



Village Planning Committee Meeting Summary

Z-84-23-3

Date of VPC Meeting	February 5, 2024
Request From	R1-6
Request To	R-3A
Proposal	Multifamily residential
Location	Approximately 675 feet west of the southwest corner of 20th Street and Campo Bello Drive
VPC Recommendation	Denial
VPC Vote	15-0

VPC DISCUSSION:

21 members of the public registered to speak in opposition to this item, eight members of the public registered in opposition but did not wish to speak, and two members of the public registered to speak in favor of this item.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of rezoning case Z-84-23-3, describing the location, request, surrounding land uses and zoning, and the General Plan Land Use Map designation. Mr. Zambrano then described the proposal, discussing the proposed site plan, landscape plan, and elevations. Mr. Zambrano noted that staff has received 19 letters of opposition, two letters with concerns, and 25 letters of support for this request, and summarized the concerns. Mr. Zambrano concluded by sharing the staff findings, recommendation of approval and the recommended stipulations.

Applicant Presentation:

Joshua Ursu provided an overview of the request and regional context of the site. Mr. Ursu shared the General Plan Land Use Map designation, surrounding land uses and zoning. Mr. Ursu then discussed the proposed site plan and elevations. Mr. Ursu concluded by summarizing neighborhood outreach efforts, concerns heard, and revisions made to the site plan and elevations in response to feedback received.

Questions from the Committee:

Ana Bustamante asked how many parking spaces were proposed. **Mr. Ursu** responded that there would be a total of 39 parking spaces.

Vice Chair Anita Mortensen asked if the parking spaces would be covered or uncovered. **Mr. Ursu** responded that they would be both covered and uncovered but there was not an exact number of how many spaces that would be covered at the time.

Alan Sparks asked if Mr. Ursu could give a brief history of the site. **Mr. Ursu** responded that the original property owner had lived at the site since 1974, and his son inherited the property around two years ago when he passed away. Mr. Ursu stated that he believes the original property owner had horses on the property. Mr. Ursu added that he had went under contract for the property in June 2023, after the son had inherited the property.

Abram Bowman asked about the property to the west. **Mr. Ursu** responded that the lot to the west has a large workshop and mobile home in the rear of the property that was built around 20 years ago.

Chair Popovic asked if a traffic impact study was conducted. **Mr. Ursu** responded that a traffic impact statement was conducted by a registered traffic engineering firm. Mr. Ursu added that the traffic impact statement discusses traffic volumes in the morning, afternoon, and evening, noting that it concluded that there is sufficient capacity for the additional traffic volume that would be created by the proposed development. **Chair Popovic** asked if Mr. Ursu is the current property owner or is under contract. **Mr. Ursu** responded that they went under contract for the property in June 2023 and were supposed to close several times, but could not, due to flooding claims from the neighbor. Mr. Ursu stated that they have extended their escrow until that issue can be resolved.

Mr. Bowman asked what the issue with the vehicular access easement is. **Mr. Ursu** responded that an ingress and egress easement was created in 1967 on the west side of the property for the purpose of access to the property to the south. Mr. Ursu stated that the Desert Winds Estates Homeowners' Association, the adjacent property to the east and south, abandoned their interests in the easement in September 2023. Mr. Ursu added that the proposed site plan has a 26-foot-wide driveway on the west side of the property and has a driveway entrance to the west property to allow the property owner to access their gate near the southwest portion of the subject site, even though the west property has full access from Campo Bello Drive. **Mr. Bowman** asked if the Villages at Grovers development has access to Campo Bello Drive. **Mr. Ursu** responded that they do not have access to Campo Bello Drive, only to Grovers Avenue. Mr. Ursu added that there was a complaint from a neighbor that it is difficult to drive through Campo Bello Drive due to vehicles parking on both sides of the street, noting that the Villages at Grovers development does not contribute to traffic or parking on Campo Bello Drive. Mr. Ursu stated that he and his partner, Jason Fronstin, have spent many Saturdays in the neighborhood in November and December of 2023 and they had not noticed any traffic or parking issues along Campo Bello Drive during the hours that they spent there.

Chair Popovic stated that it would have been helpful if the traffic impact statement was included in the applicant presentation. Chair Popovic asked if the traffic impact statement was provided to the City as part of the rezoning case submittal. **Mr. Ursu**

responded affirmatively. **Chair Popovic** asked if the traffic impact statement was conducted by a registered traffic engineering firm. **Mr. Ursu** responded affirmatively, noting that it was Dibble Corporation that conducted the traffic impact statement. **Chair Popovic** asked if Mr. Zambrano has a copy of the traffic impact statement.

Mr. Zambrano responded affirmatively, noting that it is part of the case file that is public record, subject to public records requests.

Robert Gubser asked if Mr. Zambrano could provide a summary of the traffic impact statement. **Mr. Zambrano** shared the conclusions and recommendations from the traffic impact statement.

Mr. Ursu clarified that the traffic impact statement was for the original proposal of 30 dwelling units, which has since been reduced to 26 units.

Mr. Gubser asked for clarification that it was just a traffic impact statement that was conducted and not a full traffic study. **Mr. Ursu** responded affirmatively, noting that it is a multiple page report, using industry standards that traffic engineers use.

Karen DeMoss stated that in the folders that were provided to the Committee members by the applicant, the majority of the letters attached were letters of support, and there was only one letter of opposition. **Mr. Ursu** clarified that the folders were put together with the materials that they had at the time. **Ms. DeMoss** asked if Mr. Ursu was aware of the other letters of opposition that were sent to the Committee. **Mr. Ursu** responded affirmatively, noting that many of the emails that were received within the last week did not have any relevant information in them, such as what their reasons were for being opposed to the project, nor their addresses in relation to the site. Mr. Ursu stated that he believed many of the emails were from friends or relatives of a few neighbors that were opposed. **Ms. DeMoss** asked for clarification that because many of the emails do not have an address, those individuals may not even live in the area. **Mr. Ursu** responded affirmatively, noting that he replied to each email asking for what their concerns were so they could be addressed, and for their address in relation to the site. Mr. Ursu stated that only some individuals replied saying that they lived in the neighborhood, but they did not provide an actual address where they lived. Mr. Ursu added that they made adjustments to the plans to address concerns that they heard as much as they could.

