

ATTACHMENT C

Z-136-24-Y: Adaptive Reuse and Multifamily (ARM) Overlay District Village Planning Committee Summary Results

Village	Recommendation Date	Recommendations	Vote
Alhambra	10/22/24	Approval, per the staff recommendation	11-2
Camelback East	10/1/24	Approval, per the staff recommendation	16-0
Central City	10/21/24	Approval, per the staff recommendation	10-0
Encanto	10/7/24	Denial	8-4-1
Estrella	10/15/24	No quorum	n/a
Maryvale	10/9/24	No quorum	n/a
North Mountain	10/16/24	Approval, per the staff recommendation, with direction	13-0
South Mountain	10/8/24	Approval, per the staff recommendation	12-0



Village Planning Committee Meeting Summary Z-136-24-Y

Date of VPC Meeting	October 22, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	11-2

VPC DISCUSSION

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24-Y and Z-136-24-Y, highlighting the background of the legislation approved by the Arizona Legislature, the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Charles Jones asked about the mile distance requirement. **Mr. Rogers** explained that state law requires cities to allow 10% of their commercial areas to develop up to five stories with densities equivalent to the highest zoning district within one mile of the subject property. Mr. Rogers stated that the City of Phoenix applied this by allowing sites within existing Transit-Oriented Communities (TOC) to develop according to Walkable Urban (WU) Code T5:5 standards, permitting unlimited density and five-story buildings.

Committee Member Martin Shultz stated that this policy originated from state law and questioned whether cities should control zoning or if state involvement is appropriate. Committee Member Shultz stated that the motivation behind some legislation is to create challenges for transit-oriented development. **Mr. Rogers** discussed the balance of benefits and risks in the relationship between city zoning authority and state regulations. Committee Member Shultz explained that determining zoning jurisdiction is complex and raised the importance of regional planning and described the politics that opposed the Capitol Mall light rail expansion.

Committee Member Quanta Crews expressed support for how Phoenix applied the state law through an overlay, explained she supported the law as a state legislator due to its potential to create affordable housing, and asked about the public engagement process. **Mr. Rogers** clarified that the application of the ARM Overlay will be an administrative process that does not require public hearings, stated that the overlay will not alter existing rezoning procedures, and reiterated that the ARM Overlay applies within established high-intensity policy areas.

Committee Member Marshall Pimentel highlighted the benefit of affordable housing through this process, stated that the overlay is a small but positive step, and explained that Arizona's prohibition on mandatory inclusionary housing presents barriers.

Committee Member David Krietor raised concerns about the proposed five-story allowance, stated that some commercial properties in the ARM Overlay are adjacent to single-family homes, and described previously conflicts over height within the Alhambra Village. **Mr. Rogers** explained that developments within 100 feet of single-family zoning are limited to two stories.

Committee Member Jones requested clarification on the ARM Overlay boundaries. **Mr. Rogers** presented the ARM Overlay boundaries.

Committee Member Jones asked if affordable housing was mandatory for projects utilizing the ARM Overlay and asked about funding. **Mr. Rogers** confirmed that affordable housing is required for multifamily developed under the ARM Overlay, stated that the affordable housing is funded by developers, and explained that developers could choose to rezone if they wish to avoid providing affordable housing.

Committee Member Crews questioned the appropriate distance requirement for the two-story height limitation near single-family zones and whether 300 feet would be more appropriate. **Committee Member Krietor** described Alhambra's support for affordable housing, explained conflicts over height near single-family areas, and stated that overlay may lead to potential disputes regarding height. **Committee Member Jones** explained that step-downs are sometimes required and stated that determining an optimal distance from single family to limit the height is challenging.

Committee Member John Owens asked whether the presentation's reference to 20% of commercial areas being within ARM Overlay included the downtown and airport areas. **Mr. Rogers** explained that he is unsure.

Committee Member Jones inquired about potential consequences if the City did not adopt the ARM Overlay by the deadline and asked about other cities' approaches. **Mr. Rogers** stated that failing to adopt the overlay could expose the City to lawsuits, explained that other cities generally applied the state law city-wide, and stated that Phoenix's approach applied the overlay to existing high-intensity policy areas.

Committee Member Jones asked about potential changes to the state law. **Mr. Rogers** stated he was unaware of any planned changes. **Committee Member Crews** stated that she may try to potentially modify the state law to increase the distance a property must be from single-family homes in order to allow five-story developments.

