

Attachment D

PLEASE RESPOND ELECTRONICALLY TO BRAD WYLAM 2ND FLOOR, 602-256-3322



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** August 10, 2022
From: Alan Stephenson
Planning & Development Department Director
Subject: **P.H.O. APPLICATION NO. PHO-1-22--Z-27-20-1** – Notice of Pending Actions
by the **Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **September 21, 2022**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **August 15, 2022**.

DISTRIBUTION

Mayor's Office (Lisa Fernandez), 11th Floor
City Council (Sina Matthes, Tony Motola), 11th Floor
Aviation (Sheldon Daisley)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Aaron Conway), 2nd Floor
Light Rail (Joel Carrasco/Special TOD Only)
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Natasha Hughes), 16th Floor
Public Transit (Michael Pierce)
Street Transportation Department (Maja Brkovic, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor
Street Transportation - Floodplain Management (Kristina Jensen, Elise Moore, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Alan Stephenson, Joshua Bednarek), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Tricia Gomes, Adam Stranieri, Brad Wylam), 2nd Floor
Village Planner (Nick Klimek, North Mountain Village)
Village Planning Committee Chair (Mike Krentz, North Mountain Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-22--Z-27-20

Council District: 1

Request For: Stipulation Modification

Reason for Request: Deletion of Stipulation 1 regarding a maximum building height of 30 feet.

Owner	Applicant	Representative
Matthew Luxenberg Family Trust 3801 Katella Avenue, #425 Los Alamitos CA 90720 (562) 533-7333 sebastean@sebloesch.com	Sebastean Losch, Trillium SFR 1717 West Northern Avenue, #106 Phoenix AZ 85021 (480) 823-9226 sebastean@sebloesch.com	Sebastean Losch, Trillium SFR 1717 West Northern Avenue, #106 Phoenix AZ 85021 P: (480) 823-9226 F: sebastean@sebloesch.com

Property Location: Southwest corner of 28th Drive and Sahuaro Drive

Zoning Map: K-7 Quarter Section: 29-22 APN: 149-17-154A Acreage: 3.82

Village: North Mountain

Last Hearing: CC HEARING

Previous Opposition: No

Date of Original City Council Action: 01/06/2021 230 PM

Previous PHO Actions: _____

Zoning Vested: R-3A

Supplemental Map No.: _____

Planning Staff: 080534

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,080.00	\$0.00	08/05/2022	22-0071647	Original Filing Fee

Signature of Applicant: _____ DATE: _____

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>09/21/2022 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

Trillium Residential SFR - Matlux

A request for Stipulation Amendment

To amend one stipulation concerning building height for the 3.82 acre property on the South West corner of Sahuaro Drive and 28th Drive (major intersection: I17 and Peoria Ave). The Subject Property is in the City of Phoenix and Maricopa County. APN: 149-17-154A, 149-17-154B

Submitted: July 29th 2022 for PHO Hearing date September 15th 2022.

Prepared By:
Trillium Residential SFR LLC
Sebastian K Losch
1717 W Northern #106
Phoenix AZ 85021
480-823-9226

Subject Site: Matlux – 10640 N. 28th Drive Phoenix AZ 85029



Property Background

On behalf of our team at Trillium Residential SFR, we are pleased to submit this PHO application. This narrative is a summary of our collective efforts over the past two years to bring new multifamily housing options to this fast-changing neighborhood next to the recently announced Metro Center.

The subject property is located at the southwest corner of 28th drive and Sahuaro drive in phoenix AZ. The Subject Property consists of 3.82 acres zoned R3A situated between large format retail to the east and single family residential to the west. The property is generally symmetrical. The property is generally bounded by 28th Avenue along the east, Sahuaro Drive along the north, 30th Avenue along the west and existing commercial along the south. The existing 30th Avenue (50-ft) right-of-way separates this property from the residential to the west.

The property previously functioned as an office park for several decades. After first acquiring the project, we successfully rezoned the property from CO to R3A with the intent to utilize the existing structure as an adaptive reuse into apartments. We would then have built single family rentals around the existing structure. However, with the recent rise of crime and other illicit activities in this area, the office building found itself overrun by these activities. Regardless of the efforts to clean things up, it became an uphill battle. We then contacted the phoenix police department and their Community Action Officer to review the best options for the community. The conclusion amongst all parties was to demolish the building, which we willingly did. During this time period we successfully rezoned the property to R3A multifamily residential. Zoning Case Number Z-27-20-1.