Eric Cashman asked who owns the property. **Mr. Ursu** stated that the son inherited the property, and it is in a trust. **Mr. Cashman** asked if the current property owner was present. **Mr. Ursu** responded that he did not ask him to be present, but he did sign an owner authorization form to allow them to proceed with the rezoning request. **Mr. Cashman** asked if the current property owner was the individual requesting the rezoning. **Mr. Ursu** responded that the current property owner was not requesting it and clarified that Mr. Fronstin and himself are the applicants. Mr. Ursu stated that they have the right to request the rezoning which was given by the current property owner. **Mr. Cashman** asked for clarification that Mr. Ursu's interest was as the prospective buyer of the property trying to rezone it. **Mr. Ursu** responded affirmatively, noting that they were supposed to close on the property in August 2023, and they kept having to extend the

escrow. Mr. Ursu stated that they were currently under contract and the current property owner had to resolve flooding issues with the neighbor before they could close. **Mr. Cashman** asked if they were afraid to commit to buying the property until knowing the results of the rezoning request. **Mr. Ursu** responded that they were not afraid, and they are committed. **Mr. Cashman** stated that he was concerned with the access easement, noting that easements are not abandoned very easily. Mr. Cashman asked if the proposed community would be gated. **Mr. Ursu** responded that it would not be.

Anna Sepic asked if the flooding issue has to do with the grading of the current property or if it would be addressed with on-site retention. **Mr. Ursu** responded that, to his understanding, the flooding was occurring near the southwest corner of the site, and he believed the current property owner had graded the lot to flatten it, which may have caused the flooding issues. Mr. Ursu added that he had been at the site one day when it was raining, and he had noticed the flooding was coming from the neighboring property behind their wall. Mr. Ursu stated that he believes the flooding issue was a distraction from the neighbor to try to slow him down in hopes of stopping the purchase of the property. **Ms. Sepic** asked what types of walls are currently there or are proposed to be there, where the flooding occurred. **Mr. Ursu** responded that there is an existing six-foot-tall block wall and an existing gate. **Ms. Sepic** asked for clarification that the existing gate is proposed to be kept. **Mr. Ursu** responded affirmatively, noting that the gate is not theirs.

Chair Popovic asked if the gate would have access for the Fire Department or emergency vehicles. **Mr. Ursu** responded that the west property has access from Campo Bello Drive and the proposed site plan for their site has sufficient turnaround radius for a fire truck.

Mr. Goodhue asked if the adjacent single-family homes are one-story or two-story. **Mr. Ursu** responded that they are a mix.

Regina Schmidt asked what Mr. Ursu's backup plan was if the rezoning request was denied. **Mr. Ursu** responded that he was not sure if he should disclose their backup plan, since it is more of a business decision, but they would like to proceed as-is, since they have spent a lot of time on this request. Mr. Ursu stated that he has been working on this proposal full-time since they went under contract in June 2023. Mr. Ursu added that they would have to revisit their plan should this rezoning request not pass.

Mr. Gubser asked how the on-site stormwater was proposed to be managed. **Mr. Ursu** responded that it would most likely be handled by an underground tank.

Chair Popovic asked if Mr. Ursu has an engineer working on the grading and drainage of this proposal. **Mr. Ursu** responded that they do not have a grading and drainage plan yet and they have only had a survey done.

Mr. Cashman stated concerns with stormwater retention, noting how much area would be covered by hardscape and structures. Mr. Cashman added that the perimeter landscape areas would have to be deep to allow stormwater to collect in there and the

City would not want the on-site drainage to flow into the street. **Mr. Ursu** responded that their architects have worked on many multifamily residential projects and the stormwater would be handled by underground water retention tanks.

Ms. Bustamante asked for clarification that a civil engineer conducted a survey of the site. **Mr. Ursu** responded affirmatively. **Ms. Bustamante** asked for clarification that there was not a grading and drainage plan yet. **Mr. Ursu** responded affirmatively, noting that it is usually conducted later in the development process. Mr. Ursu added that they would make progress on the more technical plans depending on the results of the rezoning request moving forward. **Ms. Bustamante** stated that usually civil engineering is done early on before an architect comes in.

Ms. Sepic asked why the applicant requested R-3A zoning instead of R-3 or R-2, which would have been more compatible with adjacent zoning. **Mr. Ursu** responded that the original request in the rezoning pre-application meeting was for R-4 zoning, proposing 30 dwelling units, and staff comments recommended a less intense zoning district, such as R-3A, which would allow the original proposal of 30 units on the site. Mr. Ursu added that the R-3A zoning would allow a maximum density of 36 units, but they did not feel they needed 36 units, and they felt 26 units seemed to be a reasonable number of units to be compatible with the surrounding neighborhood.

Chair Popovic asked if the units would be for sale or for rent. **Mr. Ursu** responded that all the units would be for rent.

Public Comments:

Clara Shaffer introduced herself as a nearby resident near 20th Street and Bell Road, opposed to the project. Ms. Shaffer asked how many letters were sent out, if the letters were certified, how many full-size parking spaces were proposed, and if the driveway along the easement would be a permanent entrance into the apartment complex. Ms. Shaffer also expressed concerns with on-site retention.

Bonnie Johnson introduced herself as a resident that had lived at the subject property, opposed to the project. Ms. Johnson stated that she was the better half of the previous property owner, Benny Lucero, for 30 years. Ms. Johnson stated that the late Mr. Lucero would not have wanted apartments built on the property. Ms. Johnson stated that she and the late Mr. Lucero had spoken several times about the late Mr. Lucero's wish for his son to build a house on the property. Ms. Johnson stated that she was opposing the project for the love of the late Mr. Lucero.

Salma Tashjian introduced herself as a neighbor of 17 years from the adjacent Desert Wind Estates subdivision, opposed to the project. Ms. Tashjian stated that there are no sidewalks on either side of Campo Bello Drive and expressed concerns with pedestrian safety.

