

*AMENDED Staff Report Z-12-17-4

March 30, 2017

Encanto Village Planning Committee Meeting Date:	April 3, 2017
Planning Commission Hearing Date:	May 4, 2017
Request From:	R1-6 (Single Family Residence District) and R-5 (Multifamily Residence District)
Request To:	WU (Walkable Urban Code) T5:6 MT (Midtown Transit Oriented Development Policy District) (5.05 acres)
Proposed Use:	Multifamily Residential
Location:	Northeast corner of 3rd Street and Earll Drive
Owner:	Various
Applicant/Representative:	Mike Withey, Withey Morris
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity				
General Plan Land Use Designation		Multi-family residential, 15+ dwellings/acre		
Street Map Classification	3rd Street	Collector	50-foot east half	
	Earll Drive	Local	30-foot north half	
	Cheery Lynn Drive	Local	30-foot south half	
	5th Street	Local	29-foot west half	
	Alley		20-foot	
CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE				

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles. The proposed development will provide a new housing option within the Midtown Transit Oriented Development (TOD) District. There are two nearby light rail transit stations: one is approximately 1,540 feet to the southwest (Central Avenue and Thomas Road) and a second is approximately 1,490 feet to the northwest (Central Avenue and Osborn Road).

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 site is located within the Midtown TOD District on 3rd Street, approximately 1,490 and 1,540 feet from light rail stations and approximately one-quarter mile from numerous bus routes on Thomas Road and Central Avenue.

CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

This proposal provides compatible infill development on an assemblage of land just slightly over one-quarter mile from two light rail transit stations. It will be compatible with nearby commercial and multifamily uses. This housing type contributes to the mix of housing types in the area. It is centrally located, close to employment centers and commercial areas.

Applicable Plan and Principles

Transit Oriented Development Strategic Policy Framework – see #3 below.

Midtown Transit Oriented Development Policy Plan – see #s 4 and 5 below.

Complete Streets Guiding Principles - see #6 below.

Tree and Shade Master Plan – see #8 below.

Bicycle Master Plan – see #s 9 and 11 below.

Surrounding Land Uses/Zoning			
	Land Use	Zoning	
On Site	Single family residential	R1-6, R-5	
North	Office, single family residential, vacant, surface parking, utility	R-5, P-1, R1-6	
South	Commercial Office	*R-5 HR	
East	Multi- and single family residential	R1-6, R-5 HR	
West	Commercial Office, parking	C-2 HR	

	Walkable Urban Code T5:6	*if variance required
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed site Plan
Gross Acreage	N/A	5.05
Total Number of Units	N/A	335
Density	No cap required	66 units per acre
Building Height	80-foot maximum	Met - 65 feet west side 45 feet east side
Parking Structure	Cannot exceed building height	Not Met - Structure is taller than building
Parking	526 required – 10% (proximity to light rail) = 474 required	Met - 517 spaces 1.49 spaces per unit
Bicycle Parking (1307.H.6.d.)	.25 spaces per unit with a maximum of 50 spaces required	Met - 50 spaces maximum required 50 spaces provided
Streetscape Standards (Section 1312.C.1.)	Sidewalk width – minimum 5 feet Landscape width – minimum 5 feet	Met
Section 1303.2 TRANSECT T5		
Main Building Setbacks		
*Primary Frontage (Earll Drive and 3rd Street)	12-foot maximum	Met - Varies – 9 feet'6 inches maximum
*Secondary Frontage (Earll Drive, 5th Street and Cheery Lynn Road)	10-foot maximum	Met – Varies – 10-foot maximum
Side Lot Line	0-foot minimum	N/A
Rear Lot Line	0-foot minimum	N/A
Parking Setbacks		
Primary Frontage	30-foot minimum or behind building	Not-Met – 20 feet
Secondary Frontage	20-foot minimum	*Not Met - Cheery Lynn Road – 10 feet *Met – Earll Drive – 20 feet
	10-foot landscape setback from street right- of-way	Met – 10 feet
Side Lot Line	0-foot minimum	N/A