Shortly after this period, we began the process of site planning a second time for a ground-up multifamily for rent project. At the time we believed we designed a beautiful solution that would improve the neighborhoods value and overall community pride. Although the design was generally accepted by the surrounding neighborhood and its residents, some of the parking details within our plan were not. We unsuccessfully attempted a Zoning Adjustment Hearing to reduce the required parking on site, given that there was ample parking along 30th street and Sahuaro Drive. Since this time, we have conducted outreach to these neighbors and the surrounding neighborhood to provide feedback and information as to what they would prefer. The conclusion of this effort is the current proposed site plan we are submitting with this PHO

process. We started from the beginning with our site planning team and architect. We developed a for rent two- and three-story townhome project that not only fit within the majority of the technical requirements of the property, but it also provides this neighborhood with a tasteful elegant project consisting of approximately 50 luxury townhomes. The future residents are provided all their parking needs within the property as well as their private garages. This solved the core street parking concern from the residents to the west, as the site handles all parking requirements in line with city code. The aesthetic is taken from a modern farmhouse style and provides modern design combined with traditional elements. Each resident is provided a yard and plenty of natural light so as to blend in with the surrounding neighborhood and the North Mountain Village vision. We believe this design provides a wonderful transition from the single-family home portion of the neighborhood to the dense retail along 28th drive without being overbearing or obstructive.

In conclusion, we have conducted a two-year endeavor to not only refine our plan for the subject property but include the valuable feedback and concerns from the surrounding community. The resulting work product of this effort is set forth In-front of you, changing our site plan from 68 Units to approximately 50 luxury townhome rental homes.

Existing Stipulations and Rationale

Our research and recent discussions with staff illuminated us to the reason behind the initial 30 foot height restriction. The Staff Report produced the current stipulations to encapsulate our proposed plan at that time. We had an early plan that utilized the then existing office building as an adaptive reuse to apartments, and the addition of two-story single-family rental dwellings surrounding it. This early draft plan thus showed a two-story maximum height (otherwise characterized as 30ft) for all of the structures both existing and new.

At the time of the zoning hearing The Staff had stated that the proposed plan at that time would need to apply for a variance due to the existing office buildings position in relation to 28th drive and the required setbacks for a residential structure under R3A.

- a. Staff Report Z-27-20-1 Nov 13 2020, Development Standards Table pg 4: The existing building extended 2.5ft into the minimum 20 foot perimeter setback along 28th Drive.

Based on conversations with Staff, since this variance request would need to take place at a later date, Staff could not recommend a General Conformance approach and thus encapsulated our prior plan using detailed stipulations to best capture the project design at the time.

Now that the existing structure was demolished, our new proposed site plan and elevations are more complete, and both the staff and the community now have something more definitive to work with in determining our compliance with the stipulations and other technical factors. As can be seen on our proposed plan, we not only fulfill the minimum setback requirements, but we provide a nearly 70 foot buffer between our structure and the neighborhood to the west.

Request for Stipulation Amendment

Deletion - Stipulation 1 ~~“The maximum building height shall be 30 feet.”~~

This application seeks to delete the stipulation found on **Section 3 Paragraph 1**. This current stipulation states **“The maximum building height shall be 30 feet.”** It is our request to delete this stipulation which would revert the height requirement back to the R3A ordinance of 40ft for the first 40 feet and increasing to maximum of 48ft. Our new proposed plan would not exceed 30 feet on several portions of the property, and the remaining portions would only reach a maximum height of 36 feet. Our intention is to conform with all other stipulations and staff recommendations around walkable urban elements and transit-oriented development standards.

1. **R3A only requires a 20-foot set back**

- a. The dwelling units on the western edge of the property would effectively have a 70-foot buffer from the neighborhood to the west. The 50 foot right of way along 30th st. combined with the 20 foot setback we have incorporated on our plan exceeds the intention of this ordinance which calls for a buffer next to any structures taller than 2 stories.

2. R3A limits building height to 40ft

- a. Our dwelling units will only require a maximum 36 feet of height, falling well under the 40ft and 48 ft limits provided by this ordinance.

Expanded Rational

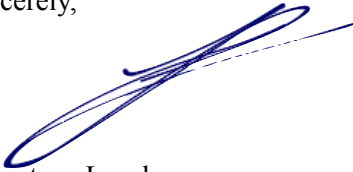
With the recently announced exciting plans for Metro Center less than 1600 feet south of the subject property, we anticipate the need for a relatively new category of rental property, Family Friendly Transit Oriented Development. This type of product is characterized by the walkable urban code and pedestrian friendly design, design that encourages walking and biking. The market has an ample supply of development plans for smaller more urban style apartments. However, we have found that this specific neighborhood is and will be in need of larger rental homes with full two car garages that provide room for an entire family, while still being a walkable, bike friendly infill property. With this stipulation amendment we can provide a mix of unit sizes to accommodate full families, working professionals and the all-important local labor. We are seeing individuals that may need to share the cost of rent with another individual to make the cost of living manageable. We don't see other new housing products that address this need in this manner anywhere else in the valley, and feel it is a much needed niche to address.

