

Deer Valley Village Planning Committee December 14, 2023

Meeting Date:

Planning Commission Hearing Date: January 4, 2024

Request From: R1-8 (Single-Family Residence

District) (3.88 acres)

Request To: Residence District)

(3.88 acres)

Proposal: Multifamily residential townhomes

Location: Northeast corner of 14th Street and

Wahalla Lane

Owner: Waseem Hamadeh, HOC Land, LLC

Applicant/Representative: Keith Nichter, Kimley-Horn

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Residential 3.5 to 5 dwelling units per acre			
Street Map Classification	SR-101 Frontage Road / Beardsley Road	Arizona Department of Transportation (ADOT) Right- of-Way	24-feet-wide (one- way)		
	Wahalla Lane	Local Street	25-foot north half street		
	14th Street	Local Street	25-foot east half street		

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.

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The subject site is currently vacant and the proposed residential development, as stipulated, will be compatible with the existing neighborhood character.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent existing housing. Create landscape buffers and other amenities to link new and existing development.

The proposal is designed to be sensitive to the surrounding existing single-family residences and provides appropriate screening from the freeway and as stipulated, will provide enhanced buffering along the street frontages of Beardsley Road, Wahalla Lane, 14th Street and the eastern property line.

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.

The proposal, as stipulated, provides enhanced levels of trees and shade which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plans, Overlays, and Initiatives

Housing Phoenix Plan – See Background Item No. 6.

Tree and Shade Master Plan – See Background Item No. 7.

<u>Complete Streets Guiding Principles</u> – See Background Item No. 8.

Outer Loop Freeway Specific Plan - See Background Item No. 9.

Comprehensive Bicycle Master Plan – See Background Item No. 10.

Zero Waste PHX – See Background Item No. 11.

Transportation Electrification Action Plan – See Background Item No. 12.

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Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Vacant	R1-8		
North (Beardsley Road/Outer Loop Freeway)	Frontage Road/Freeway	R1-8		
South (across Wahalla Lane)	Single-family residences	R1-8		
East	Single-family residences	R1-8		
West (across 14th Street)	Single-family residences	R1-8		

R-2 - Multifamily Residence District (Planned Residential Development Option)				
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed site Plan		
Gross Acreage	-	3.88 acres		
Total Maximum Number of Units	40 units, up to 46 with bonus	30 units (Met)		
Maximum Density	10.5 dwelling units per acre, up to 12 with bonus	7.73 dwelling units per acre (Met)		
Maximum Lot Coverage	50 percent	Not depicted		
Maximum Building Height	2 stories and 30 feet for first 150 feet; 1 foot increase in height for 5 feet of additional building setback, up to 48 feet and 4 stories	2 stories and 26 feet (Met)		
Minimum Building Setbacks				
Adjacent to public street	20 feet	South: 35 feet (Met) North: 20 feet (Met) West (adjacent to 14th Street): 615 feet (Met)		
Adjacent to property line	15 feet	East: 27 feet (Met) West: 61.5 feet (Met)		
Minimum Perimeter Landscape Setbacks				
Adjacent to public street	20 feet	Not specified		
Adjacent to property line	5 feet	Not specified		
Minimum Open space	5 percent	33 percent (Met)		

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R-2 - Multifamily Residence District (Planned Residential Development Option)				
<u>Standards</u>	Requirements	Provisions on the Proposed site Plan		
Minimum parking	69 spaces 1.3 spaces per efficiency unit; 1.5 spaces per 1 or 2 bedroom unit; 2 spaces per 3 or more bedroom unit; 1.0 spaces per unit of less than 600 square feet	90 spaces (Met)		

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 3.88 acres at the northeast corner of 14th Street and Wahalla Lane from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential townhomes. The site is undeveloped and abuts Beardsley Road and the Outer Loop Freeway to the north.

GENERAL PLAN LAND USE MAP DESIGNATION

2. The General Plan Land Use Map designation for the site is Residential 3.5 to 5 dwelling units per acre. The proposal is not consistent with the General Plan Land Use Map designation, however a General Plan Amendment is not required as the proposed R-2 zoning district is considered within the Traditional Lot land use category.

The adjacent properties to the south, east, and west are also designated as Residential 3.5 to 5 dwelling units per acre. Directly southwest is the site of an elementary school designated as Public / Quasi-Public on the General Plan. To the north is Beardsley Road and the Arizona Loop 101 Freeway which is designated as a Transportation.

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General Plan Land Use Map

Source: Planning and Development Department

SURROUNDING LAND USES AND ZONING

3. The subject site is currently vacant and zoned R1-8.

Surrounding the property on the north, south, east, and west is zoned R1-8. To the north is the freeway, to the south, east and west are single-family residences.



Zoning Sketch Map

Source: Planning and Development Department

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PROPOSAL

4. Site Plan

The conceptual site plan, attached as an exhibit, proposes 30 multifamily townhome type residences with ample open space including retention areas and a centrally located amenity area. It also includes two vehicular points of ingress/egress off of Wahalla Lane. Pedestrian walkways are provided throughout the site which connect with all buildings and amenity areas. The development includes a private drive which is circuitous around the development. Each unit includes a private garage and yard.

In order to ensure the site develops as proposed, staff recommends general conformance to the site plan, as addressed in Stipulation No. 1.

In order to provide enhanced landscaping to buffer the site from surrounding residences, staff recommends the following:

 All required landscape setbacks and retention areas shall be planted with a minimum of 2-inch caliper large canopy, drought tolerant shade trees, planted 20 feet on center or in equivalent groupings

This is addressed in Stipulations Nos. 3 and 4.