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Rear Lot Line	0-foot minimum	N/A
Lot Requirements		
Lot Coverage	80% maximum	Met – 71%
Primary Building Frontage	70% minimum	Met - 90%
Secondary Building Frontage	50% minimum	Met - 90%
Frontage Types Allowed		
Primary Frontage	All frontages or alternative frontages	Patio – Earll Drive Forecourt – Earll Drive Storefront – Earll Drive and 3rd Street Stoop – 3rd Street
Secondary Frontage	All frontages or alternative frontages	Stoop – Cheery Lynn Alternative – Cheery Lynn Patio – 5th Street
Entry Requirements	Common Entry: Minimum one per 50 feet of primary building frontage and one per 80 feet of secondary frontage	Met
Glazing Standards (per T4)		
Ground Floor	25%	*Earll Drive – Met 40% *5th Street – Met 25% *3rd Street – Met 35% *Cheery Lynn Road – Met 25% (excluding garage)
Second Floor	25%, 10% east and west	*Earll Drive – Met 30% *5th Street – Met 25% *3rd Street – Met 30% *Cheery Lynn Road – Met 25%
Upper Floors	N/A	N/A

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Background/Issues/Analysis

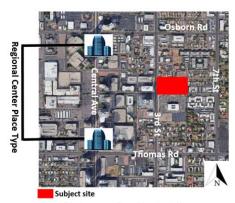
 This request is to rezone a 5.05 acre site located at the northeast corner of 3rd Street and Earll Drive from R-5 and R1-6 to WU (Walkable Urban Code) T5:6 MT (Midtown Transit Oriented Development Policy District) to allow development of 335 multifamily apartmen



Source: Google Maps 2017, City of Phoenix Planning & Development Department

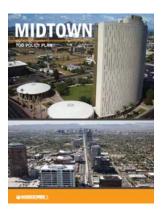
multifamily apartments. The site is comprised of a whole city block with office uses facing 3rd Street and single family homes on the remainder of the parcels. South of the site is a large commercial parcel with a 3-story medical office surrounded by surface parking. North of the site is an office use on 3rd Street, three residences, a vacant parcel, a surface parking lot and an Arizona Public Service substation. East of the north portion of the site is a single family residential subdivision and east of the south portion of the site are 2-story garden style apartments. West of the site is a six story midrise building and a five level parking structure.

- 2. The General Plan Land Use Map designation is Multifamily Residential, 15+ dwellings per acre. The proposal is consistent with the General Plan designation.
- 3. The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The identified environment for both the Central Avenue and Thomas Road light rail station area and the Central Avenue and Osborn Road light rail station area is Regional Center. Regional Center is a place type characterized by high intensity with building heights typically from five to 10 stories with incentive heights of up to 20 stories. Land uses may include office employment, industry cluster, high and midrise living and supportive retail. The



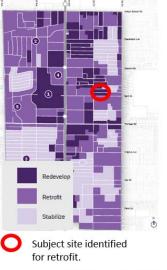
The site is near the Central Avenue light rail corridor. Source: Google Maps 2017, City of Phoenix Planning & Development Department proposed project, at a height of 65 feet for six stories, generally falls within the parameters of the Regional Center place type.

4. The site is located within the Midtown TOD (Transit Oriented Development) District, the boundaries for which are McDowell Road on the south, Indian School Road on the north 7th Street on the east and 7th Avenue on the west. In particular, the site is adjacent to 3rd Street, a corridor identified as a Priority Action Area for implementation of the 3rd Street Promenade. The Midtown TOD Policy Plan articulates a vision for the 3rd Street corridor. The vision states that in 2040, 3rd Street is seen as a destination for pedestrians and bicyclists. Independent businesses are envisioned fronting the street with residential neighborhoods



surrounding the area. The corridor is planned to have a smaller, more personal scale respectful of adjacent/nearby single family neighborhoods. The policy plan adopted for the Midtown 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. In order to realize the implementation of the Vision and Master Plan for the Midtown TOD District, one key recommendation is the implementation of a formbased zoning code.







Source: City of Phoenix Planning and Development Department

The Midtown TOD Policy Plan identifies areas for redevelopment, retrofit and for stabilization. The subject site is shown as an area for redevelopment. The Policy Plan is generally silent regarding a specific vision for scale and

intensity for the area east of 3rd Street. The Regional Center place type is utilized for guidance when considering scale and character of the area around the Central Avenue and Thomas Road, and Central Avenue and Osborn Road light rail stations. This scale and character was illustrated in the conceptual master plan in the TOD Policy Plan. The conceptual master plan shows the subject site with a collection of new buildings embracing the street and surface or structured parking centered between all the buildings. This area is clearly delineated as one with the possibility for change. The applicant has chosen a transect of T5:6 which allows a maximum height of 80 feet, to allow the height of 65 feet proposed for this development.

