



## Village Planning Committee Meeting Summary

### Z-190-25-3

<b>Date of VPC Meeting</b>	February 17, 2026
<b>Request From</b>	R1-8
<b>Request To</b>	R-2
<b>Proposal</b>	Single-family residential
<b>Location</b>	Approximately 330 feet west of the northwest corner of 11th Avenue and Michigan Avenue
<b>VPC Recommendation</b>	Approval, per the staff recommendation
<b>VPC Vote</b>	7-3

#### **VPC DISCUSSION:**

*Two members of the public registered in opposition to this item, wishing to speak.  
One member of the public registered in opposition to this item, not wishing to speak.  
One member of the public registered a neutral position, wishing to speak.*

#### **STAFF PRESENTATION**

**Robert Kuhfuss**, staff, presented the land use, zoning, and General Plan information on the site and surrounding area. Mr. Kuhfuss depicted the proposed site layout and other information. Mr. Kuhfuss highlighted the existing and proposed cul-de-sac configuration, noting the likelihood of additional discussion on the subject. Mr. Kuhfuss stated that the applicant is proposing three floor plans with four elevations each. Mr. Kuhfuss presented the development standards associated with the proposed zoning district stating that the proposal meets these standards. Mr. Kuhfuss stated there were a number of city plans, overlays, and initiatives that were addressed in the recommended stipulations of approval and provided an overview of the recommended stipulations. Mr. Kuhfuss stated that several members of the public had expressed concerns about the project, in particular the configuration of the cul-de-sac. Mr. Kuhfuss presented staff's findings and recommendation for approval.

#### **APPLICANT PRESENTATION**

**Bill Allison**, representing the applicant with Withey Morris Baugh, PLC, provided the location of the property, stating that his client had also developed the property located at the southwest corner of 11th Avenue and Union Hills Drive. Mr. Allison stated that the proposed development would be similar to the site located to the north and east of the subject site. Mr. Allison displayed the General Plan Land Use Map for the area stating that the proposed density would be similar in density to the site located to the

north and east of the subject site. Mr. Allison provided a map depicting the zoning of the site and surrounding area noting the site and the area to the south of the site is currently zoned R1-8, while the area to the west is zoned R1-6 and the area to the north and east is zoned R-3. Mr. Allison stated that their initial application was for R-3 zoning but due to a recent Zoning Text Amendment that was approved by the City Council, the application was revised to R-2. Mr. Allison provided a summary of the development plan stating the intent was to build 19 single-family homes at a density of 7.7 dwelling units per acre. Mr. Allison stated that it was important to design the site to meet all of the R-2 development standards without needing a variance. Mr. Allison stated there would be a five-foot-wide sidewalk on 13th Avenue while the interior of the site would have four-foot-wide sidewalks. Mr. Allison stated there would be landscaping along 13th Avenue. Mr. Allison stated that the cul-de-sac would be completed per the City's requirements and that the primary entrance to the community would be from 13th Avenue, with secondary access onto Michigan Avenue. Mr. Allison displayed an image showing the configuration of the cul-de-sac as originally submitted for site plan review in December of 2024, stating that the Street Transportation Department required the completion of the cul-de-sac, noting that it was not possible to complete the cul-de-sac in its entirety due to the neighboring property. Mr. Allison stated they had discussed various configurations with the City and ended up with the design as currently proposed. Mr. Allison stated that sight visibility would be reviewed during site plan review. Mr. Allison stated that the original site design did not take access from Michigan Avenue and that the City would require the cul-de-sac to be completed regardless of whether the site takes access at that location or not. Mr. Allison stated that it was not possible to obtain 19 lots on the site without a variance unless the cul-de-sac is completed as depicted. Mr. Allison stated there would be three floor plans, each having four elevations. Mr. Allison stated that the Traffic Impact Statement indicates there will be 173 trips per day with AM and PM peak demands of 13 trips per day and 18 trips per day, respectively. Mr. Allison stated that because of the limited impact, a full Traffic Impact Analysis was not required. Mr. Allison summarized by stating the intent was to develop an infill parcel in a manner that is consistent with the City's Housing Policy to add middle housing. Mr. Allison stated there would be street improvements on 13th Avenue and at the cul-de-sac and reiterated there would be minimal vehicle traffic. Mr. Allison provided a poster board depicting the proposed landscaping of the site.