In a fast growing and price driven market like we are in today, even the studio style rentals are priced too high for much of the labor force. The only option is to provide homes with two master bedrooms so these individuals can enjoy the location, amenities and quality of life while still being affordable. With our proximity to the coming growth at Metro Center, we see this product mix as a necessary component to the larger growth strategy for the entire area. We have aligned our vision with that of other local developers and the city of phoenix and feel this design fulfills all stakeholders' objectives.

Given that our property is separated from the adjacent residential to the west by a 50ft wide right of way, we believe this exceeded the intent of the ordinance for providing buffers and compatibly. Given the right of way width and the building setback there is essentially +/- 70' of separation between our buildings and the residential properties, therefore, minimizing perceived impacts of height. We believe our request is in line with the ordinance intent and does not have negative impacts to the surrounding area.

We respectfully request your approval of this stipulation modification.

Sincerely,



Sebastean Losch

Trillium Residential SFR LLC

ORDINANCE G-6790

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-27-20-1) FROM C-O (COMMERCIAL OFFICE) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 3.82 acre site located at the southwest corner of 28th Drive and Sahuaro Drive in a portion of Section 23, Township 3 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-O" (Commercial Office) to "R-3A" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The maximum building height shall be 30 feet.
2. All elevations of the buildings shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
3. The public sidewalk along 28th Drive shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards. 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, shade trees shall be placed 25 feet on center or in equivalent groupings. Fifty percent of the required trees shall be a minimum 3-inch caliper and 50 percent shall be a minimum 2-inch caliper.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
4. All ground level units with adjacency to a public street shall incorporate a direct pedestrian pathway from a unit entry to the public sidewalk, as approved by the Planning and Development Department.
5. No solid perimeter wall greater than 40 inches in height shall be situated in any required building setback adjacent to a public street, as approved by the Planning and Development Department.
6. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. "Secured/Covered Facilities" and/or "Outdoor/Covered Facilities" shall be provided for residents at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.
 - b. Inverted-U style bicycle racks with capacity for a minimum six bicycles for guests shall be located near the primary pedestrian entrance to the building.
 - c. A bicycle repair station ("fix it station") shall be provided in an area of high visibility, separated from vehicular maneuvering

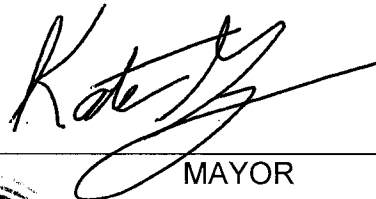
areas, and located within close proximity to 28th Drive. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

7. The developer shall dedicate a 10-foot wide sidewalk easement on the west side of 28th Drive, as approved by the Planning and Development Department.
8. The developer shall construct all streets within and adjacent to the development 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. 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.
10. Prior to preliminary 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.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of January,

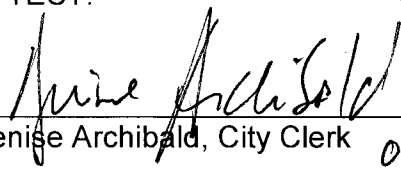
2021.



MAYOR

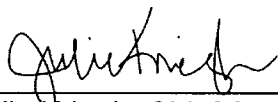


ATTEST:



Denise Archibald, City Clerk 01.19.2021

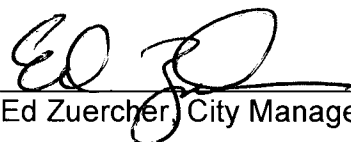
APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: 

Julie Kriegh, Chief Assistant City Attorney

Pml

REVIEWED BY:

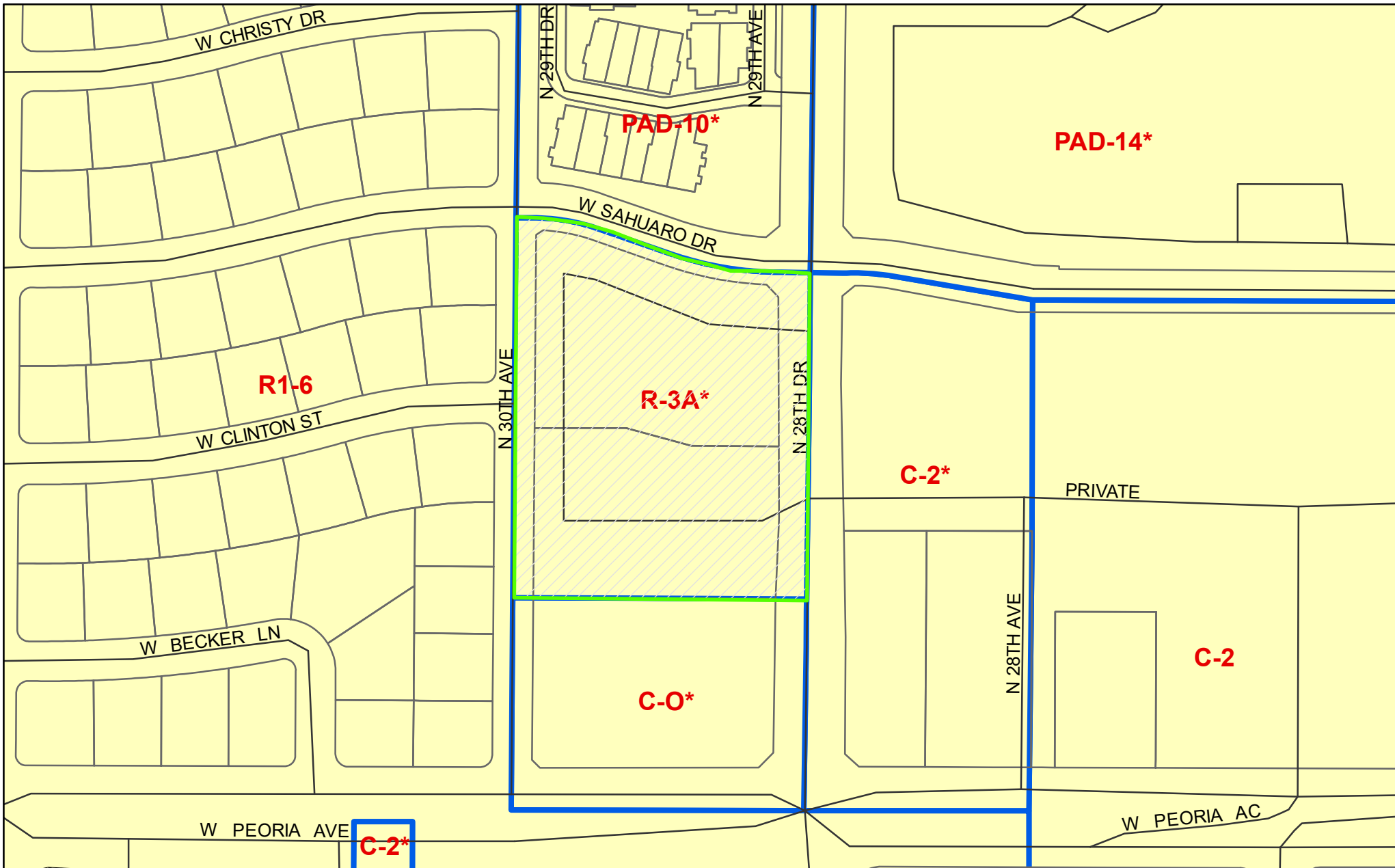


Ed Zuercher, City Manager

Exhibits:

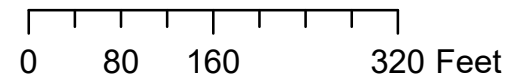
- A – Legal Description (1 Page)
- B – Ordinance Location Map (1 Page)

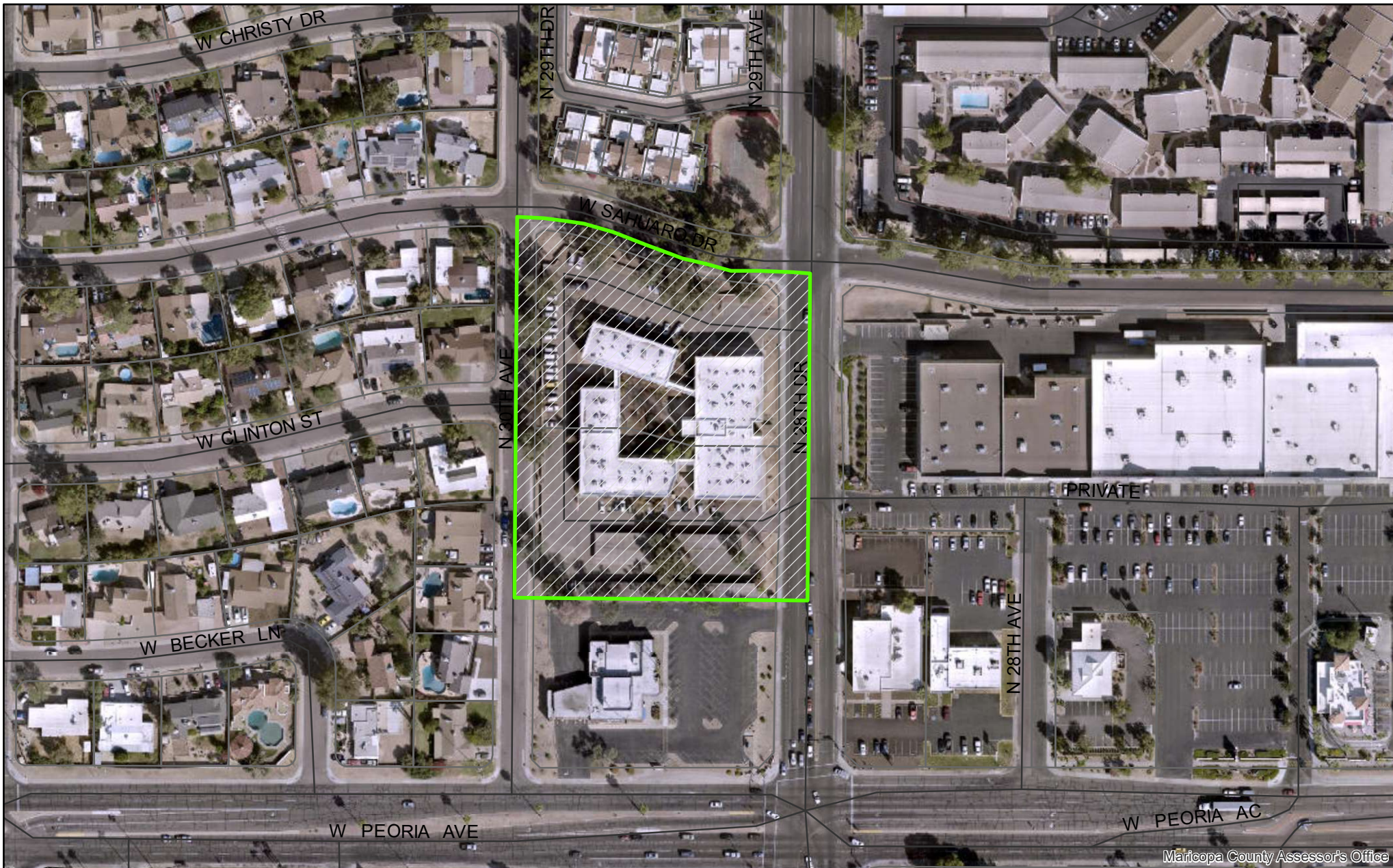
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PHO-1-22--Z-27-20-1