Brian Trapanotto introduced himself as a neighbor across Campo Bello Drive, opposed to the project. Mr. Trapanotto stated that there was a similarly large group of people that attended the neighborhood meeting in October 2023 with a majority of those

who attended in opposition. Mr. Trapanotto asked why the applicant did not share the list of those individuals. Mr. Trapanotto stated that he was a former law enforcement officer, and asked if the applicant spoke to the beat officers about how the community would be impacted by the project, which he recommended they do at the neighborhood meeting. Mr. Trapanotto asked if any individuals in attendance received notice letters, noting that only three individuals raised their hands. Mr. Trapanotto asked if anyone in attendance were visited by the applicants going door-to-door, noting that only two individuals raised their hands. Mr. Trapanotto asked if anyone in attendance does not live in the neighborhood and if they are in support of the project, noting that there are some individuals that do not live in the neighborhood that are also opposed to the project.

Stacy Zbytek introduced herself as a neighbor from the adjacent Desert Wind Estates subdivision, opposed to the project. Ms. Zbytek expressed concerns with traffic, parking, and property values. Ms. Zbytek added that the letters of opposition are not all coming from one person's family. Ms. Zbytek asked those in attendance to raise their hands if opposed to the project, noting the majority in attendance was in opposition.

Jeff Mucke introduced himself as a nearby resident, opposed to the project. Mr. Mucke expressed concerns with traffic during peak hours and with parking.

Tanner Buck introduced himself as a neighbor from the adjacent Desert Wind Estates subdivision, opposed to the project. Mr. Buck suggested that homes be constructed using the existing R1-6 zoning and that the character of nearby horse properties be maintained.

Aleks Nikolov introduced himself as a nearby resident, in support of the project. Mr. Nikolov stated that new apartments would be great for the area and would increase property values.

Lisa Gailey introduced herself as a nearby resident, opposed to the project. Ms. Gailey expressed concerns with speeding on Campo Bello Drive and pedestrian safety. Ms. Gailey stated that the applicant had harassed the property owners of Campo Bello Drive. Ms. Gailey stated that the applicant was offered a land deal in California for five acres and would not accept it because he could not do what he was trying to do at this site. Ms. Gailey stated that Mr. Ursu had stated that he would not live in the area and would not let his children go to school there. Ms. Gailey added that Mr. Ursu had stated that he would get away with rezoning the property because he would pay off the City Council which happens all the time. Ms. Gailey added that the neighborhood signed a petition for speed bumps along Campo Bello Drive two years ago and they have yet to be installed.

Kelly Kelly introduced herself as the adjacent neighbor to the west, opposed to the project. Ms. Kelly expressed concerns with traffic, noting that Campo Bello Drive is a narrow street, and lacks sidewalks along the street. Ms. Kelly stated that apartment complexes usually have their traffic going onto larger collector or arterial streets. Ms. Kelly also expressed concerns with maintaining the character of the acre properties

around the area. Ms. Kelly clarified that the vehicular access easement was only abandoned by Desert Wind Estates, and it was not abandoned by them, noting that she has a copy of the recorded document. Ms. Kelly stated that the easement runs along the west 40 feet of the subject property and that the proposed parking spaces and refuse bins cannot be located within the easement.

Tim Kelly introduced himself as the adjacent neighbor to the west of 24 years, opposed to the project. Mr. Kelly provided Mr. Zambrano with letters of opposition from neighbors in the community. Mr. Kelly expressed concerns with density. Mr. Kelly stated that Mr. Ursu was suing him over the easement, claiming that they have no right to it. Mr. Kelly stated that he has retained lawyers and spent a significant amount of money to fight Mr. Ursu over the easement. Mr. Kelly stated they were fully opposed to the project and echoed concerns with traffic and pedestrian safety.

Mr. Bowman asked Mr. Kelly for clarity that the easement was 40 feet that runs across both properties. **Mr. Kelly** responded affirmatively, noting that it used to be one property back in 1966 and it was divided into three lots. Mr. Kelly stated that the individual that divided it lived on his property and made an agreement between the three properties that there would be a legal easement for ingress and egress. Mr. Kelly added that his property has never been accessed other than from the easement on the east side of his property since 1967. Mr. Kelly stated that there were fences that look like gates in the front of his property. Mr. Kelly added that he built his workshop on the property and he has a mobile home on the property, which was a mile away from his home that he has had for 40 years, so he could travel back and forth quickly.

Mr. Cashman asked if Mr. Kelly has a copy of the easement with him. **Mr. Kelly** asked Ms. Kelly if she had a copy.

Ms. Kelly responded that she did not have a copy with her, but it is recorded with the Maricopa County Recorder's office, and she could look it up.

Mr. Cashman asked how many letters of opposition he handed Mr. Zambrano. **Mr. Kelly** responded that there were approximately 43 letters of opposition, and he had more in his truck that he wanted to make copies of before providing them. Mr. Kelly added that individuals that did not want to sign a letter of opposition were renters, noting that every homeowner was opposed.

Ms. Sepic asked for clarity about vehicular access from the easement. **Mr. Kelly** clarified that he had two gates on the east side of his property. Mr. Kelly stated that the proposed location of the refuse bins were where the other gate was located on his property.

Mr. Gubser asked for clarity that Mr. Kelly is accessing his property by crossing over the other property. **Mr. Kelly** responded affirmatively, noting that the access was from the easement. **Mr. Gubser** noted that aerial images show a gravel pathway. **Mr. Kelly** stated that he built the gates, put the gravel there, and planted trees, which were cut down by the property owner.

Steve Plumb introduced himself as a nearby resident, opposed to the project. Mr. Plumb echoed concerns with traffic and parking. Mr. Plumb also expressed concerns with privacy for the adjacent single-family homes with the proposed two-story buildings.

Allen Tigges introduced himself as a neighbor across Campo Bello Drive, opposed to project. Mr. Tigges read the purpose of the R1-6 zoning district from the Phoenix Zoning Ordinance. Mr. Tigges stated that no one opposes the existing zoning, noting that six single-family homes could be built on the property. Mr. Tigges expressed concerns with density.

