



Village Planning Committee Meeting Summary

Z-82-18-1

Date of VPC Meeting	January 17, 2019
Request From	A-1 DVAO (16.78 acres)
Request To	R3-A DVAO (16.78 acres)
Proposed Use	Multifamily residential
Location	Approximately 477 feet south of the southeast corner of 23rd Avenue and Alameda Road
VPC Recommendation	Denial.
VPC Vote	3-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Z-82-18-1 (Companion Case GPA-DV-2-18-1): Presentation, discussion, and possible recommendation regarding a request to rezone a 16.78-acre site located approximately 477 feet south of the southeast corner of 23rd Avenue and Alameda Road from A-1 DVAO (Light Industrial, Deer Valley Airport Overlay District) to R-3A DVAO (Multifamily Residence District, Deer Valley Airport Overlay District) to allow for multifamily residential.

*This item was heard concurrently with Item 4.
2 speaker cards were submitted in interest.*

Mr. Carrasco provided an overview of the General Plan Amendment request (GPA-DV-2-18-1) and rezoning request (Z-82-18-1). He displayed graphics including existing and proposed General Plan Land Use maps, aerial photographs, zoning maps, and the proposed site plan and elevations. He discussed the proposal's impacts on various General Plan goals and visions. He provided the staff findings for GPA-DV-2-18-1 and detailed the recommended stipulations related to the rezoning request Z-82-18-1.

Mr. Stephen Earl, with Earl, Curley & Lagarde, provided an overview of the request which included aerial maps, surrounding land use maps, and the proposed site plan and elevations. Mr. Earl discussed the proposed site plan and elevations in detail, explaining that the context land uses transition to multifamily in the area. He noted 1 million square feet of retail currently exists at Pinnacle Peak and I-17. He explained that there are 22,000 jobs within a 15-minute commute of this site. Additionally, he explained that 23rd Avenue will be significantly improved as a result of this project and discussed project amenities on site. Mr. Earl went through the Aviation

Departments stipulations and stated that the applicant will work with Aviation to resolve some of these issues. Mr. Earl requested the Committee recommend approval of both GPA-DV-2-18-1 and Z-82-18-1 per the staff recommendation.

Mr. Romero inquired as to if this were the applicants first project in Arizona.

Mr. Earl stated that this was the applicants second project in Arizona.

Mr. Romero asked about the density requirement and asked the applicant if they are ok with the density stipulation.

Mr. Earl stated that they are fine with the density stipulation.

Mr. Levy inquired as to what the rents were going to be at this site.

Mr. Earl stated that rents would range from \$1000.00 per month to \$1800.00 per month.

Vice Chair DiLeo inquired about increased traffic in the area and asked about any traffic studies that have been done.

Mr. Earl stated that the units would be one and two bedrooms, which are not conducive to a family environment. The location of the site results in short commutes to retail and jobs for people residing in the development, which would generate more traffic in the area.

Mr. Romero asked about Alameda Improvements.

Mr. Levy inquired about square footages of the unit types.

Mr. Earl stated that a one-bedroom unit is 1,000 sf and a studio is 600 sf.

Chairman Grossman asked if the applicant owned the hard corner of 23rd Avenue and Alameda.

Mr. Earl stated that they did not, but are currently planning to see what could potentially be developed there.

Public Comment

Mr. Mark Abram, owner of the property abutting the south property line who employees 150 people, stated that he had moved his manufacturing plant business to the current location in an effort to avoid conflict with residential development. Hi business is currently quite loud and includes heavy manufacturing operations. Mr. Abram strongly feels industrial uses are best for the site in question. Mr. Abram stated that he was previously run out from a location due to more multifamily development that was approved. He does not want to see this happen again. He has delivery trucks arriving at 2:00 am and they contribute to noisy operations throughout the day and night.

Mr. Levy stated that the noise abatement requirements stipulated by Aviation may help to reduce the noise levels of the industrial uses in the area.

The Committee voices concerns about noise abatement and airport disclosure documents.

Mr. Earl stated that the decibel level had been stipulated, the building layouts were designed to audit proximities to project to the south and there will be an 8 foot wall and a landscape buffer between the industrial uses to the south.

Vice Chair DiLeo emphasized the importance of noise mitigation standards.

Ms. Williams stated that she loved the development proposal but has concerns with the industrial uses in the area and concerns with the site being located within area 1 of the airport over lay district. She asked the applicant why this location as residential is not compatible with the surrounding land uses.

Mr. Earl stated that the area is in transition.

Mr. Levy asked if there is a decibel reader on the site and if the applicant plans to disclose the noise levels to prospective residence.

Mr. Earl state that there is a decibel reader on the site and there are no significant issues with noise and that they are required to disclose noise levels to prospective residence.

Vice Chair DiLeo stated that she is uncomfortable with the current noise levels in the area and that residence rights supersede the surrounding business uses.

Mr. Earl iterated that this is a multifamily project which will consist of renters. Renters rights do not supersede the surrounding business uses.

Vice Chair DiLeo suggested requiring a lower decibel level requirement and requiring documentation and disclosures.

Mr. Abram, member of public, stated that he moved his manufacturing plant business to this current location in 2004 and said Major Williams stated in the past that this area would not be zoned for residential. Mr. Abram emphasized that it would cost millions of dollars to move his heavy equipment. He wants his rights to operate to be protected.

Mr. Earl stated that no single-family residential is being proposed for the area so Major Williams kept her promise. Mr. Earl suggested adding a stipulation that would secure Mr. Abrams operations.

Mr. Levy asked what uses were being conducted in the building to the west.

Vice Chair DiLeo suggested creating a buffer as no buffer exists with this current proposal. Other projects in the area have streets that act as buffers from industrial uses.

Mr. Earl stated that no balconies face south and that the ends of the building would act as noise buffers as well.

Mr. Johnson, the applicant, stated that this is not the first time a multifamily project has been near light industrial uses. He stated that they went to great lengths to decide on moving forward with this project and limited 4 units to the south property line. He also stated that they would offer a 30-day dry pledge with residents.

Ms. Keisie Shevitski, member of the public, stated that no noise stipulations were to the north.

MOTION:

Vice Chair Trilese DiLeo motioned to deny Z-82-18-1. Committee Member **Cynthia Williams** seconded the motion.

VOTE:

3-2, motion to deny passed with Committee Members, DiLeo, Levy, and Williams, in favor. Chairman Grossman and Committee Member Ramero in opposition.