



Village Planning Committee Meeting Summary Z-27-22-6

Date of VPC Meeting	September 6, 2022
Request From	C-2
Request To	PUD
Proposed Use	Multifamily residential
Location	Northeast corner of 7th Street and Colter Street
VPC Recommendation	Approval, per staff recommendation
VPC Vote	14-2-1

VPC DISCUSSION:

16 members of the public registered to speak on this item.

Committee Member Hayleigh Crawford joined during this item, bringing the quorum to 17 members.

STAFF PRESENTATION:

Sarah Stockham, staff, provided an overview of the rezoning request, describing the location, the existing and proposed zoning districts and the surrounding uses as well as the site plan and elevations for the proposed multifamily building. Ms. Stockham shared that the proposal has received one letter of support, 78 letters of opposition, including a petition of opposition with 181 signatures, albeit staff had received a large file with about 200 letters of support from the applicant earlier that afternoon. Ms. Stockham concluded by stating staff recommends approval subject to stipulations.

Chair Jay Swart reminded participants from the public that they would remain muted until it was their turn to speak, during which each speaker would be allotted two minutes to speak. Mr. Swart urged the applicant to keep the presentation brief and to address communication with the neighborhood and any subsequent changes to the project plans.

APPLICANT PRESENTATION:

Nick Wood, representing the applicant with Snell & Wilmer, introduced himself and stated that he would limit his comments to the changes that have been made as a result

of outreach. Mr. Wood briefly introduced the site, its surrounding land uses and the surrounding neighbors that the applicant has worked with, including the Windsor Square neighborhood. Mr. Wood shared that a tour of the site with leadership from Windsor Square prompted the applicant to include the appearance of a stepback element, increase the amount of parking spaces, and construct a traffic signal at 7th Street and Colter. Mr. Wood displayed the development standards table for the project, detailing the process by which the number of units was reduced and by which the setbacks, open space, and parking were increased. Mr. Wood displayed renderings and brought attention to architectural features that will be used to create the illusion of a step back in height. Mr. Wood displayed outreach maps with addresses of both letters of support and opposition.

QUESTIONS FROM THE COMMITTEE:

Hayleigh Crawford asked for the requisite for rezoning to PUD rather than utilizing the site's by-right uses. **Mr. Wood** elaborated that PUD zoning is the only way to achieve the density and height that is needed given the size of the site, which exceeds the intensity and density that waivers could provide in the current C-2 zoning. **Ms. Crawford** asked Mr. Wood if he believes that the current zoning is undesirable. **Mr. Wood** responded that, yes, with the example of a convenience store or service station as an unfavorable alternative allowed by-right.

Dawn Augusta inquired about current on-street parking along Colter Street. **Sarah Stockham**, staff, stated aerial imagery shows vehicles parked along Colter Street. **Mr. Wood** responded that there is in fact street parking allowed on Colter Street, while also reminding the committee that the number of efficiency and one-bedroom units has allotted extra parking spaces within the project.

Hayleigh Crawford requested clarification on a discrepancy in the parking and unit counts. **Mr. Wood** replied that the unit count had been lowered, though the parking study was conducted based on a higher amount.

PUBLIC COMMENTS:

Mary Crozier introduced herself as the president of the North Central Phoenix Homeowners' Association in opposition. Ms. Crozier stated that her organization has worked closely with developers in the past and cited the Broadstone on 7th as a project in which the developer appropriately addressed concerns about height and building massing.

Andrew Rogers introduced himself as a neighbor of Windsor Square in opposition. Mr. Rogers expressed his beliefs that the applicant has been disingenuous and difficult to contact. Mr. Rogers shared that, while not opposed to growth, he would prefer anything other than the project as it is proposed. Mr. Rogers emphasized diversity and inclusion and stressed that the applicant has not made any proper changes.