Barry Noblitt introduced himself as a nearby resident, opposed to the project. Mr. Noblitt stated that he frequents Mr. Kelly's property often and has never seen flooding on his property until the subject property was graded. Mr. Noblitt stated that had asked Mr. Ursu about the easement and Mr. Ursu had stated that he was unaware that there was an easement. Mr. Noblitt added that they later found out that Mr. Ursu was offered a discount on the property due to the easement. Mr. Noblitt shared the recording number of the easement and echoed concerns with parking.

Sue Davis introduced herself as a nearby resident, opposed to the project. Ms. Davis echoed concerns with traffic, parking, and density.

Susanna Davis introduced herself as a nearby resident, opposed to the project. Ms. Davis noted that an individual that signed a letter of support does not live in the area. Ms. Davis expressed concerns with traffic, noise, and parking. Ms. Davis added that there is an individual that lives in a recreational vehicle and parks it on Campo Bello Drive. Ms. Davis stated that the Village of Grovers does not maintain the trees planted along their frontage on Campo Bello Drive.

Bradley Hart introduced himself as a nearby resident, opposed to the project. Mr. Hart expressed concerns with traffic, school capacity and its effect on the quality of education, parking, and existing density in the neighborhood.

Claudia Eckhardt introduced herself as a nearby resident, opposed to the project. Ms. Eckhardt stated there are many vacant apartments nearby, noting that more apartments are not needed in the area.

Kathy Fritsinger introduced herself as a nearby resident of 40 years, opposed to the project. Ms. Fritsinger expressed concerns with water, density, property values, and apartment dwellers lacking pride of homeownership.

David Bortness introduced himself as an adjacent neighbor to the east within the Desert Wind Estates subdivision, opposed to the project. Mr. Bortness stated that he was a traffic engineer in Florida and stated that he would like to see the daily volume of traffic numbers from the traffic statement. Mr. Bortness expressed concerns with the pavement width of Campo Bello Drive, noting that it seems too narrow. Mr. Bortness stated that there was a fire in Scottsdale several years ago where a fire truck could not get through the street, resulting in every curb along the street being painted red to

prohibit on-street parking. Mr. Bortness added that there would not be enough room for one vehicle to let another vehicle going the opposite direction pass through Campo Bello Drive if vehicles are parked on both sides of Campo Bello Drive.

Shane Gore introduced himself as a resident of Council District 3, in support of the project. Mr. Gore clarified that the City requirements for mailing hearing notices are 600 feet from the site for property owners and 1 mile from the site for registered neighborhood organizations, noting that if a resident did not receive a hearing notice letter, it is likely because their property is not within 600 feet of the site. Mr. Gore questioned if Mr. and Ms. Kelly, the adjacent property owner to the west, actually lived on the property, since there was a dilapidated mobile home and a commercial building, but no single-family residence on the property. Mr. Gore noted that he was in favor of the project because there was a housing shortage, which was why housing costs were so high, due to limited housing supply. Mr. Gore added that there are City processes that residents can contact their Council District about to address on-street parking and speeding issues, noting that the City cannot put that responsibility on a single developer to solve those issues.

Chair Popovic asked members of the audience interrupting Mr. Gore to be respectful of his speaking time and to keep comments to themselves.

Ms. Sepic echoed Chair Popovic, noting that Mr. Gore was quiet and respectful of each speaker that was opposed to the project. Ms. Sepic asked the audience to be respectful of Mr. Gore's speaking time, just as Mr. Gore was respectful of their time.

Brandi Letterly introduced herself as a nearby resident, opposed to the project. Ms. Letterly stated that she was a renter that has lived at the property for 12 years and she just received a notice from her landlord that they will be demolishing the house that she lived in and building five new homes on the acre and a half property she lived on. Ms. Letterly asked the Committee to consider how they would feel if this project was being built next to their home. Ms. Letterly echoed concerns with Campo Bello Drive and asked the applicant to consider single-family residences instead of apartments.

Applicant Response:

Mr. Ursu stated that the perception of high-density housing being undesirable is a stereotype and generalization. Mr. Ursu stated that questions related to the October 2023 neighborhood meeting could be answered through the Citizen Participation Report which was provided to City staff. Mr. Ursu stated in regard to privacy issues for adjacent single-family homes, there is an increased landscape setback to help increase privacy. Mr. Ursu added that around 250 hearing notice letters were mailed, noting that they increased the notice radius requirement from 600 feet to almost 700 feet for nearby property owners. Mr. Ursu stated that the allegation regarding political contributions to help push this request through was a lie. Mr. Ursu added that the Committee cannot really verify that everyone in the audience that raised their hands to some of the speakers actually live in the area, noting that many emails received were from individuals that do not live in the area. Mr. Ursu stated that studies show that apartments could actually help to improve safety. Mr. Ursu addressed concerns with

school capacity, noting that the Paradise Valley Unified School District responded to the rezoning request that there was sufficient capacity for additional students from this proposed project.

Mr. Cashman stated that one question asked was if the hearing notice letters that were sent were certified. **Mr. Ursu** responded that they were not, noting that the City requirements are to only send the letters out via US mail. Mr. Ursu added that some letters were returned as undeliverable and that the mailing list and envelope labels were submitted to the City. **Mr. Cashman** stated that another question was regarding sidewalks along Campo Bello Drive. **Mr. Ursu** responded that they would be installing sidewalks along their property frontage and connecting to the existing sidewalk to the east. **Mr. Cashman** asked if the applicant has a copy of the abandonment of the vehicular access easement for the west property and asked what gives the applicant the right to build on top of the easement. **Mr. Ursu** responded that the Desert Wind Estates subdivision abandoned the easement in September 2023, which was recorded. **Mr. Cashman** stated that the easement would have had to be abandoned by all property owners and asked if Mr. Ursu had a copy of that abandonment. **Mr. Ursu** clarified that the easement was for the purpose of vehicular access for the property to the south, which was abandoned by the adjacent subdivision.

Chair Popovic asked if Mr. Ursu had a survey that shows this information. **Mr. Ursu** responded that they do have a survey that shows the easement was abandoned. **Chair Popovic** asked if the survey was filed with the City. **Mr. Ursu** responded that the survey was not filed. **Chair Popovic** asked for clarification if the easement that Mr. Ursu plans to build the parking lot on has been abandoned. **Mr. Ursu** responded that his understanding was that it had been abandoned.

