings. **Mr. Paul Gilbert** responded that do and have provided that to the City of Phoenix as required. **Committee Member G.G. George** asked staff what it would take to move this meeting to another month so they applicant can provide a detailed account of who attended what meeting. **Mr. Joshua Bednarek** indicated that the committee can make a motion to continue the request to the next meeting with the direction that the applicant continue working with the community. He added that the applicant has provided staff with documentation of who they have met and worked with throughout the process.

Committee Member Brent Kleinman stated that he no longer feels a delay would be productive. He expressed interest in making a motion. **Mr. Bednarek** explained that Item No. 3 (Z-2-22-4) is the approval of the PUD and Item No. 4 (Z-15-22-4) is the amendment to the CNSPD. He then presented 3 versions of stipulation language that would 1) approve per the staff recommendation, 2) approve per the staff recommendation and require the Spanish Revival elevations, or 3) approve per the staff recommendation and require the more contemporary elevations.

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

MOTION

Committee Member Rick Mahrle made a motion to approve Z-15-22-4 per the staff recommendation. **Committee Member Jason Matthews** seconded to the motion.

DISCUSSION

Vice Chair Rodriguez stated that Committee Member Cothron is now attending the meeting by phone only.

Committee Member Ann Cothron reestablished her attendance in the meeting thereby bringing the quorum to 16 members (9 being required for a quorum).

Committee Member Ann Cothron suggested that there should be a pork-chop added to the egress from the parking garage onto Dayton Street to require existing vehicles travel southbound toward McDowell. She asked if this could be added as a friendly amendment. **Mr. Bednarek** stated that the vote for the PUD (Z-2-22-4) has already taken plan.

VOTE

12-2-1; motion to approve Z-15-22-4 per the staff recommendation passes with Committee Members Benjamin, Bryck, Cothron, Jewett, Kleinman, Mahrle, Matthews, Picos, Procaccini, Tedhams, Thacker, Vice Chair Rodriguez, Chair Wagner in support; with Committee Members George and Searles opposed, and Schiller abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

No comments.