



## Village Planning Committee Meeting Summary

### Z-33-21-4

<b>Date of VPC Meeting</b>	October 4, 2021
<b>Request From</b>	P-2 TOD-1
<b>Request To</b>	WU Code T4:2 MT
<b>Proposed Use</b>	Single-family attached
<b>Location</b>	Northeast corner of 1st Avenue and Holly Street
<b>VPC Recommendation</b>	Approval with per staff recommendation with modifications to Stipulation No. 5.
<b>VPC Vote</b>	11-0

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

*One speaker card was received on this item, in support, and wishing to speak.*

*At this time, Cothron arrived bringing the quorum to 14 members, 8 being required for a quorum,*

#### **STAFF PRESENTATION**

**Klimek**, staff, provided an overview of the case as detailed in the published staff report including background, the proposal for the development of the site for six single-family attached homes, that will be a subdivision with lot sales. The proposal includes alley loaded garages for all residences, on-street parking for guests, a vegetated streetscape with detached sidewalks, main entries and porches oriented to the street, and shade trees. The proposal is compatible with the character of the area, advances the vision and recommendations of the Midtown TOD Policy Plan, and will create additional housing options in line with the goals contained in the Housing Phoenix Plan.

Staff is recommending approval subject to 10 stipulations focused on neighborhood compatibility by restricting height to 30 feet, restricting density to 6 units / lots, requiring the streetscape be replenished to the standards contained in Section 13, and requiring enhanced landscape plantings along the west property line where adjacent to a single-family home. Additionally, staff is recommending a stipulation to require the alley be paved to a minimum width of 20 feet to the nearest two cross streets unless modified by a technical appeal. There are four additional stipulations pertaining to ADA compliance, aviation requirements, and archaeology requirements.

## APPLICANT PRESENTATION

**Christiana Moss** introduced herself as a Principal at Studio MA, and the development team including Christopher Alt, of Studio MA, and Allan and Benjamin Gutkin of JAG Development. The rezoning process for this infill project has been a labor of love and has been taken as an opportunity to implement a sustainable and biophilic design that complements the historic Willo District while also transitioning to transit oriented development along Central Avenue. The process has included multiple meetings with the Willo neighborhood and its zoning committee. Those have resulted in refinements including a stronger setback to the west, layering in the architecture, and the voluntary inclusion of stipulations pertaining to height and density. The project is envisioned for residents to access their garages from Cypress but that, as staff reported, a technical appeal will be required to remove the requirement to pave the alley to both Cypress and 3rd Avenue.

The rowhouse typology and project design is intended to transition from the beautiful single-family homes to the west to the parking structures to the east and south of the site, beyond which, high intensity development can be found along the light rail line. The project is trying to create as much of a product to those with larger housing needs, because many of the homes that we do have are small and petite. This layout will create six homes where only would have been possible if Willo lot widths were replicated. She concluded by thanking the committee and by offering to answer any questions.

## QUESTIONS FROM COMMITTEE

**Rodriguez** asked about the current alley material and, if utilities are present, if they will be put underground.

- **Moss** responded that the alley is approximately 12 feet of asphalt and the code would require 20 feet of pavement to both public streets unless a technical appeal is granted. The neighborhood doesn't support paving the alley to the south and that several homes have open fences, or no fences oriented onto the alley.
- **Christopher Alt**, of Studio MA, added that all new utilities will be underground that that they will be undergrounding as many utilities as possible.

**Bryck** expressed support for the project, the design, and for including sustainable elements into the project. He asked if having access to the Walkable Urban Code was viewed as an advantage when considering locations for the project compared to areas with only traditional zoning districts. Additionally, he asked if westbound Holly Street will remain open to pedestrians.

- **Moss** responded that westbound Holly Street will remain open to pedestrian. Regarding the Walkable Urban Code, its vision for a human-scaled and pedestrian oriented environment is aligned with the goals of the project and the mission of the development collaborative. Transit oriented development is most important to the project. To the knowledge of the development collaborative, this is the first single-family attached project to be developed under the Walkable

Urban Code which has been a learning experience for staff and for team members.

**Cothron** asked what LEED Rating the project will pursue, if the homes will include solar, if residents and/or visitors will have access to nearby parking.

- **Moss** responded that the project is being designed to the Living Building Challenge Core, which is the next generation sustainability target for architecture, will be solar-ready, and will include options for buyers to reach net-zero energy. The efficiency standards will likely be equivalent to LEED Gold or better. Additionally, there is free guest parking available on street.

**Cothron** applauded the applicant for their sustainability measures because it is a core value of the Encanto Village.

**Wagner** thanked the applicant for their patient outreach to the neighborhood and collaborative approach which has led to an overwhelmingly positive response to the project.

**Rodriguez** noted that will not support the technical appeal stipulation that would require pavement to the two nearest streets because more pavement will only exacerbate the urban heat island issues. She asked if there will be required to install lights in the alley, noting that Willo generally doesn't like light pollution and that alley lights would likely contribute to most westbound alley traffic.

- **Moss** responded that the development would prefer residential scale lighting on the garages that would, you know, preserve any semblance of dark sky that we could with downward facing lights.

**Rodriguez** expressed support for downward pointing residential scale lighting and thanked the applicant for the thoughtful approach.

**Procaccini** expressed that he is happy with the project with is an excellent example of infill development.

- **Moss** responded that the collaborative hopes to move forward as quickly as possible and would expect to start in the second quarter of 2022 with a 12-month construction timeline.