6. The conceptual proposal shows a variety of frontage types. Frontages on 3rd Street are proposed with stoop and storefront; Earll Drive with storefront, forecourt, and patio; 5th Street with patio; and Cheery Lynn with stoop and an alternative frontage for the parking structure. Vehicular entrances are shown on Earll Drive and Cheery Lynn Road. Where conflicts do not exist with water lines, sidewalks should be detached from the curb, allowing trees to be planted between the curb and the sidewalk and providing a more comfortable environment for pedestrians. This design is consistent with the City Council adopted Guiding Principles for Complete Streets, one tenet of which is to make Phoenix more walkable. The detached sidewalks are addressed in Stipulation #2.

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7. The Walkable Urban Code requires that all street frontages utilize a frontage type as outlined in Section 1305. Planning and Development Department staff, during the site development process, may consider a frontage design alternative when the design meets the intent of pedestrian and transit oriented frontages and façades. The applicant is proposing an alternative frontage along Cheery Lynn Road for the parking structure facade. The conceptual design shows a series of vertical screening elements at evenly spaced intervals. The screening is a design reminiscent of the breeze block used in midcentury modern buildings. This era saw the construction of many buildings in central



3130 N 3rd Ave

3600 N 5th Ave



3658 N 5th Ave Midcentury Modern vertical design themes in central Phoenix. Source: Google Maps, 2017

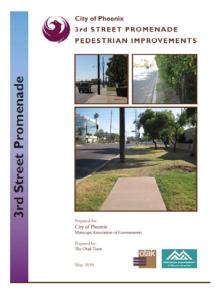
Phoenix north and south of Osborn Road, several of which utilized distinctive breeze block or molded concrete patterns.



Alternative frontage concept for parking structure on Cheery Lynn Road. *Source: Davis Partnership Architects*

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- 8. 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. Toward that end, development of this site will contribute to the urban forest infrastructure through the provision of trees along the rights-of-way. Further, to the extent possible, the sidewalks will be detached from the curbs, allowing trees to be planted to shade and separate pedestrians from vehicles on the street. These provisions are addressed in Stipulation #2.
- 9. In 2010 a preliminary design for 3rd Street Promenade Pedestrian Improvements was established. This design was furthered in August 2015 through the grant from the U.S. Department of Housing and Urban Development for the ReinventPHX project. A solicitation is underway to select a consultant to complete the design of the pedestrian and bicycle improvements on the 3rd Street corridor. The subject site is adjacent to 3rd Street and as such, improvements to the west portion of the property will implement the 3rd Street Promenade design. The Street Transportation Department has commented that the improvements should align with the policies and objectives of the ReinventPHX Complete Streets Ordinance (S-41094), the



Downtown Phoenix Comprehensive Transportation Plan, the Comprehensive Bicycle Master Plan, the 3rd Street Promenade and the 3rd Street Pedestrian and Bicycle Improvements Pre-Design Studies. The active transportation environment along 3rd Street is to be improved as follows: removing the inset on-street parking for a consistent street design; installation of detached sidewalks for the full length of the project with trees and plants in the planting area; and removing curb cuts for vehicular access onto 3rd Street. These conditions are addressed in Stipulation #s 1 and 2.

10. The submitted plan reflects a suburban model for its parking standard calculation. Although its proximity to light rail provides an allowance for a 10% reduction in the amount of required spaces, the proposal provides only 9 fewer spaces for a reduction of 1.7%. The applicant is encouraged to reduce the amount of parking provided. National research indicates that: as parking supply goes up, much of it sits empty; apartment buildings near frequent transit need less parking; and the opportunity costs associated with the excess parking add up. Providing the right amount of parking rather than an excess allows for more space to be devoted to people than to cars and offers the possibility of lower rents.

