



**Village Planning Committee Meeting Summary**  
**Z-78-C-88-1**

<b>Date of VPC Meeting</b>	November 21, 2019
<b>Request From</b>	S-1, approved C-2 PCD (13.09 acres)
<b>Request To</b>	R-4 PCD (13.09 acres)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Southwest corner of 35th Avenue and Hackamore Drive
<b>VPC Recommendation</b>	Approval
<b>VPC Vote</b>	7-2

**VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*One speaker card was submitted in favor, wishing to speak.*

*One speaker card was submitted in favor, not wishing to speak.*

*Four speaker cards were submitted in opposition, wishing to speak.*

*Twenty-eight speaker cards were submitted in opposition, not wishing to speak.*

**Mr. David Simmons**, staff, gave a presentation covering the existing land uses and General Plan Land Use Map designations for items No. 6 and 7. He displayed a land use map, general plan map and shared the history of the site and how the area has evolved over time. Mr. Simmons went through a series of stipulations and stated why they are important and referenced policy to support them. He shared that the proposal is compatible with surrounding land uses in the area. Mr. Simmons discussed the existing Stetson Hills PCD and highlighted that this site is the last undeveloped site within the Stetson Hills PCD. He elaborated that no multifamily has been developed to date within the PCD, but multifamily has always been a planned component of the PCD. Staff's recommendation is approval, subject to a series of stipulations.

**Ms. Carolyn Oberholtzer** with Bergin, Frakes, Smalley & Oberholtzer, representing the applicant, went over the history of the site and the history of the overall Stetson Hills PCD. She explained the rationale and intent of the proposed project at this location and emphasized the importance of diverse housing types for this area. She also explained that the Stetson Hills PCD originally planned for a mix of housing types, but to date no multifamily exists within Stetson Hills. PCD. She went over the

unit cap for the PCD and revealed that this proposal would not come close to maxing out the unit cap but would provide diverse housing choices for the area. She highlighted the builder, Hine's, and showed slides of their high-end developments that have been built. She emphasized that this proposal is a high quality, class A development that will demand high rents. She shared that this site is surrounded by commercial uses, not single-family uses. Ms. Oberholtzer explained that the multifamily is already entitled by right on this site by the approved C-2 PCD zoning following R-3 standards and explained that there is a unit cap, so they are not coming close to the highest density allowed in the R-4 standards table. She went over the traffic study analysis and stated that an R-4 multifamily use produces less traffic than a typical commercial use.

**Chairman Joseph Grossman** asked why the multifamily facet of the Stetson Hills PCD was never achieved.

**Mr. Ozzie Virgil** shared that it was political and many existing residents over time opposed proposed multifamily development in the area. He shared that Stetson Hills has very little commercial for the same reasoning.

**Ms. Oberholtzer** reiterated there is no multifamily developments within Stetson Hills PCD, but shared that the rights for multifamily still exist. She also stated that of all of the sites within Stetson Hills, she believes this is a perfect site for for multifamily as it is close to the Deer Valley Major Employment Center, it abuts commercial and is close to a major arterial.

**Chairman Grossman** inquired about the rental rates of the proposed development.

**Ms. Oberholtzer** shared that the median rental rate is around \$1500.00 per month with the larger units going upwards of \$1300.00 per month.

**Chairman Grossman** stated that traffic and congestion issues exist around the site.

**Ms. Oberholtzer** shared that they did a traffic warrant analysis on this site and it warranted a traffic signal. She went on to explain traffic counts around the site. She explained that the traffic is a result of Sandra Day O'Conner High School just to the north of the site and stated that traffic is at its peak during school drop off and pick up times eight months out of the year.

**Chairman Grossman** asked what the ten to fifteen-year projection and upkeep plan look like.

**Ms. Oberholtzer** explained that Hine's manages and owns many of their projects and in order to demands high rents, Hine's commands quality over time. Hine's has been around since 1954 and still owns and maintains high end properties from back then. This project is no different.

**Mr. Ozzie Virgil** expressed concerns with high school traffic dumping into the Safeway shopping center to the west of the site.

**Mr. Russell Osborne** read a letter aloud that was sent over from the Deer Valley Superintendent of Public Schools pertaining to a possible redistricting that would result in less students attending Sandra Day O'Conner, which would help with traffic issues.

**Ms. Ann O'Brien** went over the boundary considerations and stated that she sits on the Deer Valley School Board. She shared that if the redistricting is approved in January that student count could go down to 1700 students, but that does not account for open enrollment.

