



Village Planning Committee Meeting Summary Z-74-24-6

Date of VPC Meeting	August 6, 2024
Request From	R-3
Request To	R-5
Proposal	Multifamily residential
Location	Northeast corner of 21st Street and Turney Avenue
VPC Recommendation	No recommendation
VPC Vote	n/a

VPC DISCUSSION:

*Eight members of the public registered to speak on this item in opposition.
Seven members of the public registered in opposition, not wishing to speak.*

STAFF PRESENTATION:

John Roanhorse, staff, provided a summary overview of the rezoning request noting that the committee will vote on the case. Mr. Roanhorse discussed the proposal location, the existing and proposed zoning districts, and surrounding land uses and adjacent streets. Mr. Roanhorse displayed the site plan, development standards for building height, parking, site access, setbacks, streetscapes and open space. Mr. Roanhorse discussed the General Plan Land Use Map designation. Mr. Roanhorse displayed and reviewed the staff findings and recommendation for approval subject to stipulations.

APPLICANT PRESENTATION:

Ashley Marsh representing the applicant with Gammage & Burnham, PLC introduced herself and recognized Michelle Santoro, with Gammage & Burnham, PLC and Mr. Richard Kafka who developed the Tapatio hotel. Ms. Marsh stated that Mr. Kafka is pleased with the opportunity to bring this proposal forward and has extensive expertise in project development. Ms. Marsh reviewed the details of the site including location, size, history, and current layout of the site. Ms. Marsh stated the location is underutilized compared to many of the adjacent residences in the area. Ms. Marsh noted the proximity of the site in relation to the Camelback Corridor which is an important feature for residential

development that is situated near commercial uses to the north and south. Ms. Marsh stated the site currently is zoned R-3 and is within an existing multi-family residential district area with R-5 zoning built up to three stories which includes the adjacent Dakota and Biltmore Commons. Ms. Marsh said that the multifamily residential designs of the area have various options with urban design concepts. Ms. Marsh stated the current site has 1970's styled architecture and no perimeter sidewalks and are single story in an area where there are multi-story residences. Ms. Marsh displayed a site plan and reviewed the details noting the height of 48 feet, four stories, and that the buildings are placed closer to the corner with significant setbacks to create an urban concept for building massing on the streetscape. Ms. Marsh stated the proposal has 75 units with a mix of studio, one bedroom and two-bedroom units and the first floor will accommodate amenities for the proposal. Ms. Marsh stated the ground level around the building will include 22 parking spaces, enhanced landscaping and setbacks situated away from the adjacent properties. Ms. Marsh displayed conceptual elevations and stated the proposed design fits in the existing neighborhood and with the patios there is connection to pedestrian activity. Ms. Marsh stated the proposal does meet the city's Housing Phoenix Plan, the Tree and Shade Master Plan by including 25 percent shading and will include electrical vehicle charging. Ms. Marsh stated the proposal include bicycle amenities for charging and is within the Bicycle Master Plan area. Ms. Marsh said a neighborhood meeting was held and there was support and concerns expressed by neighbors including privacy, increased traffic and building height. Ms. Marsh stated Mr. Will Kahili with Lokahi conducted a traffic study and the results was the additional trips in the area would be minimal.

QUESTIONS FROM THE COMMITTEE:

Committee Member Pacey asked if the sidewalks were detached. **Ms. Marsh** responded that the current site plan is outdated and the sidewalk along Turney Avenue will be detached and the sidewalk along 21st Street will be attached, and this is consistent with the Street Transportation Department requirements.

PUBLIC COMMENTS:

Lee Busenbark introduced herself as a resident from a neighborhood next to the proposed site. Ms. Busenbark stated there is limited traffic access to the neighborhood where the proposed site is located. Ms. Busenbark stated that speed cushions were installed on 20th Street but there has been an increase in traffic due to the development in the area. Ms. Busenbark stated there is a housing shortage, but there is a shortage of single-family developments and there is more multifamily development that removes single family residences. Ms. Busenbark asked why are there no attached or semi-attached and single-family developments being built. Ms. Busenbark stated that there should be opportunities for homeowners who have a greater stake in neighborhoods rather than commercial rental owners.

