



Village Planning Committee Meeting Summary Z-138-F-83-5

Date of VPC Meeting	July 13, 2022
Request From:	PUD PCD
Request To:	PUD PCD
Proposed Use:	Major Amendment to the DC Ranch PCD to allow an amendment to the Aldea Centre PUD to allow multifamily residential
Location	Northwest corner of 99th Avenue and Missouri Avenue
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	6-4

VPC DISCUSSION:

The Maryvale Village Planning Commission heard this case on May 11, 2022 and recommended denial by a 6-1 vote; however, after the meeting, it was discovered that the applicant failed to meet the notification requirements outlined in the rezoning process packet. The applicant returned to the Village Planning Committee for possible recommendation at the next available meeting date.

Ed Bull, representing the applicant with Burch and Cracchiolo, provided an overview of the proposed rezoning application Z-138-F-83-5. Mr. Bull stated that the applicant would like to be a part of the solution for housing for essential workers and stated that this would have been the second time in over 40 years that his paralegal has missed sending out the notification letters when hundreds are sent every year. Mr. Bull described the surrounding land uses including commercial services to the south and office and industrial uses to the west and summarized the proposed rental rates for the Streamliner Aldea units to the north and the Cabana Aldea units to the south of the subject site. Mr. Bull added that Greenlight provides quality and safe housing for essential workers with numerous amenities on site and displayed the enhanced architectural features on Cabana Aldea which included contrasting colors and displayed the proposed Streamliner Aldea apartments which would be more affordable than the Cabana Aldea apartments but would still offer a wide range of amenities. Mr. Bull added that there is a proposed development called Vision 2 north of Aldea Centre PUD which would create additional employment opportunities within the proximity of the subject area and noted that within ten miles of the subject site there are over 9,200 businesses that require employees, which would require additional housing. Mr. Bull displayed the

number of schools, hospitals, and urgent care/emergency rooms within the surrounding area and defined essential works that would include healthcare workers, retail, construction, government, and teachers, and summarized the careers that residents of Cabana 99th and noted the number of essential works. Mr. Bull concluded his presentation by summarizing the average income of the Maryvale Village and stating that the proposed development would help alleviate the housing crisis within the Village, stating that the applicant agrees with the staff findings and that the applicant accepts the proposed stipulations.

Questions from the committee:

Sandra Cole asked if the renters of the proposed multifamily development would have to pay extra for the proposed amenities on site. **Mr. Bull** stated that renters will not have to pay extra for any amenities as the fee is included in the rent. **Ms. Cole** asked how the property would be maintained in the future. **Mr. Bull** stated that maintenance of all the amenities and the buildings are essential to Greenlight and ensures that the development will be maintained for numerous years.

Vice Chair Jeff O'Toole asked for clarification on the total number of units proposed at the previous meeting. **Mr. Bull** stated that the number of units within the proposed development is the same as previously proposed with 282 units for the Streamliner Aldea project and 257 in the Cabana Aldea apartment complex which would make a total of 539 units. **Vice Chair O'Toole** asked for clarification on how the applicant would be breaking even on cost if the proposed rent rates have changed. **Mr. Bull** stated that it depends on the market for housing and materials and noted that the materials, landscaping style, and features are the same as Cabana 99th.

Warren Norgaard stated that the applicant presented the cost for luxury units in the valley would be but that there was no comparison to the units in the Maryvale Village. Mr. Norgaard asked what the guarantee would be for the proposed rents to remain the same after the project is completed and available for the public. **Mr. Bull** stated that the rents that were presented in the applicant presentation were from the Maryvale Village and not valley wide.

JJ Bazzi asked who the owner would be in the long run and asked if Greenlight had any intentions of selling the development after it was completed. **Mr. Bull** stated that Greenlight has numerous investors but that he could not guarantee that Greenlight would own the development forever but that they can ensure that whoever the owner would be in the future, it will be maintained.

Joe Barba stated that he was in favor of more affordable housing and wanted to know how long Greenlight typically owns their properties before selling them off to other investors. **Mr. Bull** stated that Rob Lyles, with Greenlight, has stated that the developments are designed to accommodate essential workers for attainable housing. Mr. Bull added that the design would ensure that the project remains affordable. **Mr. Barba** asked what the ownership timeframe was for the last project that was constructed by Greenlight. **Rob Lyles**, with Greenlight, stated that the Streamliner Aldea has been designed to be a long-term property of Greenlight. **Mr. Barba** asked if other Streamliner projects have been built within the city. **Mr. Lyles** stated that there is a proposed development on 67th Avenue and McDowell Road but that it has not started construction, there is another development on 16th Street and Polk. Mr. Lyles stated that the configuration of the building would allow them to be more affordable. **Mr.**

Barba stated that there have been concerns with properties being flipped due to the increase in apartment demand. **Mr. Lyles** stated one of their investment partners has an affordable housing fund of one billion dollars in Utah and that it restricts the reselling of projects from four to seven years. **Mr. Bull** added that the project on 67th Avenue and McDowell Road would also be a Streamliner project and that the design is meant to serve the essential worker community.