**Ms. Oberholtzer** stated that she has had a lot of dialogue with the school district and this project would only generate about 20 to 30 more students, which is miniscule in comparison.

**Ms. O'Brien** confirmed that the statement pertaining to student count.

**Chairman Grossman** asked what type of commercial is being developed directly south.

**Ms. Oberholtzer** shared that a Quick Trip and destination type commercial uses were planned for the southern parcel.

**Public Comment:**

**Ms. Nancy Gillespie Hoyt** expressed concerns about traffic access onto Hackamore Drive from the multifamily development and student safety directly tied to jaywalking.

**Ms. Ann O'Brien** asked Ms. Hoyt if she thought that Hackamore Drive couldn't handle any additional traffic during school peak hours.

**Ms. Hoyt** stated that she does not believe Hackamore Drive can handle any additional traffic during peak hours.

**Ms. Russell Osborne** stated that with the potential redistricting, this high school will have significantly less students.

**Ms. O'Brien** reiterated that the number of students would be decreased if redistricting is approved, but this does not account for open enrollment numbers as Sandra Day O'Conner High School is a highly desirable school.

**Mr. Ozzie Virgil** shared that this high school is the most popular high school in Deer Valley. He believes it will always be at or near capacity.

**Mr. Ricardo Romero** stated that there is an imbalance of students within the Deer Valley School District.

**Ms. Ann O'Brien** asked Ms. Hoyt if she has reached out to anyone at the City of

Phoenix in regard to her traffic concerns.

**Ms. Hoyt** shared that she has not.

**Mr. Raymond Keeler** shared concerns about traffic in the area. He handed out graphics depicting current traffic conditions at peak school hours. He also shared concerns about safety of pedestrians and motorist. He requested that the case be continued until the VPC members have an opportunity to visit the area during school peak hours.

**Chairman Joseph Grossman** asked Mr. Keeler if he was aware of accident counts in the area and asked if he ever sees this site being developed with anything in the future.

**Mr. Keeler** stated that he was not aware of accident counts and shared that he is opposed to any type of multifamily development on this site. He stated that he would prefer to see a commercial use developed on the site.

**Mr. Ricardo Romero** asked for clarification that multifamily was planned for the Stetson Hills PCD, but was never developed.

**Chairman Grossman** stated that yes, multifamily was planned for the Stetson Hills PCD, but has not yet been developed. He also shared that this is the last undeveloped site within the Stetson Hills PCD.

**Ms. O'Brien** asked Mr. Keeler if he has reached out to anyone at the City of Phoenix in regard to his traffic concerns.

**Mr. Keeler** stated that he reached out to Councilperson Thelda Williams earlier this afternoon, but no one prior to this communication.

**Mr. Robert White** shared concerns about traffic and overburdened schools. He believes the applicants traffic study numbers are skewed. He asked that the R-3 standards that are currently entitled on the site be preserved and that this application be denied.

**Ms. Ann O'Brien** asked Mr. White if he has reached out to anyone at the City of Phoenix in regard to his traffic concerns.

**Mr. White** stated that he has not but will now that he knows he can.

**Mr. Russell Osborne** stated that there are traffic jams at every school during peak hours and there will always be traffic congestion at this location despite what is developed on this site.

**Mr. Matthew Morris** shared that he attended the neighborhood meeting at Sandra Day O'Connor High School. He feels the developer does not care about traffic concerns. He stated that he loves his community and stated that traffic is a mess and schools are overcrowded. He believes the proposal does not make sense for the area.

**Ms. Oberholtzer** stated that she understands the community's concerns related to traffic and shared that this is not unique to this location. She suggested that R-4 will likely generate less traffic than a C-2 commercial use would typically generate.

**Mr. Ozzie Virgil** asked the applicant to go over traffic flows in the site plan graphic in the presentation.

**Ms. Oberholtzer** explained what the arrows represented on the slide and shared that the main entry into the development is internal to the street system being developed with the project.

**Mr. Romero** shared that traffic is the number one thing the committee grapples with at these meetings.

**Mr. Ozzie Virgil** stated that this is a tough decision. He shared that commercial has been capped in this area. He has been involved with this area from the get go. He stated that more studies need to be conducted in the area and stressed that he is not against development at all.

**Ms. O'Brien** shared that she has lived in Stetson Hills and sits on the Deer Valley School Board. She stated that the traffic in this area has always been bad. She has reached out to the City of Phoenix with traffic concerns. She shared that Happy Valley is not designated as a regional road. She stated that the community needs to raise concerns together to achieve change. She stated this is why she asked the questions she did during public comment. She stated that she will fight with the community to remedy these much-needed changes in the area related to traffic.