Property Location: Southwest corner of 28th Drive and Sahuaro Drive





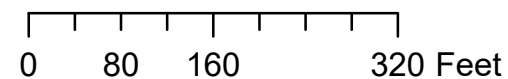
Maricopa County Assessor's Office

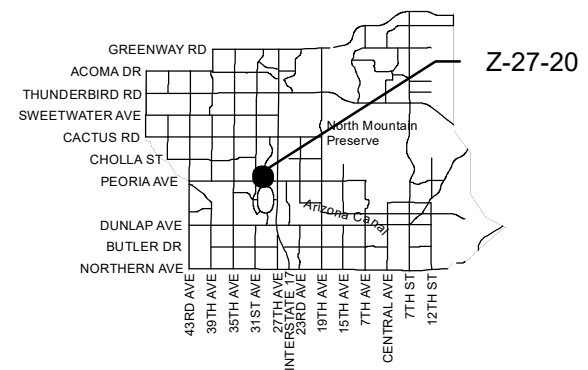
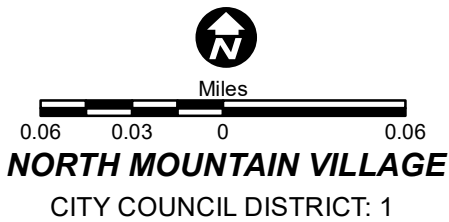
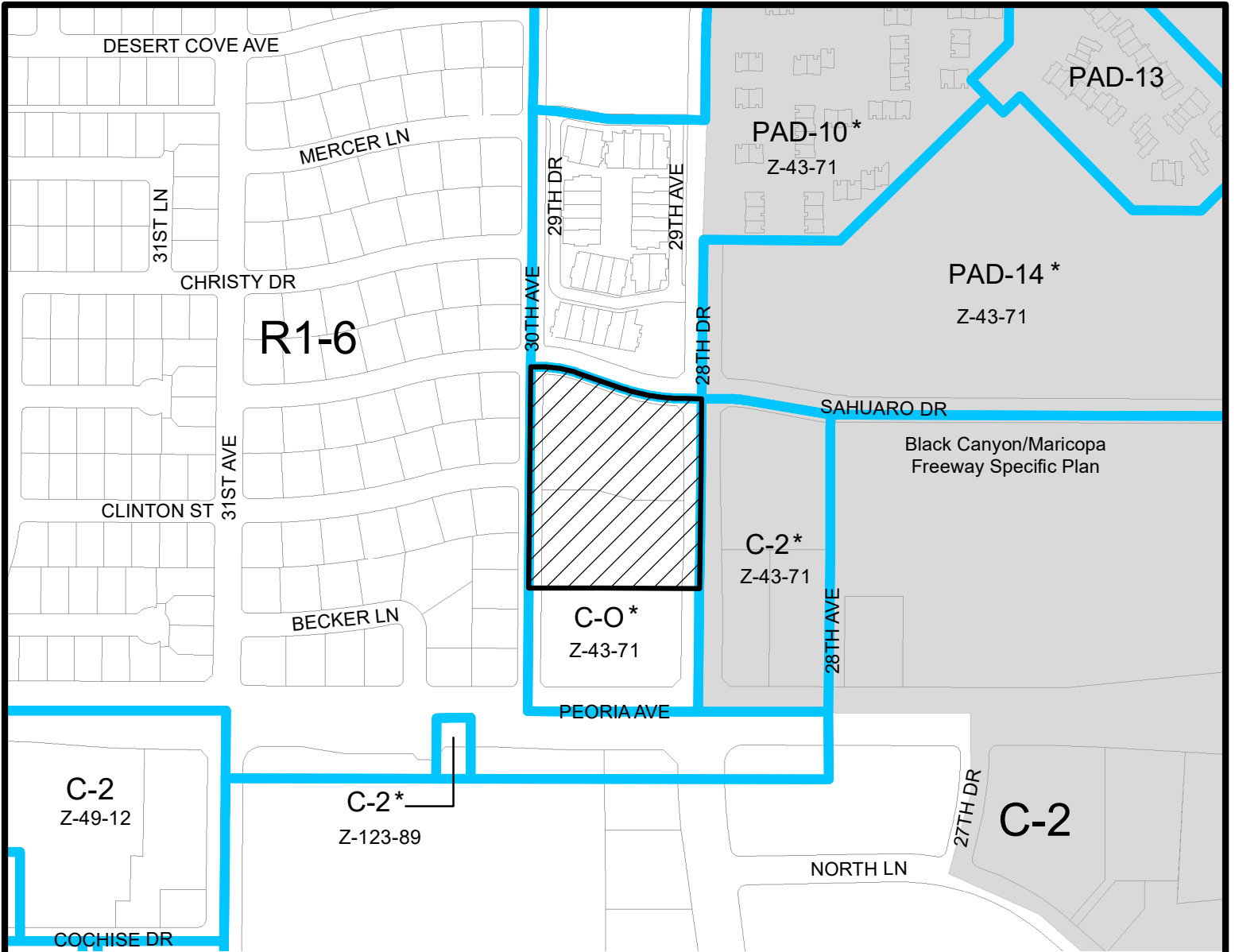
PHO-1-22--Z-27-20-1

