

# **City of Phoenix**

PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-2-21-4 July 14, 2021

Estrella Village Planning Committee July 20, 2021

**Meeting Date** 

Planning Commission Hearing Date August 5, 2021

**Request From:** R1-6 (6.98 acres) and R-5 (2.41 acres)

Request To: C-2 (3.72 acres) and R-4A (5.67 acres)

Proposed Use Multifamily and commercial uses including a

convenience store with fuel station

**Location** Southeast corner of 35th Avenue and Interstate

10

Owner Eplex Realty, LLC
Applicant QuikTrip Corportation

Representative Huellmantel & Affiliates, Charles Huellmantel

**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Current	Public/Quasi-Public	
	Proposed (GPA- EST-1-21-4)	Mixed Use (8.94 acres)	
Street Map Classification	35th Avenue	Major Arterial Street	Varies, 33-foot to 40- foot east half street (plus easement)
	34th Avenue	Local Street	25-foot west half street easement

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

The requested zoning will allow for increased intensity that is generally consistent in scale and character with the surrounding zoning and General Plan Land Use Map designations in the area. Located at the junction of a major arterial street, Interstate 10 freeway and future high-capacity transit modes along 35th Avenue, the proposed commercial and

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multifamily zoning is compatible with the surrounding area. The development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions by transitioning commercial uses along 35th Avenue to existing single-family homes east of 34th Avenue.

CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Develop land use and design regulations governing land close to transit centers and light rail stations, to maximize the potential for ridership.

The requested C-2 and R-4A zoning districts will allow for a mix of uses on the subject site, including multifamily and a convenience store with fuel stations near high capacity transit corridors and near various land uses such as a high school and several commercial establishments. This variety of zoning districts will allow for both housing and additional employment options within the Southwest Phoenix Major Employment center.

CELEBRATE OUR DIVERSE COMMUNITY AND NEIGHBORHOODS CORE VALUE; CONNECTED NEIGHBORHOODS; LAND USE PRINCIPLE: Design and locate new neighborhoods to promote access (both physical and visual) to parks and open space. New developments should also provide convenient pedestrian and bicycle access to transit stops, schools and other neighborhood amenities.

Approval of the request would locate a multifamily use adjacent to a public park (Falcon Park) which will allow immediate access to open space and recreational opportunities. Furthermore, bicycle lanes are located along Roosevelt Street, south of Falcon Park, in addition to a bus stop along 35th Avenue and within walking distance to a future mass-transit station. As stipulated, the development will promote shaded walkways and/or sidewalks plus bicycle parking and repair facilities to encourage walking and bicycling.

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, will be required to provide shade along the adjacent 35th Avenue sidewalks, pedestrian paths connecting the development to adjacent streets, the parking lot and nearby bus stop. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

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

Estrella Village Plan: See Background Item No. 9.

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Estrella Village Arterial Street Landscaping Program: See Background Item No. 10.

Tree and Shade Master Plan: See Background Item No. 11.

Complete Street Guidelines: See Background Item No. 12.

Comprehensive Bicycle Master Plan: See Background Item No. 13.

Reimagine Phoenix: See Background Item No. 14.

Housing Phoenix: See Background Item No. 15.

Surrounding Land Uses/Zoning			
	Land Use	Zoning	
On Site	Former U.S. Navy Recruitment Center	R1-6 and R-5	
North	Interstate 10 Freeway	R1-6 and R-5	
South	Falcon Park	R1-6 and R-5	
East (across 34th Avenue)	Single-family homes and ADOT landscape area	R1-6	
West (across 35th Avenue)	Fuel station and ADOT landscape area	C-3	

C-2 (Intermediate Commercial) Zoning District			
<u>Standards</u>	Requirements	Met or Not Met	
Minimum Building Setbacks			
Street (35th Avenue)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	35 feet (Met)	
Not adjacent to street (north) when adjacent to C-2 zoning	0 feet	50 feet (Met)	
Not adjacent to street (south) when adjacent to R1-6 zoning	50 feet	50 feet (Met)	
Not adjacent to street (south) when adjacent to R-5 zoning	15 feet	50 feet (Met)	
Not adjacent to street (east) when adjacent to R-4A zoning (pending Z-2-21-4)	15 feet	50 feet (Met)	

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Minimum Landscaped Setbacks			
Street (35th Avenue)	Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage.	25 feet (Met)	
Perimeter property lines not adjacent to a street when adjacent to C-2 zoning (pending Z-2-21-4)	None	10 feet (Met)	
Perimeter property lines not adjacent to a street (south and east) (pending Z-2-21-4)	10 feet	10 feet (south) (Met) 20 feet (east) (Met)	
Maximum Lot Coverage	50%	18% (Met)	
Maximum Building Height	2 stories and 30 feet	20 feet (Met)	
Minimum Parking	Retail establishments less than 50,000 square feet of gross building area: 1 space per 300 square feet of floor area  5,002 gross square feet for convenience store.  17 spaces required.	50 spaces total (Met)	

R-4A (Multifamily Residential) Zoning District			
<u>Standards</u>	Requirements	Met or Not Met	
Total Maximum Number of Units	247 units	192 units (Met)	
Maximum Density	43.56 dwelling units per acre	33.87 dwelling units per acre (Met)	

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Minimum Building Setbacks		
Front (34th Avenue)	20 feet	20 feet (Met)
Sides (north and south)	5 feet	20 feet (Met)
Rear (west)	15 feet	15 feet (Met)
Minimum Landscaped Setbacks		1
Front (34th Avenue)	20 feet	15 feet (Not Met)*
Sides and rear (north, south and west)	5 feet	5 feet (Met)
Maximum Lot Coverage	50%	27% (Met)
Maximum Building Height	48 feet	3 stories, 36 feet (Met)
Minimum Parking	1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms  When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit.  112 one bedroom units and 80 two bedroom units proposed.  288 spaces required.	194 spaces provided (Not Met)*

<sup>\*</sup>Variance or site plan modification may be required.

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# Background/Issues/Analysis

#### SUBJECT SITE

1. This request is to rezone a 9.39-acre site, located at southeast corner of 35th Avenue and the Interstate 10 from 6.98 acres of R1-6 (Single-Family Residence District) and 2.41 acres of R-5 (Multifamily Residence District) to 5.67 acres of R-4A (Multifamily Residence District) and 3.72 acres of C-2 (Intermediate Commercial) to allow multifamily and commercial uses including a convenience store and fuel station. The applicant intends to develop affordable housing units within the proposed multifamily-family zoned portion of the site, thus allowing for additional housing diversity in this part of the Estrella Village. This and other elements of the project are addressed in further detail subsequently in the report.