#### QUESTIONS FROM THE COMMITTEE

**Committee Member Paul Clark** asked if there would be any stop signs at the cul-de-sac. **Mr. Allison** stated that the site plan did not depict any stop signs and that the applicant would be willing to install stop signs.

**Committee Member Ricardo Romero** asked how many lots were in the original configuration. **Mr. Allison** stated the original configuration included 23 lots and would have required a number of variances to complete.

**Committee Member James Sutphen** asked about the history of the existing cul-de-sac and why it was configured that way. **Mr. Allison** stated that it was his

understanding that the developer of the property to the south was responsible for constructing the south half of the cul-de-sac. **Vice Chair Susan Herber** asked if the cul-de-sac would be required regardless of how that property was developed. Mr. Allison stated that it was his understanding that the Street Transportation Department would require the completion of the cul-de-sac.

**Committee Member Romero** asked what the price point would be and if they would all be detached units. **Mr. Allison** stated that they would all be detached units and that it was too early to tell what the price point would be other than market rate. **Vice Chair Herber** asked if they would be detached rentals or for sale. Mr. Allison stated they could be sold or rented and stated they would be platted lots as opposed to a build-to-rent community. Mr. Allison clarified that a build-to-rent community would be many units on a single lot, similar to an apartment complex. Vice Chair Herber stated there were detached rentals in the area. **Committee Paul Clark** asked if there was a builder in-tow. Mr. Allison stated that his client is the builder and that they just built the project at the southwest corner of 11th Avenue and Union Hills Drive.

**Committee Member Gerrald Adams** asked if the land to the east of the cul-de-sac was owned by the City and if the cul-de-sac could extend into that area. **Mr. Kuhfuss** stated that the land needed to construct a full cul-de-sac was owned by the adjacent subdivision and that the City had no way of acquiring the additional land at this time. **Committee Member Fared Bailey** asked who owned the right-of-way to the south of the neighboring property. Mr. Kuhfuss stated that the City owned that right-of-way. **Committee Member Romero** stated that it was his understanding that any new development that occurs on the site would be required to construct the cul-de-sac in the manner depicted. Mr. Kuhfuss stated that was correct.

## PUBLIC COMMENTS

**Kimberly Sisk** stated that she owns one of the homes located within the existing partial cul-de-sac on Michigan Avenue adjacent to the site. Ms. Sisk stated that the property referenced previously at 11th Avenue and Union Hills Drive consists of 13 detached rental properties and suggested that the Committee inquire more deeply into the rental issue. Ms. Sisk stated that she submitted multiple letters and seven photographs in an effort to demonstrate how the cul-de-sac currently functions. Ms. Sisk stated that a rezoning is not simply a request for increased density and that the proposal will change the function of a terminal residential street into a circulation roadway, placing maneuvering space within a private street, which creates a geometric safety conflict as opposed to a traffic volume issue. Ms. Sisk stated that the Traffic Impact Study submitted for this case only evaluated standard intersection behavior as a result of the proposed rezone and assumes that vehicles will approach, stop, and depart in predictable forward movements. Ms. Sisk stated that Michigan Avenue does not operate as an intersection and that the cul-de-sac serves as parking, maneuvering, and turnaround space, where vehicles routinely back into the path of travel. Ms. Sisk stated that the study never analyzed reverse movements, or reaction, sight distance, and conflicts between circulating vehicles. Ms. Sisk stated that opening the cul-de-sac to the development introduces traffic into an intersection

