



Village Planning Committee Meeting Summary

Z-57-22-4

Date of VPC Meeting	October 10, 2022
Request From	C-2 and R1-6 (Approved P-1)
Request To	C-2 and R-3
Proposed Use	Multifamily Residential
Location	Southeast corner of 7th Street and Whitton Avenue
VPC Recommendation	Approval, per staff recommendation with an additional stipulation
VPC Vote	14-0-0

VPC DISCUSSION:

No virtual speaker cards were received on this item.

STAFF PRESENTATION

Mr. Klimek, staff, provided an overview of the site including its physical and policy contexts, the applicant's proposal, and the staff recommendation.

APPLICANT PRESENTATION

Ms. Michelle Bach, of EAPC, introduced herself as representing the applicant. She presented the site, the proposal, and offered to answer questions from the committee. The proposal is to construct 12 dwelling units, using the Single-Family Attached (SFA) Development Option, with the homes being constructed with the intent to sell the homes. The project is called Moli Gardens and the first Moli complex is located at 12th Street and Indian School Road.

The conceptual site plan meets the code requirements for SFA, will not require any variances, and the applicant agrees to the staff stipulations. The impetus for the rezoning is the portion of the site which is currently zoned P-1 which is not proposed to host any dwelling units but does not allow open space which is necessary to meet the SFA requirements. All vehicular access is from Whitton Avenue and driveway will be gated. Pedestrian access will be provided from 7th Street to adjacent units through direct pedestrian entries and to interior units through a gated courtyard.

The neighborhood outreach raised several topics such as signage, perimeter lighting, opportunities for art, opportunities for energy efficiency and solar, concerns regarding short-term rentals, and a question of whether the project can be reoriented with

entrances to Whitton Avenue. There are no monument signs proposed and the project will likely be limited to wall signage. There will be standard downward facing wall-pack lighting for security. The project does not currently include solar but will include energy efficiency improvement. The HOA will include CC&Rs to prohibit short-term rentals. The owner has agreed to provide public facing art, likely a mural, and will seek a local artist to complete the installation that will be oriented to Whitton Avenue.

QUESTIONS FROM COMMITTEE

Committee Member Mahrle voiced concern regarding the noise generated by 7th Street and questioned if anyone would want to live in these units. He expressed concern that residents seeking to travel southbound would avoid unprotected left-turn onto 7th Street and would instead travel eastbound on Whitton before turning southbound on 12th Street. He asked if the topic of cut-through traffic had been explored with the neighborhood. **Ms. Bach** responded that there is a significant need for housing, that there are multifamily projects happening up and down major arterials including 7th Street, and the project will have double-pane windows. She responded that the project only includes 12 units and that a traffic study was not completed.

Committee Member Cothron agreed about the need for noise mitigation, thanked the applicant for incorporating art, and asked the applicant to consider solar. **Committee Member Thacker** stated that solar is much more expensive to include once a project is constructed and asked the applicant to consider incorporating solar at construction. **Ms. Bach** responded that they have not evaluated the current site for solar but indicated that the owner had evaluated it on another property, but it didn't work financially. She agreed to raise the topic with the owner for consideration.

Committee Members Jewett, Cothron, Procaccini, George and Vice Chair Rodriguez voiced support for including recycling in the project. **Committee Member Procaccini** noted that the site currently has two more guest parking spaces than required by code. **Vice Chair Rodriguez** voiced support for recycling over the surplus guest parking and noted that on-street parking is common in the neighborhood so would be ok if additional guest parking is required.

Committee Member Schiller asked for clarity on the detached sidewalk along 7th Street including whether it will connect to the attached sidewalk on the adjacent property to the south and if it will include curb-ramps at Whitton Avenue, noting that neither are depicted in the renderings. **Ms. Bach** responded that the detached sidewalk will connect to the attached sidewalk at the adjacent property and she confirmed that the sidewalk will include curb-ramps at Whitton Avenue.

Committee Member George expressed support for the project, that it provides ownership opportunities, and that the height stipulation respects the adjacent neighborhood.

Chair Kleinman asked for detail on the size of units and whether there is any guest bicycle parking. **Ms. Bach** responded that all units have three bedrooms and three bathrooms. The ground floor is garage and a bedroom. The second floor is a kitchen and living space. The top floor contains two bedrooms. She added that all bicycle parking is currently located in the garages.

PUBLIC COMMENTS

None.

APPLICANT RESPONSE

Ms. Bach responded that there is a limited amount of space available on the site but that the owner would be willing to incorporate recycling if the committee wishes to require it. Regarding solar, she agreed to raise the topic with the owner for consideration.

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

MOTION

Vice Chair Rodriguez made a motion to approve the request per the staff recommendation. **Committee Member Wagner** provided a second to the motion.

DISCUSSION

Committee Member Jewett asked if Vice Chair Rodriguez and Committee Member Wagner would be open to a friendly amendment to add a stipulation to require recycling. **Vice Chair Rodriguez** and **Committee Member Wagner** responded in the affirmative and amended the motion.

AMENDED MOTION

Vice Chair Rodriguez amended the previous made a motion to approve the request per the staff recommendation with an additional stipulation that "recycling shall be required." **Committee Member Wagner** provided a second to the amended motion.

DISCUSSION

None.

VOTE

14-0-0; motion to approve per the staff recommendation with Committee Members Cothron, George, Jewett, Mahrle, Matthews, Picos, Procaccini, Schiller, Searles, Tedhams, Thacker, Wagner, Vice Chair Rodriguez, and Chair Kleinman in support, none in dissent, and none in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATIONS & STIPULATIONS

1. The public sidewalk along 7th Street shall be constructed to a width of 5 feet and detached from the back of curb by a minimum 11-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. 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. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
2. The developer shall dedicate a 10-foot-wide sidewalk easement for the east side of 7th Street along the subject site's frontage, as approved by the Planning and Development Department.
3. The public sidewalk along Whitton Avenue shall be constructed to a width of 5 feet and detached from the back of curb by a minimum 5-foot-wide landscape area located between the sidewalk and planted to the following standards, as approved by the Planning and Development Department. 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 shall be maintained at a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
4. The development shall be limited to 15 feet in height within 30 feet of the east property line where adjacent to a residential zoning district, as approved by the Planning and Development Department.

5. All building elevations oriented to 7th Street and Whitton Avenue shall contain architectural embellishments such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
6. The developer shall provide secure bicycle parking at a rate of two spaces per dwelling unit which may be located inside garages if a dedicated space is allocated, as approved by the Planning and Development Department.
7. 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.
8. 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.
9. 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.
10. 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.
11. **RECYCLING SERVICES SHALL BE PROVIDED ON SITE**