

# Staff Report: Z-56-22-4 22nd & Indian School PUD February 6, 2023

<u>Camelback East Village Planning</u> <u>Committee</u> Meeting Date	February 7, 2023
Planning Commission Hearing Date	March 2, 2023
Request From:	<u>R1-6</u> (Single-Family Residence District) (0.62 acres), <u>R1-6</u> (Approved <u>R-2</u> ) (Single-Family Residence District, Approved Multifamily Residence District) (0.24 acres), <u>R-3</u> (Multifamily Residence District) (1.00 acre) and <u>C-3</u> (General Commercial) (3.80 acres)
Request To:	PUD (Planned Unit Development) (5.66 acres)
Proposed Use:	Multifamily residential development and limited commercial uses
Location:	Southwest corner of 22nd Street and Indian School Road
Owner:	DMS Ventures IS IV, LLC, et al.
Applicant/Representative:	Wendy Riddell, Berry Riddell, LLC
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Commercial, Residential 3.5 to 5 dwelling units per acre			
Street Map	Indian School Road	Major Arterial Street	40-foot south half street		
<u>Classification</u>	22nd Street	Local Street	25-foot west half street		
CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.					

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The proposed development will provide multifamily residential uses along a major arterial street and within close proximity to employment and commercial areas.

CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: Plan and design communities and neighborhoods to be pedestrian friendly and walkable.

The proposed PUD narrative incorporates numerous streetscape and design standards to promote a pedestrian-friendly environment along adjacent street frontages that is compatible with the surrounding area.

#### 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 proposed development will provide trees and shade within the site and along adjacent street frontages which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

# Applicable Plan, Overlays, and Initiatives

Housing Phoenix Plan – See Background Item No. 9.

Tree and Shade Master Plan – See Background Item No. 10.

Complete Streets Guiding Principles – See Background Item No. 11.

Comprehensive Bicycle Master Plan – See Background Item No. 12.

Zero Waste PHX – See Background Item No. 13.

Surrounding Land Uses/Zoning				
	Land Use	<u>Zoning</u>		
On Site	Various commercial uses (florist, furniture store, maps store, auto sales)	R1-6, R1-6 (Approved R- 2), R-3, and C-3		
North (across Indian School Road)	Various commercial uses (restaurant, pet day care, and landscaping supply store)	C-3		
South	Multifamily residential, vacant	R-3, R1-6 (Approved R-2)		
East (across 22nd Street)	Motorcycle repair, single-family residential	C-2, R1-6		
West	Church	C-3		

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## **Background/Issues/Analysis**

#### SUBJECT SITE

- This request is to rezone a 5.66-acre site located at the southwest corner of 22nd Street and Indian School Road from 0.62 acres of R1-6 (Single-Family Residence District), 0.24 acres of R1-6 (approved R-2) (Single-Family Residence District, Approved Multifamily Residence District), 1.00 acre of R-3 (Multifamily Residence District) and 3.80 acres of C-3 (General Commercial) to PUD (Planned Unit Development) to allow multifamily residential and limited commercial uses.
- 2. The General Plan Land Use Map designation for the subject site is Commercial and Residential 3.5 to 5 dwelling units per acre. The Commercial land use category accommodates office, retail, service and multifamily development at varying scales and intensity of uses. This request is consistent with the Commercial designation, however, is inconsistent with the Residential 3.5 to 5 dwelling unit per acre designation as it proposes a higher density. A General Plan amendment is not required as the portion of the site that is inconsistent with the Land Use Map is less than 10 acres.



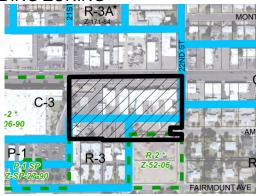
General Plan Land Use Map Source: City of Phoenix Planning and Development Department

The Land Use Map designations to the north, east, and west of the subject site are Commercial. The designation to the south is Residential 3.5 to 5 dwelling units per acre.

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# EXISTING CONDITIONS & SURROUNDING ZONING

 The site fronts Indian School Road, a major arterial, and largely contains a one-story commercial building with various commercial and retail uses such as a furniture store, florist, map store and auto sales. The site is zoned R1-6 (Single-Family Residence District) (0.62 acres), R1-6 (approved R-2) (Single-Family Residence District, Approved Multifamily Residence District) (0.24 acres), R-3 (Multifamily Residence



Zoning Map, Source: City of Phoenix Planning and Development Department

District) (1.00 acre) and C-3 (General Commercial) (3.80 acres).

To the north, across Indian School Road, are various commercial uses such as a landscape supply store and restaurant, zoned C-3. To the east, across 22nd Street, is a motorcycle repair shop zoned C-2 (Intermediate Commercial) and single-family residences zoned R1-6. To the south is a vacant lot zoned R1-6 (Approved R-2) and multifamily residential zoned R-3. To the west is a church, zoned C-3.

#### PROPOSAL

4. The proposal was developed utilizing the PUD zoning district. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

# 5. Land Use

The PUD proposes a multifamily residential development. The PUD allows for multifamily residential and limited commercial uses, such as an art gallery and teaching of the fine arts to allow for an artist incubator space along Indian School Road, as shown on the site plan attached as an exhibit.