control area containing residential driveways. Ms. Sisk stated that vehicles leaving the subject property will not be focused on vehicles backing out of residential driveways, and that this is a foreseeable and dominant traffic conflict that has never been modeled. Ms. Sisk stated that the traffic report relies on low trip count to conclude safety, but low traffic volume does not eliminate the geometric conflict points and a design that forces incompatible movements remains unsafe regardless of the traffic count because the hazard is structural in nature. Ms. Sisk stated that she works from home and that her office window faces the street. Ms. Sisk stated, rhetorically, that if the cul-de-sac is approved as proposed, she could operate a drive-through food window from her office. Ms. Sisk stated that children could no longer play in the street once the road becomes a pass-through street, that neighborhood gatherings would disappear due to the constant circulation of vehicles, and that on-street parking becomes unusable due to interference with turning movements in a confined space. Ms. Sisk emphasized that this is not hypothetical and that the current proposal would turn a terminal street into a conductor roadway with inherent traffic conflicts. Ms. Sisk stated that since the traffic study did not evaluate the primary operating condition, it cannot support safe operation and requested the Committee deny access onto Michigan Avenue or require a supplemental traffic study to evaluate these conflicts prior to approval. Ms. Sisk referred to Mr. Allison's statement that the City requires the completion of the cul-de-sac as part of this development; however, this does not require that the site take access from the cul-de-sac.

**Maria Tovar** stated that she owns a property located along the south side of the proposed development. Ms. Tovar stated that she recently acquired the property and was concerned about how the proposed development would affect her property values. Ms. Tovar expressed concerns that the homes might be for low income and that 19 houses could have an impact on crime in the area. Ms. Tovar expressed concerns over the potential traffic in the neighborhood and how that might affect the ability for kids to walk to the nearby elementary school. Ms. Tovar expressed concerns over vibration caused by construction activities and with privacy adjacent to one-acre lots.

**Jerry Brady** stated that he lives in the area and was not prepared to give comments as he had only recently learned of the proposed project. Mr. Brady stated that he was in agreement with a prior speaker who expressed concerns over the impacts the proposed development would have on children walking to school.

#### APPLICANT RESPONSE

**Mr. Allison** stated that the proposed homes would be market-rate and should have a positive impact on property values in the area since new housing tends to "help all boats float higher". Mr. Allison stated that the proposal did not involve subsidized or Section 8 housing and reiterated that it is market-rate. Mr. Allison stated that no sidewalk currently exists on 13th Avenue adjacent to the site and that the proposed development would include a new sidewalk, which would create a safer environment for anyone walking on 13th Avenue, including children walking to school. Mr. Allison stated that the purpose of the Traffic Impact Statement was to look at traffic volumes,

not geometrics, and that the actual design would be evaluated during the site plan review process. Mr. Allison stated that the City's Street Transportation Department would review the development to ensure that it is designed properly, noting that they had gone through several iterations before coming to a conclusion on what the cul-de-sac would look like. Mr. Allison stated that the Street Transportation Department requires that the cul-de-sac be completed with the geometry shown, noting that the streets within the development will be private. Mr. Allison stated that the proposed lot yield at 19 lots is below the density allowed in the R-2 zoning district and is less dense than the neighborhoods to the north and east of the site. Mr. Allison stated they are looking to build an appropriate infill development without overbuilding the site or creating an unsafe condition while being in alignment with the City's Housing Policy. Mr. Allison stated that the proposed development would be comparable to that located to the north and east of the site. Mr. Allison stated that each home could be either sold or rented but it is not a build-to-rent community. Mr. Allison stated that each home would be sited on its own lot as opposed to build-to-rent, which has many homes on a single lot. Mr. Allison stated that they were amenable to exploring ideas on how to make the connection from the subject site to the adjacent neighborhood safer and gave the suggestion of placing stop signs where the internal streets intersect with the Michigan Avenue cul-de-sac and placing speed humps within the development to slow traffic down. Mr. Allison stated there was a "Dead End" sign on Michigan Avenue and that he did not believe that the sign should come down as a result of the proposed development since it is a private community and people should not be trying to access 13th Avenue through the site. Mr. Allison also stated that "Private Street" signs could be posed within the development.

### COMMITTEE DISCUSSION

**Committee Member Romero** asked if the applicant had closed escrow on the property. **Mr. Allison** stated that he believed the owners closed escrow in July.

**Committee Member Romero** asked if there was ever any consideration towards making the development a gated community since the proposal already involves private streets. **Mr. Allison** stated that it was never part of the discussion but stated that they looked at gating the cul-de-sac but found that it was not possible due to there not being enough room to accommodate vehicular turnaround at each gate.

**Committee Member Clark** asked what the reason was for the private streets and that communities with private streets are usually gated. Committee Member Clark asked how the City would allow private streets that are not gated. **Mr. Allison** stated that the development was always envisioned as having private streets and that he represents more communities with private streets that are not gated than communities with private streets that are gated.