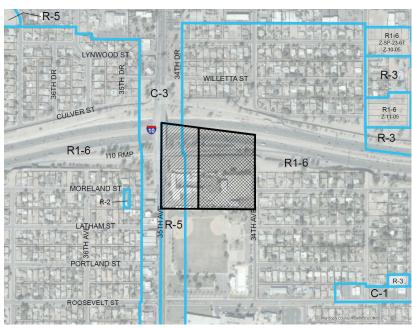
#### SURROUNDING USES AND ZONING

2. North of the subject site is the Interstate 10 freeway zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District). A future high-capacity transit station is proposed just across the I-10 freeway within close proximity to 35th Avenue.

South of the subject site is a public park, Falcon Park, zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District). Carl Hayden High School is located south of Falcon Park across Roosevelt Street along 35th Avenue.

West of the subject site across 35th Avenue is ADOT right-of-way property and a convenience store with a fuel station zoned C-3 (General Commercial District).

East of the subject site, across 34th Avenue, are single-family homes zoned R1-6 (Single-Family Residence District).

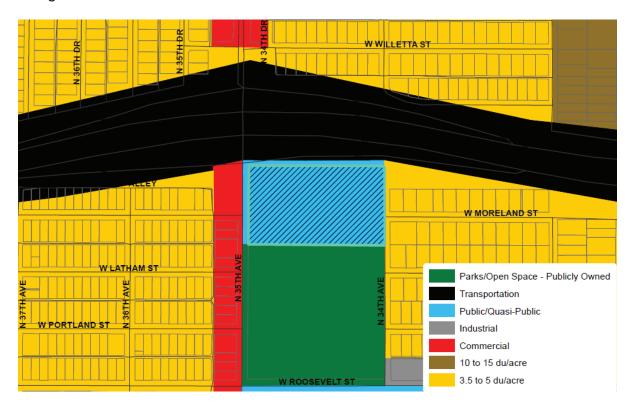


Zoning Aerial Map, Source: Planning and Development Department

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#### GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The subject site has a General Plan Land Use Map designation of Public/Quasi-Public which is not consistent with the proposed commercial and multifamily residential zoning requested. A concurrent minor General Plan Land Use Map amendment under case GPA-EST-1-21-4 is proposed to change this land use designation to Mixed Use.



The Mixed Use land use designation requested is consistent with the proposed R-4A and C-2 zoning, as it allows commercial and residential land uses. Furthermore, this will promote the use of transit due to its proximity to various modes of high-capacity transit along 35th Avenue.

#### CAPITOL I-10/WEST EXTENSION

4. As of the writing of this staff report, Valley Metro had determined a locally preferred high-capacity transit alignment approximately 0.1 miles north of the site. The Capitol/I-10 West high-capacity transit corridor will serve as a major transportation route in this part of the region, connecting the residents of this future development to employment, shopping, educational, and other opportunities in Downtown and West Phoenix.

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Capitol/I-10 West Transit Map with Planning and Development Department annotations, Source: Valley Metro

# **BUS RAPID TRANSIT (BRT)**

5. Furthermore, as of the writing of this staff report, the City of Phoenix Transit Department and Citizen Transportation
Commission had recommended that 35th Avenue/Van Buren Street route be approved as a BRT corridor. This high-capacity transit will serve to connect residents along 35th Avenue and Van Buren Street to employment, shopping, educational, and other opportunities in Downtown and North West Phoenix.



MAG BRT Corridor Map with Planning and Development Department annotations, Source: Maricopa Association of Governments

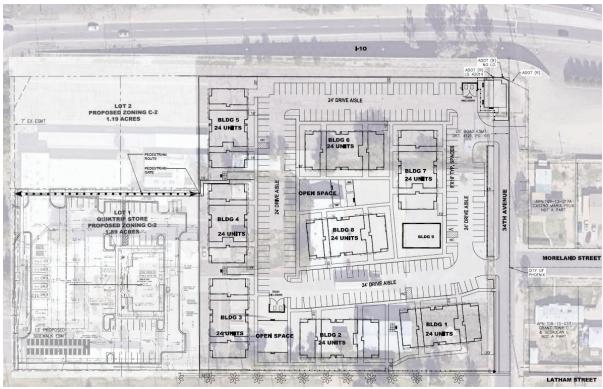
#### **PROPOSAL**

#### 6. Site Plan

The conceptual site plan identifies the western portion of the 9.39-acre site along 35th Avenue as a convenience store with fuel canopies and a future commercial user on the north portion of the site along the Interstate 10 freeway. The eastern portion of the site along 34th Avenue proposes a 192-unit multifamily development with one and two-bedroom units located in eight residential buildings at three stories and 36 feet in height. Two vehicular access points to the proposed multifamily

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zoning are shown along 34th Avenue, with pedestrian connections to both 35th Avenue and 34th Avenue.



Conceptual Site Plan, Source: Otak Architects, Inc.

Stipulation No. 1 limits the maximum building height and density to 30 feet or 98 dwelling units on the proposed multifamily-zoned portion of the site. However, if affordable housing is provided on the proposed multifamily-zoned portion of the site, the maximum building height and density shall be 40 feet and 200 dwelling units. If the development utilizes the additional height and density outlined in Stipulation No. 1, staff is also requesting Stipulation No. 2 that requires a recorded Declaration of Affirmative Land Use and Restrictive Covenants Agreement be provided prior to issuance of building permits for any structures to ensure that the affordability restrictions are formalized for the site.

Furthermore, Stipulation No. 3 requires an average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage along 34th Avenue. This latter stipulation will ensure that multi-story buildings are primarily kept a larger distance away from nearby single-family residential properties west of 34th Avenue. Stipulation No. 4 recommends that a minimum 20-foot building setback be provided along the north property line for the multifamily-zoned portion of the site to require a larger separation between residential buildings and I-10 freeway.

Staff is not recommending a stipulation to require general conformance to the conceptual site plan for the proposed multifamily zoning due to potential variances

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required for parking reductions or site plan modifications for the front landscape setback and associated site modifications triggered by constructing a cul-de-sac at the terminus of 34th Avenue. Variances are reviewed and recommended at the discretion of the Zoning Adjustment Hearing Officer (ZAHO) via a public hearing process.

However, staff is recommending a stipulation to require general conformance to the conceptual site plan for the convenience store and fuel station portion of the site. This is addressed in Stipulation No. 17. Furthermore, staff is recommending a stipulation to require administrative review of the site plan and building elevations of the future commercial site, Lot 2, by the Planning Hearing Officer prior to preliminary site plan approval. This is addressed in Stipulation No. 18.

#### 7. Elevations

The conceptual building elevations for the proposed multifamily-zoned portion of the site depict a modern-style architecture with flat roofs, large windows, patios and four-sided architecture. These building elevations depict a maximum building height of three stories and 36 feet.

