



Village Planning Committee Meeting Summary

Z-151-24-5

Date of VPC Meeting	December 17, 2024
Request From	R-3 and R1-6
Request To	R-4A
Proposal	Multifamily residential
Location	Northeast corner of 39th Avenue and Grand Avenue
VPC Recommendation	Approval, per the staff recommendation, with a modification
VPC Vote	11-0

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

STAFF PRESENTATION

Samuel Rogers, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

Committee Member Maurita Harris asked about the dedication of 39th Avenue. **Mr. Rogers** responded that the developer will need to construct the right-of-way improvements and then dedicate the land to the City.

Committee Member Elizabeth Sanchez inquired about the Traffic Impact Analysis (TIA) and its relationship to Grand Avenue. **Mr. Rogers** explained that the TIA has not been approved and clarified that the stipulation regarding the TIA requires the development to adhere to the recommendations outlined in the analysis.

Vice Chair Melisa Camp asked about the water consumption stipulations. **Mr. Rogers** explained that the stipulations require limiting the plant palette to drought-tolerant species, utilizing smart controllers for irrigation systems, incorporating Green Stormwater Infrastructure (GSI), and participating in the Water Efficiency Checkup Program.

Committee Member Keith Ender asked for clarification on Proposition 207. **Mr. Rogers** explained that Proposition 207 pertains to property rights and clarified that a Prop 207 waiver is required to process rezoning requests.

Committee Member Marshall Pimentel asked if there is only one access point to the property. **Mr. Rogers** confirmed that the only access point is on 39th Avenue and explained that Grand Avenue is a high-capacity road.

Mr. Rogers stated that one of the stipulations may need to be modified to require a pedestrian gate at the southwest corner of the site instead of the southeast corner.

APPLICANT PRESENTATION

Benjamin Graff, representing the applicant, provided an overview of the request, stated there were no requests for changes, no variances required, and that his team worked closely with staff. Mr. Graff introduced the development team and highlighted previous UMOM projects in the Alhambra area. Mr. Graff gave a property overview, stated that the development includes 192 affordable housing units subject to affordable housing tax credits and deed restrictions. Mr. Graff discussed details of the subject site, the General Plan, the request and proposal, and the site plan, which features amenities and detached sidewalks. Mr. Graff presented conceptual renderings of the project, neighborhood outreach efforts, and upcoming hearings.

QUESTIONS FROM THE COMMITTEE

Committee Member Maurita Harris expressed excitement about the project, raised concerns regarding the development's proximity to Grand Avenue, and asked if the property would be gated. **Nate Maki**, with the applicant team, explained that the intention is to gate the property.

Committee Member Harris asked about fire circulation on the site. **Mr. Graff** explained that the site is designed to allow full fire truck circulation.

Committee Member Harris recommended gating the tot lot if the site is not gated. **Mr. Graff** stated that they would investigate the possibility and highlighted the measures planned to ensure the site's security, including the installation of cameras. Mr. Graff stated that a strong recommendation from the committee to gate the site would help the applicant argue in favor of gating. Mr. Graff provided details about the tot lot, stated that it will include artificial grass, shading, a playground, seating, heat-resistant playground equipment, and separation from the dog park.

Committee Member Elizabeth Sanchez inquired about the size and number of tot lots. **Mr. Graff** stated there would be one tot lot. **Mr. Maki** stated that the tot lot will feature 1,200 square feet of grass area.

Committee Member Pamela Fitzgerald asked about the inclusion of electric vehicle (EV) infrastructure. **Mr. Graff** explained that while the City typically requires 10% installed EV infrastructure, the percentage for this project has been reduced to 3% EV capable infrastructure due to funding limitations associated with affordable housing developments.

Mr. Graff explained the spaces would be EV capable, but no EV chargers will be installed as part of this development.

Committee Member David Krietor commended the project for achieving various goals, asked about the transaction process, and asked whether UMOM would proceed with the purchase if tax credits are not approved. **Brandy Hotchkiss**, with the applicant team, outlined the affordable housing process and clarified that there are limits on who the school district can sell the property to. **Committee Member Quanta Crews** explained that constituents within the school district had to vote on the school selling the property for affordable housing and stated that if the tax credit does not go through, the school district can sell to another affordable housing development. Mr. Graff stated that the applicant would normally reapply if tax credits were not granted.

