



Village Planning Committee Meeting Summary

Z-81-24-7

Date of VPC Meeting	August 20, 2024
Request From:	R1-8
Request To:	C-2 and C-2 HGT/WVR DNS/WVR
Proposed Use:	Commercial and multifamily residential with a height and density waiver
Location	Northeast corner of 91st Avenue and Broadway Road
VPC Recommendation	Approval, per the staff recommendation with an additional stipulation and a modification
VPC Vote	7-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Two members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, displayed the location of the subject site and noted the acreage and proposal. Mrs. Sanchez Luna stated that the applicant was proposing multifamily and commercial uses. Mrs. Sanchez Luna summarized the surrounding land uses and noted the single-family residential uses to the north. Mrs. Sanchez Luna displayed the site plan and renderings and described the orientation of the buildings and access. Mrs. Sanchez Luna summarized the letter of opposition and concluded the staff presentation by summarizing the staff findings and proposed stipulations.

Applicant Presentation:

Lindsay Schube, representing the applicant with Gammage & Burnham, PLC, began the applicant presentation by introducing the commercial developer, Vintage Partners and the multifamily residential developer, St. Charles Town Company. Ms. Schube noted the exceptional commercial development that Vintage Partners have constructed. **Chair Lisa Perez** asked if Vintage Partners developed the commercial development on 104th Avenue and McDowell Road. **Walter Crutchfield**, with Vintage Partners, confirmed. **Ms. Schube** displayed the site plan and noted that the height and density waiver would only apply to the multifamily portion of the development. Ms. Schube added that the multifamily development would consist of 100 percent affordable housing and that they approve to all the staff stipulations. Ms. Schube stated that the

commercial development would benefit from the future SR-30. Ms. Schube displayed commercial renderings and noted that they would be required to go through the public hearing process for future commercial site plans and elevations. Ms. Schube noted that the community has voiced concerns with height along the north property line. Ms. Schube added that they were willing to reduce the height for a portion along the north property line through a stipulation. Ms. Schube added that her team had proposed stipulation language to staff for this reduction. Ms. Schube stated that the affordable housing project would help alleviate the housing crisis and serve members of the community. Ms. Schube noted that the community had voiced their preference for single-family residential but that this development would provide commercial development and affordable housing. Ms. Schube concluded her presentation by providing the development timeline for the multifamily development.

Questions from the Committee:

Angelica Terrazas asked for the development timeline for the commercial portion of the site. **Ms. Schube** noted that the commercial development would be dependent on the freeway ramps for the SR-30. Ms. Schube noted that if a freeway ramp is proposed on 91st Avenue, then that would provide higher commercial quality. Ms. Schube stated that the SR-30 had to be farther along the design process to determine the commercial timeline.

Chair Perez stated that Prop 479 would be on the November ballot, and if approved, the SR-30 would move forward in the development process.

Kristine Morris asked if a pedestrian walkway could be added to the east side of the site to help children keep away from arterial roads when walking to school. **Ms. Schube** noted that the existing SRP canal and dairy farms made it difficult provide a route, but they were willing to work with the committee member to increase connectivity. **Ms. Morris** asked who would handle the issues concerning the canal. **Ms. Schube** noted that they would work with SRP as part of the development of the site. **Chair Perez** added that the canal east of the site would also be an issue but would not be addressed until the site is redeveloped. **Ms. Schube** reiterate that they were willing to work with the committee member and understood the importance of school safety. **Ms. Morris** added that if this was not addressed then the cost would have to be covered by the school. **Mr. Crutchfield** noted that SRP is its own entity and that they are working on a solution. **Ms. Morris** stated that they are working with SRP on a different location and requested updates on any discussions they might have in the future. **Ms. Schube** noted that she will provide Mr. Crutchfield's contact information. **Chair Perez** noted the importance of alternative pedestrian routes. Chair Perez added that some schools do not allow children to walk to school due to safety issues caused by high commercial traffic.

Public Comments:

Olga Pritchett thanked the applicant for their level of outreach and willingness to accept feedback from the community. Ms. Pritchett voiced her preference for single-family development but understood the economical reality. Ms. Pritchett asked what

would happen to the commercial site if a freeway ramp was not proposed on 91st Avenue. **Mr. Schube** noted that the current property owner was a commercial developer, so commercial development would occur regardless. **Mr. Crutchfield** stated that he did not control timing regarding the SR-30. Mr. Crutchfield noted that quality was important and stated that his commercial developments all consisted of high-quality commercial uses. Mr. Crutchfield noted a project that took nine years to complete rather than the estimated five years but was a much higher quality. Mr. Crutchfield stated that they did not know the location of the freeway ramps but that this would be superb commercial development. **Chair Perez** noted that the Loop 202 Freeway took 30 years to be completed, and that the SR-30 will eventually be built.