Ms. Sepic asked who did the demolition and grading of the property that caused the flooding issue. **Mr. Ursu** responded that it was prior to them entering into escrow. **Ms. Sepic** asked for clarification that Mr. Ursu did not do the demolition or grading of the property. **Mr. Ursu** responded that they did not.

Ms. DeMoss asked if Mr. Ursu was involved in cutting down the trees on the property. **Mr. Ursu** responded that they were not, noting that they will be required to plant more trees.

Chair Popovic asked if Mr. Ursu talked to the police precinct the property is located in to discuss safety. **Mr. Ursu** responded that he did email the precinct and got an email response a few weeks later but he did not follow up on the email because he did not feel that they provided any valuable information.

Ms. Sepic asked if installing speed bumps along Campo Bello Drive was stipulated to address speeding concerns. **Mr. Ursu** responded that the City did not stipulate that, but they did talk to several residents when they went door to door, and some residents did not want speed bumps.

Marc Soronson asked if there were any plans for the City to make street improvements to Campo Bello Drive to install sidewalks.

Chair Popovic stated that Mr. Zambrano could look into it to see if there were any City projects planned to make those street improvements.

Mr. Ursu clarified that they will be installing a sidewalk along their property frontage.

Committee Discussion:

Mr. Goodhue stated that there will always be concerns with a multifamily residential project adjacent to single-family residences. Mr. Goodhue stated that he felt that the applicant had not done enough due diligence to mitigate issues for adjacent single-family residences and other concerns that the surrounding neighborhood had. Mr. Goodhue stated that he did not see that the project had a sufficient compromise between the neighborhood and the developer to move forward at this time.

Mr. Soronson concurred that the applicant had not done enough due diligence. Mr. Soronson echoed concerns with adjacent single-family residences, noting that he did not believe it was an appropriate project for this neighborhood.

Ms. Sepic stated that she used to live down the street from the site and knows Campo Bello Drive very well, including traffic along the street and the street being narrow. Ms. Sepic echoed concerns with the applicant's due diligence, noting that the proposed site plan was not adequate. Ms. Sepic added that she believed the density was too high for the area and that the R-2 or R-3 zoning district might be more appropriate.

Mr. Bowman stated that a full traffic study should have been done. Mr. Bowman expressed concerns with traffic, noting that Campo Bello Drive is a smaller, local street. Mr. Bowman added that other projects that have come before the Committee have been stipulated to contribute funding to traffic control measures, such as speed bumps. Mr. Bowman acknowledged that the applicant had extended neighborhood outreach efforts by holding multiple neighborhood meetings. Mr. Bowman stated that it would take some work to come up with a compromise with the neighborhood.

Mr. Sparks echoed Mr. Bowman's comments.

Mr. Cashman stated that the mobile home park to the north has a private drive that is wider than Campo Bello Drive, noting that the road is very narrow. Mr. Cashman expressed concerns with drainage and acknowledged that it could be handled with culverts underneath. Mr. Cashman noted that the apartment complex to the west has a driveway to access Campo Bello Drive, but there is a gate over it, which is closed. Mr. Cashman stated that the property was likely zoned what it currently is zoned for a certain reason, because there was never meant to be a lot of traffic. Mr. Cashman thanked members of the audience that sat quietly while others were speaking. Mr. Cashman added that the Village Planning Committee is the first level of the rezoning hearing process, noting that the next level will be with the Planning Commission, and then the City Council. Mr. Cashman reminded members of the audience to be

respectful, noting that the Committee members are there because they are part of the community and care about the community, and members of the community are all exercising their same right to speak. Mr. Cashman stated that showing up in mass to oppose a project says a lot more than being disrespectful to other speakers. Mr. Cashman concluded that he was opposed to this request.

Mr. Gubser thanked members of the audience for their time and for attending. Mr. Gubser stated that the Committee does take public comments into consideration, and they do have an influence on the Committee's decision. Mr. Gubser expressed concerns with density, noting that there was not an adequate transition from the properties to the east and south. Mr. Gubser suggested a lower density, such as the R-2 zoning district, to create a more adequate transition between the existing developments in the area. Mr. Gubser added that the applicant needs to work with the neighbors, and he did not feel like he heard that there was much collaboration with the neighborhood. Mr. Gubser concluded that he was opposed to the request as presented to the Committee.

MOTION – Z-84-23-3:

Ms. Sepic motioned to recommend denial of Z-84-23-3. **Mr. Goodhue** seconded the motion.

VOTE – Z-84-23-3:

15-0; motion to recommend denial of Z-84-23-3 passes with Committee members Balderrama, Bowman, Bustamante, Cashman, DeMoss, Goodhue, Gubser, Knapp, Schmidt, Sepic, Soronson, Sparks, Wise, Mortensen, and Popovic in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.



Village Planning Committee Meeting Summary Z-84-23-3

Date of VPC Meeting	April 8, 2024
Request From	R1-6
Request To	R-2
Proposal	Multifamily residential
Location	Approximately 675 feet west of the southwest corner of 20th Street and Campo Bello Drive
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-4

VPC DISCUSSION:

19 members of the public registered to speak in opposition, 11 members of the public registered in opposition but did not wish to speak, and five members of the public registered to speak in favor of this item.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of rezoning case Z-84-23-3, noting the changes made to the application since the last time it was heard. Mr. Zambrano described the location, request, surrounding land uses and zoning, and the General Plan Land Use Map designation. Mr. Zambrano then described the proposal, discussing the proposed site plan and elevations. Mr. Zambrano summarized goals and policies of adopted plans, policies and initiatives that would be furthered by this request. Mr. Zambrano noted that for the original R-3A request prior to the case being continued by the Planning Commission, staff had received 89 letters of opposition, two letters with concerns, and 25 letters of support, and for the R-2 request, staff had received 19 letters of opposition, two letters with concerns, eight letters of support, and a petition of support with 12 signatures. Mr. Zambrano added that many letters received were from the same individuals that had previously sent letters and then summarized the concerns. Mr. Zambrano concluded by sharing the staff findings, recommendation of approval and the recommended stipulations.

