



## Village Planning Committee Meeting Summary

### Z-69-20-6

<b>Date of VPC Meeting</b>	October 5, 2021
<b>Request From</b>	R-O (Residential Office – Restricted Commercial District)
<b>Request To</b>	PUD (Planned Unit Development)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
<b>VPC Recommendation</b>	Denial
<b>VPC Vote</b>	8-3

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Sofia Mastikhina**, staff, provided an overview of the request, including its location, current and surrounding zoning and land uses and General Plan Land Use Map designation. She outlined the proposed development standards, which include a maximum density of 16 dwelling units, maximum height of three stories and 35 feet, and a central courtyard landscape area. She presented a height comparison exhibit provided by the applicant that shows the proposed building next to the existing neighboring structures. She then presented the conceptual elevations and explained some of the proposed design guidelines contained in the PUD, which also address provisions for an architecturally integrated entry gate and fence along Maryland Avenue. She stated staff's recommendation for approval and listed the associated stipulations.

**John Oliver**, representative with Tiffany & Bosco, provided an overview of the request including the site's proximity to major transportation corridors. He presented the conceptual site plan, noting that units will have individual garages that are accessible from the east and west, there will be a central amenity courtyard corridor running the length of the property, as well as enhanced landscaping along Maryland Avenue. He then presented the conceptual elevations which depict floor to ceiling windows and wrap-around balconies. He explained that the intent of the central courtyard corridor is to create a sense of community among residents, whereas many developments in the area create division between units through central vehicular drive aisles that split a development site. He also showed photos of some examples in the nearby area. He presented additional conceptual renderings of the development, pointing out the central courtyard, pedestrian-level amenities such as shaded seating, the architectural entry gate, and bicycle amenities such as a publicly accessible bike repair station. He then

outlined the community outreach process, which has been ongoing for the past 10 months.

### **PUBLIC COMMENT**

**Sarah Entz**, representing the community to the west of the subject site, stated that their community has expressed two main concerns since this case first came to be, and have expressed these same concerns at the last committee meeting also. The first is the matter of parking, as the site only proposes four guest spaces to serve the 16 dwelling units. She stated that this will result in on-street parking and blocking of bike lanes. The second issue is that of trash collection. The development proposes to place 16 individual trash bins along Maryland Avenue for collection, which will be an unsightly nuisance and will also block the bike lanes. She stated that neither of these issues have been addressed by the applicant.

**Linda Richards** stated that she lives in the community to the west of the site, where there are 18 residential units served by seven guest parking spaces. She explained that guest overflow parking is a huge issue there, as there is not enough on-site parking. She expressed concern at the applicant's inability to address this concern and stated that she felt disrespected by the applicant at their neighborhood meeting.

**Larry Whitesell**, Co-Chair of the Peak Neighborhood Association, explained that the community started meeting with the developer in March of 2021, where they expressed their support for this type of development, but that there are concerns that needed to be addressed first. He stated that the first concern was the proposed ten-foot building setback along Maryland Avenue, which staff had also been concerned about, per the first and second staff review comment letters. The applicant had provided examples of similarly reduced setbacks in nearby properties to justify their request. **Whitesell** presented photos and measurements that show larger setbacks on those properties than what was provided by the applicant.

**Sandy Grunow**, representing the Phoenix Midcentury Modern Neighborhood Association, stated that the developer has approached city staff to request a technical appeal to allow trash trucks to enter and back out of the development for waste collection. Otherwise, there will be 16 trash cans lined up along Maryland Avenue once per week, blocking the bike lane and creating safety hazards. She presented an alternative, per a letter from Megan Sheets, the city's Public Works Project Manager, which states the applicant can seek to obtain a variance to allow 90-gallon waste and recycling bins in an enclosure within the landscape setback. She stated that the community supports this alternative.

**Mary Crozier**, president of the North Central Phoenix Homeowners Association, stated that she bikes along Maryland Avenue frequently and that this is one of her least favorite stretches of the Sonoran Bike Trail. She stated that the bike lanes are frequently blocked by parked cars and trash bins, as the city is too understaffed to enforce parking regulations, so this proposal would only further exacerbate the issue. She also expressed her concern over the reduced front yard setback, which will bring the building closer to the street and reduce sight visibility for cars entering and existing this location, which will be a hazard for cyclists on this road. She stated that she is supportive of new housing in the city, but that there are better ways to solve the parking and trash placement issues. She also explained that currently the General Plan would allow this property up to 14 dwelling units and that, if the applicant reduces their request

to this number, the problems expressed by the community would be solved. She stated that the community has been asking for this for several months and asked that the committee strongly consider the challenges that this development will pose on the community.

