

# Staff Report Z-110-23-5 January 8, 2023

North Mountain Village Planning January 17, 2024

**Committee** Meeting Date:

**Planning Commission Hearing Date:** February 1, 2024

Request From: <u>C-2</u> (Intermediate Commercial) (0.82-

acres)

**Request To:** <u>WU</u> Code T5:5 (Walkable Urban Code,

Transect 5:5 District) (0.82-acres)

Proposed Use: Multifamily residential

**Location:** Approximately 310 feet north and 280

feet west of the northwest corner of 19th Drive and Northern Avenue

Owner: West Royal Development, LLC

**Applicant and Representative:** Reid Butler, Butler Housing Company

Inc.

**Staff Recommendation:** Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Commercial			
Street Map Classification	21st Avenue	Private Street	28 feet, including easements		

CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE; Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.

The proposed development, as stipulated, will contribute to a pattern of horizontal mixed-use near a light rail station in a manner consistent with the 19North Transit Oriented Development Policy Plan. The addition of residential dwellings will support ridership on the light rail while offering its residents an affordable mode of transportation.

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CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

The proposed development, per WU Code standards and as stipulated, includes design and development standards to encourage walking, bicycling, and transit use. These standards include a shaded streetscape, units fronting onto the public sidewalk, parking situated away from the street, and on-site amenities.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.

The proposed development, as stipulated, includes bicycle facilities to encourage bicycling and transit use to leverage its proximity to the nearby light rail station. Features include secure bicycle parking for residents and/or convenient racks for guests, and a bicycle repair station for residents.

## **Applicable Plans, Overlays, and Initiatives**

TOD Strategic Policy Framework: Background Item No. 4.

19North Transit Oriented Development Policy Plan: Background Item No. 5.

North Mountain Village Character Plan: Background Item No. 6.

Community Safety Plan (CSP) Areas: Background Item No. 9.

Tree and Shade Master Plan: Background Item No. 10.

Complete Streets Guidelines: Background Item No. 11.

**Housing Phoenix:** Background Item No. 12.

Zero Waste PHX: Background Item No. 13.

Climate Action Plan: Background Item No. 14.

<u>Transportation Electrification Action Plan</u>: Background Item No. 15.

Comprehensive Bicycle Master Plan: Background Item No. 16.

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Surrounding Land Uses and Zoning				
	Land Use	<u>Zoning</u>		
On Site	Vacant land and parking	C-2		
North	Multifamily (parking)	R-3A and C-2		
South	Commercial (retail, restaurants, services)	C-2		
West (across 21st Avenue)	Vacant (retention/detention basin)	C-2		
East	Multifamily, drainage channel and shared driveway	R-4 and C-2		

Walkable Urban Code Transect 5:5				
<u>Standards</u>	<u>Requirements</u>	Site Plan Provisions		
Total Dwelling Units	No maximum	80 units		
Density	No maximum	97.56 units per acre		
Building Height	56 feet maximum	56 feet (Met)		
Primary Frontage (21st Avenue)	12 foot maximum	Not depicted		
Rear (east)	0 foot minimum	Not depicted		
Sides (north and south)	0 foot minimum	Not depicted		
Parking				
Parking Minimum - Affordable Housing 0.5 spaces per unit	40 spaces	55 spaces (Met)		
Primary Frontage Setback (21st Avenue)	30 foot minimum or behind building	Not depicted		
Sides	0 foot minimum	Not depicted		
Lot Requirements				
Lot Coverage	80 percent maximum	Not depicted		
Primary Frontage (21st Avenue)	70 percent minimum	Not depicted		
Frontage Types	All frontages	Not depicted		
Entry Requirements	One per 50 feet of primary building frontage	Not depicted		
Open Space	5 percent	29.73 (Met)		