Committee Member Pimentel stated that the bill was the result of compromise between major cities, developers, and the League of Cities and Towns. **Committee Member Crews** echoed Committee Member Pimentel's comments and added that significant compromise was involved in the bill's development.

Committee Member Keyser asked about the most challenging parts of process up to this point. **Mr. Rogers** noted difficulties in interpreting legislative intent and emphasized the importance of applying the overlay selectively to protect low-intensity areas.

Committee Member Keyser stated that affordable housing materials might be less expensive because affordable units do not require luxury amenities and may be smaller in size.

Committee Member Dina Smith asked for clarification on the state law's requirements. **Mr. Rogers** explained that cities must allow 10% of commercial properties to build up to five stories, with density equivalent to the highest density allowed within one mile of the property.

Committee Member Smith asked about the rationale behind the state law and raised concerns about the cumulative density impact, especially on schools and property values. **Mr. Rogers** explained that the state aims to increase housing availability and address the affordable housing shortage, and stated that limiting the overlay to TOC areas is an effort to manage density impacts. **Committee Member Keyser** discussed the negative consequences of sprawl, including increased infrastructure costs, pollution, and urban heat effects, and highlighted the role of impact fees for new development. Committee Member Smith reiterated concerns about potential over-development impacting property values and local schools.

Committee Member Jak Keyser asked if there is a possibility that the overlay may be amended in the future. **Mr. Rogers** explained that it is possible that the City may revisit the ARM Overlay and explained that Proposition 207 makes it easier to grant changes than to take them away.

Committee Member Keyser asked about the possibility of tabling the discussion. **Mr. Rogers** explained that the text amendment will be heard by the City Council before the next Alhambra VPC meeting.

Committee Member David Krietor expressed his support and stated that he would second a motion.

Committee Member Crews thanked Committee Member Smith for her comments and emphasized that the goal of the state law is to encourage greater density and provide more housing options for everyone. Committee Member Crews described the urgency of the situation, explained that the City is experiencing a significant population increase and a housing shortage, and expressed appreciation for how the City is implementing the state law through the overlay. Committee Member Crews explained that state laws can change, stated that the current measures are a temporary solution, and emphasizing the need to explore more comprehensive solutions. **Committee Member Smith** cautioned that sometimes temporary solutions can become problematic. Committee Member Crews explained that failing to act will result in more families facing homelessness. Committee Member Smith expressed concern that new housing is too expensive, and that young people are struggling to afford housing. Committee Member Crews explained that unless the government steps in to subsidize housing and increase taxes, negotiations with developers will be necessary to find workable solutions.

PUBLIC COMMENTS

None.

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

MOTION

Committee Member Jak Keyser made a motion to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Elizabeth Sanchez** seconded the motion.

VOTE

11-2, motion to recommend approval of Z-136-24-Y per the staff recommendation passed with Committee Members Crews, Farina, Harris, Keyser, Krietor, Owens, Pimentel, Sanchez, Shultz, Camp, and DeGraffenreid in favor and Committee Members Jones and Smith opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comment.

Village Planning Committee Meeting Summary

Z-136-24-Y

*REVISED November 1, 2024

Date of VPC Meeting	October 1, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	16-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting, following a previous discussion Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Committee Member Pacey asked about the 10 percent allocation for affordable and workforce housing and how would requirements for development be implemented. **Mr. Roanhorse** responded that during the review process applicants and developer may access how to include various housing types. Committee Member Pacey asked if the

Village Planning Committee will see plans and be able to add stipulations for housing and development. Mr. Roanhorse responded that for rezoning cases that come to the Committee they may review and provide feedback and if practical include stipulations.

Committee Member Augusta asked if parking would change as a result of this proposed text amendment considering the implications of previous parking amendments. **Mr. Roanhorse** responded that proposals would still meet the required parking based on the zoning. **Mr. Cameron McCutchen**, staff, responded that with parking requirements, instead of maximums the City utilized minimums to provide allowance for a specific number of parking spaces. Mr. McCutchen stated that in some cases options like the Walkable Urban Code allow flexibility in different transects to incentivize measures to reduce automobile parking.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

Committee Member Pacey commented the proposed text amendments are a good idea to include access to light rail and improve multifamily development and it makes good sense.

MOTION

Committee Member Pacey motioned to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Sharaby** seconded the motion.