Mike Freret introduced himself as a neighbor of Windsor Square in opposition. Mr. Freret stated that the proposal threatens to undermine the spirit and cohesion of the community, as the current zoning and the density it allows is appropriate. Mr. Freret does not find a traffic signal to be a solution to the increase in traffic and density.

Susan Rhoads introduced herself as a nearby neighbor in opposition. Ms. Rhoads stated that she was present during the walkaround with the applicant and that she does not believe any of the concerns brought up during that meeting were addressed. Ms. Rhoads also finds balconies above 7th Street hazardous.

Andre DeMarco introduced himself as a neighbor of Colter Street in opposition. Mr. DeMarco shared traffic as his largest concern, citing the recent increase of traffic in the area. Mr. DeMarco believes that the proposal will exacerbate traffic as many vehicles will utilize Colter to access the 51 freeway.

Sandy Grunow introduced herself as a neighbor in opposition. Mrs. Grunow brought attention to a school bus pick up and drop off at 8th Place and Colter Street; she believes the proposal will increase traffic and therefore threaten the safety of the children and others walking or cycling along Colter. Ms. Grunow believes that ingress and egress to the site should be via 7th Street and that the proposal will not help address the affordable housing crisis.

William Saul introduced himself as a neighbor in support. Mr. Saul shared that he finds that the developer has made small changes to address some of the issues. Mr. Saul emphasized the need for housing in Phoenix and expressed that he finds the proposal as a solution, though he encourages the developer to be a good neighbor.

Dani Huval introduced herself as a nearby homeowner in support. Ms. Huval shared that she works for a general contractor that builds with the developer and that the developer has been trustworthy and of high quality in her experience. Ms. Duval noted that the number of units has been reduced to address density concerns.

Nicole Vasquez introduced herself as a neighbor of 12 years in support. Ms. Vasquez emphasized the various amenities of the project that will facilitate walking and biking as well as her desire to see the 7th Street Corridor improved and updated.

Tom Hilditch introduced himself as the president of the Windsor Square board in opposition. Mr. Hilditch echoed the sentiments of Mr. Freret and relayed the community's desire to maintain the character of the neighborhood. Mr. Hilditch echoed the concerns about height and density and the improper precedent that will be set by the project.

Jackie Rich introduced herself as the president of the Murphy Trail Estates Neighborhood Association in opposition. Ms. Rich expressed concern about setting a precedent of intensity should the project be approved. Ms. Rich stated that the project belongs in downtown Phoenix and that the proposed height and setbacks are not contextually appropriate.

Peggy Oursland introduced herself as a neighbor in opposition. Ms. Oursland expressed opposition to the proposed traffic signal at Colter Street and her desire to maintain the existing zoning.

Suzanne Dohrer introduced herself as a neighbor in opposition. Ms. Dohrer relayed concern about noise coming from unit balconies and apprehension for moving forward without a completed traffic study. Ms. Dohrer urged the committee to be wary of the

recently gathered petitions of support as the petition was misleading and hastily prepared.

John Hathaway introduced himself as an officer in a local charity in opposition. Mr. Hathaway shared that the proposed rent for the project far exceeds the neighborhood average, and that he in fact has heard of two dozen families who have been displaced from the neighborhood. Mr. Hathaway implored staff and the committee to approve affordable housing units rather than luxury housing units.

Dr. Jelena Vladikovic echoed the sentiment of opposition. Dr. Vladikovic expressed grave concerns about water supply and shortages, as well as a concern for displacement as a result of luxury construction.

Larry Whitesell introduced himself as the co-chair of the Peak Neighborhood Association in opposition. Mr. Whitesell implored staff and the applicant to elaborate on elements of the case's staff report including general plan consistency, consistency with surrounding uses, comparison of standards for similar projects, and ingress/egress on Colter Street. Mr. Whitesell brought attention to a quote from the first round of review for the PUD, stating that the proposal does not propose any significant enhancements which are superior to conventional zoning to justify the requested PUD.