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Walkable Urban Code Transect 5:5 (Continued)					
Minimum Glazing Requirements					
Frontage (21st Avenue) – For commercial frontage only					
Ground Floor	75 percent	Not depicted			
Second Floor	45 percent, 25 percent east and west	Not depicted			
Upper Floors	25 percent, 15 percent east and west	Not depicted			
Frontage (21st Avenue) – For residential frontage					
Ground Floor	25 percent	Not depicted			
Second Floor	25 percent, 10 percent east and west	Not depicted			
Upper Floors	N/A	Not depicted			

# **Background/Issues/Analysis**

#### SUBJECT SITE

1. This request is to rezone 0.82-acres located at approximately 310 feet north and 280 feet west of the northwest corner of 19th Drive and Northern Avenue from C-2 (Intermediate Commercial) to WU Code T5:5 (Walkable Urban Code, Transect 5:5 District).



Oblique Aerial Imagery; Source: Maricopa County

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#### SURROUNDING LAND USES AND ZONING

2. The subject site is vacant land with a small parking area. The site was previously part of the former El Caro Golf Course. The Zoning Sketch Map, included as an exhibit to this report, depicts zoning entitlements for the subject site and the surrounding area. The surrounding area includes multifamily residential to the north and northeast, commercial to the south, and vacant land to the east and west.

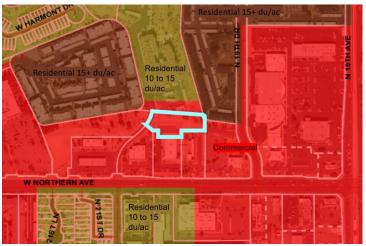
The multifamily residential development to the north, El Caro Apartments, are three stories in height, zoned R-3A and C-2, and the existing residential buildings are located approximately 172 feet north of the shared property line. The area immediately to the north is used for vehicle parking. The C-2 zoning district permits a maximum height of 30 feet and R-3A permits a maximum height of four stories and 48 feet.

The multifamily residential development to the northeast, Lumina on 19th, are two stories in height and zoned R-4 which permits a maximum height of four stories and 48 feet.

The proposed development, as stipulated, would provide affordable housing on an underutilized property within a quarter mile of a light rail station. The proposed development is compatible with the surrounding zoning entitlements and appropriate given its proximity to light rail. The inclusion of affordable housing will provide much-needed housing options for residents in an area with affordable mobility.

#### GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map depicts a Commercial designation for the subject site. The designation is consistent with the proposed development and entitlement on the site. The designation to the north is Commercial and Residential 10 to 15 dwelling units per acre. The designation to the south and west across 21st Avenue is Commercial. The designation to the east is Commercial and 15+ dwelling units per acre.



General Plan Land Use Map; Source: Planning and Development Department

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# 4. Transit Oriented Development Strategic Policy Framework:

The Transit Oriented Development Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments.

Dunlap Ave

Northern Ave

Regional Center

Northern Ave

Glendale Ave

All Stephorhood Center

Wind Urban Center

Medium Urban Center

Minor Urban Center

Medium Urban Center

Medium Urban Center

Minor Urban Center

Melighborhood Center

Melighborhood Center

Melighborhood Center

Melighborhood Center

Melighborhood Center

The subject site is located within a quarter mile from

Transit Oriented Development Strategic Policy Framework, Place Type Map Excerpt; Source: Planning and Development Department

the light rail station located at 19th Avenue and Northern Avenue which is identified as a Neighborhood Center. The Neighborhood Center Place Type is characterized by low intensity with building heights typically from two to four stories and up to five when incentive criteria are met. The proposal for the development of a five-story affordable multifamily residential complex is consistent with the intensity envisioned by the Neighborhood Center Place Type subject to the inclusion of affordable housing. As such, staff is recommending Stipulation No. 1 which would permit a maximum height of 5 stories (56 feet) if half of the housing units are dedicated for long-term affordability.

## 5. 19North Transit Oriented Development Policy Plan:

The subject site is located within the 19North Transit Oriented Development (TOD) Planning Area which is bound by Montebello Avenue on the south, Dunlap Avenue on the north, 15th Avenue on the east, and 23rd Avenue on the west.