**Chairman Joseph Grossman** stated that Ms. O'Brien brought up a very important point. Until there is enough pressure from the grassroots level to address traffic concerns that change will not happen. He stated that there is not a diverse mix of housing in this area and the community as a whole needs that. The Stetson Hills PCD called for a mix of housing to include multifamily. By recommending approval of this case today we will still be below the allowed unit count that was approved for the PCD.

**MOTION:** **Mr. Russell Osborn** motioned to recommend approval of Case No. Z-78-C-88-1 (Companion Case GPA-DV-3-19-1) with modifications to Stipulation Nos. 4, 5 and 12. **Mr. Matthew Kenney** seconded the motion.

**VOTE:** 7-2, motion to recommend approval passed, with Committee Members Grossman, Kenney, Levy, Lewis, Lewis, O'Brien, Shipman and Osborne in favor. Virgil and Romero not in favor.

**Staff comments regarding VPC Recommendation & Stipulations:**

None

**Stipulations:**

1. The development shall be in general conformance with the site plan date stamped November 6, 2019 as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be limited to a maximum of 325 units.
3. The maximum building height shall be limited to 40 feet.
4. All sidewalks adjacent to public rights-of-way shall be detached with a minimum 5-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 3-inch caliper, single trunk, large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist; and minimum five-gallon shrubs ~~with a maximum mature height of 2 feet~~ providing 75% live cover shall be provided, as approved by the Planning and Development Department.
5. A minimum 20-foot landscape setback shall be required along Hackamore Drive and 35th Avenue and shall include large canopy, single trunk, shade trees 20 feet on center or in equivalent groupings. ~~75~~ **50** percent of the trees shall be minimum 3-inch caliper and ~~seventy-five~~ **50** percent of the trees shall be minimum 2-inch caliper. Five 5-gallon shrubs per tree shall be provided, and additional shrubs or live groundcover shall provide minimum 75% live cover at mature size, as approved by the Planning and Development Department.
6. A 6-foot high decorative perimeter wall or view fence shall be constructed adjacent to Hackamore Drive, 35th Avenue, the private street to the south and the west property boundary. If a solid perimeter wall is constructed, it shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, green screens, or stamped designs, as approved by the Planning and Development Department.
7. The developer shall install secured bicycle parking at 0.25-spaces for each residential unit with a maximum of 50 spaces and a minimum of four inverted U-bicycle racks for guests located near building entrances per Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
8. The developer shall install traffic calming devices along the driveways of the property so that vehicles exercise caution prior to crossing the sidewalk when exiting and entering the property, as approved by the Planning and Development Department.
9. Pedestrian connections shall be provided on the south and west portions of the site to connect to the commercial developments to the south and to the west, as approved by the Planning and Development Department.
10. The developer shall provide clearly defined, accessible pathways, constructed

- of decorative pavers, stamped or colored concrete, or other decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces. The developer shall connect all building entrances and exits, and all vehicular entry and exit points, to/from the public sidewalks and to the existing commercial development to the west utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.
11. 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.
  12. ~~The developer shall dedicate a 10-foot sidewalk easement along the southside of Hackamore Drive for the length of the property, as approved by the Planning and Development Department.~~  
ALL SIDEWALKS SHALL BE CONSTRUCTED WITHIN DEDICATED RIGHT-OF-WAY, OR A SIDEWALK EASEMENT SHALL BE DEDICATED TO INCLUDE THE FULL EXTENT OF THE SIDEWALK ADJACENT TO A PUBLIC RIGHT-OF-WAY.
  13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
  14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
  15. 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.

### PCD Stipulations

The following stipulations have been brought forward from the original PCD zoning case, and subsequent amendments, with limited modifications:

16. An updated General Development Plan for the Stetson Hills PCD reflecting the changes approved through this request shall be submitted to the Planning and Development Department, as well as any other Master Plans that may be required through the site plan review process.
17. Development shall be limited to a maximum of 4,000 dwelling units under this development proposal for the Planned Community District.

18. Water retention areas shall be designed and treated in a fashion that will blend with the surrounding environment and be architecturally sensitive to adjacent land use, as approved by the Planning and Development Department.
19. Water conservation facilities, equipment and techniques shall be utilized within each development unit and throughout the PCD.
20. The developer(s) will be financially responsible for the proportional cost of any other new signals, signal modifications, and improvements (to be determined at the time of the development site plan review process) related to site traffic.