Property Location: Southwest corner of 28th Drive and Sahuaro Drive



Planning & Development Department





APPLICANT'S NAME: Matthew Luxenberg Family Trust		REQUESTED CHANGE:	
APPLICATION NO. Z-27-20		FROM: C-O (3.82 a.c.)	
DATE: 8/19/2020 <small>REVISION DATES:</small>		TO: R-3A (3.82 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 3.82 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 29-22	<small>ZONING MAP</small> K-7
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
C-O		N/A	
R-3A		101	

* Maximum Units Allowed with P.R.D. Bonus

COUNCIL ACTION ON AGENDA FOR FORMAL MEETING

WEDNESDAY, JANUARY 6, 2021, 2:30 PM

COUNCIL CHAMBERS, 200 WEST JEFFERSON ST

PHOENIX, ARIZONA 85003

ITEM 53	District 3	Final Plat - Lookout Mountain Villas - PLAT 200565 - 18th Street and Winchcomb Drive	Approved
ITEM 54	District 8	Final Plat - 28th Street Lofts - PLAT 200556 - East of 28th Street and North of Wier Avenue	Approved
ITEM 55	District 1	Abandonment of Right-of-Way - ABND 200544 - 3836 Saint John Road (Resolution 21889)	Adopted
ITEM 56	District 2	Amend City Code - Official Supplementary Zoning Map 1208 (Ordinance G-6783)	Adopted
ITEM 57	District 1	Amend City Code - Ordinance Adoption - Rezoning Application Z-27-20-1 - Southwest Corner of 28th and Sahuaro Drives (Ordinance G-6790)	Adopted
ITEM 58	District 1	Amend City Code - Ordinance Adoption - Rezoning Application Z-44-20-1 - Approximately 350 Feet South of the Southeast Corner of 19th Avenue and Happy Valley Road (Ordinance G-6784)	Adopted
ITEM 59	District 4	Amend City Code - Ordinance Adoption - Rezoning Application Z-45-20-4 - Southeast Corner of 45th Avenue and Hubbell Street (Ordinance G-6786)	Adopted
ITEM 60	District 7	Amend City Code - Ordinance Adoption - Rezoning Application Z-3-20-7 - Northwest Corner of 15th Avenue and Vineyard Road (Ordinance G-6787)	Adopted

REZONING CASES

5. **Application #:** Z-27-20-1
From: C-O
To: R-3A
Acreage: 3.82
Location: Southwest corner of 28th Drive and Sahuaro Drive
Proposal: Multifamily residential
Applicant: Matthew Luxenberg Family Trust
Owner: Matthew Luxenberg Family Trust
Representative: Kris Losch, Trillium Residential, LLC

Ms. Racelle Escolar stated that Item No. 5 is Z-27-20-1, a request to rezone 3.82 acres located at the southwest corner of 28th Drive and Sahuaro Drive from C-O (Commercial Office District) to R-3A (Multifamily Residence District) to allow multifamily residential.