The policy plan for the 19North TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

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The policy plan identifies the subject site as a "redevelopment opportunity" and the 2024 vision expressly calls for the creation of a new neighborhood on the site of the former El Caro Golf Course. The subject site is the last undeveloped remnant of the former golf course in the immediate area. The proposed development, as stipulated, advances the purpose, vision, and intent of the 19North TOD Policy Plan.

The site is within the 19th and Northern Priority Area which calls for a "walkable neighborhood" with active frontages and small block sizes. The WU Code already requires active frontages along the street, and staff recommends Stipulation No. 4 to require a publicly accessible pedestrian path, reducing the block size.

#### 6. North Mountain Village Character Plan:

The North Mountain Village Character Plan was approved and adopted into the Phoenix General Plan through General Plan Amendment GPA-1-19. The project is aligned with the general goals identified in the North Mountain Village Character Plan but most specifically the following items:

- "Land Use Principle: Cores, centers and corridors to be configured in a
  walkable manner and include a variety of land uses: office, retail shopping,
  entertainment and cultural, housing, hotel and resort, and, where
  appropriate, some types of industry." The proposal will introduce affordable
  housing to an area with concentrations of diverse employment and service
  opportunities along the light rail network which will support walkability.
- "Land Use Principle: Locate land uses with the greatest height and most intense uses within limits based on village character, land use needs, infrastructure, and transportation system capacity." The proposal will develop an underutilized site into affordable multifamily residential units within walking distance of a light rail station.

#### **PROPOSAL**

# 7. Site Plan

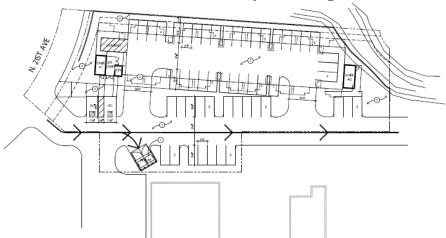
The applicant is proposing to build a five-story affordable housing multifamily building. The building will be composed of prefabricated pieces that will be put together to provide 60 to 80 dwelling units. The prefabricated units are designed to meet all of the building code requirements that would be required of traditional stick-built construction. The price point of the units are planned to be 40 to 60 percent of the area median income.

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In addition to the lower housing costs, the proposal will also be providing housing near the 19th Ave/Northern light rail station, decreasing transportation costs for residents.

The proposal includes pedestrian access through the project to connect to both 21st Avenue on the west and the property to the east that connects to 19th Drive. These connections will increase walkability in the area and make the light rail even more accessible. This is addressed in Stipulation No. 4.

The property is one of the last portions of the former El Caro Golf Course that has been redeveloped through a variety of projects. The proposal will make the vacant lot into a productive land use, helping to eliminate blight, increase safety, and create a vibrant walkable community around light rail.



Proposed Site Plan; Source: Butler Housing Company Inc.

# 8. <u>Conceptual Building</u> Elevations

The applicant provided conceptual elevations and renderings, attached as an exhibit, of the multifamily building that show a podium construction with four stories above a ground floor of parking.



Conceptual Elevation Renderings; Source: Architectural Collaborative Team

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The proposed development is five stories which is consistent with the TOD Strategic Policy Framework when incentive criteria are met. The proposed development is for affordable housing and staff is therefore recommending Stipulation No. 1 to allow for a maximum height of 56 feet and five stories if 50 percent or more of the total units are dedicated for long term affordability.

#### STUDIES AND POLICIES

# 9. Community Safety Plan (CSP) Areas

In 2022, the City Council approved two pilot projects to address community safety through a multidepartment, collaborative manner leveraging technology as well as community-based resources. The Neighborhood Services, Police, Street Transportation, and Parks and Recreation departments, along with the Office of Homeless Solutions, Public Health Adviser, and Prosecutor's Office, are working together to improve the safety and quality of life along 19th Avenue, 27th Avenue, Hatcher Road, and the I-17 freeway. To support these efforts, the Planning and Development Department promotes Crime Prevention Through Environmental Design (CPTED) principles to enhance neighborhood safety in these Community Safety Plan areas. The subject site is located within a Community Safety Plan (CSP) area, thus staff recommends Stipulation No. 7 to address safety concerns by requiring lighting at building entrances/exits, public assembly areas, as well as parking areas, which will include the ground floor.