Applicant Presentation:

Shane Gore, resident of Council District 3 representing the applicant, introduced himself and provided an overview of the project team, noting that the developers are

white collar professionals. Mr. Gore provided a history of the project, noting changes made to the proposal. Mr. Gore summarized updates made to the proposal and displayed the proposed site plan, noting that approximately 2.5 parking spaces per unit is proposed in order to address parking concerns previously heard, and that the units would be platted individually as condominium units rather than rentals, to address pride of ownership concerns previously heard. Mr. Gore reiterated staff's recommendation of approval per the staff report and pointed to notable plans and policies that would be furthered by this request. Mr. Gore shared the proposed building setbacks, noting that the proposal is above the minimum required setbacks. Mr. Gore then displayed and discussed the proposed building elevations and landscape plan. Mr. Gore reiterated that 34 parking spaces, or 2.57 parking spaces per dwelling unit, are proposed, which is well above the City requirement of 1.5 parking spaces per dwelling unit. Mr. Gore shared voluntary stipulations proposed by the applicant to address speeding on Campo Bello Drive and to address the lack of sidewalks on Campo Bello Drive between 16th Street and 20th Street. Mr. Gore summarized the original purpose of the 40-foot private ingress and egress easement along the west side of the property and noted that the easement will be paved with landscaping along the sides of the driveway. Mr. Gore stated that the property sale is complete, and the developers are now the legal property owners, noting that the developers are committed to building a good project for the community. Mr. Gore added that the flooding claims previously mentioned have been resolved and settled between the previous property owner and the property owner to the west, and that stormwater will be retained on site, either through landscape retention areas or underground storage tanks, depending on the approved grading and drainage plan following the rezoning process. Mr. Gore stated that school capacity, infrastructure capacity, and Fire Department access have been confirmed with the appropriate parties. Mr. Gore then summarized the character of the neighborhood, noting that it consists mostly of multifamily residential housing, and that the neighborhood is 96 percent occupied, according to the 2022 U.S. Census Bureau American Community Survey. Mr. Gore shared that 71.3 percent of property taxes in the neighborhood, which maintains the neighborhood's infrastructure, comes from the multifamily residential properties in the neighborhood. Mr. Gore added that home values for the Phoenix-Mesa-Chandler metropolitan statistical area have continued to grow over time, even as there has been a lot of construction that has happened over time. Mr. Gore then displayed a map showing construction that has occurred in the neighborhood between 1955 to 2009, noting that property values in the area have not decreased due to multifamily residential housing. Mr. Gore concluded by displaying supporting documents for the information shared in the presentation and added that R-2 zoning is a reasonable request and is compatible with surrounding land uses and zoning, including the approved R-2 zoning directly to the east.

Questions from the Committee:

Mr. Goodhue asked if there has been any outreach efforts since the plans have been revised. **Mr. Gore** responded that they did mail an additional hearing notice letter with the revised plans attached and that they held a community engagement event at Grover's Basin Park and advertised the event to 1,500 homes via postcards that were hand delivered to the homes. Mr. Gore added that there are many neighbors in support of the project as well, but most cannot attend an evening meeting.

Jennifer Hall asked how many people showed up to the event. **Mr. Gore** responded that about 20 people showed up, noting that some attendees were residents of the nearby mobile home park, and may soon want to change their housing situation. **Ms. Hall** asked if the proposal was an affordable housing project. **Mr. Gore** responded that it is not an affordable housing project meant for low-income individuals, but it is meant to be affordable in the sense that condominiums are more affordable than single-family residential homes in terms of maintenance. Mr. Gore added that there was an additional goal to support bicycle transportation in the project through secured on-site bicycle parking in an enclosed bicycle storage area. Mr. Gore noted that 16th Street and 20th Street are both designated bikeways with the City, and that residents may be able to live more affordably by not owning a vehicle, or owning just one vehicle for the household, and utilizing the on-site and surrounding bicycle infrastructure.

Public Comments:

Stacy Zbytek introduced herself as a nearby neighbor to the east within the Desert Wind Estates subdivision, opposed to the project. Ms. Zbytek stated that the residences in the Desert Wind Estates subdivision are situated away from the surrounding higher-density multifamily residential housing. Ms. Zbytek disagreed that the request was reasonable and fit in with the area. Ms. Zbytek stated that the original property owner wanted the property to go to his son so he could build a house. Ms. Zbytek added that the property is currently zoned to allow up to six single-family residences and that none of the neighbors would be opposed to that. Ms. Zbytek stated that the neighbors do not want high-density multifamily residential housing next to their homes and that Campo Bello Drive cannot support higher-density housing in this area. Ms. Zbytek expressed concerns with the proposal negatively affecting property values and the character of their neighborhood. Ms. Zbytek stated that there are many neighbors that are passionately opposed to this proposal because this is where they live.

Claudia Williams introduced herself as a nearby neighbor, opposed to the project. Ms. Williams stated concerns with child and pedestrian safety, noting that she did not see any areas on the plans for children to play, and that they would have to come onto the street to play. Ms. Williams stated that people that have sent letters of support do not live in the neighborhood. Ms. Williams agreed that six single-family residences on the property would be acceptable.

David Bortness introduced himself as a neighbor to the east within the Desert Wind Estates subdivision, opposed to the project. Mr. Bortness stated that he had mentioned at the last meeting that he would like to see the numbers from the Traffic Impact Statement, which he has still not seen. Mr. Bortness stated that more than half of the residences within the neighborhood are multifamily residences. Mr. Bortness stated that he was a traffic engineer in Florida, and that the proposal would likely lead to much more traffic congestion, given the mix of multifamily residential and single-family residential uses in the neighborhood. Mr. Bortness reiterated that he would like to see the numbers from the Traffic Impact Statement and would like to see where the numbers came from.

Lisa Gailey introduced herself as a nearby neighbor, opposed to the project. Ms. Gailey stated that there is not enough space for this proposal, noting the lack of sidewalks along Campo Bello Drive, and many vehicles parking on the street along Campo Bello Drive. Ms. Gaily expressed concerns with traffic, odor from fumes of vehicles idling at the traffic signals, crime, lack of space on Campo Bello Drive for first responder vehicles to maneuver through to get to the place of the call, and pedestrian safety.