Robert Greenberg introduced himself and stated he resides in a townhome on 21st Street which faces the parking lot of the proposed development. Mr. Greenberg stated the location

of the parking lot is problematic due to increased traffic noise and lighting and said with school traffic there are more drivers in the area. Mr. Greenberg stated that with kids being picked up and dropped off this is a safety issue, and a traffic light is needed. Mr. Greenberg stated that the existing single-family homes on the site add quality to the area. Mr. Greenberg stated that development needs to address affordable housing, the parking lot poses a problem and the increased traffic at the intersection needs to be addressed, and the site needs appropriate fencing, and the architecture of the proposal should add to the neighborhood.

John Paletta introduced himself and stated he resides on Glenrosa Avenue. Mr. Paletta displayed maps of the area and stated he has been following development in the neighborhood for 20 years and is aware of some of the historic details. Mr. Paletta stated he is concerned the proposal is being fast tracked and there was not sufficient information provided. Mr. Paletta stated that there have been previous high-density proposals that were defeated, and the more recent developments have been two stories which is not consistent with the existing building height in the area. Mr. Paletta stated the neighbors in the area have opposed higher densities to maintain the quality of the area. Mr. Paletta said that it would be beneficial if the presentation was for information only and a recommendation meeting should be conducted at a later date as a better option for the neighborhood.

Agnes Fickera introduced herself and stated she has lived on 22nd Street for 26 years and witnessed lots of development. Ms. Fickera stated that the church on Campbell Avenue has been overlooked and like the school will be impacted by increased traffic resulting from the development. Ms. Fickera stated there has been so much multifamily development in the area of the proposed site that traffic and parking have become significant issues. Ms. Fickera stated she does not support a 70-unit, four-story development in the neighborhood.

Ashley Bunch introduced herself and noted that the applicant appears to be intransigent and unwilling to work with the neighborhood. Ms. Bunch stated that the applicant has discussed the details of the project without addressing the concerns expressed by the community. Ms. Bunch stated that the applicant is not responsive to the concerns. Ms. Bunch stated that there is concern with the building height and privacy. Ms. Bunch requested that the committee ask the applicant to adjust their plans in response to the concerns that have been expressed by the neighborhood representatives.

Melissa Rhodes introduced herself as a resident of Peters View Neighborhood and expressed concern with the increased density and the recent trend of gigantic residential buildings that have been approved. Ms. Rhodes stated that the applicant has not adequately addressed the increased traffic and with the school and church in the area there will be significant problems. Ms. Rhodes said that the approval of large developments without addressing increased traffic is a problem for residents. Ms. Rhodes stated that this request has been rushed and there should be an informational meeting as part of the review. **Vice Chair Fischbach** responded that PUD (Planned Unit Development) projects have an information only meeting and rezoning requests only have one committee review meeting, and this proposal is a rezone request.

Royden Hudnall introduced himself as a resident east of the proposed site. Mr. Hudnall stated he agrees with the neighbors regarding all the noted concerns including density, height and traffic. Mr. Hudnall said the main concern he has is the precedent that this development will have for the neighborhood and there are no four-story developments south of Campbell Avenue and there is R-5 zoning in the area, but none are four stories. Mr. Hudnall stated that the transition between R-3 zoning, and R-5 represents an excessive increase that will be seen by other developers who will pursue similar actions on small lots in the area. Mr. Hudnall stated this proposal reflects a drastic change that will undermine the character of the neighborhood permanently if this project is approved. Mr. Hudnall stated that he met with the developer, but he does not understand how drastic this change will be to the community. Mr. Hudnall stated he has initiated a petition to block the proposal that has over 160 signatures. Mr. Hudnall invited any meeting participants to sign the petition if interested. **Vice Chair Fischbach** asked Mr. Hudnall about a message sent to the developer, and if there was a request for an agreement regarding the proposal. Mr. Hudnall stated that Mr. Kafka contacted him to see if there was an opportunity to come to an agreement regarding support for the proposal. Vice Chair Fischbach asked if there was a request for access privileges to the development. Mr. Hudnall stated that the proposal would impact the adjacent home values and by having access to the pool may promote the neighboring home values to offset negative equity. Vice Chair Fischbach asked if there was a request for an easement. Mr. Hudnall stated that he asked for an agreement but not an easement for neighborhood access but there was no conclusion.

