



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-23-22-8
June 3, 2022

<u>Camelback East Village Planning Committee Meeting Date</u>	June 7, 2022
<u>Planning Commission Hearing Date</u>	August 4, 2022
Request From:	<u>R1-6</u> (0.36 acres)
Request To:	<u>R-4</u> (0.36 acres)
Proposed Use	Multifamily residential
Location	Northwest corner of 35th Street and Culver Street
Owner	First Mill, LLC
Applicant/Representative	Artin Knadijan
Staff Recommendation	Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 15+ dwelling units per acre	
<u>Street Map Classification</u>	35th Street	Local	30-foot west half street
	Culver Street	Local	15-foot north half street

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal will create a new multifamily development in an area where similar developments exist. The proposed site plan and elevations also depict a development that is compatible in scale and character to the surrounding neighborhood.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The request proposes to develop a multifamily project on a relatively larger lot compared to others in the surrounding area. There is a single home on the lot currently, and the proposed multifamily development will allow the development of additional dwelling units on the site. As stipulated, the development will provide enhanced screening in the form of landscaping and a larger building setback, thus ensuring that the project will be compatible with the adjacent single-family parcel to the west.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

As stipulated, the proposal will provide a detached sidewalk along 35th Street, shade trees along the sidewalk, and shade the parking lot with the new proposed building to provide thermal comfort and shade for pedestrians and residents entering and exiting their vehicles.

Applicable Plans, Overlays, and Initiatives

[Housing Phoenix Plan](#) – See Background Item No. 6.

[Tree and Shade Master Plan](#) – See Background Item No. 7.

[Complete Streets Guiding Principles](#) – See Background Item No. 8.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 9.

[Zero Waste PHX](#) – See Background Item No. 10.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Single-family residence	R1-6
North	Multifamily residences	R-4
South (across Culver Street)	Gateway Elementary School	PAD-13 (Approved R-3A) and R1-6

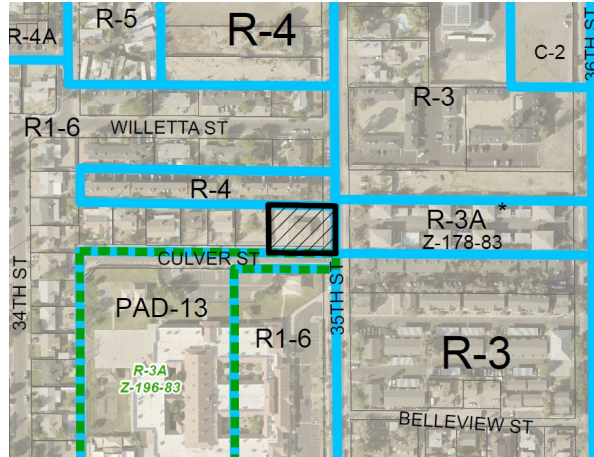
East (across 35th Street)	Multifamily residences	R-3A
West	Single-family residence	R1-6

R-4 – Multifamily Residence District (Subdivision Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	-	0.36
Total Number of Units	10 maximum	8 units (Met)
Dwelling Unit density (units/gross acre)	29 maximum	22.22 (Met)
Lot Coverage	50% Maximum	43% (Met)
Maximum Building Height	3 stories or 40 feet	3 stories, 30 feet (Met)
Building Setbacks	Front: 20 feet Rear: 15 feet Sides: 10 feet and 3 feet	Front: 20 feet (Met) Rear: 33 feet (Met) Side (north): 10 feet (Met) Side (south): 10 feet (Met)
Landscape Setbacks	Front: 20 feet Sides and Rear: 5 feet each	Front: 20 feet (Met) Side (north): 10 feet (Met) Side (south): 10 feet (Met) Rear: 5 feet
Common Area/ open space	5.0%	5.0% (Met)
Parking Requirements	1.5 spaces per 1 and 2-bedroom unit and additional unreserved parking at a rate of 0.5 spaces per 1 and 2-bedroom unit: Eight 2-bedroom units proposed in addition to a recycling container 15 spaces required	15 (Met)

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 0.36 acres located at the northwest corner of 35th Street and Culver Street from R1-6 (Single-Family Residence District) to R-4 (Multifamily Residence District) to allow a multifamily residential development. The proposal is consistent with the surrounding multifamily zoning to the north, east, and south of the site.