VOTE

16-0; motion to recommend approval of Z-136-24-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Garcia, Guevar, Jurayeva, Langmade, Pacey, Schmieder, Sharaby, Whitesell, Williams, Fischbach and Swart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-136-24-Y

Date of VPC Meeting	October 1, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west
VPC Recommendation	Approval per the staff recommendation with modifications passes
VPC Vote	16-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting, following a previous discussion Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Committee Member Pacey asked about the 10 percent allocation for affordable and workforce housing and how would requirements for development be implemented. Mr. Roanhorse responded that during the review process applicants and developer may access how to include various housing types. Committee Member Pacey asked if the Village Committee will see plans and be able to add stipulations for housing and

development. Mr. Roanhorse responded that for rezoning cases that come to the Committee they may review and provide feedback and if practical include stipulations.

Committee Member Augusta asked if parking would change as a result of this proposed text amendment considering the implications of previous parking amendments. **Mr. Roanhorse** responded that proposals would still meet the required parking based on the zoning. **Mr. Cameron McCutchen**, staff, responded that with parking requirements, instead of maximum the City utilized minimums to provide allowance for a specific number of parking spaces. Mr. McCutchen stated that in some cases options like the Walkable Urban Code allow flexibility in different transects to incentivize measures to reduce automobile parking.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

Committee Member Paceley commented the proposed text amendments are a good idea to include access to light rail and improve multifamily development and it makes good sense.

MOTION

Committee Member Paceley motioned to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Sharaby** seconded the motion.

VOTE

16-0; motion to recommend approval of Z-136-24-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Garcia, Guevar, Jurayeva, Langmade, Paceley, Schmieder, Sharaby, Whitesell, Williams, Fischbach and Swart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.



Village Planning Committee Meeting Summary

Z-136-24-Y

Date of VPC Meeting	October 7, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Denial
VPC Vote	8-4-1

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION:

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting. Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Chair Wagner commented that House Bill 2297, stipulates that no more than 10 percent of eligible properties within the city can be developed for adaptive reuse. Chair Wagner stated that the current TOC overlay seems to include over 20 percent of commercially zoned properties, exceeding the 10 percent cap. **Mr. Roanhorse** responded that the 10 percent cap does not necessarily apply to every property in the TOC, as the city has mapped areas where adaptive reuse is appropriate. Mr. Roanhorse stated the focus is on working within the existing zoning framework, ensuring consistency with what is already allowed by zoning ordinance. Mr. Roanhorse stated the amendments will streamline adaptive reuse in areas that can accommodate it without increasing zoning entitlements, maintaining balance between development and current zoning laws.

Chair Wagner asked how the City will track commercial properties within the overlay to ensure compliance with the amendments. **Mr. Roanhorse** responded that the City is currently gathering data on the percentage of commercial properties and their square footage and are aware of the need to monitor this information for future development. Mr. Roanhorse stated that in a previous presentation staff explained that exact numbers are still being collected.

Committee Member George asked whether the committee would be notified about specific properties or buildings eligible for development. **Mr. Roanhorse responded** that the committee would be notified of any rezoning cases or changes, and that notices would still be provided for developments that were by-right. Mr. Roanhorse stated that notifications would go to neighborhoods and associations when significant changes or developments were made.

Committee Member Jewett stated there was not clarity regarding height restriction and reiterated that what he understood in the presentation, and it did not align with what he was reading in the legislation. Committee Member Jewett stated concern about buildings being classified as functionally obsolete and noted the potential for manipulation by neglecting repairs or setting rent prices high enough to keep properties vacant. Committee Member Jewett stated that properties may be left to deteriorate intentionally and asked if there were any measures in place to prevent such manipulation and noted the issue of neglected properties in his neighborhood. **Mr. Roanhorse** responded that is a concern and will be a challenging issue and stated the PDD (Planning and Development Department) is focused on fostering development potential rather than driving economic disinvestment. Mr. Roanhorse said that the City can collaborate with departments like Neighborhood Services to address repairs or underused properties and noted that the City's Economic Development Department has measures in place to intervene when necessary and some initiative falls on the private development community. Mr. Roanhorse explained that the text amendment aims to prevent intentional disinvestment and supports development in appropriate areas, particularly near transit corridors.