The North Mountain Village Planning Committee recommended approval, per the staff recommendation by a 17-0 vote.

Staff recommends approval, per the North Mountain Village Planning Committee recommendation, with the addition of the standard Proposition 207 waiver of claims stipulation as follows:

PRIOR TO PRELIMINARY 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.

Chairman Johnson stated that there were no speakers in opposition.

Vice-Chairwoman Shank made a **MOTION** to approve Z-27-20-1, per the North Mountain Village Planning Committee recommendation, with the additional stipulation as read into the record.

Commissioner Gaynor SECONDED.

There being no further discussion, Chairman Johnson called for a vote and the MOTION PASSED 9-0.

Stipulations:

1. The maximum building height shall be 30 feet.
2. All elevations of the buildings shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.

3. The public sidewalk along 28th Drive shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards. 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, shade trees shall be placed 25 feet on center or in equivalent groupings. Fifty percent of the required trees shall be a minimum 3-inch caliper and 50 percent shall be a minimum 2-inch caliper.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
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5. No solid perimeter wall greater than 40 inches in height shall be situated in any required building setback adjacent to a public street, as approved by the Planning and Development Department.
6. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. "Secured/Covered Facilities" and/or "Outdoor/Covered Facilities" shall be provided for residents at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces
 - b. Inverted-U style bicycle racks with capacity for a minimum six bicycles for guests shall be located near the primary pedestrian entrance to the building.
 - c. A bicycle repair station ("fix it station") shall be provided in an area of high visibility, separated from vehicular maneuvering areas, and located within close proximity to 28th Drive. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

Planning Commission Minutes for December 3, 2020 (VIRTUAL MEETING)

7. The developer shall dedicate a 10-foot wide sidewalk easement on the west side of 28th Drive, as approved by the Planning and Development Department.
8. The developer shall construct all streets within and adjacent to the development 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. 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.
10. PRIOR TO PRELIMINARY 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.

North Mountain Village Planning Committee Minutes - November 18, 2020

At this time, members Barraza and Ford arrived and member Herrera lost connection bringing the quorum to 16 members.

Chair Carrell stated that this item is a means of formalizing the Village's approval for its character plan and, while possible to reopen items for further discussion and refinement, is intended to be a formality.

Klimek, staff, stated that the Village Planning Committee approved the Character Plan in late 2019 meeting and that this General Plan Amendment is the way it can be added to the Phoenix General Plan. He then shared the pages of the Character Plan that was previously approved by the committee.

QUESTIONS FROM THE COMMITTEE

None.

PUBLIC COMMENTS

None.

MOTION, DISCUSSION, AND VOTE.

MOTION:

O'Hara motioned to approve per staff recommendation. Argiro seconded the motion.

DISCUSSION:

None.

VOTE:

VOTE: 16-0-0, with Church, Jaramillo, Magallanez, Argiro, Alauria, Viedmark, Barraza, Ford, O'Connor, O'Hara, McBride, Sommacampagna, Matthews, Perez, Vice Chair Krentz, and Chair Carrell in favor; none in dissent or abstention.

4. **Z-27-20-1:** Presentation, discussion, and possible recommendation regarding a request to rezone approximately 3.82 acres located at the southwest corner of 28th Drive and Sahuaro Drive **from** C-O (Commercial Office C-O District – Restricted Commercial) **to** R3-A (Multifamily Residence District) to allow multifamily residential.

At this time, member Herrera returned bringing the quorum to 17 members.

STAFF PRESENTATION

Klimek, staff, provided an overview of the site and the request as follows: the site is 3.82 acres; is located north of Metrocenter Mall at the southwest corner of 28th Drive and Sahuaro Drive; is currently zoned C-O (Commercial Office); and the applicant is request R3-A zoning to allow for multifamily residential.

The site is located within one-half mile from the North Mountain Village Core (Metrocenter Mall) which is envisioned and entitled for high intensity walkable urban development and the northern terminus of the light rail. Metrocenter is designated as a Regional Urban Center Place Type in the Transit Oriented Development Strategic Policy Framework which is second only to the Downtown Place Type in terms of intensity. The request is consistent with the Commercial Designation in the Phoenix General Plan Land Use Map and is located at a transition point between recommended multifamily designations to the north and west and commercial uses to the south and east.

The request is for the adaptive reuse of an existing office building with the option of a second phase which would add units along the southern and western edges of the site.