Peter Mastro voiced his concerns for traffic congestion on Broadway and 91st Avenue. Mr. Mastro noted that there has been a lot of congestion at this intersection, and it is usually over half a mile of back up traffic. Mr. Mastro asked if there was anything that could prevent multifamily development from being built along the entirety of Broadway Road. **Chair Perez** stated that property owners are allowed to rezone their property and develop what is allowed per their zoning designation. **Mr. Mastro** voiced his concern regarding multifamily development. Mr. Mastro added that he lived in a California neighborhood that had high density multifamily and that it had a lot of crime. **Chair Perez** stated that it is unlawful to take property rights from property owners. **Mr. Mastro** voiced his displeasure. **Mr. Crutchfield** stated that it was important to review past development and commercial resume of possible developers. Mr. Crutchfield noted that if a developer did not provide high quality commercial, then mediocre commercial would be provided. Mr. Crutchfield noted that the intent of this proposal was to provide affordable housing and first-rate commercial development. Mr. Crutchfield added that the intent is to deliver affordable housing. **Mr. Mastro** noted the proposed conceptual site plan and asked if Broadway Road would be expanded and improved. **Ms. Schube** confirmed. Ms. Schube added that they have also agreed to the traffic signal at the intersection. Ms. Schube noted that development primarily contributes to traffic improvements.

Committee Discussion:

Chair Perez noted that she discussed with the applicant about adding a stipulation that would limit one building, and a portion of another, along the north property line to two stories. Chair Perez voiced her displeasure for three story buildings but added that the proposal was stipulated to 100 percent affordable housing. Chair Perez added that Estrella had not had an affordable housing project in a very long time. Chair Perez added that numerous teachers would benefit from this affordable project because it would lessen the financial burden and the commute distance. Chair Perez stated that to get a little they must compromise a little and that they welcomed affordable housing unlike other villages. Chair Perez provided the stipulation language that would limit the building height of two multifamily buildings. **Ms. Schube** voiced her support. Chair Perez stated that she had spoken with the Street Transportation Department regarding modifying Stipulation No. 14 to require the traffic signal in the first phase of development. Chair Perez asked the applicant if they agreed to this modification. **Mr. Crutchfield** confirmed. Mr. Crutchfield noted that they are usually required to pay 25

percent of the traffic signal. Mr. Crutchfield stated that he spent a few hours at the intersection and recognize the immediate need of the traffic signal. Mr. Crutchfield noted that they were willing to step forward and provide the signal. **Chair Perez** thanked Mr. Crutchfield for voicing his dedication and stated that an applicant had recently filed to modify the contribution for a traffic signal on another case.

Motion:

Co-Vice Chair Beth Cartwright motioned to recommend approval of Z-81-24-7, per the staff recommendation, with a modification to Stipulation No. 14 regarding the traffic signal on the intersection of 91st Avenue and Broadway Road and the following additional stipulation:

- The maximum building height shall be 2 stories or 30 feet for Building Type 4 (2 stories, 24 units) and units fronting the north property line of Building Type 2 (22 units), as depicted on the site plan date stamped July 30, 2024.

Kristine Morris seconded the motion.

Vote:

7-0, Motion to recommend approval of Z-81-24-7, per the staff recommendation with a modification and an additional stipulation passed with Committee Members Burd, Dominguez, Morris, Sanou, Terrazas, Cartwright, and Perez in favor.

Recommended Stipulations:

Overall Development

1. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, striped, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of three pedestrian connections shall be provided between the multifamily and commercial development, as approved by the Planning and Development Department.
4. 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.
5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized on site, as approved or modified by the Planning and Development Department.

6. 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.
7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.
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, drought tolerant, shade trees, or a combination thereof.
9. 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.
10. A minimum 55-foot right-of-way shall be dedicated for a modified flared intersection at the east side of 91st Avenue at the Broadway Road intersection. Additional dedications to accommodate the intersection flare may be required, as approved by the Street Transportation Department. The improvements shall be consistent with the Arterial CM cross section including a minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk.
11. A 20-foot-wide multi-use trail easement (MUTE) shall be dedicated along Broadway Road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
12. A total of 55-feet of right-of-way shall be dedicated to Maricopa County for the north half of Broadway Road, or as otherwise approved by the Maricopa County Department of Transportation.
13. All street improvements to Broadway Road are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided prior to preliminary site plan approval.
14. A traffic signal shall be installed at the 91st Avenue and Broadway Road intersection **DURING THE FIRST PHASE OF DEVELOPMENT**. The developer shall fund 100% of the cost and construct the traffic signal to an interim design, as approved by the Street Transportation Department. If the signal is installed by

others, the development shall be responsible for 100% of the cost for signal relocation and/or modifications.