Mr. Bazzi stated that he would like some sort of guarantee that the applicant will be fulfilling a need in the community and would like to add some sort of stipulation that would ensure that a portion of the project will remain attainable housing. **Mr. Bull** stated that there aren't any zoning stipulations that would ensure that a portion of the project remains affordable housing but noted that Greenlight is committed to providing attainable housing designs so that even if the owner changes, the rent will still be attainable. **Mr. Bazzi** stated that housing is an important need within the community. **Chair Gene Derie** stated that the City of Phoenix cannot impose rent control. **Sarah Stockham**, staff, confirmed that rent cannot be controlled via a rezoning stipulation but Committee Member Bazzi might have been referencing a deed restriction. **Mr. Bazzi** confirmed that he was referring to a deed restriction that would allow for a certain portion of the project to remain attainable.

Ms. Cole stated that citizens within the Maryvale Village are protective of one another and that is why the committee members have numerous questions to ensure that the proposed project is adequately serving the community.

Viri Hernandez stated that there is a Housing Plan within the City of Phoenix and stated that there has been a conversation to ensure that a certain percentage of housing is affordable but without rent control. Ms. Hernandez asked staff how the City of Phoenix ensures that these affordable housing projects are being completed and are successful. **Ms. Stockham**, staff, stated that Mayor Gallego provided an explicit goal of 50,000 units by 2030 and part of the breakdown included market rate and affordable units. Ms. Stockham stated that one example of the City providing workforce housing is through the RFP process of City-owned land. **Ms. Hernandez** asked if there were any percentages out of the 50,000 units that would have to be market rate and affordable. **Ms. Stockham** stated that the Housing Phoenix Plan proposed a total number of units, total of which was a combination of market-rate and affordable units. **Mr. Hernandez** asked if any department is keeping track of the type of housing that is being developed within the City of Phoenix. **Ms. Stockham** stated that the Housing Department is keeping track of the number and type of units and that they have a dashboard on their website. **Ms. Hernandez** asked if the dashboard was a public dashboard for anyone to view. **Ms. Stockham** confirmed that the dashboard is public. **Ms. Hernandez** asked if the units were separated by village and by different housing types. **Ms. Stockham** stated that the dashboard was not separated by the village but that she would have to research if there were any distinctions in the type of housing. **Ms. Hernandez** asked how the City is basing affordability. **Ms. Stockham** stated that she is not with the Housing Department so she would not be the best person to answer the question. **Mr. Bull** stated that if an individual is paying more than thirty percent of their income on housing, then they would be considered overpaying for housing. **Ms. Hernandez** stated that Maricopa County has been one of the counties with the highest inflation, highest evictions, and homelessness rates and stated that she wanted to review how the City has been combating the housing shortage and the lack of housing affordability.

Ken DuBose stated that he had visited Cabana 99th located on 99th Avenue, analyzed the current land uses within the surrounding area and noted that the term “streamline rents” was a new term for him. Mr. DuBose stated that in the past, the Committee hadn’t imagined multifamily being developed on the northwest corner of 99th Avenue and Missouri Avenue, but due to the commercial uses to the south and the warehousing uses to the west, he stated that multifamily would be a compatible addition. Mr. DuBose added that he supported the streamliner design and rent concept because it would result in affordable housing for essential workers.

Zeke Valenzuela stated that he is currently a resident of Cabana 99th and that he was very satisfied with the services provided and as a result, he supported the design concept presented for the proposed multifamily development on the northwest corner of 99th Avenue and Missouri Avenue.

Public Comment:

Jacob Dunklee stated that a teacher’s monthly wage has been approximately 2,000 dollars and due to the current housing market, the majority of their income goes to housing. Mr. Dunklee concluded his statement by adding that Maryvale needs affordable housing to incentives teachers to continue working within the City of Phoenix.

Chair Derie asked Mr. Dunklee if he supported the proposed multifamily development.

Mr. Dunklee confirmed that he supports the proposed development because it would offer housing opportunities to teachers within the city.