The conceptual building elevations for the proposed convenience store and fuel station depict a modern-style architecture with retro elements such as awnings, decorative roof band, brick, and four-sided architecture. These building elevations depict a maximum building height of one story and 20 feet.

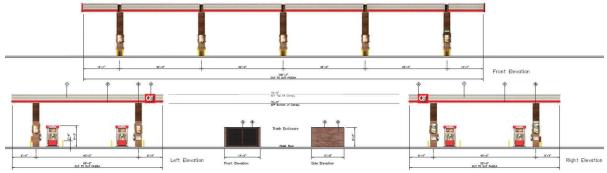


Conceptual Building Elevations, Source: Otak Architects, Inc.

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Conceptual Building Elevations, Source: QuikTrip Corporation



Conceptual Building Elevations, Source: QuikTrip Corporation

Staff is recommending a stipulation to require that building elevations within the multifamily-zoned portion of the site incorporate a variety of colors, materials and architectural features. This is addressed in Stipulation No. 5, in addition to requiring a minimum of 25 percent of building elevations oriented towards 34th Avenue and Falcon Park, to provide accent materials that exhibit quality and durability that will withstand weather conditions into the future. Furthermore, Stipulation No. 5 requires that balconies and windows be provided for residential units adjacent to Falcon Park in order to "place eyes on the park" to provide visual consistency.

In Stipulation No. 6, staff recommends that balconies on the upper floors of multifamily buildings within 60 feet of the front property line be prohibited, unless these are oriented away from single-family residential homes. This will help to provide a transition between the single-family and multifamily residential uses.

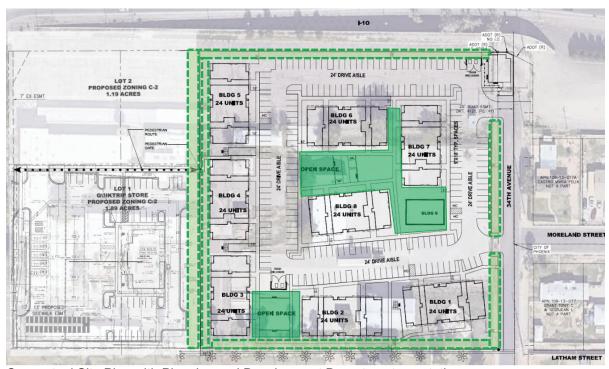
Staff is recommending general conformance with the building elevations for the convenience store and fuel station in Stipulation No. 17, while Stipulation No. 18 would require the administrative review of the building elevations for the future commercial site, Lot 2, by the Planning Hearing Officer prior to preliminary site plan approval to ensure that a variety of colors, materials and architectural features are incorporated.

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# 8. Landscaping and Screening

In order to best integrate the proposed land uses and avoid conflicts with existing or future land uses proposed on the site, several landscaping and screening enhancements are recommended by staff.

Stipulation No. 7 recommends an average 10-foot wide landscape setback along the north property line of the proposed multifamily-zoned portion of the site with evergreen trees to help screen the I-10 freeway from residential buildings per Stipulation No. 8. This stipulation also recommends evergreen trees along 34th Avenue and the western property line to screen residential buildings from adjacent single-family homes and the proposed convenience store.



Conceptual Site Plan with Planning and Development Department annotations, Source: Otak Architects, Inc.

Stipulation No. 8 also recommends landscape enhancements that include providing 50-percent 2-inch caliper and 50-percent 3-inch caliper trees within the required landscape setbacks on the proposed multifamily-zoned portion of the site. This enhancement will help further screen the proposed residential buildings from existing and proposed uses, plus the I-10 freeway.

Stipulation No. 19, applicable on the proposed commercially-zoned portion of the site, requires a minimum 20-foot wide landscape setback planted with minimum 2-inch caliper evergreen trees along the future eastern property line adjacent to the proposed multifamily zoning. This will help buffer and screen commercial uses from the future residential uses on the eastern portion of the site.

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# 9. Open Space and Amenities

The conceptual site plan depicts a central amenity area with numerous amenities dispersed throughout the multifamily-zoned portion of the development. Stipulation No. 9 recommended by staff requires a centralized amenity and open space area and that a minimum of the following be provided for residents:

- Tot lot;
- Clubhouse or community room;
- Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and
- Two benches or seating features.

# 10. Streetscape and Fencing Enhancements

The subject site is located at the junction of an arterial street (35th Avenue), freeway (Interstate 10) and public park (Falcon Park), in addition to a local street (34th Avenue). In order to promote further beautification of the Estrella Village and enhance the development area, staff recommends several stipulations that will help achieve this vision.

Stipulation No. 10 recommends entryway enhancements along 34th Avenue that include pedestrian pathways, landscape enhancements and alternative driveway materials to promote a sense of place for the multifamily-zoned portion of the site.

Stipulation Nos. 11 and 12 address fencing requirements for the multifamily zoned portion of the site specifically. These include a minimum six-foot tall solid wall along the north property line to screen residential uses from the adjacent I-10 freeway, plus open view fencing limitations along 34th Avenue and Falcon Park in order to promote visibility to adjacent streets plus the public park to "place eyes on the street" (and park).

Stipulation No. 13 addresses building construction within the multifamily-zoned portion of the site. This stipulation would require a decibel rating inside of residential units, given the adjacent I-10 freeway, in order to reduce noise in these units.

Stipulation No. 29 addresses perimeter wall enhancements for the entire site where these are visible from public streets and Falcon Park to promote beautification of the development area.

#### STUDIES AND POLICIES

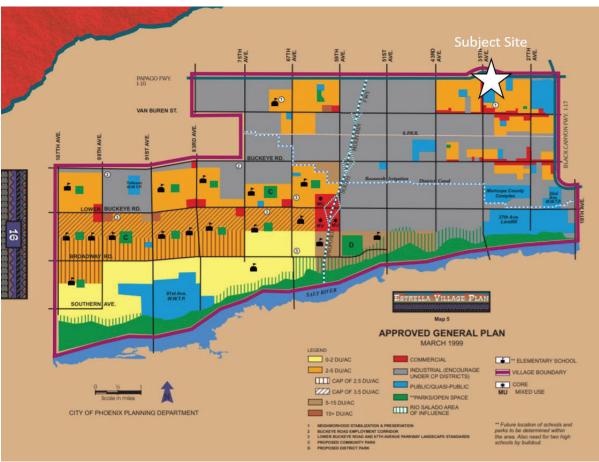
#### 11. Estrella Village Plan

The Estrella Village Plan adopted in 1999, outlines a vision for improving the Estrella Village through five main goals that include:

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- 1. Orderly growth;
- 2. Identifiable village core;
- 3. Strong residential neighborhoods;
- 4. Variety of homes and jobs; and
- 5. Consistent streetscapes and trail linkages.

