## City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT
Staff Report Z-16-23-6
July 21, 2023

## Ahwatukee Foothills Village Planning Committee Meeting Date:

## Planning Commission Hearing Date:

## Request From:

Request To:

Proposal:

Location:

Owner:
Applicant:
Representative:
Staff Recommendation:

July 24, 2023

August 3, 2023
RE-35 (Single-Family Residence District) ( 0.17 acres) and CP/GCP (Commerce Park District, General Commerce Park Option) (4.43 acres) R-3A (Multifamily Residence District) (4.60 acres)

Senior Housing, Assisted Living and Memory Care
Approximately 790 feet north of the northeast corner of 48th Street and Frye Road
St. Benedict Catholic Church
Shea Connelly Development, LLC
Adam Trenk, Rose Law Group
Approval, subject to stipulations

| General Plan Conformity |  |
| :--- | :--- |
| General Plan Land Use Map Designation | Current: Public/Quasi-Public (0.17 <br> acres) and Commerce/Business Park <br> (4.43 acres) |
|  | Proposed GPA-AF-1-23-6: Residential <br> 15+ dwelling units per acre (4.60 <br> acres) |

The requested R-3A zoning district will allow for senior housing and supportive uses which will allow for a mix of housing types in the village, which is appropriately located along an arterial street.
CONNECT PEOPLE AND PLACES CORE VALUES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal will allow development of an underused site into a multifamily residential community that is compatible with the surrounding area and respectful of local conditions. The proposed development incorporates large setbacks, enhanced landscaping around the perimeter, and additional open space to be compatible with the adjacent neighborhood.
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 and as required by the Phoenix Zoning Ordinance, will provide enhanced planting standards for landscape areas. This will help to provide shade for pedestrians and bicyclists in and around the community and will help to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

| Applicable Plans, Overlays, and Initiatives |
| :--- |
| Housing Phoenix Plan - See Background Item No. 7. |
| Tree and Shade Master Plan - See Background Item No. 8. |
| Complete Streets Guiding Principles - See Background Item No. 9. |
| Comprehensive Bicycle Master Plan - See Background Item No. 10. |
| Transportation Electrification Action Plan - See Background Item No. 11. |
| Zero Waste PHX - See Background Item No. 12. |


| Surrounding Land Uses and Zoning |  |  |
| :--- | :--- | :--- |
|  | Land Use | Zoning |
| On Site | Vacant | CP/GCP, RE-35 |
| North | School | RE-35 |
| South | School | CP/GCP, RE-35 |
| East | Multifamily residential | R-3 |
| West | Church, single-family residential | CP/GCP, R1-6 |

R-3A Planned Residential Development Option

| Standards | Requirements | Proposed Site Plan |
| :--- | :---: | :---: |
| Gross Acreage | - | 4.60 |
| Maximum Density (dwelling <br> units per acre) | $23.1 ; 26.4$ with bonus | 23.1 (Met) |
| Maximum Units | 106,121 with bonus | 66 Independent Units, 40 <br> Assisted Living Units, and <br> 29 Memory Care Units <br> (106 Residential Units) <br> (Met) |
| Maximum Lot Coverage | $45 \%$ (25\% for <br> community residence <br> center) | 23.5 percent (Met) |


| Minimum Building Setbacks |  |  |
| :---: | :---: | :---: |
| West (Adjacent to 48th Street) | 20 feet | 559 feet (Met) |
| North (Adjacent to property line) | 15 feet | 95 feet (Met) |
| South (Adjacent to property line) | 15 feet | 41 feet (Met) |
| East (Adjacent to property line) | 15 feet | 79 feet (Met) |
| Minimum Landscape and Open Space Standards |  |  |
| Adjacent to a Public Street |  | 20 feet |
|  |  | Not depicted |


| Not Adjacent to Streets | 5 feet | North - Not depicted <br> North (drive) - 0 feet (Not Met)* <br> West (adjacent to church) <br> - Not depicted <br> South - Not depicted <br> East - Not depicted |
| :---: | :---: | :---: |
| Usable Outdoor Open Space | Minimum of 100 square feet per bed shall be provided. ( 8,200 square feet required) | 50,329 square feet (Met) |
| Minimum Common Open Space | Minimum 5\% of gross site area | 25 percent (Met) |
| Minimum Parking | 138 spaces required 1.3 spaces ( 16 spaces) per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit; (81 spaces); 1 space per 2 resident/patient beds (41 spaces). | 150 spaces provided (Met) |