Moon Johnson stated that her family was forced to leave their home after three years because of the rent increases due to the current market and stated that she had to accommodate a thousand dollar increase in rent in order to avoid being displaced from her current home. Ms. Johnson added that as a result of the increase in rent, her family has been financially burdened and stated that essential workers like herself and her family have been left behind due to the current market. Ms. Johnson concluded her statement by adding that attainable housing like the one proposed on 99th Avenue and Missouri supports essential works in numerous fields such as education, health care, and education and stated that by providing attainable housing, it would allow for her children to continue to thrive within the community and contribute to the local economic growth. **Chair Derie** asked Ms. Johnson if her children were students within the Maryvale Village. **Ms. Johnson** confirmed that her children were students within the Maryvale Village.

Kareem Neal stated that he had been teaching within the Maryvale Village for approximately 16 years and that he has been working with the Arizona Superintendent on initiatives to recruit teachers. Mr. Neal noted that due to the current housing market, it has been difficult to recruit teachers and that he supported Mr. Dunklee’s comment stating that Maryvale needed affordable housing in order to incentivize teachers to continue to work within Phoenix. Mr. Neal ended his public comment by stating that affordable housing is needed to keep good teachers within the Maryvale Village and that he was supportive of the proposed multifamily development. **Chair Derie** asked for Mr. Neal’s address for the record. **Mr. Neal** stated that his address was 355 North Central Avenue.

Erik Espinoza stated that the support for the proposed multifamily development and the major amendment was coming from individuals that did not live within the Maryvale Village. Mr. Espinoza stated that the proposed development would affect the tenants’

future health, safety, and welfare due to the industrial uses located in proximity of the subject area and added that the purpose of a PUD is to allow flexibility in land use while protecting properties and by allowing multifamily adjacent to industrial uses, there was no way to effectively mitigate the adverse effects. Mr. Espinoza added that he has witnessed property damage to the traffic signal on 99th Avenue and Montebello, an increase in traffic congestion, and an increase in commercial traffic through residential neighborhoods. Mr. Espinoza noted that he has contacted the City of Phoenix to implement signs to prevent commercial traffic in residential neighborhoods but that he has not noticed an improvement. Mr. Espinoza stated that the current PUD narrative only limited hours for current residential developments and that with this new development, operations could occur 24 hours a day. Mr. Espinoza stated that the proposed development standards would not preserve and enhance the lifestyle of existing and future residents and that if the applicant cared about the future residents of this proposed multifamily development, they would have addressed the possible health concerns in their presentation. Mr. Espinoza concluded his public comment by stating that he is opposed to the high-density multifamily development. **Chair Derie** asked for clarification on the route that commercial trucks were taking through Mr. Espinoza's residential neighborhood. **Mr. Espinoza** stated that 103rd Avenue is a dead-end street and that there has been a "No Thru Traffic" sign installed but that it has done little to mitigate commercial traffic and added that even if a Committee Member stated that they had visited the site, it was not enough to assess the issues occurring within the surrounding area and noted that there has already been a significant increase of commercial traffic along 99th Avenue and Montebello Avenue.

Maria Armenta stated that she was in favor of the proposed multifamily development because she was about to leave the Maryvale Village due to the increase in rent. Ms. Armenta stated that her entire income goes to rent and to bills and as a result, she has been living paycheck to paycheck and added that she would like to see more attainable housing so that she can continue to live within the Maryvale Village and so that her children could also grow up within the community as well. Ms. Armenta ended her public comment by stating that she is in support of the proposed development and that it would benefit the entire community.

Ms. Stockham, staff, stated that there was a member of the public in the attendee list that had their hand raised. **Chair Derie** allowed the community member to speak.

Ben Swenson stated that he worked for the management company that owned and developed the Home Depot on the southwest corner of 99th Avenue and Camelback Road. Mr. Swenson stated that a majority of the tenants of the shopping center on 99th Avenue and Camelback Road have stated that they would like to see more residential uses within the area and added that during the Covid-19 pandemic a lot of local businesses struggled to remain in business because of the lack of residential uses in the area. Mr. Swenson noted that local traffic is required for local businesses to thrive and that they still had five acres that they were looking to develop and stated that they had been trying to obtain a local grocery store to be located in that area. Mr. Swenson concluded his public comment by stating that residential development is necessary within the area in order for businesses to thrive and continue to serve the community.