Goal 3 of the Estrella Village Plan, "Protection of residential neighborhoods", Objective A, "New Residential Development", recommends that new residential developments and retail centers be supported by street circulation systems and surrounding character. Bounded by a major arterial street, freeway and within proximity to a future high-capacity station, the proposed C-2 and R-4A zoning districts allow uses that could be supported by the existing street and future planned transit infrastructure. Thirty-fourth Avenue is classified as a local street that currently acts as a collector street, providing access to Falcon Park and single-family neighborhoods east of 34th Avenue.



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

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Goal 3, Objective D, "Residential areas in transition", recommends that neighborhoods no longer viable for residential use will be converted to non-residential activity in a manner least disruptive to remaining residents. The existing zoning on the site is R-5 and R1-6, with a proposed zoning of C-2 and R-4A. This zoning application will allow for the arterial street frontage of the property to be used for commercial uses along a corridor where similar uses exist. The eastern portion of the site is proposed to remain as a residential use with multifamily zoning. Staff recommends several stipulations, as noted previously in the report, to buffer and screen future multifamily uses from existing single-family neighborhoods in the area to allow for a land use transition.

Goal 4, "Housing and Employment", Objective B, "Variety of housing densities and types", recommends a diversity of housing products in the Estrella Village. The proposed R-4A zoning along the eastern portion of the site allows for a variety of residential uses on the site, including a multi-story apartment housing product as depicted in the conceptual site plan. This zoning district will introduce a new land use in the immediate area, allowing for new housing opportunities to existing and new residents within close proximity to transportation and high-capacity transit.

Goal 5, "Urban Design", recommends for streetscape and trail systems to be uniform and consistent to provide identity and linkage between neighborhoods and with activity centers. Several stipulations as recommended by staff and described previously in this report, would promote enhanced urban design along the streetscapes.

# 12. <u>Estrella Village Arterial Street Landscaping Program</u>

The Estrella Village Arterial Street Landscaping Program adopted in 1999, provides a landscape palette for arterial streets within the Estrella Village to help establish the community's character. In addition to providing planting guidelines, the plan also indicates the locations to establish entry gateways that welcome individuals entering the village with an entry sign and an enhanced landscape area of 75 feet by 75 feet in size.

The subject site is adjacent to 35th Avenue, an arterial street, and thus staff recommends Stipulation No. 20 to require adherence with the Estrella Village Arterial Street Landscaping Program requirements along the street frontage to promote the community's character. Furthermore, the southeast corner of 35th Avenue and Interstate 10 is a designated Village gateway. Thus, staff recommends Stipulation No. 21 to require a landscaped gateway entry feature at this intersection.

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Conceptual Landscaped Gateway feature, Source: Harrington Planning + Design

# 13. <u>Tree and Shade Master Plan</u>

The Tree and Shade Master Plan is a roadmap for creating a healthier, more livable and prosperous 21st Century desert city. The goal is to treat the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. Staff recommends several stipulations to promote the shading and cooling of uncovered parking lots and pedestrian walkways on both the commercial and multifamily-zone portions of the site, plus the bus stop along 35th Avenue. These shading standards are addressed in Stipulation Nos. 22, 30, and 31.

Additionally, staff recommends that the detached sidewalk along 35th Avenue, be shaded to a minimum of 75 percent using minimum 2-inch caliper trees at maturity. This is addressed in Stipulation No. 24.

# 14. Complete Streets Guidelines

The City's complete streets policy further advances its goal to create a more sustainable transportation system that is safe and accessible for everyone. Complete streets provide infrastructure that encourages active transportation such as walking, bicycling, transportation choices and increased connectivity. Through this policy, the primary focus of street design will no longer be solely on the speed and efficiency of automobile travel, but on the safety and comfort of all users.

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To promote walking, staff recommends a system of pedestrian thoroughfares that connects building entrances, active open space areas, adjacent public sidewalks and the bus stop along 35th Avenue. A centralized pedestrian pathway connecting the proposed multifamily-zoned portion of the site with 35th Avenue will help future residents of this new community to use public transportation and high-capacity transit along 35th Avenue. This is addressed in Stipulation No. 32.

To promote bicycling, staff recommends that bicycle parking be provided for both the commercial and multifamily-zoned portions of the site for customers or residents and their guests. A bicycle repair station in the multi-family zoned portion of the site will also help to promote bicycling as alternative transportation method to help decrease vehicular trips. This is addressed in Stipulation No. 33.

Stipulation No. 24, requires a shaded detached sidewalk along 35th Avenue to help promote walking and other alternative methods of transportation along this corridor.

# 15. 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. Bicycle lanes have been designated within Roosevelt Street, south of Falcon Park. Staff recommends that secure/covered bicycle parking be provided at a rate of one bicycle space per 0.25 dwelling units up to 20 spaces, and inverted U-bicycle spaces per residential building for guests and customers. A bicycle repair station within the multifamily-zoned portion of the site will also promote alternative transportation by future residents. Bicycle parking and amenities are addressed in Stipulation No. 33.

#### 16. 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, industrial, and mixed-use developments meeting certain criteria. No provisions for recycling containers were depicted on the site plans for the commercial or multifamily-zoned portion of the site. However, the applicant's submittal documents indicate that recycling containers may be incorporated as part of the multifamily-zoned portion of the site pending further review.

#### 17. 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

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

Stipulation No. 1 would limit the maximum density to 98 dwelling units on the proposed multifamily-zoned portion of the site, but if affordable housing units provided, the developer may construct up to 200 dwelling units on this portion of the site. If this development is approved, it would allow a new type of housing product in the area and new housing opportunities for existing and new residents to the area.

#### COMMUNITY INPUT SUMMARY

18. As of the writing of this report, staff received one letter in support and one letter in opposition with concerns about the development. The letter of concern cited issues with the construction of a fuel station at this site due to fears of increased crime and environmental concerns for existing residents. The letter of support cited the proposed fuel station and available services as a positive use of the property.