Chair Wagner expressed frustration that neither the City nor the State have provided clear answers to important questions that were brought up during the review. Chair Wagner said that there is a growing need for accessible workforce housing and noted the limitation of the

adaptive reuse program is just 6 percent of the City's land, primarily around 50 TOD areas. Chair Wagner stated that only 18 percent of service workers live in the TOD areas, leaving 88 percent of service workers without affordable housing options near transit locations. Chair Wagner said the City should expand opportunities for adaptive reuse beyond the current limitations, noting that more affordable housing options should be available in other areas like Desert Ridge and Camelback East, rather than restricting it to a small percentage of land near transit areas. Chair Wagner stated disappointment in the current approach and hoped that the City will make adjustments by January to better address the housing needs of Phoenix's workforce. **Mr. Roanhorse** responded that the overlay does promote the creation of affordable housing by requiring that 10 percent of units be dedicated to affordable or workforce housing. Mr. Roanhorse stated the importance of defining affordable and workforce housing, which has been clarified in the amendment. Mr. Roanhorse stated that the multifamily overlay and adaptive reuse provisions encourage development in areas near transit, especially around light rail, while allowing flexibility for developers to adapt projects to the unique characteristics of those zones. Mr. Roanhorse stated that historic preservation remains unaffected by these changes.

Vice Chair Rodriguez said there is concern about the complexity of the proposed changes, particularly in relation to HB 2297, noting that these types of amendments can be difficult to understand. Vice Chair Rodriguez stated that there needs for more accessible and visual presentations, as well as clearer communication from the City to help the public understand the details of proposed changes. Vice Chair Rodriguez stated that staff working on proposals should make them more digestible, particularly for community members unfamiliar with zoning language. Vice Chair Rodriguez stated that while developers are not mandated to use the adaptive reuse and multifamily overlay, they must meet the affordability requirements if they choose to participate. **Mr. Roanhorse** responded that there are challenges in responding to legislative requirements while maintaining practical zoning interaction with the public and despite these challenges public involvement remains crucial, as various committees and organizations are regularly engaged in the planning and review processes.

Vice Chair Rodriguez expressed frustration with the lack of feedback opportunities regarding the TOC presentation. Vice Chair Rodriguez stated she walks, bikes, and uses public transit, and it feel like a dead zone with lack vibrancy around Central Avenue. Vice Chair Rodriguez said there is a need for improvements and the importance of providing workforce housing close to transit corridors. Vice Chair Rodriguez said there are challenges faced by service workers and teachers who deserve to live near where they work but currently do not have sufficient options. **Mr. Roanhorse** responded the challenges in providing affordable housing and workforce opportunities are significant and the City is in the process of expanding opportunities.

Committee Member Doescher stated concern with the current state legislation affecting affordable housing and the pressing need for housing options near employment centers, particularly for healthcare workers who often face challenges due to irregular hours. Committee Member Doescher stated that while some developments may be located near light rail, this approach does not address the diverse needs of all residents, especially those with limited housing options. Committee Member Doescher said it is frustrating that state laws that do not consider local realities, stating that these mandates could hinder cities' ability to address their

unique housing challenges and the concern that developers might prioritize profit over affordable housing.

Committee Member Warnicke expressed concerns about certain properties within the TOD area, stating that some should not be designated for five-story buildings. Committee Member Warnicke said that instead of focusing solely on the light rail corridor for affordable housing, the city should also consider properties along bus routes and mass transit lines and this approach would help protect neighborhoods from changes like large out-of-place buildings and create affordable housing along existing transit routes.

Chair Wagner stated that the state legislation originally intended to apply the TOD statewide, but the City of Phoenix chose to focus on 60 percent of its land area. Chair Wagner said it was disappointing that the City's current approach focuses on expensive properties along the light rail corridor may not become affordable housing. Chair Wagner said there might be an opportunity for small developers to convert underutilized buildings across the entire City, rather than concentrating on a limited area and there is a need for more meaningful progress and that they have until January to reconsider their approach.

Vice Chair Rodriguez stated that when the City initiated the Walkable Urban (WU) Code, it was a citywide proposal. Vice Chair Rodriguez said there were concerns at the time, including the potential for overdevelopment in areas not ready for it, which led to opposition against it. Vice Chair Rodriguez stated there is some confusion about the current situation, where there is now interest in focusing citywide development around transportation, such as the light rail and asked for clarification on the approach now, comparing it to previous concerns about the broader application of the WU Code. **Mr. Klimek** responded that the WU Code was proposed citywide and that it was reviewed by all 15 Village Planning Committees and stated that many projects have successfully utilized the code in various areas of the city. **Mr. Roanhorse** responded that while the WU Code had been applied successfully in some areas, it was not practical everywhere and noted it has been adapted in a few projects, driving innovation in development, particularly in mixed-use areas.