Committee Member Keith Ender asked about unit sizes and noise abatement. **Mr. Maki** provided details on unit dimensions. Mr. Graff explained that the development adheres to code restrictions regarding building materials but is not required to include specific noise abatement disclosures.

Committee Member Jak Keyser inquired about the proposed wall heights. **Mr. Graff** described the planned wall heights.

Committee Member Marshall Shore expressed excitement about the project, noting its proximity to nearby redevelopment at the 35th Avenue intersection. Committee Member Shore stated the nearby Mr. Lucky's is one of the few buildings on the Arizona Music Hall of Fame and recommended incorporating design elements that take elements from Mr. Lucky's. **Mr. Graff** stated that the applicant team had not considered incorporating design elements from Mr. Lucky's.

Committee Member Keyser asked about plans for Grand Avenue. **Mr. Graff** stated that the project aligns with future improvements to Grand Avenue. **Mr. Rogers** added that he had no knowledge of specific plans for Grand Avenue.

Committee Member Keyser inquired about the inclusion of drinking water fountains, asked whether the common areas could accommodate after-school programs, and whether indoor spaces were available. **Mr. Graff** expressed openness to providing drinking fountains and confirmed that the project includes indoor space.

Committee Member Pamela Fitzgerald shared her positive experience working with UMOM, commended their efforts to align with neighborhood needs, and stated that she had not heard any complaints about UMOM. **Mr. Graff** thanked Committee Member Fitzgerald for her service and acknowledged that this was her final meeting.

PUBLIC COMMENT

None.

APPLICANT RESPONSE

None.

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

MOTION

Committee Member Maurita Harris motioned to recommend approval of Z-151-24-5 per the staff recommendation, with a modification. **Committee Member David Krietor** seconded the motion.

VOTE

11-0, motion to recommend approval of Z-151-24-5 per the staff recommendation, with a modification passed with Committee Members Committee Members Crews, Ender, Fitzgerald, Harris, Keyser, Krietor, Pimentel, Sanchez, Shore, Camp, and DeGraffenreid in favor.

Committee Member Maurita Harris stated she highly recommends that the site be gated.

VPC Recommended Stipulations:

1. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
2. A minimum of one pedestrian access point connecting directly to Grand Avenue shall be provided at the ~~southeastern~~ **SOUTHWESTERN** corner of the site, as approved by the Planning and Development Department.
3. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. Secure bicycle parking shall be provided per Section 1307 of the Zoning Ordinance.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
 - c. A minimum of 10 percent of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.

- d. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade.
 - e. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
4. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, with a minimum five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.
 5. A minimum of 3% of the required vehicle parking spaces shall include EV Capable infrastructure.
 6. All internal pedestrian pathways shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
 7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
 8. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, shade trees, or a combination thereof.
 9. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
 10. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.

11. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
13. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.
14. The sidewalk along Grand Avenue, exclusive of the sidewalk adjacent to the westbound right-turn deceleration lane, shall be a minimum of 5 feet in width and detached with a minimum 4-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, or as approved by the Arizona Department of Transportation.
 - a. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

15. The sidewalk along 39th Avenue shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings.
 - b. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

16. A minimum 30 feet of right-of-way shall be dedicated and constructed for the east side of 39th Avenue.
17. Existing SRP facilities along 39th Avenue are to be relocated outside of City right-of-way, unless otherwise approved by the Street Transportation Department. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
18. The Traffic Impact Analysis (TIA) must be submitted to both the City of Phoenix and the Arizona Department of Transportation. Development shall adhere to the recommendations of the TIA for the improvements to the 39th Avenue and Grand Avenue intersection, before preliminary site plan approval is granted, as accepted by the City of Phoenix and the Arizona Department of Transportation.
19. All access control for the site shall be determined through the accepted recommendations of the TIA by the City of Phoenix and the Arizona Department of Transportation.
20. All streets within and adjacent to the development shall be constructed 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.
21. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
22. 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.
23. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

STAFF COMMENTS REGARDING VPC RECOMMENDATION AND STIPULATIONS:

None