15. All existing or relocated electrical utilities, 12 kv or smaller, within the 91st Avenue right-of-way shall be undergrounded, adjacent to the development, or as otherwise approved by the Street Transportation Department. The developer shall coordinate with the affected utility companies for their review and permitting.
16. Existing SRP facilities within the 91st Avenue and Broadway Road right-of-way 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.
17. 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.
18. The developer shall construct a bus pad that conforms with City of Phoenix Standard Detail P1260 on northbound 91st Avenue, north of Broadway Road. The pad shall be located from the intersection following the standards established in P1258.
19. 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.
20. 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.

Multifamily Development as depicted on the site plan date stamped July 30, 2024

21. The maximum building height shall not exceed 30 feet. If 100 percent of the housing units are provided as affordable housing, the maximum height shall be 40 feet.
 - a. The applicant shall submit a copy of the draft Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), for review and verification by the Phoenix Housing Department, prior to or in conjunction with Preliminary Site Plan Approval.

- b. The applicant shall submit a copy of the Determination of Qualification of Tax Credits issued by the Arizona Department of Housing, or other documentation of low-income housing tax credit allocation, prior to or in conjunction with Final Site Plan Approval.
- c. The applicant shall submit a copy of the recorded Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), as approved by the Arizona Department of Housing, to the Planning and Development Department.

22. THE MAXIMUM BUILDING HEIGHT SHALL BE 2 STORIES OR 30 FEET FOR BUILDING TYPE 4 (2 STORIES, 24 UNITS) AND UNITS FRONTING THE NORTH PROPERTY LINE OF BUILDING TYPE 2 (22 UNITS), AS DEPICTED ON THE SITE PLAN DATE STAMPED JULY 30, 2024.

- ~~22.~~ The R-4 Planned Residential Development Option shall be utilized for the development.
- ~~23.~~ The entry drives shall incorporate landscaping on both sides, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.
- ~~24.~~ The north landscape setback shall be planted with evergreen trees, as approved by the Planning and Development Department.
- ~~25.~~ A minimum of 10% of the gross site area shall be retained as open space.
- ~~26.~~ All pedestrian walkways, including sidewalks, 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.
- ~~27.~~ The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
 - a. The developer shall provide secure bicycle parking per Section 1307 of the Zoning Ordinance.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces. Parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - c. 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 standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

- d. Bicycle parking spaces 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.
- e. A minimum of 10% of the required bicycle parking spaces shall be include standard electrical receptacles for electric bicycle charging capabilities.

- ~~28.~~ A minimum of 5% of the required vehicle parking spaces shall include EV
- ~~29.~~ Installed infrastructure. A minimum of 10% of the required vehicle parking spaces shall include EV Capable spaces.
- ~~29.~~ Prior to final site plan approval, documentation shall be provided that
- ~~30.~~ demonstrates a commitment to participate in the Water Efficiency Checkup for a minimum of 10 years, or as approved by the Planning and Development Department.
- ~~30.~~ Landscape areas shall be planted with minimum 2-inch caliper, large canopy,
- ~~31.~~ drought-tolerant, shade trees planted 25 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
- ~~34.~~ Prior to certificate of occupancy, signage shall be posted within the
- ~~32.~~ development's sales/leasing office (or equivalent signage) that is visible to prospective renters or purchases, and which discloses the proximity and existence of nearby existing dairy farms and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities, as approved by Planning and Development Department.

Commercial Development as depicted on the site plan date stamped July 30, 2024.

- ~~32.~~ The conceptual site plan and elevations for the future commercial development
- ~~33.~~ as depicted on the site plan date stamped July 30, 2024, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modifications prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department. The site plan shall incorporate the following elements:

- a. Accessible pedestrian pathways that connect building entrances and the public bus pad using the most direct route for pedestrians.
 - b. Pedestrian connections between adjacent commercial developments (if developed across multiple phases).
- ~~33.~~ The development shall incorporate bicycle infrastructure as described below and
~~34.~~ approved by the Planning and Development Department
- a. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the building entrances and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - b. A minimum of 5% of the required bicycle parking spaces shall include standard electrical receptables for electric bicycle charging capabilities.
- ~~34.~~ A minimum of 10% of the required vehicle parking spaces shall include EV
~~35.~~ Ready infrastructure and a minimum of 5% shall include EV Capable infrastructure.
- ~~35.~~ Prior to final site plan approval, documentation shall be provided that
~~36.~~ demonstrates a commitment to participate in the City of Phoenix Businesses Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.

Staff comments regarding VPC Recommendation:

None.