**Committee Member Clark** stated that it was his understanding that the property located at 11th Avenue and Union Hills Drive was entirely rentals and asked if they were sold to private investors who turned them into rentals or if they were held by the builder. Mr. Allison stated that they are currently held by the builder and have not been sold to investors. Committee Member Clark asked if it was the builder's intent to

develop the property located at 11th Avenue and Union Hills Drive as a rental community. Mr. Allison stated that it was constructed to either be rented or sold but was not intended to be a build-to-rent community. Mr. Allison stated that there is nothing that the City can do to mandate whether a platted lot is sold or rented. **Chair Lopez-Biggs** asked for clarification that the applicant also developed the property located at 11th Avenue and Union Hills Drive and owns all 13 units in that development and rents them out through his corporation. **Mr. Allison** stated that was correct. Chair Lopez-Biggs asked for further clarification that it was not the developer's intention to place the 19 units of the subject site into his corporate rental portfolio. Mr. Allison responded that he did not say that and that he will not say that. Chair Lopez-Biggs stated that was part of the concern expressed by the community member in that it is uncertain whether these homes will be constructed for sale or to rent out. Mr. Allison stated that like the community at 11th Avenue and Union Hills Drive, these units could be sold or rented, and that the units at 11th Avenue and Union Hills Drive are currently rented out. Mr. Allison stated that as platted lots, they can be sold. **Vice Chair Herber** stated there is uncertainty as to whether these units would be sold or rented and there did not seem to be any disclosure on the matter. Mr. Allison stated that historically, the applicant has rented the units out for a couple years then sold them. Vice Chair Herber stated that response did not address the question. **Committee Member Clark** stated that if the units were marketed for sale and at the same time marketed for rent, it is easier to find a renter than a buyer due to interest rates and by default it becomes a for-rent community. Chair Lopez-Biggs asked if there would be a Homeowners' Association that will govern these 19 units. Mr. Allison stated there would have to be since there are private streets and other infrastructure that would be held by the community. Chair Lopez-Biggs stated that the Homeowners' Association would be controlled by the property owner, which would be a single individual person. Mr. Allison stated that when a large subdivision goes in, the Homeowners' Association is typically controlled by the developer until enough units are sold and the developer hands control to the homeowners. Chair Lopez-Biggs stated that if the developer chooses to sell only four of the 19 units, there would not be enough units sold for community control of the Homeowners' Association, which means that the developer controls the Homeowners' Association and its associated rules and regulations. Mr. Allison asked what the problem is if the developer maintains the community through the Homeowners' Association for a period of time. Vice Chair Herber stated that it was because control would not be in the hands of the community. Chair Lopez-Biggs stated that the concern was not the length of time but who has control five or ten years later and that typically it is the intention of the developer to sell the homes, whereas it seems the intention of this developer is to hold on to the homes as part of their portfolio, which is invoking concerns with some of the residents as to what type of neighbors they would have in their community. Chair Lopez-Biggs stated that if the homes are for sale, anyone can move in, but if they are for rent, while it could be stated that they are not for low-income housing, the neighbors have no clue as to who is moving into their community. Chair Lopez-Biggs stated that the developer could rent to anyone they wish at any price-point they wish. Mr. Allison asked why the developer would rent to a tenant at a rate that is allowing some element into the neighborhood that would be different than if they were buying the home. Mr. Allison stated that if the homes are to

be rented, they would be rented at market-rate, not at below-market-rate. Vice Chair Herber stated that Mr. Allison was not responding to their concerns. Vice Chair Herber stated that the concerns were simply that the neighbors in the area do not want a bunch of rentals in the area and that based on history, it is very likely they will be rentals. Vice Chair Herber stated if the developer were to state that rentals are not allowed, that might change the flavor of the discussion, and that Mr. Allison is dancing around the question. Mr. Allison stated that the City Council has no ability to dictate who may or may not live in the community.