**Chair Kleinman** expressed his support for the project and indicated that this type of ownership model can and should be replicated across central Phoenix.

**Benjamin** stated that it will be almost impossible to stop westbound vehicular traffic in the alley whether it is paved or not. He asked if there will be a HOA to maintain the common landscape areas.

- **Moss** responded that the project would have a HOA to maintain common areas and that, in addition to signage and pavement to Cypress only, they will try to develop a culture in the HOA to direct residents to enter and exit from the east, out of respect for the neighborhood.

## PUBLIC COMMENTS

**Tom Doescher** introduced himself as the Chair of the Willo Zoning Committee and expressed his support. He indicated that the committee made suggestions and that the development team listened. He added that this is one of the last vacant lots at the periphery of the neighborhood and that redeveloping these in a thoughtful manner is a priority of the Willo Neighborhood Conservation Plan.

## APPLICANT RESPONSE

None.

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

**Klimek**, staff, clarified that city code would require the alley be paved to both intervening streets and indicated that the mention of a technical appeal is a way for the applicant to seek relief from that requirement. He added that, if desired, the committee can strike Stipulation No. 5 in its entirety or can modify it to only require paving to Cypress and, neither action would preclude the applicant from seeking relief through a technical appeal.

## MOTION

**Rodriguez** moved to approve the request per the staff recommendation with the deletion of Stipulation No. 5.

- **Vice Chair Drew Bryck** suggested a friendly amendment to modify the motion to require only the pavement to Cypress Avenue. **Moss**, applicant, clarified that they support paving to Cypress Avenue and believe it would formalize the intended flow of vehicular ingress and egress.
- **Rodriguez** asked, with the requirement to pave to Cypress Avenue, to add a requirement that the alley pavement be permeable.
- **Klimek**, staff, indicated that there is presently a motion on the table, a suggestion for one friendly amendment, and a potential clarification to the original motion. He suggested that procedurally, the cleanest way to handle this would be for Rodriguez to withdraw the motion and restate.

**Rodriguez** withdrew her motion.

## MOTION

**Rodriguez** moved to approve the request per the staff recommendation with the modification of Stipulation No. 5 to pave only to Cypress Avenue with permeable paving and keeping the width of the alley as-is. **Vice Chair Bryck** seconded the motion.

**Chair Kleinman** asked staff if the applicant can address the committee. **Klimek**, staff, responded that the floor is closed by that he can provide the applicant with the floor.

**Chair Kleinman** noted that the applicant had worked so closely with the neighborhood and the treatment of Stipulation No. 5 would impact the neighborhood. As such, he invited the applicant to provide comment on the motion.

**Alt**, applicant, stated that the development team are advocates for permeable pavement and efforts to reduce the urban heat island effect. As a speculative project, he asked if it would be acceptable to change to wording of the motion to reference “cool pavement” such as that recently completed as a pilot project by

**Chair Kleinman** asked member Rodriguez if the applicant’s suggestion would be an acceptable amendment to the motion. **Rodriguez** confirmed noting that the intent of her motion was to reduce urban heat island and the cool pavement program does mitigate urban heat.

**Rodriguez** asked to amend her motion as follows:

“to approve the request per the staff recommendation with the modification of Stipulation No. 5 to pave only to Cypress Avenue with permeable paving AND/OR “COOL PAVING” and keeping the width of the alley as-is.”

**Vice Chair Bryck** accepted the amendment to the motion he had seconded.

## **DISCUSSION**

**George** stated that she appreciates the sensitivity of the project and will support wholeheartedly.

**Vice Chair Bryck** stated that while the stipulation may not change the mind of the Street Transportation Department but hopefully, if the committee keeps doing this, they will be better team players and stop burdening infill development with excessive infrastructure.

## **VOTE**

**11-0-0**; motion passed with Benjamin, Cothron, George, Mahrle, Matthews, Procaccini, Rodriguez, Searles, Wagner, Vice Chair Bryck, and Chair Kleinman in support; none in dissent; and none in abstention.

### **STAFF COMMENTS**

The Subdivision Ordinance requires that developments with access from a public alley pave the subject alley to the nearest two cross streets. The language recommended by the Village Planning Committee seeks to provide direction on a future technical appeal, support the desires of the neighborhood to reduce potential westbound vehicular traffic toward 3rd Avenue, and seeks to reduce urban heat island issues.

### **RECOMMENDED STIPULATIONS**

1. The maximum building height shall be 30 feet
2. The project shall not exceed 6 lots and/or 6 dwelling units.
3. The existing streetscape landscape area between the curb and sidewalk shall be replenished, as required by Chapter 13, Section 1309.B of the Phoenix Zoning Ordinance and as approved by the Planning and Development Department.
4. The required landscape setback along the western property boundary shall be planted with shade trees placed 20 feet on center or in equivalent groupings, excluding driveway entrances, and all required trees shall be a minimum 3-inch caliper. Existing trees may be utilized toward the requirement. The above conditions shall be approved by the Planning and Development Department.
5. THE DEVELOPER SHALL PROVIDE PERMEABLE AND/OR COOL PAVEMENT OF NO GREATER WIDTH THAN EXISTING TODAY FROM THE SUBJECT SITE TO CYPRESS AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~The developer shall provide 20 feet of paving per the local street standards for the full length of the alley to the two nearest cross streets unless otherwise modified by a technical appeal, as approved by the Planning and Development Department.~~

6. 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.
7. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
8. The developer shall grant and record an avigation easement to the City of

Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

9. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
10. 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.