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11. Bicycle parking is a requirement of the Walkable Urban Code. The conceptual plan shows secured bicycle parking within the parking structure. It is recommended that two types of parking be provided on the property: secured parking for residents, and rack parking for guests located near entrances to the property. A minimum of 50 secured bicycle spaces for residents should be provided on the site. It is anticipated that these secured spaces will be located within the parking structure. Although the Walkable Urban Code states that the maximum required number of bicycle parking spaces for multifamily development is 50, the applicant is encouraged to provide more than 50



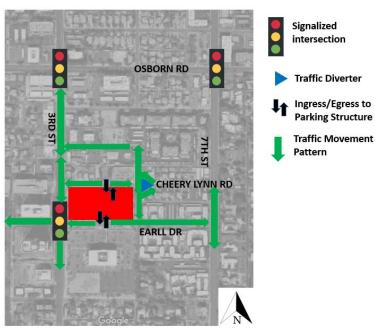
Inverted-U racks allow bicycles to touch the rack in two places, providing stability and allowing the wheels and frame to be secured to the rack.

Source: City of Phoenix Planning & Development Department

secured spaces given the proximity of the site to other travel options. It is also recommended that a minimum of 10 bicycle racks for guest parking be provided and that these racks should be an inverted-U design. As required by Section 1307.H., the guest bicycle parking should be located near building entrances and the rack installation should be clear of obstacles. The property is near two light rail transit stations and several major bus routes. Providing secure bicycle parking for residents and accessible bicycle parking for guests of the development is supportive of multimodal travel options. This is addressed in Stipulation #3.

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12. The design of the parking structure for the proposed development has an entrance/exit on Cheery Lynn Road and an entrance/exit on Earll Drive. A single family neighborhood exists on Cheery Lynn Road to the east of 5th Street. In order to minimize the traffic impacts of this development on these 15 single family homes, it is recommended that the developer construct a diverter for traffic mitigation/calming. The construction will



Estimated traffic pattern for proposed development with installation of a diverter at 5th St and Cheery Lynn Rd. Source: City of Phoenix Planning & Development Department; Google Maps, 2017

be at the mutual agreement of the residents on Cheery Lynn Road between 5th and 7th Streets and the City of Phoenix Street Transportation Department and Neighborhood Traffic Safety Section, following the standard Street Transportation Department petitioning guidelines. In the illustrated example, a possible traffic mitigation/calming configuration could be to prevent traffic from the apartment development from traveling east on Cheery Lynn Road to 7th Street, while allowing the single family residents to travel westbound and then make a right turn at 5th Street and access 3rd Street from Flower Street. Additionally, residents could proceed north on 5th Street and make a right turn onto Cheery Lynn Road. The provision for construction of a traffic diverter/ mitigation/calming is addressed in Stipulation #4.

Earll Drive

It is appropriate for the traffic from this multifamily development to utilize Earll Drive for east and west movements.

- Earll Drive is signalized at 3rd Street, allowing northbound movements, and westbound to southbound turn movements with the aid of the signal.
- Vehicles may move eastbound adjacent to multifamily residential to proceed southbound at 7th Street, without a signal.

Cheery Lynn Road It may not be appropriate for traffic from this multifamily development to utilize Cheery Lynn Road eastbound east of 5th Street for access to 7th Street.

- Vehicles may move westbound to northbound or southbound.
- Vehicles may move eastbound to 5th Street, proceed southbound and then westbound or eastbound on Earll Drive.
- 13. Fire prevention does not anticipate any issues with this request. But the site or/and building(s) shall comply with the Phoenix Fire Code. The water supply (gpm and psi) to this site is unknown. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
- 14. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2205 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
- 15. The Aviation Department has provided comments regarding this request. The property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation #5.
- 16. No known archaeological work is necessary for this project. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 10-meters 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 #6.
- 17. Development of the parcel will require that all improvements are required to comply with all Americans with Disabilities Act (ADA) standards. This is addressed in Stipulation #7.
- Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

<u>Findings</u>

1. The proposal is consistent with the General Plan map designation of 15+ dwellings per acre.

- 2. This infill proposal provides a new housing option to contribute to the mix of housing types in the area.
- 3. The proposed higher density is in proximity to the light rail corridor and is consistent with the Regional Center place type in the Transit Oriented Development Strategic Policy Framework.