#### INTERDEPARTMENTAL COMMENTS

- 19. The Water Services Department commented that the property has existing water and sewers mains that can potentially serve the development along 35th Avenue and/or 34th Avenue. In addition, the Water Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.
- 20. The Floodplain Management division of the Public Works Department did not have any comments pertaining to this request as the parcel is not located in a Special Flood Hazard Area (SFHA).
- 21. The Fire Department commented that the project shall comply with the 2018 International Fire Code with Phoenix Amendments. Other comments provided pertained to fire apparatus access, turning radiuses, fire hydrant spacing, water supply and operational permits. These comments will be addressed in the site plan review process, along with other development review comments.
- 22. The Public Transit Department requires right-of-way and retention of the bus stop pad along 35th Avenue; bus stop shading of 50 percent minimum; accessible pedestrian pathways that connect all building entrances and exits, bus stop, and all public sidewalks utilizing the minimum possible distance; and pedestrian paths and sidewalks shaded a minimum of 75 percent using trees or shade structures. Lastly,

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> that pedestrian pathways be constructed of decorative material that contrasts with the adjacent parking and drive aisle surfaces. These are addressed in site plan review and Stipulation Nos. 22, 23, 24 and 32.

- 23. The Street Transportation Department requires the dedication of right-of-way along 34th Avenue and 35th Avenue with related improvements, cul-de-sac construction along the 34th Avenue terminus, driveway access control along 35th Avenue, cross-access agreement along the commercial portion of site, pedestrian HAWK signal along 35th Avenue, Red Border letter notification to the Arizona Department of Transportation (ADOT), and construction of all streets within and adjacent to the development per ADA standards. These are addressed in Stipulation Nos. 14, 15, 16, 24, 25, 26, 27, 28, 34 and 35.
- 24. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Furthermore, that an avigation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking a noise sensitive land use. These are addressed in Stipulation Nos. 36 and 37.

#### OTHER

- 25. 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. 38 through 40.
- 26. The Historic Preservation Office commented that this U.S. Naval and Marine Corps Reserve Training Center is historically significant under Criterion A, at the local level, for its association with the U.S. Military, more specifically with those efforts to create a reserve training and recruitment center for the Navy and Marines in Phoenix. Thus, the property is subject to a subject to a 30-calendar day hold prior to the issuance of a demolition permit, since it is a non-single family building over 50 years old.

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27. 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. The proposal is consistent with the General Plan Land Use Map designation of Mixed Use, proposed with concurrent case GPA-EST-1-21-4.
- 2. As stipulated, this development will allow affordable housing to be developed in this part of the Estrella Village and within proximity to a public park, high-capacity transit, and employment opportunities in the Southwest Phoenix Major Employment center.
- 3. As stipulated, the requested C-2 and R-4A zoning is consistent with surrounding land uses and will allow for an appropriate transition between commercial uses along 35th Avenue and single-family residential uses east of 34th Avenue.
- 4. The proposed development is consistent with the scale and character of developments approved or existing in the surrounding area while balancing employment and housing opportunities within close proximity to future high-capacity transit.

#### **Stipulations**

#### R-4A ZONED AREA

- For the R-4A portion of the site, the maximum building height and density shall not exceed 30 feet and 98 dwelling units. If the following conditions are met, the maximum height and density shall be 40 feet and 200 dwelling units. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
  - a. A minimum of 75 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.

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- 2. Prior to the issuance of building permits for the R-4A portion of the site, the applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department, if conditions listed in Stipulation No.1 for additional height and density are pursued.
- 3. An average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage, shall be provided along 34th Avenue.
- 4. A minimum 20-foot building setback shall be provided along the north property line of the residentially zoned portion of the site.
- 5. Residential building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, stucco, painted steel or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
  - b. Building elevations adjacent and oriented to a public park or street, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.
  - c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department
  - d. Balconies and windows shall be provided for residential units adjacent to a public park.
- 6. There shall be no balconies on the upper floors of residential buildings located within 60 feet of the front property line which are oriented toward single-family residential homes not part of this development, as approved by the Planning and Development Department.
- 7. An average landscape setback of 10 feet, minimum 5 feet for up to 50 percent of the property line, shall be provided along the north property line.

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- 8. The required landscape setbacks for the residentially zoned portion of the site shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant evergreen trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
- 9. A central amenity and open space area shall be provided within close proximity to the primary vehicular entrance into the development. The following amenities shall be provided at a minimum and may be dispersed throughout the development, as approved by the Planning and Development Department:
  - a. Tot lot;
  - b. Clubhouse or community room;
  - c. Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and
  - d. Two benches or seating features.
- 10. Vehicular entryways to the residential portion of the development along 34th Avenue shall include the following elements, as approved or modified by the Planning and Development Department:
  - a. Pedestrian pathways connecting the interior of the development to the public sidewalks on one side of the vehicular driveway at minimum.
  - b. The pedestrian pathways shall be lined with landscape areas on both sides and planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
  - c. A mix of ornamental shrubs and flower beds that will maintain a constant bloom throughout the year and 75 percent live cover, shall be provided along the entryway.
  - d. The 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.
- 11. A perimeter wall no less than 6 feet in height shall be provided along the Interstate 10 freeway within the residentially zoned portion of the site. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

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- 12. Except where required by the Zoning Ordinance, perimeter walls adjacent to a public street or public park shall be limited to open view wrought iron fencing or a combination of 2-foot solid masonry topped by wrought iron open view fencing, as approved by the Planning and Development Department.
- 13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.
- 14. A minimum five-foot-wide sidewalk along 34th Avenue shall be detached with a minimum five-foot-wide landscape strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings between the sidewalk and back of curb, as approved by the Planning and Development Department.
- 15. The developer shall dedicate minimum 25-feet of right-of-way and construct the west side of 34th Avenue for the full limits of the project, as approved or modified by the Planning and Development Department.
- 16. If the portion of 34th Avenue north of Moreland Street is not approved to be abandoned through a separate process, the developer shall provide a 50-foot radius cul-de-sac termination at 34th Avenue, north of Moreland Avenue, as approved or modified by the Planning and Development Department.

#### C-2 ZONED AREA

- 17. The development shall be in general conformance with the conceptual site plan date stamped June 30, 2021 and building elevations date stamped May 16, 2021 for the C-2 portion of the site, except as described below and as approved by the Planning and Development Department.
- 18. The conceptual site plan and elevations for Lot 2, as depicted in the site plan for the overall site date stamped June 30, 2021, shall be administratively reviewed by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

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- a. Location and orientation of buildings and trash receptables in relation to the residentially zoned property to the east.
- b. Accessible pedestrian pathways that connect building entrances, public sidewalks, and the pedestrian pathway connecting the commercially zoned property to the residentially zoned property to the east using the most direct route for pedestrians.
- c. Pedestrian connection between adjacent commercial parcels.
- d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
- 19. A minimum 20-foot wide landscape setback shall be provided along the east side of the site where adjacent to a residential zoning district. This landscape setback shall be planted with a minimum 2-inch caliper large canopy evergreen trees, 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
- 20. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
- 21. A landscaped gateway entry feature shall be provided on the southeast corner of 35th Avenue and Interstate 10 as described below and as approved by the Planning and Development Department:
  - An average 75-foot by 75-foot landscape entryway that adheres to the landscape palette for gateway entry features in the Estrella Village Arterial Street Landscaping Program.
  - b. A minimum 300-square foot landscaped accent area shall be provided. The landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
  - c. The gateway entry feature shall utilize accents, colors and materials consistent with the theme of the commercial uses on the same site, as approved by the Planning and Development Department.