Zoning Sketch Map, Source: City of Phoenix Planning and Development Department

2. The subject site as well as the surrounding area is designated Residential 15+ dwelling units per acre on the General Plan Land Use Map. The proposed density is consistent with this designation and compatible with Land Use Map designations in the surrounding area.



General Plan Land Use Map, Source: City of Phoenix Planning and Development Department

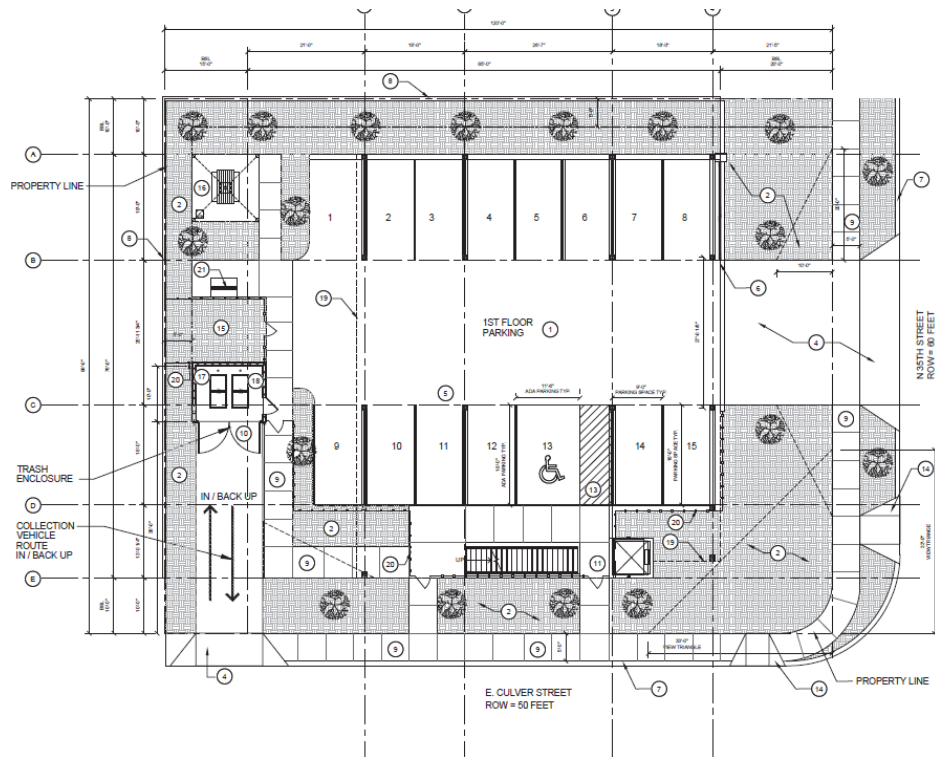
EXISTING CONDITIONS & SURROUNDING ZONING

3. The subject site is currently developed with a single-family residence and is zoned R1-6 (Single-Family Residence District). The request proposes to rezone the site to R-4 (Multifamily Residence District), which is consistent with the existing zoning of the property to the north. There are multifamily residences to the north and east, across 35th Street, which are zoned R-3A (Multifamily Residence District) and R-4. To the west, is a single-family residence zoned R1-6 while an elementary school is located south of the site and is zoned R1-6 and PAD-13 (Planned Area Development), approved R-3A.

PROPOSAL

4. The conceptual site plan proposes an eight-unit multifamily development with a height of three stories and 30 feet. While all of the surrounding structures in the area are two stories, this development proposes a maximum height of 30 feet that is consistent with the maximum height permitted for structures in single-family residential districts. Thus, the proposed development is sensitive to the scale of surrounding uses. The site plan also depicts a single vehicular entry point off of 35th Street, which leads into a parking lot located under the proposed building. An amenity area is proposed along the western edge of the development consisting of a gazebo, table and benches.

Staff does not recommend general conformance to the proposed site plan provided by the applicant as additional detail on the open space area calculation is required and the placement of the trash or recycling facility might require variances. Variances undergo the Zoning Adjustment hearing process following the rezoning process. However, to maintain the privacy and compatibility with the adjacent single-family home west of the subject site, staff recommends an enhanced building setback of no less than 33 feet to be provided along the western property line in addition to 2-inch caliper large canopy trees. This is addressed in Stipulation Nos. 2 and 3.