Vice Chair Rodriguez stated there is difficulty in balancing the need for flexibility in development with protecting neighborhoods from rapid development. Vice Chair Rodriguez said there were past concerns about certain developments, such as the Phoenix Country Club, which raised worries about similar projects taking an easier route for approval and there needs to be better understand with the current perspective on expanding development citywide, especially focusing on transit corridors. **Mr. Roanhorse** responded that some areas are better suited for mixed-use or dense development, while others may need a more specialized approach and there are many challenges for future development.

Committee Member Procaccini asked about the potential for expanding development beyond the current overlay boundaries and whether there are plans or metrics guiding

future development areas. **Mr. Roanhorse** responded that the City is planning future text amendments and noted that the City is trying to be more responsive in addressing development needs, particularly around transportation hubs and with a focus on increasing housing options, including single-family and multifamily developments. Mr. Roanhorse referenced the *Housing Phoenix Plan* as a guide for future residential growth.

PUBLIC COMMENT:

None.

STAFF RESPONSE:

None.

MOTION FOR Z-136-24-Y:

Committee Member George motioned to recommend denial of Z-136-24-Y.
Committee Member Warnicke seconded the motion.

VOTE FOR Z-136-24-Y:

8-4-1; motioned to recommend denial of Z-136-24-Y passes with Committee Members Doescher, George, Kleinman, Mahrle, Perez, Montaña Searles, Warnicke and Wagner in favor; and Jewett, Procaccini, Tedhams and Rodriguez in opposition; and Cardenas abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.



Village Planning Committee Meeting Summary Z-136-24-Y

Date of VPC Meeting	October 15, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.



Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 9, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 16, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	13-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Ms. Stockham, staff, provided a brief presentation regarding the proposed text amendment Z-TA-3-24 and companion case Z-136-24-Y, sharing elements of the legislation (HB 2297) and the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the proposed Zoning Ordinance revisions, and the hearing schedule for the cases.

QUESTIONS FROM COMMITTEE

None.

PUBLIC COMMENTS

None.

COMMITTEE DISCUSSION

Vice Chair Joshua Matthews shared his understanding of the proposal and the timeline for compliance with state law and shared a desire to recommend approval of the proposal and to expand the applicability to other areas, such as Village Cores, in the future.

Committee Member Gabriel Jaramillo added that this is an opportunity to expand it to other areas now.

Committee Member Arick O'Hara stated that he agreed with Committee Member Jaramillo but not on the deadline to push this through by January. Committee Member O'Hara stated that with a deadline to comply by January, the committee could vote no without direction, and shared that when the committee makes a recommendation with direction, there is a concern that the committee's direction could not be listened to by other hearing bodies. Committee Member O'Hara shared that he does not disagree with the proposal but disagrees with the way it is being done and that he did not want to limit it to an area now and expand it later.

Committee Member Mike Krentz shared that state law will be effective in January, this proposal will serve as a template to expand it to other areas, and reminded the committee of a previous proposal to expand the Walkable Urban Code applicability area citywide which was met with opposition.

Vice Chair Joshua Matthews stated that City Council will take action before January, and that he would also like to add direction regarding tracking and reporting the use of the overlay provisions back to the Village Planning Committees.

Committee Member Joshua Carmona asked if other hearing bodies take into consideration the direction provided by Village Planning Committees.

Vice Chair Joshua Matthews replied that from a Planning Commissioner perspective, he reads the Village Planning Committee recommendations and if, for example, a Village Planning Committee recommended denial of a case unanimously, he will take a close look at the discussion, and that Village Planning Committee recommendations could impact the Planning Commission recommendation.

Committee Member Gabriel Jaramillo stated he would also like to add direction to include Village Cores, along the Bus Rapid Transit (BRT) line, and other major transportation corridors.

MOTION – Z-136-24-Y

Committee Member Mike Krentz motioned to recommend approval of Z-136-24-Y per the staff recommendation with direction that the boundaries be expanded in the future to include other areas in the city such as the Bus Rapid Transit line, Village Cores, and other transportation corridors and that the Planning and Development Department track and report the use of the overlay provisions to the Village Planning Committees. **Vice Chair Joshua Matthews** seconded the motion.