Applicant Response:

Mr. Bull stated that he thanked the members of the public for providing their input on the proposed development and noted that the need for housing is needed within the

Maryvale Village. Mr. Bull added that the proposed multifamily development would act as a buffer between the industrial and commercial uses and single-family residential uses and added that their proposed multifamily development would not be creating commercial traffic as Mr. Espinoza stated in his public comment. Mr. Bull noted that the proposed multifamily development would be gated and buffered from the industrial and commercial uses, that Greenlight develops residential housing that is of high-quality design, and that numerous individuals are satisfied with the services provided within other Greenlight developments.

Committee Discussion:

Vice Chair O'Toole stated that he would like to reiterate some of the comments that he had made during the last Village Planning Committee meeting for the new members. Vice Chair O'Toole stated that the most common rezoning requests involve rezoning to high-density residential and that the goal of the Village Planning Committee is to determine if the proposed use is compatible with the surrounding uses and characteristics. Vice Chair O'Toole added that there are approximately 6,000 housing units already approved to be built within a three-mile radius of the subject site and added that he supports attainable housing but that the proposed location of the multifamily development is not suitable for the site. Vice Chair O'Toole stated that due to the recent major amendment to the Algodón Center PUD, the Maryvale Village has lost major employment opportunities and that the applicant could add this multifamily development within the Algodón Center PUD rather than within the Aldea Centre PUD. Vice Chair O'Toole noted that his primary concern with this proposed development is the location of the site and that the Village Planning Committee has approved almost all other rezoning requests to allow for multifamily development within the Village and as a result, this has created a significant change to the Maryvale Village.

Ms. Hernandez stated that the Committee has heard from a wide range of Maryvale residents that support the proposed multifamily development because it would signify more housing within their communities and that it is possible that some of the committee members do not have the same necessities as the people that live within the heart of Maryvale Village. Ms. Hernandez noted that life expectancy within south Phoenix and west Phoenix is less than individuals living in north Phoenix because of the policing, jobs, and housing that have affected the community's quality of life. Ms. Hernandez added that she is part of community organizations that have gone into the community to survey residents' needs and concerns and that the primary concern is the lack of affordable housing within the market. Ms. Hernandez stated that she understood that one proposed project will not solve the issues within the Maryvale Village, that it would require changes to the City's policies but that the community has made it clear that housing is a major necessity and noted that with the expansion of the Valley Metro Light Rail, more out of state developers will begin to propose development that would make Maryvale unaffordable for the existing residents. Ms. Hernandez suggested that the committee have a clear goal of what they would like to achieve within the Maryvale Village and that the committee should analyze the impact that the proposed development will have on the community. **Ms. Hernandez** concluded that she is supportive of the proposed rezoning change and the proposed multifamily development because she has heard numerous stories of displacement and housing is a primary need within Maryvale Village.

Motion:

Zeke Valenzuela motioned to recommend approval of Z-138-F-83-5 per the staff recommendation. **JJ Bazzi** seconded the motion.

Vote:

5-5, Motion to recommend approval did not pass with Committee Members Bazzi, DuBose, Hernandez, and Valenzuela, in favor and Committee Members Barba, Battle, Norgaard, O'Toole, and Derie in opposition.

Ms. Hernandez asked the committee members who were in opposition to explain their reasoning since there was a large number of members of the public present in support of the proposed amendment and proposed multifamily development. **Chair Derie** asked staff if he had the authority to ask the committee members to explain their vote. **Ms. Stockham**, staff, stated sometimes committee members explain their vote while they are casting it, and the chair can allow comments if it germane the motion. Ms. Stockham stated that a new motion can be made since the previous motion did not pass.

Motion:

Joe Barba motioned to recommend approval of Z-138-F-83-5 per the staff recommendation. **Ken DuBose** seconded the motion.

Vote:

6-4, Motion to recommend approval passed with Committee Members Barba, Bazzi, Cole, DuBose, Hernandez, and Valenzuela, in favor and Committee Members, Battle, Norgaard, O'Toole, and Derie in opposition.

Mr. DuBose stated that he voted in favor of the major amendment because this area has changed over time and that when the stadium was built, the vision was for hotels and for a major commercial location; however, this vision has been replaced by warehousing, commercial and multifamily. Mr. DuBose noted that he lives and works within close proximity to the subject area and stated that the proposed vision has drastically changed, and that housing would be the best compatible use in this location.

Ms. Hernandez stated that she would like the applicant to provide updates to the community of the proposed multifamily development and that she would like the community's input to be taken into consideration.

Vice Chair O'Toole stated that his vote was in opposition to the proposed development because of the surrounding warehousing and commercial land uses, the proposed multifamily development could be built on another location such as the Algodón Center PUD, and that nothing guaranteed that the rents will remain the same since there were no policies in place to ensure rent control.

Staff comments regarding VPC Recommendation:

None.