*Variance or site plan modification required

## Background/Issues/Analysis

## SUBJECT SITE

1. This request is to rezone 4.60 acres located approximately 790 feet north of the northeast corner of 48th Street and Frye Road from RE-35 (Single-Family Residence District) and CP/GCP (Commerce Park District, General Commerce Park Option) to R-3A (Multifamily Residence District) for 66 independent units, 40 assisted living units, and 29 memory care units for a total of 135 units, with 106 of them proposed to have kitchens. This later would become a registered Community Residence Center. The subject site is currently vacant.
2. The requested $R-3 A$ rezoning will support a new housing type with supportive services that is located along 48th Street which is near the I-10 and Loop 202 freeway interchange within the Ahwatukee Foothills Village. The areas to the north and south are zoned RE-35 with schools on both sites. To the west is the church site which is zoned CP/GCP and the singlefamily residential neighborhood across 48th Street zoned R1-6 (Single-Family Residence District). To the east is multifamily


Existing Zoning Aerial Map
Source: Planning and Development Depatment residential zoned R-3.

## GENERAL PLAN LAND USE MAP DESIGNATION

3. Most of the subject site is designated Commerce/Business Park with the proposed access strip along the northwestern edge designated Public/QuasiPublic. To the west, across 48th Street, the designation is Residential 5 to 10 du/acre. To the east the designation is Residential 10 to 15 du/acre. The designation to the north and south are Public/Quasi-Public.

To ensure consistency with the General Plan, a concurrent General Plan Land Use Map amendment, GPA-AF-1-23-6, is proposed to change the land use map designation to Residential 15+ dwelling units per acre.
The requested zoning is consistent with the proposed General Plan Land Use Map designation.

## EXISTING GENERAL PLAN

Commerce/Business Park \& Public/Quasi-Public


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

## PROPOSAL

4. Site Plan

The conceptual site plan depicts a three-story building around three courtyards which will house multifamily residences including an assisted living and memory care facility. This proposal includes 66 independent living units, 40 assisted living units, and 29 memory care units for a total of 135 units, with 106 of the units to have kitchens.

The conceptual site plan also depicts a porte cochere providing a shaded area at the building entry. There are two internally oriented courtyards for the assisted living portion of the development and a memory care courtyard along the northern edge of the proposed building. Staff recommends Stipulation Nos. 2 through 4 to ensure the site develops as proposed, including additional building setbacks and open space areas.

Site access is provided from an arterial street. Stipulation No. 9 requires street improvements adjacent to the development which shall comply with all ADA accessibility standards.

The proposed land use, as stipulated, will provide enhanced landscaping so that the proposal is compatible with the surrounding land uses. The proposal is for both a multifamily project and a Community Residence Center, which is the land use defined by the Phoenix Zoning Ordinance that the proposed senior housing
development would be classified. A Use Permit would be required after the rezoning process through the Zoning Adjustment public hearing process to allow this type of use.


Overall Site Plan
Source: Landmark Design

## 5. Elevations

The conceptual building elevations provide a variety of colors, materials, architectural embellishments, articulation that provides an enhanced building design. The maximum height proposed is 36 feet and 7 inches to the top of the parapet. Staff recommends the development shall be in general conformance with the elevations date stamped March 6, 2023, in specific regard to the porte cochere element and the use of varying materials and colors, as approved by the

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Planning and Development Department (Stipulation No. 1).

(2) Sourn tevation

Conceptual Building Elevations
Source: Landmark Design.

## 6. Open Space

The conceptual site plan depicts three main courtyard areas, with landscaping and outdoor seating. The proposed open space is 25 percent of the gross site area (Stipulation No. 4). This will provide outdoor areas for assisted living, memory care patients and residents of the facility, and is above the minimum requirements of the Phoenix Zoning Ordinance.

## STUDIES AND POLICIES

## 7. 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 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 address the supply shortage at a more rapid pace while using underutilized land in a more sustainable fashion.

## 8. 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 for pedestrians and residents on site.

Staff is recommending stipulations designed to provide larger trees and enhance live vegetation coverage within the development.

- The required trees within landscape areas shall be a minimum of 2-inch caliper, drought tolerant shade trees as approved by the Planning and Development Department (Stipulation No. 7).
- Landscape areas shall have a minimum 75\% live coverage as approved by the Planning and Development Department (Stipulation No. 8).

There also is a stipulation to replenish the existing streetscape within the right-ofway along 48th Street (Stipulation 10). This will enhance the streetscape appearance and add shade along the sidewalk.