**Committee Member Sandra Hoffman** stated that the property to the east is R-3 zoning with a density that is at least that of the proposed development and that she does not know if they are rentals or not. Committee Member Hoffman stated that the General Plan anticipates 3.5 to 5 dwelling units per acre and that the development is a quality development that is done well, it does not factor into the decision over entitlement whether it is for sale or for rent. Committee Member Hoffman suggested that the committee not disparage people who rent, especially when it is the state of the economy that creates that situation. Committee Member Hoffman stated that she believed the proposed development is a quality development and that if there is a demand to purchase and people can afford it then great, and that people sometimes rent homes for decades. Committee Member Hoffman stated that it appeared to be a quality development that is similar to that of the north and to the east and that she was supportive of the request.

**Committee Member Gerrald Adams** stated that he had read the letters that were included with the packet and that the concern seemed to be associated with the configuration of the cul-de-sac and that the committee was getting distracted from that issue with all of the discussion regarding whether the development would be for sale or for rent.

**Committee Member Leon Thomas** stated that he did not see any value added for the community members that already live there other than the potential for a sidewalk. Committee Member Thomas asked what type of community outreach had been done up to this point and that it seemed that the development is being forced onto the neighbors. Committee Member Thomas summarized the concerns as decreased access for children to play, pedestrian safety concerns, and the cul-de-sac's proximity to an existing residence. Mr. Allison stated that they had mailed two letters to the surrounding property owners and registered neighborhood associations as is required by the City, they held a neighborhood meeting late last year, and recently held a virtual meeting with Ms. Sisk. Mr. Allison stated that Ms. Sisk had copied him on all of the emails that she sent to Mr. Kuhfuss. Committee Member Thomas asked what adjustments had been done based on the input received. Mr. Allison stated that those who attended the neighborhood meeting had only asked about the proposed development and that there was nothing to respond to as a result of that meeting. Mr. Allison stated that he only learned of the opposition when Ms. Sisk contacted him regarding the cul-de-sac and that he would look at possible mitigations that had been discussed previously.

**Committee Member Clark** stated that he had completed a number of real estate transactions involving build-to-rent properties, and that it was common that such communities are gated and the intention is disclosed up front. Committee Member Clark stated that if the units were owner-occupied, they would take care of their properties, hold block parties, etc. and that would not occur in a rental community. Committee Member Clark stated that it was a bit of a shell-game in that it is kind of like a rental project and kind of like an owner-occupied project, and that it was not good for the community.

**Chair Lopez-Biggs** stated that he agreed but that he is not against the project and that as a for-sale property, it is great as it creates more housing opportunities. Chair Lopez-Biggs summarized the concerns as while the developer has the option to sell or rent, the track record states the latter will occur. Chair Lopez-Biggs stated that he understood the community's concerns over property values and added that rental properties do not affect property values. Chair Lopez-Biggs stated that he appreciates the addition of the speed bumps and stop signs and that the situation with the cul-de-sac needs to be corrected regardless of whether the project gets built or not. Chair Lopez-Biggs stated that he is in support of the project but has an issue with the way the developer is going about it and wants to see clarity on that particular topic. Chair Lopez-Biggs stated that if the development is going to be built then sold, then do so and asked if it was to be rented out why not have multiple residences on a single lot.

**Mr. Allison** stated that the developer tends to rent out the property for a year or two then sells it and that he did not know how he could be clearer on that topic. Chair Lopez-Biggs asked when the other property was constructed. Mr. Allison stated it was built over the last year.

**Committee Member James Sutphen** stated that he did not know how the committee got off track regarding 11th Avenue and Union Hills Drive and stated there were a number of undeveloped properties in the area. Committee Member Sutphen stated that while he appreciated the neighbor's concerns, Michigan Avenue is posted as a dead-end. Committee Member Sutphen stated that having the cul-de-sac built out will widen up that area making it easier to get in and out.

#### **MOTION:**

**Committee Member Fareed Bailey** motioned to recommend approval of Z-190-25-3, per the staff recommendation. **Committee Member Sandra Hoffman** seconded the motion.

#### **VOTE:**

**7-3**, motion to recommend approval of Z-190-25-3, per the staff recommendation passed with committee members Adams, Bailey, Davenport, Hoffman, Romero, Sutphen, and Lopez-Biggs in favor. Committee Members Clark, Thomas, and Herber were opposed.

#### **STAFF COMMENTS REGARDING VPC RECOMMENDATION**

None.