Stipulations

- 1. The developer shall construct 3rd Street Corridor improvements which align with policies and objectives of the Complete Streets Ordinance (S-41094), the Downtown Phoenix Comprehensive Transportation Plan, the Comprehensive Bicycle Master Plan, 3rd Street Promenade and 3rd Street Pedestrian and Bicycle Improvements Pre-Design studies, as approved by the Street Transportation Department.
- 2. The developer shall construct the following 3rd Street Corridor improvements, consistent with the 3rd Street Pedestrian and Bicycle Improvements Pre-Design studies, as approved by the Planning and Development Department.
 - a. Remove inset on-street parking on 3rd Street and re-align curb to match north and couth curb lines
 - b. Install detached sidewalks along 3rd Street
 - c. Install trees and plants between the curb and the sidewalk
 - d. Record a 1-foot vehicle non-access easement along 3rd Street.
- 3. The development shall install a minimum of 10 bicycle racks for guests placed near entrances to the building. The racks shall be an inverted-U type design to allow parking of two bicycles per rack, as approved by the Planning and Development Department.
- 4. The developer shall construct a traffic diverter with raised curbs or other similar traffic calming or management tools for Cheery Lynn Road between 5th Street and 7th Street, following the standard Street Transportation Department petitioning guidelines for traffic calming/mitigation. If a formal petition from the property owners on Cheery Lynn Road between 5th Street and 7th Street has been submitted and approved within 12 months of issuance of a Certificate of Occupancy, the developer shall construct the traffic calming/mitigation device no later than 6 months from the Street Transportation Department approval of the traffic calming/mitigation.

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- 5. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
- 6. 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.
- 7. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

<u>Writer</u>

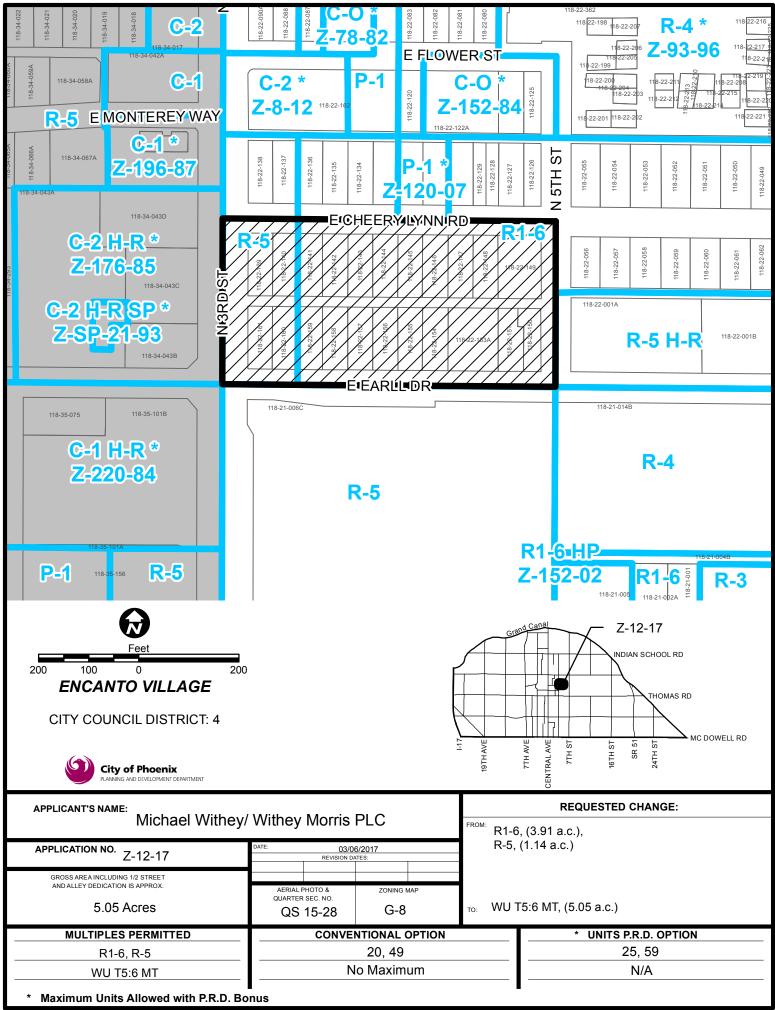
K. Coles March 27, 2017

Team Leader

Joshua Bednarek

Attachments

Sketch Map Aerial Site Plan date stamped February 9, 2017 (1 page) Elevations date stamped February 9, 2017 (1 page)



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