**Dan Trozzi**, president of the S. Peak Height Neighborhood Association, stated that he has lived in this neighborhood for several years and that the community has worked hard to ensure positive, compatible changes. He stated that he is not opposed to new developments, but that there are significant issues with this proposal that have not been addressed. He stated that if the developer deletes the two units closest to Maryland, it will solve the concerns with the setback, the sight visibility for vehicles, the guest parking spaces, and would also reduce the overall lot coverage on the site. He presented a financial analysis to show that the reduction in units would not be a financial burden on the developer and that they would still be able to make a profit on the development.

**Mary Ann Pikulas** stated that parking has been a critical issue since the community meeting with the developer in March and explained that Maryland Avenue does not allow any on-street parking due to the existence of bike lanes on both sides of the street. She also expressed her concern with the reduction of guest parking spaces, noting that staff shared the same concern in their comment letter to the applicant, to which the applicant provided guest parking calculations for nearby developments that are similarly underparked. She stated that these other developments also have insufficient guest parking that has resulted in congestion issues. She agreed with Dan Trozzi's suggestion of reducing the residential unit count to solve these issues.

**Chair Jay Swart** asked if the trash collection along Maryland Avenue is imposed by the city. **Mastikhina** explained that it is required by code and that deviation from it requires approval of a technical appeal.

**Oliver** restated the three main community concerns, which are the trash, the parking, and the height. He explained that the trash collection method is required by the City of Phoenix for this type of development, but that they are planning on pursuing approval of a technical appeal once they receive the zoning, as an appeal cannot be filed until this portion is complete. Regarding parking, he stated that the Zoning Ordinance requires 1.5 spaces per one- and two-bedroom units, which would total 24 required spaces. Each unit will have a two-space garage, so there will be 23 parking spaces, which is a surplus of 8 spaces. The ordinance also requires 0.5 guest parking spaces per one- or two-bedroom units, which results in eight required guest parking spaces. The proposal has four guest parking spaces, so they are short four spaces. However, with the eight-space surplus noted for residential parking, there is an overall parking space surplus of four parking spaces on the site. He also stated that the city's parking requirements were written before the advent of rideshare services such as Lyft and Uber, which are now more commonplace in people's lives. He then addressed the concerns with height, noting that there is only a difference of four to six feet between adjacent buildings and the proposed project. He then addressed the concern regarding the reduced building setback, stating that it will be robustly landscaped, and that the city has also been promoting more walkable urban environments, which include pushing buildings closer to sidewalks for visual interest.

**Chair Swart** expressed concern with Linda Richards' comment that the community was disrespected at the neighborhood meeting and asked the applicant if he remembers such an incident at any of their meetings. **Oliver** replied that he does not recall any such moment but noted that it is very challenging to run virtual meetings via Zoom when there are many attendees, in which case some people may not get a chance to speak or are inadvertently talked over as others unmute themselves. He stated that it is never the intent of this development team to be disrespectful to any community members and apologized if that was the impression. He reiterated their openness to community discussion and has offered up his phone number for members of the community to discuss the case at any time.

**Daniel Sharaby** stated that the community has been dismissed and hasn't been heard through this process, noting that the applicant's rebuttal regarding the overall parking space count does not address the guest parking issue, since most of the spaces will be provided in private enclosed garages.

### **MOTION**

**Daniel Sharaby** made a motion to deny the request as filed. **Barry Paceley** seconded the motion.

### **DISCUSSION**

**Daniel Sharaby** stated that the community has been dismissed and hasn't been heard through this process, noting that the applicant's rebuttal regarding the overall parking space count does not address the guest parking issue, since most of the spaces will be provided in private enclosed garages. He also fails to see how this proposal goes above and beyond what is required by code.

**Linda Bair** expressed concerns over the proliferation of PUD requests, which she recalls were originally intended to help with development on assemblages of mixed-use sites. In the past year, applications have been submitted for small sites and have been an abuse of the Zoning Ordinance, as developers simply want to maximize the height and density for their projects. She expressed concern with the city recommending approval for these requests and stated that there needs to be some discussion within the Planning and Development Department regarding the appropriateness of these requests. She also expressed concern with the safety along Maryland Avenue, which already presents sight visibility issues. **Chair Swart** asked staff to relay this concern to management to start a conversation regarding PUDs within the city.

### **VOTE**

**8-3:** Motion passes with committee members Bair, Thraen, Eichelkraut, Garcia, Miller, Paceley, Sharaby, and Tribken in favor, and committee members Swart, Abbott, and Bayless dissenting.