APPLICANT RESPONSE:

Mr. Wood stated that projects of this nature are always subject to change after the first submission. Mr. Wood displayed a map of outreach made to surrounding residents, from which arose a substantial number of individual letters of support. Mr. Wood contested claims that these letters were misleading or incomplete. Mr. Wood cited two meetings with neighborhood leaders including Ms. Crozier and Mr. Whitesell during May and June of 2022 and mentioned that the project was 220 feet away from the nearest home to refute claims that the project would hover over nearby homes or that noise could be heard from overhead balconies. Mr. Wood reaffirmed the need for a traffic signal at Colter Street in the name of safety for bicyclists, transit riders, and turning vehicles, as well the need for enhanced streetscape using detached sidewalks and bioswales for water retention. Mr. Wood clarified the range of projected rents, shared his belief that the traffic signal would reduce noise from high-speed traffic, and emphasized the improvements to an outdated site. Mr. Wood reiterated that the project has incorporated architectural elements to create the illusion of stepback in contrast to a taller building at 7th Street and Missouri.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

Craig Tribken shared that he lived in Windsor Square for over 20 years. Mr. Tribken iterated that while state legislature does not provide for rent control, the best way to mitigate affordability is through supply and demand. Mr. Tribken stated his belief that Windsor Square has sufficient protection from cut-through traffic, 7th Street needs to be changed in terms of reverse lanes and attached sidewalks, and the property currently provides by-right uses that would adversely affect the neighborhood.

Christina Eichelkraut concurred with Mr. Tribken about housing affordability, though she believes that there is other recourse, including the public hearing process. Ms. Eichelkraut stressed the issue of affordability and doubts that an approval of yet another

luxury multifamily project would alleviate the issue, if not exacerbate it. Ms. Eichelkraut raised concerns about the project's efficacy of public transit use given its parking count and concerns about developers being obliged to pay for infrastructure improvements. Ms. Eichelkraut does not believe concerns from Windsor Square are invalid on account of distance.

Tom O'Malley iterated that the committee spends a great deal of time vetting these projects and that he himself had done a thorough survey of the surrounding area. Mr. O'Malley expressed support for both ingress/egress from Colter and the installation of a traffic signal at Colter, as well as doubts that the project will impede views or increase cut-through traffic in Windsor Square.

Hayleigh Crawford asked for a clear comparison between the existing development standards and the proposed standards. Ms. Crawford does not find the proposal to be innovative or sufficient in supporting goals for walkability or tree and shade plans.

Dawn Augusta stated that the project exemplifies responsible development due to the installation of a traffic signal and its contribution to housing stock in the city of Phoenix.

Adiba Jurayeva stated that her biggest concern was parking, though it has been addressed via stipulations and for this reason she is in support.

Danny Sharaby expressed support for the project and the changes that have been made, though the Committee should be wary of public outreach by the applicant in terms of online interactions and dissemination of information.

Craig Tribken reiterated his support of the streetscape improvements, setbacks, and its provision of housing.

Vice Chair William Fischbach shared that he and Chair Swart had spent several hours meeting with the applicant which determined his narrow vote of support. Mr. Fischbach relayed that due to site constraints and parking requirements, the developer was not able to offer concessions in height or density, thereby requiring a PUD. Mr. Fischbach commended the project's provision of detached sidewalks and improvements to the neighborhood, the character of the Windsor Square and North Central neighborhoods, and the housing opportunity for young professionals in the project.

MOTION:

Tom O'Malley motioned to approve Z-27-22-6 per the staff recommendation. **Craig Tribken** seconded.

VOTE:

14-2-1; motion to recommend approval of Z-27-22-6 per the staff recommendation passes with Committee Members Abbott, Augusta, Bayless, Beckerleg Thraen, Garcia, Jurayeva, Nye, O'Malley, Pacey, Rush, Sharaby, Tribken, Fischbach and Swart in support, Crawford and Eichelkraut in opposition, and Czerwinski in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.