Todd Russ introduced himself as a nearby neighbor of 20 years, opposed to the project. Mr. Russ expressed concerns with safety. Mr. Russ stated that this neighborhood is not the right place for this proposal.

Allen Tigges introduced himself as a nearby neighbor across Campo Bello Drive, opposed to the project. Mr. Tigges expressed concerns with the proposal negatively affecting property values and character of the neighborhood. Mr. Tigges stated that no one received a notice for the community engagement event that Mr. Gore mentioned and that he believed the applicant was being deceptive. Mr. Tigges added that the proposal was already having an effect on home sales, noting that a home directly adjacent to the subject site had been on the market for more than 90 days, whereas a home down the street sold within days.

Scott Anderson introduced himself as a nearby neighbor, opposed to the project. Mr. Anderson asked if any Committee members had driven by the subject property and looked at the surrounding neighborhood. Mr. Anderson stated that there are large lots with expensive residences on the north side of Campo Bello Drive and many single-family residences on the south side of Campo Bello Drive. Mr. Anderson suggested that if any Committee members lived in any of the single-family residences near this proposal, they would not be supportive of it.

Tim Kelly introduced himself as the adjacent neighbor to the west, opposed to the project. Mr. Kelly stated that he has faithfully fought the applicant since the day he wanted to buy the property. Mr. Kelly stated that the applicant has been very deceptive. Mr. Kelly stated that the applicant had always known about the private ingress and egress easement on the west side of the property. Mr. Kelly stated that trees that he had originally planted along the private easement were cut down by the previous property owner and the applicant. Mr. Kelly stated that the surrounding neighbors are all opposed to this proposal, and those that are in favor do not live in the neighborhood. Mr. Kelly added that he and the previous property owner of the subject site had agreed to oppose any future high-density residential proposals after the multifamily residential project to the west of his property was approved. Mr. Kelly stated that all the new development along Campo Bello Drive is ruining their neighborhood. Mr. Kelly expressed concerns with not having seen the numbers from the Traffic Impact Statement.

Charles Knox introduced himself as a homeowner in Phoenix and a resident of Council District 3 for over a decade, in favor of the project. Mr. Knox stated that the only way he was able to afford a home was because of the interest rates during the COVID-19 pandemic. Mr. Knox stated that he was speaking on behalf of all the residents of

Phoenix who cannot attend evening meetings due to long working hours to keep up with the rising costs of housing. Mr. Knox stated that Phoenix needs more options for affordable housing. Mr. Knox added that the bicycle amenities proposed support alternative modes of transportation to reduce reliance on an automobile.

Erin Weems introduced herself as a nearby neighbor of over five years within the adjacent Desert Wind Estates subdivision, opposed to the project. Ms. Weems expressed concerns with traffic, safety, and crime. Ms. Weems stated that she chose the home she lives in because of security. Ms. Weems added that she did not receive a postcard notice for the community engagement event that Mr. Gore mentioned.

Alok Arora introduced himself as a resident of Paradise Valley Village, in favor of the project. Mr. Arora stated that Phoenix is growing and needs to start planning for the growth instead of debating on where the growth should occur.

Michael Lucero introduced himself as the previous property owner that sold the property, in favor of the project. Mr. Lucero stated that he became the property owner when his dad passed away two years ago. Mr. Lucero stated that at the last meeting, Bonnie Johnson misrepresented herself as his dad's ex-wife or prior resident of the property, when she was neither. Mr. Lucero stated that no one likes change to occur in their back yard, but change is inevitable. Mr. Lucero stated that when his father moved to the property 50 years ago, Campo Bello Drive was a dirt road, south of the property was open field all the way to Bell Road, to the east and west of the property were one-acre horse properties, and to the north was mostly open desert. Mr. Lucero noted that the neighborhood is very different now and a lot of change has occurred over the past 50 years. Mr. Lucero highlighted that nearby land uses surrounding the property are all for higher-density housing and that the neighborhood is much more urban now. Mr. Lucero stated that Phoenix is a big city with big problems, including a lack of affordable housing. Mr. Lucero added that his son struggled to find somewhere affordable to rent, reiterating that Phoenix has a housing crisis.

Susanna Davis introduced herself as a nearby neighbor on Campo Bello Drive, opposed to the project. Ms. Davis expressed concerns with crime, noting that crime has increased in the neighborhood. Ms. Davis shared that vehicles park on the street along Campo Bello Drive, including within the landscape areas, noting that landscaping was ruined. Ms. Davis stated that neighbors are working on a project with the City of Phoenix to revegetate these landscape areas. Ms. Davis expressed concerns with traffic and on-street parking. Ms. Davis added that Tim Kelly and Kelly Kelly do live at the adjacent property to the west.

Barry Noblitt introduced himself as a nearby neighbor, opposed to the project. Mr. Noblitt expressed concerns with density.

Brian Trapanotto introduced himself as a nearby neighbor across Campo Bello Drive, opposed to the project. Mr. Trapanotto stated that he visited Benny Lucero every day and Bonnie Johnson did visit and take care of him. Mr. Trapanotto expressed concerns with crime.

Prakshal Jain introduced himself as a resident of Phoenix in Ahwatukee, in favor of the project. Mr. Jain stated that those who live in the neighborhood now live on property that was developed and similarly changed the neighborhood for their neighbors adjacent to them. Mr. Jain stated that the proposal is reasonable and is not very dense. Mr. Jain stated more people in the neighborhood would bring more eyes on the street to help reduce crime. Mr. Jain added that multifamily residential housing pays three times more in taxes compared to single-family residential housing, which pays for public safety, infrastructure maintenance, and other public services. Mr. Jain stated that 14 dwelling units would not have a significant impact on traffic or crime.

Marc Trachy introduced himself as a resident of Council District 3, in favor of the project. Mr. Trachy stated that there is a lack of housing, and that the proposal would house 14 families.