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- 22. The bus stop pad along 35th Avenue shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved or modified by the Planning and Development Department.
- 23. Public Transit Department shall retain right-of-way and bus stop pads on northbound 35th Avenue, as approved by the Planning and Development Department.
- 24. All sidewalks along 35th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide shade to a minimum 75 percent at maturity.
  - b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.
  - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- 25. The developer shall dedicate minimum 50-feet of right-of-way and construct the east half of 35th Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.
- 26. Driveway access control to the site will be permitted as approved by the Traffic Impact Study submitted to the Street Transportation Department by providing a sealed Traffic Impact Study analyzing access control and proposed mitigation for conflicting turning movements along 35th Avenue.
- 27. The site shall provide recorded cross-access agreements between lots one and two as depicted on the conceptual site plan date stamped June 30, 2021, as approved by the Planning and Development Department.

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28. Prior to preliminary site plan approval, the developer shall work with the Office of Pedestrian Safety in the Street Transportation Department to evaluate a HAWK crossing at the southern boundary of the site within 35th Avenue. The developer shall be responsible for funding any identified improvements including the HAWK crossing, as determined by the Street Transportation Department, but generally to be located between Moreland Street and Portland Street.

# R-4A AND C-2 ZONED AREAS

- 29. All perimeter walls visible from street right-of-way and adjacent to the public park shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs or other alternatives if full view fencing is proposed, as approved by the Planning and Development Department.
- 30. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
- 31. Pedestrian walkways connecting the commercial sites and residentially zoned property to the east, public sidewalks, and walkways within the residentially zoned portion of the site shall be shaded to a minimum of 75 percent using shade trees at maturity and/or architectural shade, as approved by the Planning and Development Department.
- 32. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:
  - a. The developer shall provide a minimum of one centralized pedestrian pathway connecting the public sidewalk along 35th Avenue passing through Lot 1 to the public sidewalk along 34th Avenue passing through Lot 3, as depicted in the site plan for the overall site date stamped June 30, 2021. Each phase of the project will construct the portion of the pedestrian path along their development.
  - b. Illuminated pedestrian scale lighting per Section 1304.H.5 for the centralized pedestrian pathway.

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- c. 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 contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
- d. Connections to/between via the most direct route:
  - (1) All building entrances;
  - (2) Active open space areas;
  - (3) Adjacent public sidewalks; and
  - (4) Bus stop along 35th Avenue.
- 33. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. "Secure/Covered Facilities" bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit on the residential portion of the site, up to a maximum of 20 spaces, as defined in Appendix K of the Comprehensive Bicycle Master Plan.
  - b. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial and residential building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
  - c. One bicycle repair station ("fix it station") shall be provided and maintained in the residentially zoned portion of the site within a central amenity area or along a centralized pedestrian pathway. 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: 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.

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- 34. 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.
- 35. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.
- 36. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
- 37. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- 38. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 39. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
- 40. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.