Also, as listed in Stipulations Nos. 5 through 7, the vehicular entrances and pedestrian walkways will be enhanced and the pedestrian walkways will be required to provide additional shade. This will include the use of alternative materials or other pavement treatments that visually contrast parking and drive aisle surfaces to help maximize pedestrian visibility and safety.

5. Elevations

The building elevations, attached as an exhibit, depict two-story buildings with a height of 26 feet. Specific colors and materials are not identified on the elevations that were submitted. Staff recommends a maximum height of 30 feet (Stipulation No. 2), to ensure that the proposed development is compatible with the existing height limit of the R1-8-zoned single-family residences.

PLANS, OVERLAYS, AND INITATIVES

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 contributing to a variety housing types that will

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address the supply shortage while using vacant or underutilized land in a more sustainable fashion.

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 robust tree planting standards, with larger caliper trees in the landscape setbacks, bicycle infrastructure and pedestrian pathways shaded to a minimum of 75 percent, and drought-tolerant shade trees dispersed throughout the surface parking lot to achieve shade. These are addressed in Stipulation Nos. 3, 4, and 7 through 9.

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. Staff is recommending pedestrian pathways on both sides of the vehicular driveways to connect the interior of the development to the public and visually contrasting pedestrian paths where pathways cross vehicular drive aisles. This is addressed in Stipulation Nos. 5 and 6.

9. Outer Loop Freeway Specific Plan

In May 1996, the Phoenix City Council adopted the Outer Loop Freeway Specific Plan, which aims to retain the value of the immediate surrounding properties along the Loop 101 freeway by mitigating the compatibility between the freeway and the residential neighborhoods through which it passes. The subject site is located in Segment 4 of the Outer Loop Freeway Specific Plan. The proposed rezoning meets the intent of many of the elements of the plan.

<u>Land Use</u>: The plan recommends residential density of 2 to 5 dwelling units per acre for the subject site but does consider the general area as transitional due to the proximity to residential and open space uses. The plan recommends maintaining low to medium density residential uses in the general area to transition into the open space. The proposal, at 7.73 dwelling units per acre, maintains a medium density consistent with the plan.

<u>Circulation</u>: The plan calls for adequate and more direct access from the school to 12th or 16th Streets. This has already been completed by previous developments in the area and the proposed development should enhance access due to the right-of-way improvements that will be required along Wahalla Lane.

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Noise: The plan recommends noise walls. These will need to be coordinated between the developer, ADOT and the City of Phoenix. Stipulation Nos. 11 through 13 will ensure there is disclosure of the freeway and noise exposure will be mitigated through a sound wall and other measures. The plan also includes site development policies for residential development, including site plan and construction techniques.

10. 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 bicycle parking, shaded bicycle infrastructure, a bicycle repair station and electric receptacles for electric bicycle charging capabilities. This is addressed in Stipulation No. 9.

11. 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 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's submittal materials indicated that the City of Phoenix Public Works Department provides residential refuse and recycling collection, and commercial refuse enclosures will be provided consistent with City of Phoenix requirements.

12. Transportation Electrification Action Plan

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Staff recommends that a minimum of ten

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percent of the required parking spaces be EV Ready and twenty percent shall be EV Capable infrastructure. This is addressed in Stipulation No. 10.

COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff has not received correspondence in support or opposition.

INTERDEPARTMENTAL COMMENTS

14. **Aviation Department**

The Aviation Department requested the airport disclosure stipulation. This is addressed in Stipulation No. 17.

15. Street Transportation Department

The Street Transportation Department requested the following:

- A Red Border Letter shall be submitted to ADOT
- Complete dedications and construct knuckle design along at the terminus of 14th Street, as approved by the Street Transportation Department
- All street improvements and incidentals shall be constructed as approved by the Planning and Development Department and shall comply with ADA accessibility standards

These are addressed in Stipulation Nos. 14 through 16.

OTHER

- 16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and 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. 18 through20.
- 17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 21.

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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 proposal is compatible with the surrounding land uses.
- 2. The proposal will develop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
- 3. This proposal, as stipulated, provides enhanced setbacks and landscape areas to be sensitive to the surrounding single-family residences.

Stipulations

- 1. The development shall be in general conformance with the site plan date stamped September 13, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
- 2. Maximum building height shall be 30 feet.
- 3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
- 4. Landscape areas and retention areas shall be planted with minimum 2-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
- 5. The vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - b. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

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6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

- 7. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum 75% shade, as approved by the Planning and Development Department.
- 8. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
- 9. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
 - a. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the amenity area 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. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.
 - c. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
 - d. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility 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.
 - e. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

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- 10. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 20% shall be EV Capable.
- 11. The property owner shall record documents that disclose to prospective purchasers of property within the developments the existence of noise from the SR 101 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
- 12. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.
- 13. A noise wall shall be provided along or near the north property line, as approved by the Arizona Department of Transportation and the Planning and Development Department.
- 14. A Red Border Letter shall be submitted to ADOT for this development prior to preliminary site plan approval.
- 15. Complete dedications and construct knuckle design along at the terminus of 14th Street, as approved by the Street Transportation Department.
- 16. 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.
- 17. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley 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.
- 18. 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.
- 19. 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

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- archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 20. 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.
- 21. Prior to preliminary 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.

Writer

Matteo Moric December 8, 2023

Team Leader

Racelle Escolar

Exhibits

Zoning Sketch Map Aerial Sketch Map Conceptual Site Plan date stamped September 13, 2023 Conceptual Elevations date stamped September 13, 2023