#### 10. Tree and Shade Master Plan:

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

The proposal, as stipulated, aligns with the Tree and Shade Master Plan by requiring shade trees along pedestrian pathways to comfortably convey pedestrians to light rail, employment, and other destinations. These items are addressed through WU Code standards and in Stipulation No. 4.

#### 11. Complete Streets Guidelines:

In 2018, 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. The Walkable Urban Code contains design standards to implement the vision of the 19North TOD Policy Plan.

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#### 12. Housing Phoenix:

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 the 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, including 99,581 which should be affordable. 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 creating approximately 60 to 80 affordable housing units on an underutilized parcel within a quarter mile of light rail.

#### 13. Zero Waste Phoenix 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 proposal includes the availability of recycling for residents.

#### 14. Phoenix Climate Action Plan:

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the <u>Greater Phoenix Metro Green Infrastructure (GI)</u> and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 6, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

#### 15. 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

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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.

This is addressed in Stipulation No. 2 which requires electric receptacles for the charging of electric bicycles and Stipulation No. 3 which requires 10 percent of required vehicle parking spaces be "EV-Capable."

#### 16. Comprehensive Bicycle Master Plan:

In 2014, the City Council approved the Comprehensive Bicycle Master Plan. The Master Plan is a guide for creating a culture and environment conducive to bicycling as a viable mode of transportation. The proximity to high capacity transit underscores the importance of walking and bicycling in this area. Stipulation No. 2 addresses this by requiring secure bicycle parking for residents, bicycle parking for guests, and a publicly accessible bicycle repair station.

#### COMMUNITY CORRESONDENCE

17. As of the writing of this report, no community correspondence was received by staff regarding this request.

#### INTERDEPARTMENTAL COMMENTS

18. The Street Transportation Department noted that the subject site is located within the 19North Transit Oriented Development Policy Plan area and that the community has identified enhanced streetscapes as being a priority and further recommended that bicycle parking and infrastructure be provided to support transit ridership. The Street Transportation Department provided stipulation language requiring construction standards for all streets within and adjacent to the development. These are addressed in Stipulation No. 5.

#### OTHER

19. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to

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properly assess the materials. This is addressed in Stipulation No. 8.

- 20. 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 final site plan approval. This is addressed in Stipulation No. 9.
- 21. Development and use of the site are 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 advances the vision and recommendations contained in the Transit Oriented Development Strategic Policy Framework and the 19North Transit Oriented Development District Policy Plan.
- 2. The proposal, as stipulated, will create a strong pedestrian environment that will increase pedestrian access to the nearby light rail station.
- 3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

#### **Stipulations**

- 1. The maximum building height shall not exceed 48 feet. If the following conditions are met, the maximum height shall be 56 feet. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
  - a. A minimum of 50 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.
  - b. The applicant shall submit a copy of the draft Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.
  - c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.
- 2. Bicycle infrastructure shall be provided, as described below and as approved

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by the Planning and Development Department.

- a. A bicycle repair station ("fix-it station") shall be provided and maintained near secure bicycle parking areas and separated from vehicular maneuvering areas, where applicable.
- b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
- c. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
- d. A minimum of 10 percent of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
- 3. A minimum of 10 percent of the required parking spaces shall include EV-Capable infrastructure.
- 4. A public pedestrian accessway shall be provided from the western to the eastern extent of the site and connecting to the shared circulation areas. The public pedestrian accessway shall comply with Section 1304.H of the Phoenix Zoning Ordinance.
- 5. 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.
- 6. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
- 7. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.

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- 8. 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.
- 9. 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.