VOTE – Z-136-24-Y

13-0; Motion to recommend approval of Z-136-24-Y per the staff recommendation with direction passed; with Committee Members Alauria, Carmona, Garbarino, Jaramillo, Krentz, Larson, McBride, Molfetta, O'Hara, Pamperin, Sommacampagna, Matthews and Fogelson in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 8, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24 and Z-136-24-Y, highlighting the background of the legislation approved by the Arizona Legislature, the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the overlay’s interaction with other policy plans, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Tamala Daniels inquired about the locations of the properties presented as examples of sites that could be developed under the ARM Overlay. **Mr. Rogers** stated that the presented example properties are not in South Mountain and explained he does not know the exact locations.

Chair Trent Marchuk asked for clarification on conflicts with the ARM Overlay and the Baseline Area Overlay District (BAOD). **Mr. Rogers** explained that the ARM Overlay allows commercial properties to develop under the Walkable Urban (WU) Code Transect T5:5 standards and explained the T5:5 maximum setback is less than the BAOD minimum setback. Mr. Rogers explained that work had been done on an amendment to the BAOD in the past but had never gone to City Council for approval. **Committee Member T. Daniels** asked for clarification on why the amendment to the BAOD was not completed in the past and stated that there had been a Text Amendment (TA) to expand the WU Code’s applicability area. Mr. Rogers explained that he was not aware of the specific reasons why the BAOD amendment was not completed and explained that the TA to expand the WU Code’s applicability area ended up failing.

Committee Member Marcia Busching clarified the boundaries of the BAOD, stated that she initiated the original effort to amend the BAOD, and explained that staff had informed her that other TAs would need to occur before the BAOD text amendment, resulting in the effort being paused. Committee Member Busching stated it is a good idea to include initialization of the BAOD amendment in the motion.

Committee Member T. Daniels expressed confusion and frustration that the Transit-Oriented Development (TOD) plan had been worked on for two years, but the BAOD conflicts had not been addressed, and explained that the City had tried to put forth a separate TA to reduce parking requirements for multifamily developments, but WU Code already addresses reduced parking requirements. **Mr. Rogers** explained that for staff to continue working on the BAOD amendment, the committee would need to include a recommendation to amend the BAOD. Mr. Rogers stated that he does not have information regarding the order in which TAs are brought to the VPC, explained that House Bill 2297 requires municipalities to implement new rules by the beginning of next year, and stated the ARM Overlay brought renewed attention to the conflicts with the BAOD.

Committee Member Greg Brownell asked for clarification on whether resolving the conflicts between the BAOD and the WU Code would require the WU Code to supersede the BAOD. **Committee Member Busching** stated that the BAOD boundaries could be amended to end at 7th Street.

Chair Marchuk asked for clarification on what process would be triggered if the committee recommended amending the BAOD. **Mr. Rogers** explained that such a recommendation would trigger an additional Text Amendment.

Committee Member T. Daniels discussed the area within the South Central TOD Community Plan and the BAOD and asked about the boundaries of the BAOD.

Committee Member Busching clarified the boundaries of the BAOD. **Mr. Rogers** explained that the City generally supports rezonings to the WU Code only if the site is within a TOD plan area, and clarified that sites governed by the WU Code within the BAOD cannot functionally develop due to conflicting regulations.

Chair Marchuk inquired whether the committee would discuss the matter next month. **Mr. Rogers** stated that he would need to consult with his team to determine a timeline moving forward.

Committee Member Brownell suggested that the committee could also make a motion to modify the ARM Overlay to address the conflicts. **Mr. Rogers** explained that the ARM Overlay is not likely to change much and a modification of the BAOD would likely need to be an amendment to the BAOD. Committee Member Brownell asked for confirmation that, if there was an R1-6 property where a second story was being added, this process

would not be impacted. Mr. Rogers confirmed that the ARM Overlay will not change the process of permitting on an R1-6 property.

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

MOTION

Committee Member Marcia Busching made a motion to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Emma Viera** seconded the motion.

VOTE

12-0, motion to recommend approval of Z-136-24-Y per the staff recommendation passed with Committee Members Alvarez, Beehler, Brooks, Brownell, Busching, Coleman, F. Daniels, T. Daniels, Shepard, Viera, Greathouse, and Marchuk in favor.