Kathy DeLorey introduced herself and stated she has resided on Roma Avenue for 35 years. Ms. DeLorey stated that she greatly appreciates the area and neighbors who have invested in the community. Ms. DeLorey stated the proposal is an invasion into the existing neighborhood and asked the committee to deny the rezoning request, for all the concerns voiced by the previous speakers. Ms. DeLorey asked that the presentation to the Planning Commission on September 5, 2024, be rescheduled to allow more time for review and to educate the neighborhood about the proposal. Mr. DeLorey stated that this proposal sets a precedent to allow four stories on interior streets of neighborhoods and with narrow streets on-street parking is not safe. Ms. DeLorey stated that four story complexes should be built on collector streets not on internal streets. Ms. DeLorey stated that with the proposal having rentals, this will be more tenants and cars than expected will increase traffic in the area. Ms. DeLorey expressed that she was instrumental in the installation of speed humps to reduce cut through traffic from 24th Street. Ms. DeLorey stated she has signed the petition and is opposed to the proposed development.

APPLICANT RESPONSE:

Ashley Marsh thanked the committee and members of the public for their feedback. Ms. Marsh stated they sent out over 450 pieces of mail to provide as much notification as possible. Ms. Marsh stated the proposal is not a PUD, just a regular rezoning case. Ms. Marsh stated they have been answering questions from the neighbors to consider access to some amenities and other possible agreements. Ms. Marsh stated that the proposal is an infill site and is in a desirable area for multifamily residences and suitable for R-5

development. Ms. Marsh stated the site plan was carefully developed to respond to the adjacent neighbors and provide landscaping and street frontage. Ms. Marsh stated that at the neighborhood meeting a site line exhibit was presented to mitigate impacts to the neighborhood. Ms. Marsh stated that a traffic study was conducted which determined that the number of trips at different times was suitable and the study was conducted by an engineer.

Committee Member Jurayeva stated that with the concerns regarding visibility to the neighbors asked what has been done to address the angles of view. **Ms. Marsh** displayed the site exhibit and responded that the placement of the building is approximately 100 feet from the property line and there are six residences along the perimeter, so this reduces any direct view lines.

Committee Member Augusta noted that a school was mentioned, and asked what is the location and how site lighting would be managed. Ms. Marsh responded that the school is one block north of the proposed site and site lighting will be down lit. Committee Member Augusta asked what would be the height of the light poles. Ms. Marsh responded that the poles would be in the parking lot and illuminate directly downward.

Vice Chair Fischbach asked what kind of school is located near the site. Ms. Marsh responded that it is Camelview Elementary School, located one block to the north.

Committee Member Grace asked is there will be a wall or landscaping along the east perimeter of the site. **Ms. Marsh** responded that there will be a 6-foot perimeter wall along the eastern side of the site.

Committee Member Whitesell asked if the units would be rentals or owner occupied and if the applicant knew what the surrounding residences were. **Ms. Marsh** responded that yes, the proposed development would be rental units and the majority of the surrounding units are multifamily condominiums which can be owned or rented. Committee Member Whitesell commented that the city is pursuing a targeted housing quantity with various types and asked what is the expected rental price range. Ms. Marsh responded that the rentals would be available at market rate. Committee Member Whitesell stated that from the Phoenix Housing Plan there is a distinguished quantity of the missing middle, including duplexes and triplexes for workforce housing remains deficient. Committee Member Whitesell stated that new developments need to focus on a variety of housing types and the proposed location would be ideal for workforce housing rather than market rate housing.

Committee Member Schmieder asked about the communication with the adjacent neighbors to accommodate amenities. **Ms. Marsh** responded the development is forward thinking and the site has been adjusted closer to the streetscape and provides buffering and landscaping. Ms. Marsh stated that there has been request for amenities such as a pickleball court but to make the project work the requested density would be needed.