Kathy Fritsinger introduced herself as a nearby neighbor, opposed to the project. Ms. Fritsinger stated that her husband and she bought their three-acre property a few years ago and had a very hard time going through the process with the City to build two more residences on the property. Ms. Fritsinger stated that the applicant for this proposal should not have a right to build denser than the current zoning allows, given how hard of a time she had to build two more residences on her property. Ms. Fritsinger expressed concerns with property values, vehicular speeds, traffic, and density.

Carla Ward introduced herself as a nearby neighbor, opposed to the project. Ms. Ward acknowledged that there is a need for more housing in Phoenix and stated that there are plenty of other locations for multifamily residential housing. Ms. Ward expressed concerns with crime. Ms. Ward stated that higher-density housing should be located on larger arterial streets like Bell Road rather than local streets like Campo Bello Drive.

Julio Torres introduced himself as an adjacent neighbor to the east within the Desert Wind Estates subdivision, opposed to the project. Mr. Torres stated that the property is meant for single-family residential density, just like his property is.

Marlene Torres introduced herself as an adjacent neighbor to the east within the Desert Wind Estates subdivision, opposed to the project. Ms. Torres stated that they have had their home on the market for over 90 days and they are seeing an impact on the sale because of this proposal. Ms. Torres agreed that higher-density housing should be located on arterial streets and not on a local street.

Ninos Mishail introduced himself as a nearby neighbor within the Desert Wind Estates subdivision, opposed to the project. Mr. Mishail stated that those who spoke in favor of the project do not live in the affected neighborhood. Mr. Mishail expressed concerns with crime and integrity of the applicant.

Richard Eckhardt introduced himself as a nearby neighbor, opposed to the project. Mr. Eckhardt stated that there is no shortage of housing around the neighborhood, noting that there are 500 rental units within a square mile of the subject site that are vacant.

Martha Joyce introduced herself as a nearby neighbor opposed to the project. Ms. Joyce expressed concerns with vehicular speeds and pedestrian safety. Ms. Joyce added that people from the apartment complex dump trash onto Campo Bello Drive. Ms. Joyce stated that there have also been occasions when the police had to be called for people sleeping in their cars on the street. Ms. Joyce then expressed concerns with traffic and density.

Applicant Response:

Mr. Gore stated that 14 units on an acre may be considered medium density, but it is not high density. Mr. Gore stated that the existing single-family residential zoning on the property would allow a maximum of nine single-family residences in addition to an Accessory Dwelling Unit (ADU) on each single-family residential lot, for a total of 18 residences. Mr. Gore noted that given what the current zoning entitlement allows, R-2 zoning for 14 units is a reasonable ask. Mr. Gore stated that an individual developer would not have control over pedestrian safety along the entirety of Campo Bello Drive, noting that the neighborhood has the right to organize in order to solve these issues along Campo Bello Drive. Mr. Gore added that there is no registered neighborhood organization with the City, such as a block watch, for this area. Mr. Gore stated that there is \$15,000 available in grant funding per year for registered neighborhood organizations to pay for improvements, such as speeds humps, to improve the safety and security of a neighborhood. Mr. Gore encouraged those that are passionate about safety and security in their neighborhoods to get organized and form a neighborhood organization to apply for that funding. Mr. Gore added that the fact that there are no registered neighborhood organizations in the community indicates that there is not an appropriate level of engagement and organization in the neighborhood. Mr. Gore reiterated that the proposal is a reasonable request, noting that there is approved R-2 zoning directly adjacent to the subject site to the east. Mr. Gore added that Tim Kelly does not live on the adjacent property to the west, noting that the property has a commercial building and a dilapidated mobile home that is over 50 years old, and that Mr. Kelly's address of record is on 9th Street in the Suggs Moon Mountain Estates neighborhood. Mr. Gore highlighted that the community feedback heard previously regarding pride of ownership has been incorporated into the proposal, which is now proposed as condominiums. Mr. Gore stated that he believes in strong cities and strong neighborhoods, and density is one of the ways to get there. Mr. Gore added that there are a lot of factors that contribute to how long a house listing is on the market before it sells, noting that the current average is over 100 days, and that the Torres family's house being on the market for over 90 days is not directly attributable to this proposal. Mr. Gore stated that the spray-painted signs that are all over the neighborhood opposing this proposal that are posted on utility poles probably has more to do with scaring buyers away than the rezoning sign that was posted on the property by the applicant does. Mr. Gore added that the Village Planning Handbook guides Village Planning Committees to consider if community concerns can be mitigated through incorporating different features into the project. Mr. Gore argued that this project has gone through significant changes, including reduction in density, as a result of community feedback.

Committee Discussion:

Anna Sepic thanked Mr. Gore for his professionalism. Ms. Sepic highlighted that many speakers claimed the property was limited to six homes, which is incorrect. Ms. Sepic stated that she considered the R1-6 zoning in comparison to the R-2 zoning request and is in support of the revised plan. Ms. Sepic complimented the developer for taking into consideration the private ingress and egress easement and landscaping. Mr. Sepic stated that she does not believe R-2 zoning is out of character with the area.

Chair Popovic clarified that the Village Planning Committee is the first step in the hearing process, and that the Planning Commission could vote differently, and the City Council could also vote differently. Chair Popovic added that as part of the process, the developer is required to get sign off from all City departments, including the Street Transportation Department, the Fire Department, and the Water Services Department. Chair Popovic stated that he is in favor of this proposal.

Mr. Goodhue stated that he is not against the density, but he is opposed to what the current site plan looks like. Mr. Goodhue stated that he is looking at it from the viewpoint of an adjacent neighbor to the east and that he would not want a parking lot with 34 parking spaces or a two-story condominium building next to his back yard. Mr. Goodhue commended the applicant for the amount of parking being provided. Mr. Goodhue stated that he is not in favor of stipulating general conformance to the site plan and elevations presented.

MOTION – Z-84-23-3:

Ms. Sepic motioned to recommend approval of Z-84-23-3, per the staff recommendation. **Abram Bowman** seconded the motion.

VOTE – Z-84-23-3:

8-4; motion to recommend approval of Z-84-23-3 per the staff recommendation passes with Committee members Bowman, Hall, Knapp, Mazza, Sepic, Sparks, Wise, and Popovic in favor and Committee members Goodhue, Gubser, Schmidt and Mortensen opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.