# Writer

Enrique Bojórquez Gaxiola July 14, 2021

# **Team Leader**

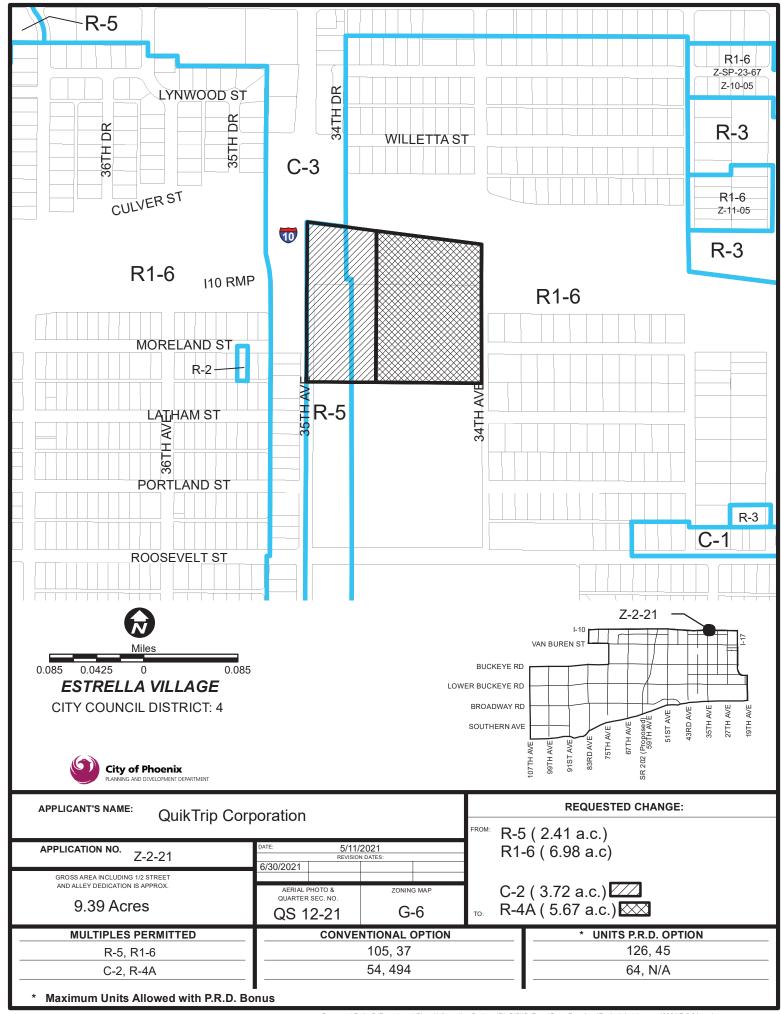
Samantha Keating

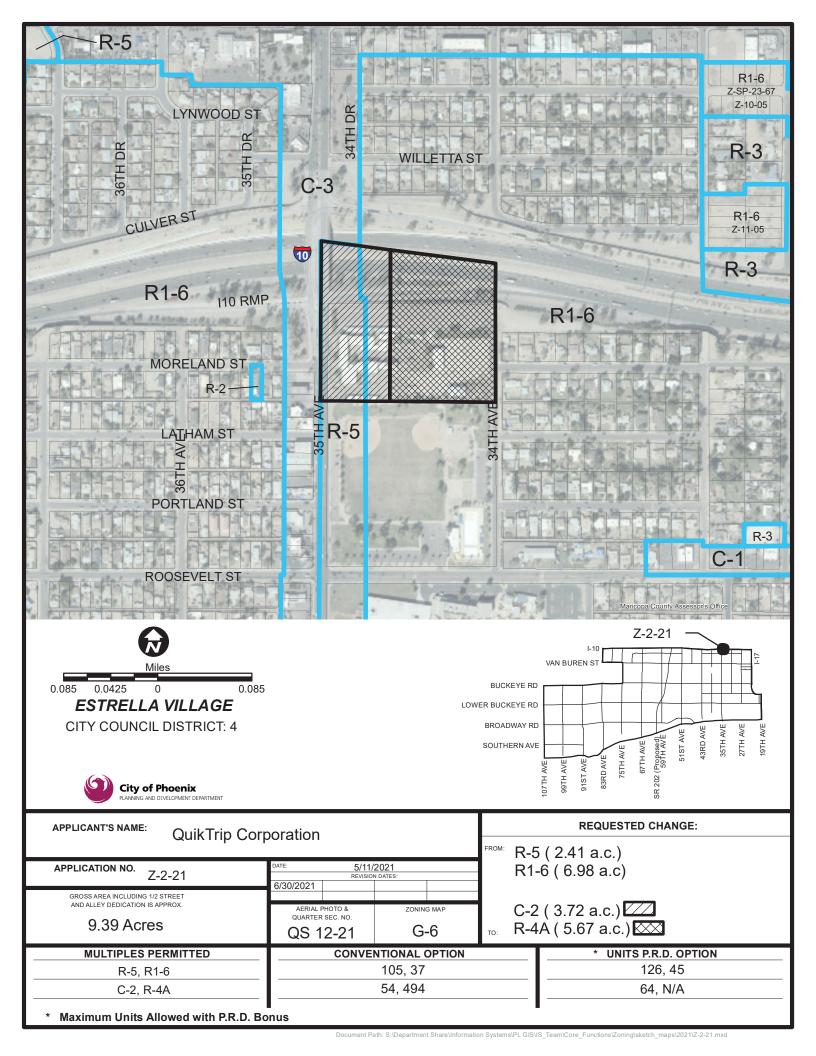
#### **Exhibits**

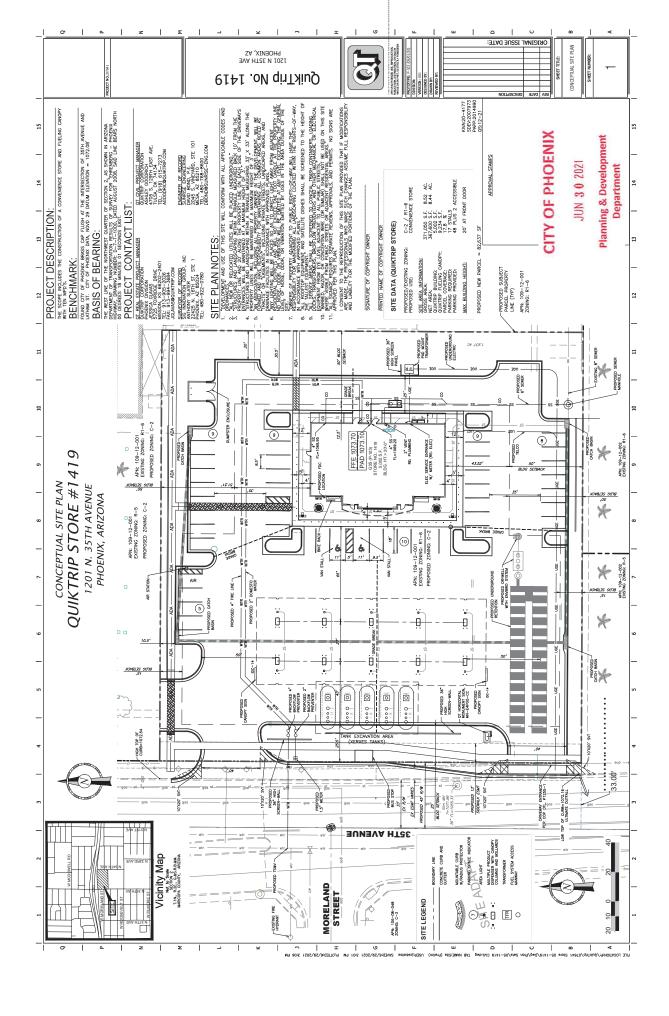
Sketch Map
Aerial Map
Conceptual Site Plan for Lot 1 date stamped June 30, 2021
Conceptual Building Elevations for Lot 1 date stamped March 16, 2021
Conceptual Overall Site Plan date stamped June 30, 2021

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Conceptual Building Elevations for Lot 3 date stamped June 15, 2021 Gateway Corner Feature date stamped March 16, 2021 Community Correspondence (2 pages)