#### <u>Writer</u>

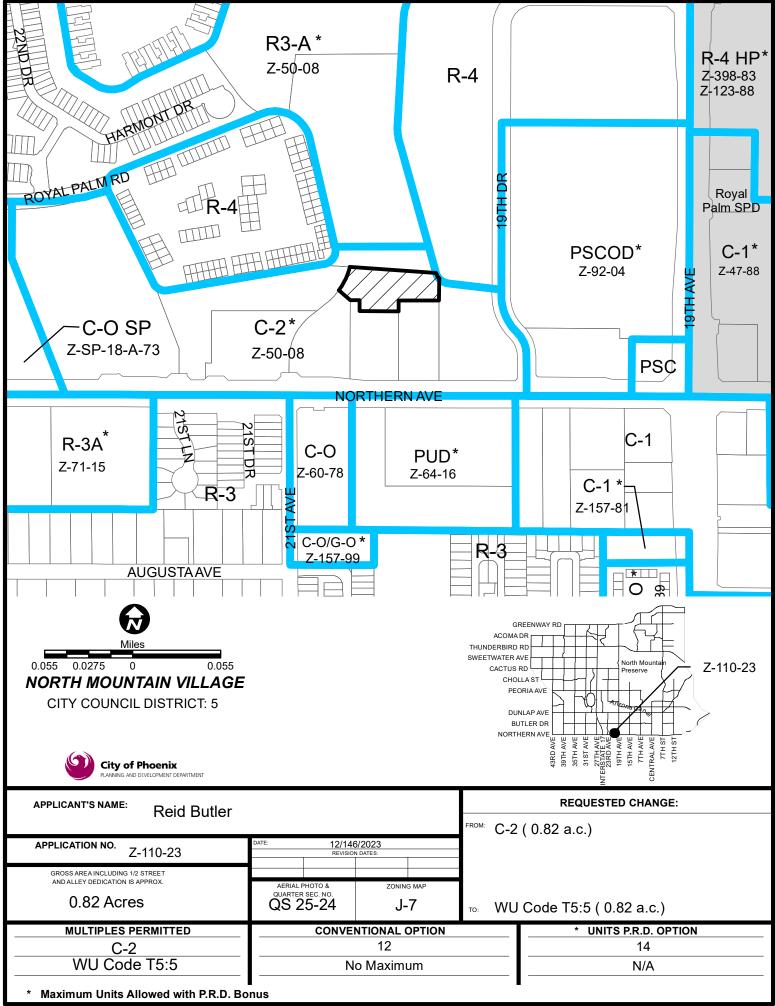
Nick Klimek Chase Hales January 8, 2024

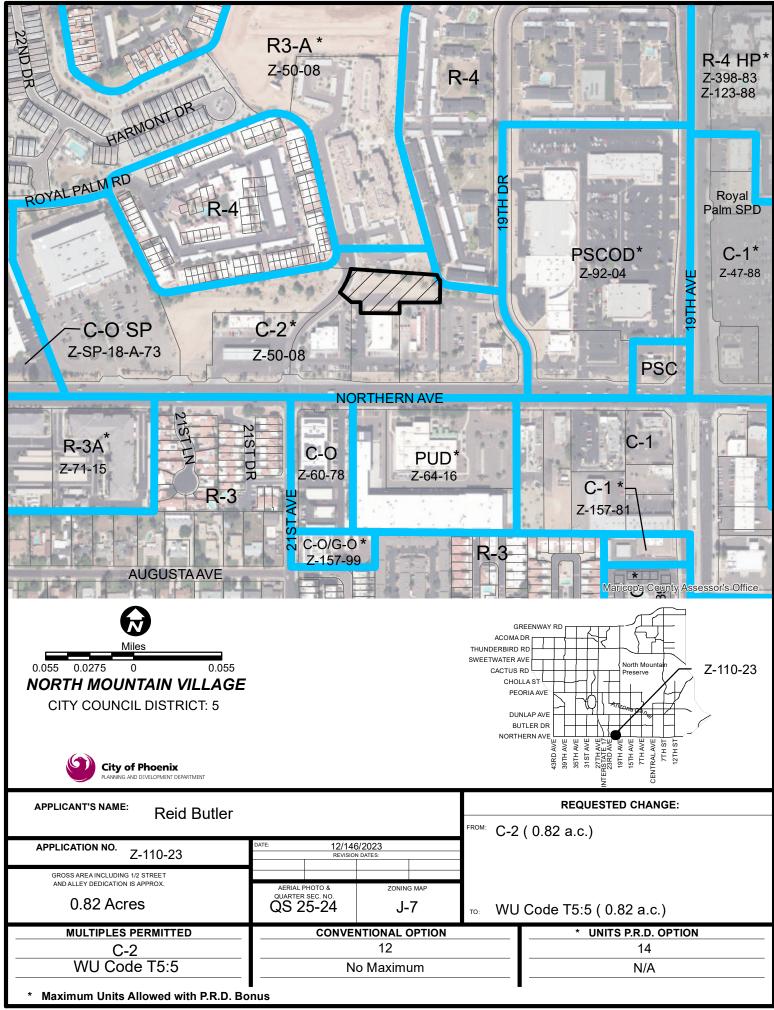
#### **Team Leader**

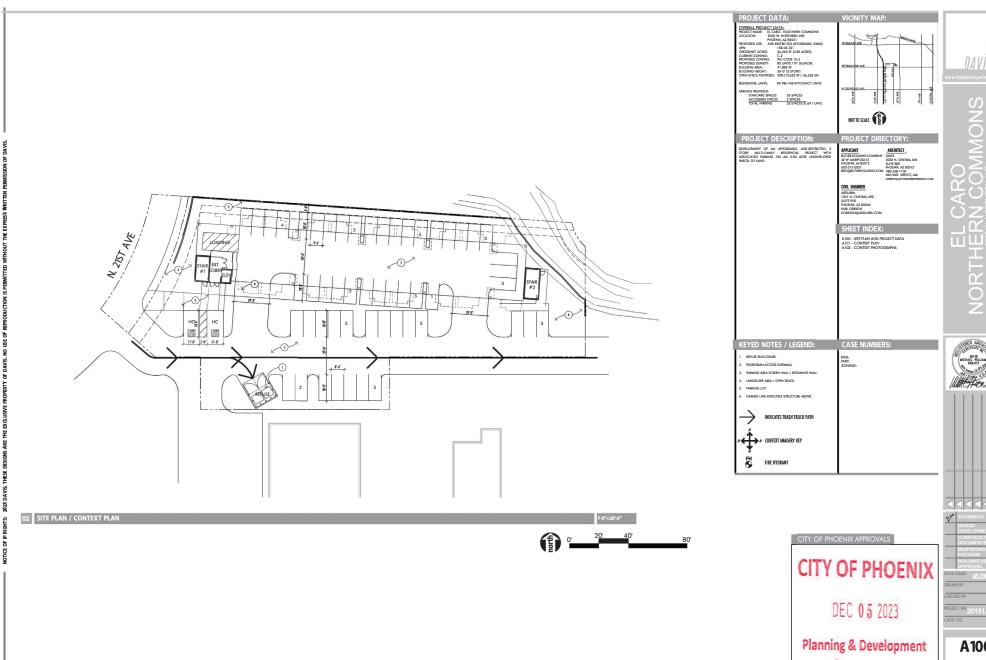
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# **Exhibits**

Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped December 5, 2023
Conceptual Building Elevations and Renderings date stamped December 5, 2023







Department

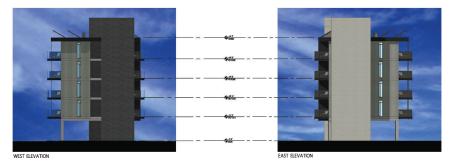
A100

SITE PLAN SCALE: AS NOTED

DAVİS

A103 ELEVATIONS / PERSPECTIVES SCALE: AS NOTED







03 ELEVATIONS





02 AERIAL IMAGE FROM SOUTH



01 AERIAL IMAGE FROM SOUTHWEST

CITY OF PHOENIX APPROVALS

# **CITY OF PHOENIX**

DEC 05 2023

Planning & Development Department