## 9. Complete Streets Guidelines 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.

There is a bicycle lane along 48th Street and as a way to encourage alternative transportation to and from the site bicycle parking is required per Stipulation No. 5. In addition, any street improvements shall be done to City of Phoenix and ADA standards. This is addressed in Stipulations No. 9.

## 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 longterm bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. Stipulation No. 5 requires bicycle parking on site for residents and visitors.

## 11. 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. Stipulation No. 6 provides requirements for electric vehicle parking.
12. 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. As stated in the application materials, the project will incorporate recycling. Recycling will include oversized trash enclosures for trash, recycling material, and organic waste. Landscaping maintenance contractors will
also be required to recycle yard waste.

## COMMUNITY INPUT SUMMARY

13. As of the writing of this report, staff has received a petition with 479 members of the community in support, a letter of support and no correspondence in opposition.

## INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requested that the landscaping be replenished along 48th Street and that all street improvements are done to city and ADA standards. These are addressed in Stipulation Nos. 9 and 10.
15. 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, water capacity is a dynamic condition that can change over time due to a variety of factors.

## 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 Stipulations No. 11 through 13.
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. 14.
18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

## Findings

1. As stipulated, the proposal will include design elements such as enhanced architecture, landscaping, and open space to create a development that is compatible with the surrounding area.
2. The proposal will redevelop an underutilized property and provide a senior living facility which will help alleviate the housing shortage in Phoenix.
3. The stipulated landscaping and planting standards are above the required minimum standards and will make the proposal compatible with the neighboring area.

## Stipulations

1. The development shall be in general conformance with the elevations date stamped March 6, 2023, in specific regard to the porte cochere element and the use of varying materials and colors, as approved by the Planning and Development Department.
2. A minimum 40-foot-wide building setback shall be provided along the south property line, as approved by the Planning and Development Department.
3. A minimum 95 -foot-wide building setback shall be provided along the north property line, as approved by the Planning and Development Department.
4. A minimum of $25 \%$ of the gross site area shall be open space, as approved by the Planning and Development Department.
5. A minimum of 8 bicycle parking spaces shall be provided through Inverted $U$ and/or artistic racks located near the building entrance 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. A minimum of $2 \%$ of the required parking spaces shall be EV Installed.
7. The required trees within landscape areas shall be a minimum of 2-inch caliper, drought tolerant shade trees as approved by the Planning and Development Department.
8. Landscape areas shall have a minimum $75 \%$ live coverage as approved by the Planning and Development Department.
9. 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.
10. The existing streetscape within the right-of-way shall be replenished along 48th Street adjacent to the subject parcel (Assessor Parcel No. 301-85-243A) for the entire 993-foot street frontage, as approved by Planning and Development Department.
11. 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.
12. If Phase I data testing is required, and if, upon review of the results from 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.
13. 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.
14. 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
July 21, 2023

## Team Leader

Racelle Escolar

## Exhibits

Zoning sketch map
Aerial sketch map

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Conceptual Site Plan date stamped July 13, 2023
Conceptual Elevations date stamped March 6, 2023
Community Correspondence (64 pages)


C-2
M-R *
Z-173-05

FRYE RD


APPLICANT'S NAME:


[^0]REQUESTED CHANGE:
RE-35 ( 0.17 a.c.)
CP/GCP ( 4.43 a.c.)

R-3A ( 4.60 a.c.)













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St. Benedicts
Senior Living
pHoHN. ARZoMM


Minor General Plan Amendment Case \#GPA-AF-1-23-6 and Rezoning Case \#Z-16-23-6 I , the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living both the medical and spiritual needs of the city's elder community.


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| Name | Address | Email or Phone | Date |
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| Teri listacchio Aguiar | 7442 S. Kenwood Lane TEMPe, AZ 85283 | Taguiares J bosco. org | $7 \cdot 11 \cdot 23$ |
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| From: | Kimberly |
| :--- | :--- |
| To: | PDD Ahwatukee Foothills VPC |
| Subject: | In support of ST Benedict's senior living |
| Date: | Wednesday, July 19, 2023 9:47:03 PM |

Hello-
I just read the article in the ahwatukee foothill news about the ST Benedict senior living project concerning the request for a parking variance. I am a resident of Ahwatukee and a supporter of the project. I am also in favor of the parking reform amendment to reduce parking space minimums.

Sincerely,
Kimberly Barua, AICP


[^0]:    * Maximum Units Allowed with P.R.D. Bonus