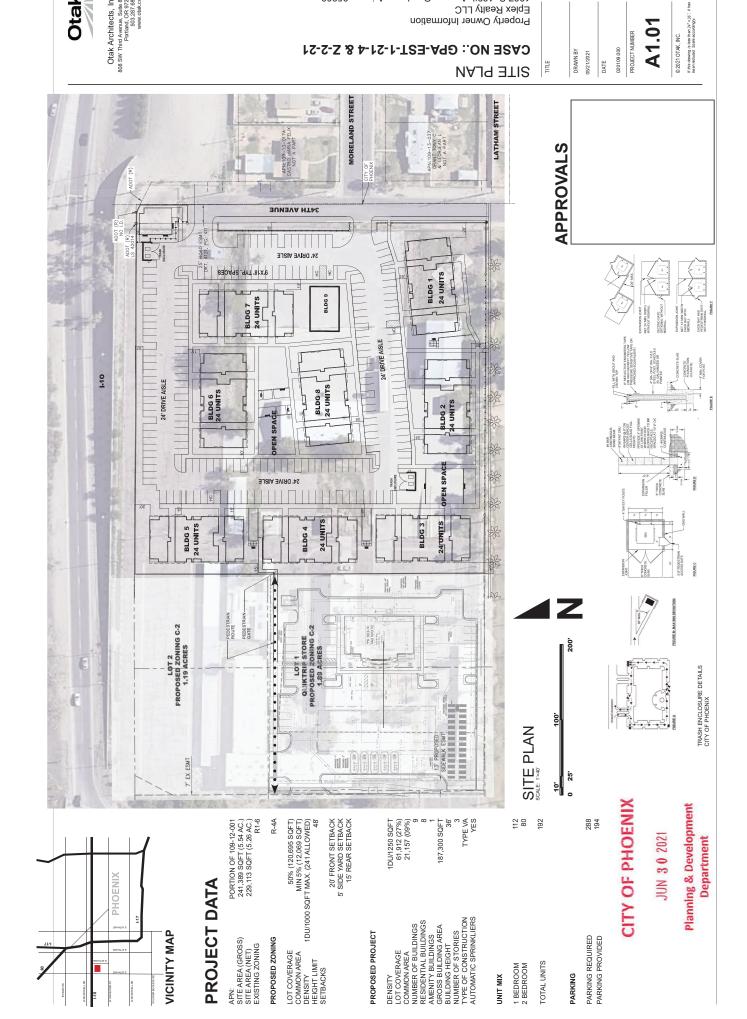












9702-492-4075

Property Owner Information Eplex Realty LLC

1987 S. 169th Avenue Goodyear, Arizona 85338

CASE NO.: GPA-EST-1-21-4 & Z-2-21





TYPICAL BUILDING ELEVATION - RIGHT

TYPICAL BUILDING ELEVATION - FRONT

# CITY OF PHOENIX

Planning & Development Department



39.BNIFDING HE

TYPICAL BUILDING ELEVATION - REAR



Otak

Otak Architects, Inc. 808 SW Third Avenue, Suite 800 Portland, OR 97204 503.287.6825 www.otak.com

**ELEVATIONS** 

CASE NO.: GPA-EST-1-21-4 & Z-2-21

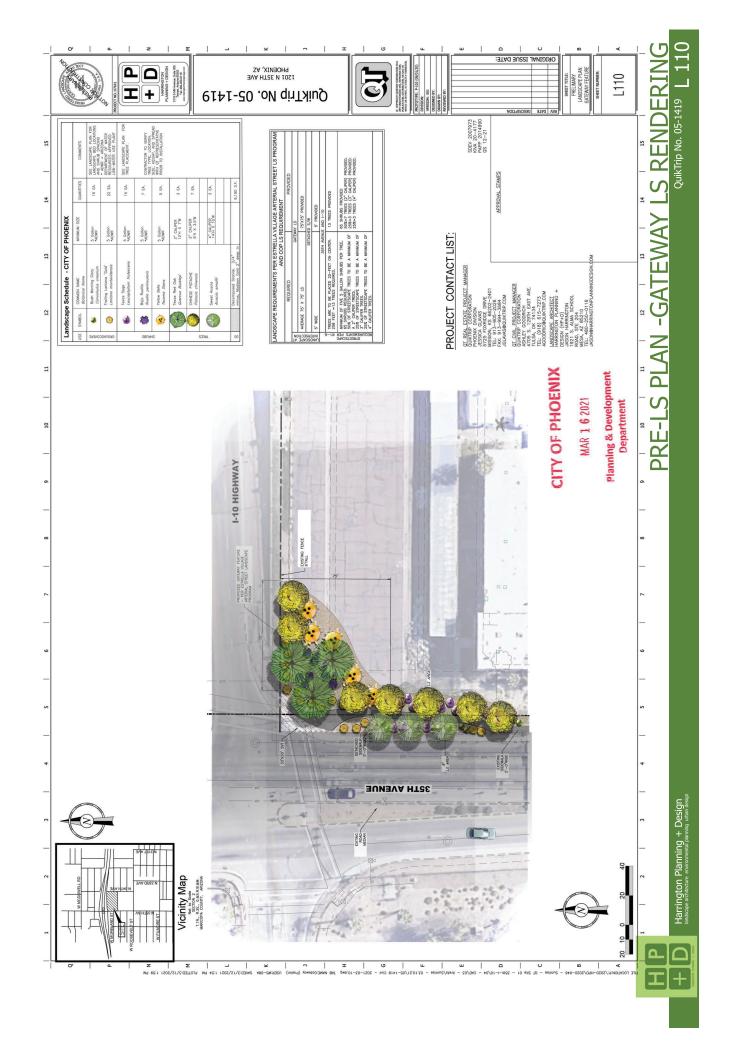
020109.000 DATE

PROJECT NUMBER

A2.01

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If this dening is less than 24" x 36", it has been reduced. Scale accordingly.

9704-294-209 1987 S. 169th Avenue Goodyear, Arizona 85338 Eplex Realty LLC Property Owner Information



# **Enrique A Bojorquez-Gaxiola**

**To:** PDD Zoning **Subject:** RE: rezoning case

From: no-reply@phoenix.gov <no-reply@phoenix.gov>

Sent: Wednesday, January 27, 2021 5:24 AM

To: PDD Development Services <pdd@phoenix.gov>

**Subject:** emplandsd - Form Submission

FROM: Javier Medrano

SUBJECT: QT gas station 35th avenue and I-10 rezoning case number Z-2-21

MESSAGE: Good morning

Today I am sending this e mail about the the QT proposal located near our neighborhood. I spoke to a few neighbors and we oppose any gas station being build on the decommissioned military naval complex because we came to conclusion that it will attract even more crime to our neighborhood. We already have crime in our neighborhood and this gas station will only attract much more crime. We also oppose the gas station because of the harmful vapors of the gas being released when vehicles fuel up and the tanker trucks replenishing the gas station will release gas vapors into the air and we believe it will be harmful to our health. We suggest something positive to be build in the decommissioned military complex. Thank you for taking the time in reading this e mail.

Sincerely

Javier Medrano

Email: jav2028042@maricopa.edu

AREA: 602

PHONE: 3346905

ADDRESS: 3317 W. Latham St

CITY: Phoenix

STATE: AZ

ZIP: 85009

Submission ID: 334ea42de5064bcebb59b0b146e553f8

Form Submission On: 1/27/2021 5:24:03 AM

Referer: https://phoenix.gov/pdd

From: <u>Jim Schillinger</u>

To: <u>Enrique A Bojorquez-Gaxiola</u>
Cc: <u>charles@huellmantel.com</u>

**Subject:** QuickTrip Rezoning case SEC 35th Ave and I-10 - Application No: Z-2-21

**Date:** Saturday, January 23, 2021 4:22:58 PM

I own a house nearby at 3340 W Portland. I would be in favor of this rezoning. Directly on 35th Avenue would be well suited for a QuickTrip, and provide some needed competition for the Circle K across the street.

However, most importantly, QuickTrip will be able to provide nearby residence a high-quality shopping experience for not only gasoline purchase, but a myriad of other products that make QuickTip a popular place for people to purchase various drinks and snacks.

The customer experience at a QuickTrip is unmatched compared to any other competitor, the stores I visit in Phoenix (about 1/week) are always neat and clean, along with courteous, responsible employees. QuickTrip's presence here would be a wonderful addition to the area!

I enthusiastically support this change in rezoning!

Thanks for the opportunity to respond to this rezoning case.

Jim Schillinger 602-622-6333