The request is consistent with policy guidance, the General Plan Land Use Map designation, enables the adaptive reuse of an existing office building, and is compatible with surrounding land uses and the intent of the North Mountain Village Core. Staff is recommending approval subject to nine stipulations relating to height, architectural enhancements, a detached sidewalk along 28th Drive, ground level units being designed with direct pedestrian access to the nearest public sidewalk, no solid perimeter walls beyond 40" when adjacent to a public street, enhanced bicycle facilities, and standard street and archaeology stipulations.

APPLICANT PRESENTATION

Kenneth Losch, Trillium Residential, introduced himself as the owner / developer and stated that this is their third residential project in the area with the first being near 23rd Avenue and Northern Avenue and the second being the east half of the former El Caro Golf Course. The proposed project is a similar residential model as their recent projects and is intended to provide a high-market option for individuals wishing to rent in a highly amenitized project designed to support a strong social community, a walking / bicycling community, and one designed to support transit ridership.

Within a 5 mile radius, there is a high population density and a high concentration of employment including approximately 14,500 in healthcare. Conversations with major employers including healthcare facilities have revealed that one of the biggest challenges to recruiting doctors, nurses, and other skilled employees is the lack of high quality housing within a reasonable commute. The

residential model targets this workforce and is envisioned for residents with a relatively high income.

The existing office building is about 60 percent occupied and most tenants have month-to-month leases. When purchased, there was significant blight on the property including issues with the homeless both inside and outside the building.

QUESTIONS FROM THE COMMITTEE

Matthews noted there appears to be an 18 parking stall deficit and noted the existence of many mature trees on the site and asked whether these will be removed. **Argiro** added that the deficit appears to exist due to the additional 20 units proposed in Phase 2.

- *Regarding Trees.* **Losch** responded that many of the mature trees on the site are Eucalyptus which have an extremely invasive root system that can be extremely problematic for foundations and sidewalks. He added that they understand that trees and landscaping are necessary for the high-market residential community they are seeking to create. The company has not yet conducted a study of each tree but they will be preserving where possible.
- *Regarding the parking deficit.* **Losch** responded that the calculation does not include tandem parking for the duplex units proposed on the south and west of the site and that the development is also being designed to feature walking, biking, and transit use as a central amenity. He explained that he is from Vancouver and wants to create an environment where, like in Vancouver, residents will be able to go a few weeks without using their cars. To convey these elements as an amenity, they often include both pedal and electric-assist bicycles that their residents can borrow.

Argiro asked what the second phase buildings will look like. **Losch** asked **Klimek** to share some of the renderings from the proposal for the east half of the former El Caro Golf Course, **Klimek** did. **Losch** narrated that units will be modern in design, include 1 and 2 bedroom configurations, have statement kitchens with a euro-aesthetic, and will have yards, patios, and balconies.

Alauria and **Perez** inquired about the level of neighborhood input and engagement and whether they feel like they have heard enough to move forward. **Losch** responded that they have met the requirements of the city notification process and had attendance at their virtual neighborhood meeting from several individuals from the community north of Sahuaro Drive. He further explained that due to the serious blight that had existed on the site prior to their purchase, they have developed close relationships with several neighbors and have even employed one of the homeless individuals from the site as security / management. In summary, the adjacent neighborhoods are supportive of the project because Trillium's ownership has already addressed many of the blight conditions and the project will further strengthen the area.

PUBLIC COMMENTS

None.

MOTION, DISCUSSION, AND VOTE.

MOTION:

McBride motioned to approve per staff recommendation. **Ford** seconded the motion.

DISCUSSION:

None.

VOTE: 17-0-0, with Church, Jaramillo, Magallanez, Argiro, Alauria, Viedmark, Herrera, Barraza, Ford, O'Connor, O'Hara, McBride, Sommacampagna, Matthews, Perez, Vice Chair Krentz, and Chair Carrell in favor; none in dissent or abstention.

5. **INFORMATION ONLY:** Presentation and discussion regarding the 2020 North Mountain Village Annual Report.

Klimek, staff, presented progress on the annual report and his attempts to implement the suggestions of the committee at their October meeting with specific regard to the cover page and projects to highlight. He shared the Year to Date meeting statistics, the group photo from the last meeting, the new members, and the members with perfect attendance.

Regarding the Cover Page. **Viedmark** stated that she loves the cover page but suggested the image at the top right be replaced with something that is more intuitive. **Perez, Alauria, and Ford** recommended the top right photo be replaced with one of "S" Mountain in Sunnyslope.

Klimek explained that he will make the changes and send a link to the published annual report in early 2021 once we have year-end data.

Chair Carrell asked if members can send suggestions by email in the coming weeks. **Klimek** agreed.

6. **INFORMATION ONLY:** Presentation and discussion regarding the Village Planning Committee (VPC) Handbook and the Village Planning Committee (VPC) "Best Meeting Practices" guide.

Klimek, staff, provided an overview of the VPC Handbook and Best Meeting Practices including the role of the committee, the composition of the committee, conflicts of interest, the rezoning process including steps preceding the public