Conceptual Site Plan, Source: Aakai

5. The conceptual building elevations depict modern architectural features that are unique to the surrounding area. The elevations depict a maximum building height of three stories and 30 feet to the top of the flat roofline. The variety of building materials (stucco, metal, lap siding, veneer), metal canopies, and color palette accents are consistent with a high-quality development. This proposal will be consistent with the scale and character of the surrounding neighborhood and, as such, staff is recommending general conformance to the elevations submitted, per Stipulation No. 1.



Conceptual Building Elevations, Source: Aakai

PLANS, OVERLAYS, AND INITIATIVES

6. [Housing Phoenix Plan](#)

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix’s rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan’s goal of preserving or creating 50,000 housing units by 2030 by providing an opportunity for multifamily residential units in an area envisioned by the General Plan Land Use Map for multifamily uses.

7. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city’s planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. Staff is recommending enhanced tree plantings along the 35th Street frontage to provide minimum 75 percent shade on the sidewalk and along the western perimeter landscape setbacks to help reduce the urban heat island effect created by the parking lot surface. These recommendations are addressed in Stipulation Nos. 3 and 4.

8. **Complete Streets Guiding Principles**
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. In addition to the enhanced landscaping standards, staff is recommending that the sidewalk along 35th Street be detached. This is addressed in Stipulation No. 4.
9. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the development will provide a minimum of six bicycle parking spaces. This is addressed in Stipulation No. 5.
10. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The applicant indicated in their conceptual site plan that recycling containers will be provided on the site.

COMMUNITY INPUT SUMMARY

11. At the time this staff report was written, no correspondence from the public had been received.

INTERDEPARTMENTAL COMMENTS

12. **Fire Prevention Division, Fire Department**
Fire Prevention does not anticipate problems with the referenced case. However, the site and or buildings shall comply with the current Phoenix Fire Code (PFC). The water supply (gpm and psi) for the referenced case is unknown and the quantity plus design of fire hydrants shall comply with the PFC.
13. **Water Services Department**
The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is a potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

14. **Office of Heat Response and Mitigation**

The Office of Heat Response and Mitigation has requested that a minimum of 50 percent shade be provided on the public sidewalk and site. Enhanced sidewalk shade standards addressed in Stipulation No. 4.

15. **Street Transportation Department**

The Street Transportation Street Transportation Department has requested that the streets be constructed with all required elements and to ADA requirements. This is addressed in Stipulation No. 6.

OTHER

16. This site is located within the noise contour area of Phoenix Sky Harbor International Airport (PHX). As such, staff is requesting that the developer provide notice to prospective purchasers or tenants regarding the existence and operational characteristics of this airport, that an aviation easement be granted and recorded to the City of Phoenix for the site, and that the developer provide a No Hazard Determination from the FAA prior to construction permit approval. These requests are addressed in Stipulation Nos. 7, 8, and 9.

17. The site is located in an area identified as being archaeologically sensitive. If no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 10, 11, and 12.

18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed development is consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre.
2. The proposal will provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
3. As stipulated, the proposal is consistent with the character of existing development in the surrounding area.

Stipulations

1. The development shall be in general conformance with the elevations date stamped March 25, 2022, with specific regard to the inclusion of lap siding, metal canopies and CMU veneer, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum building setback of 33 feet shall be required along the west property line, as approved by the Planning and Development Department.
3. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees shall be provided along the west property line, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. The developer shall construct a minimum 5-foot-wide detached sidewalk and minimum 5-foot-wide landscape area located between the back of curb and sidewalk along the west side of 35th Street, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees shall be provided between the back of curb and sidewalk to provide a minimum 75 percent shade.
 - b. The area between the back of curb and sidewalk shall be planted with drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity, 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.

5. A minimum of six bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

6. The developer shall construct all streets within and adjacent to the development 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.
7. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
8. 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.
9. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
12. 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.

Writer

Sarah Stockham

June 3, 2022

Team Leader

Racelle Escolar

Staff Report: Z-23-22-8

June 3, 2022

Page 12 of 12

Exhibits

Sketch map

Aerial map

Site plan date stamped March 25, 2022 (4 pages)

Building elevations date stamped March 25, 2022 (2 pages)