Committee Member Guevar asked if the proposal is the tallest building in the neighborhood. Ms. Marsh responded that it would be the tallest building south of Campbell Avenue but not the tallest in the neighborhood. Committee Member Guevar asked if the project is not approved could changes be made. Ms. Marsh responded that since it is an infill site and there are fixed costs the project as presented is what works economically.

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

Chair Swart asked the committee if there were other questions and asked if there was a motion for consideration.

MOTION:

Committee Member Jurayeva motioned to recommend approval of Z-74-24-6 per the staff recommendation. **Committee Member Beckerleg Thraen** seconded the motion.

Committee Member Jurayeva stated that in 2017 condominiums in the area were priced at \$300,000 and now it is too expensive to buy a home and the proposal provides available housing. Committee Member Jurayeva stated that housing needs to be available for professionals working and commuting in the area and it is an infill site.

Chair Swart asked the committee if there was discussion on the motion before proceeding to a roll call vote.

Committee Pacey asked if members could explain their vote.

Committee Member Whitesell commented that he received the proposal information and drove the site and saw some of the homes in the area and did not see any problems initially. Committee Member Whitesell stated he reviewed the R-5 zoning requirements and certain things should be met in the district, and there should be continuity with the adjacent neighborhood and the neighbors have been heard and this project is not an enhancement to the area. Committee Member Whitesell stated that with a zoning comparison table, including the R-3 requirements would have been helpful to see the difference with the R-5 requirements to allow them to evaluate what impact it would have on the surrounding neighborhood. Committee Member Whitesell stated he will vote no but would entertain the idea of having the applicant come back to the committee, and this presentation would be for information only.

Committee Member Augusta stated that with the R-5 zoning the proposal does fit in the area and there does need to be more housing in the city and votes yes.

Committee Member Grace stated he votes no on the motion. Committee Member Grace stated that more housing is needed but going to four stories is not the only economically

viable reason and this was tried with a project on 44th Street and to fit in that neighborhood two-story units were built to be consistent with that neighborhood.

Committee Member Guevar stated that there are other solutions to address the housing issue that could focus on ownership not just rental property. Committee Member Guevar stated that no comparison of the zoning was presented between R-3 and R-5 and there maybe there is some creative opportunity to rethink the development to address density and possibly build to three stories. Committee Guevar stated he votes no.

Committee Member Jurayeva stated that with her experience housing was a challenge in 2017 with the current housing market people cannot obtain housing. Committee Member Jurayeva stated that nurses, teachers, and firefighters cannot afford to buy homes and there needs to be an alternative to live and commute to work. Committee Member Jurayeva stated people should have homes, so they do not have extended commutes to work and to the downtown area. Committee Jurayeva said the traffic study shows that this project is feasible and is in favor of this project moving forward.

Committee Member Paceley stated he does like the project, but it is not suitable for the location and R-3 might be more applicable for this proposal. Committee member Paceley stated he votes no.

Committee Member Schmieder stated she agrees with the neighborhood comments and there should be more interplay with the neighborhood. Committee Member Schmieder stated she votes no.

Committee Member Sharaby stated he has been on the committee for a while and favors residential development and respects Committee Member Jurayeva. Committee Member Sharaby stated that there are housing alternatives for professionals and the people have expressed their passion for their neighborhood. Committee Member Sharaby stated that too many projects get approved, and this proposal is not in the right location and the applicant can go back and rethink their situation. Committee Sharaby stated he votes no.

VOTE:

7-9; motion to recommend approval of Z-74-24-6 per the staff recommendation fails with Committee members Augusta, Bayless, Beckerleg Thraen, Garcia, Jurayeva, Fischbach and Swart in favor; and Committee members Eichelkraut, Grace, Guevar, O'Malley, Paceley, Schmieder, Sharaby, Whitesell and Williams opposed.

Chair Swart stated that the motion fails with seven votes in favor and nine in opposition.

No other motions were made on this item.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.