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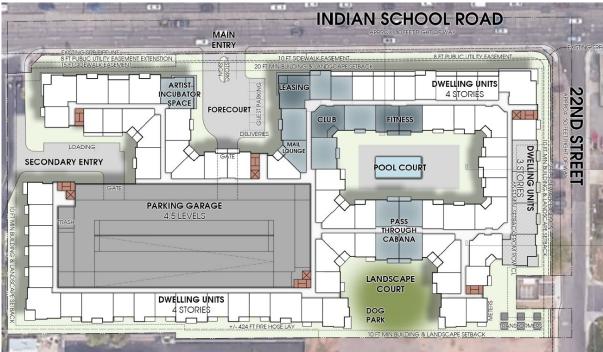
#### 6. Development Standards

The PUD proposes a multifamily residential building with 318 units ranging in size from one to three-bedroom units, and a maximum density of 56.5 dwelling units per acre. In order to be consistent with the maximum unit count advertised for the site and an update in the site acreage, staff recommends Stipulation No. 1b to update the maximum density to 56.5 dwelling units per acre.

The maximum height is 60 feet, with a maximum height of 35 feet for the first 65 feet along 22nd Street when adjacent to single-family residential uses. This will provide an appropriate transition between the single-family homes to the east of the site, across 22nd Street.

A minimum of 7 percent of the gross site area will be open space, which is more than the minimum open space requirements for multifamily residential uses in the Phoenix Zoning Ordinance. The proposal also includes a forecourt along Indian School Road, which will be the primary entrance for pedestrians and vehicles to the subject site.

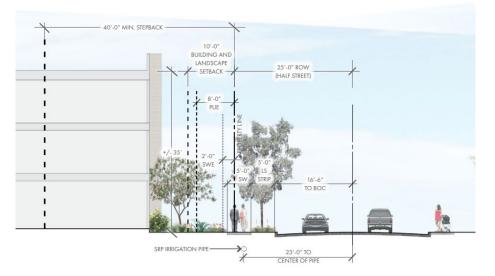
Parking for residents and guests will be provided on site in a parking structure, which will be primarily screened by the residential building. Additional guest parking spaces are provided in the forecourt. Enhanced bicycle amenities will be provided on site, such as secure bicycle parking for residents and guest parking distributed throughout the site.



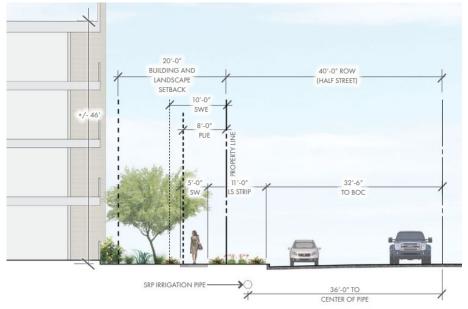
Conceptual Site Plan, Source: HDK Architects

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> The project site has two street frontages along its northern and eastern perimeters. The PUD proposes pedestrian-friendly design standards such as shaded detached sidewalks along both street frontages and landscaped setbacks with enhanced shading standards. The 22nd Street frontage will contain a minimum 5-foot-wide sidewalk detached from the back of curb by 5 feet. The Indian School Road frontage will contain a minimum 5-foot-wide sidewalk detached from the back of curb by 11 feet, which is consistent with the Street Classification Map cross section. Stipulation No. 1c requires that the applicant update the landscape standards section to match the required 11-foot-wide detachment listed in the development standards table.



Proposed 22nd Street Cross Section, Source: PUD Narrative



Proposed Indian School Road Street Cross Section, Source: PUD Narrative

Development Standards			
Standard	Proposed		
Density	56.5 dwelling units per acre		
Building Height	60 feet maximum, maximum 35 feet in height for first 65 feet when adjacent to single-family uses (65-foot distance to be measured from the center line of 22nd Street)		
Open Space	7% minimum		
Lot Coverage	70% maximum		
Minimum Building and Landscape Se	etbacks		
Indian School Road	20 feet		
22nd Street and Interior Property Lines	10 feet		
Streetscape Standards			
Indian School Road	Sidewalk width: 5 feet Landscape Area:11 feet between back of curb and sidewalk		
22nd Street	Sidewalk width: 5 feet Landscape Area:5 feet between back of curb and sidewalk		
Parking Standards			
Vehicular	Per Section 702 of the Phoenix Zoning Ordinance		
Bicycle	Per Section 1307.H.6 of the Phoenix Zoning Ordinance		

Below is a summary of the key development standards set forth in the narrative.

# 7. Landscape Standards

The PUD sets forth standards to activate the two street frontages and to enhance shade. The landscape area between the back of curb and sidewalk along 22nd Street will be planted with minimum 75 percent 2-inch caliper trees and 25 percent 3-inch caliper trees, and along Indian School Road will be planted with 50 percent live coverage. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment. The landscape setback along Indian School Road will be planted with minimum 60 percent 2-inch caliper trees and 40 percent 3-inch caliper trees planted 20 feet on center. All remaining landscape setbacks will be planted with minimum 2-inch caliper trees.

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#### 8. Design Guidelines

of blank walls.

The PUD proposes enhanced design guidelines to ensure the building is compatible with the surrounding area. The design guidelines require a minimum of three exterior materials, a maximum amount of stucco, and a change in depth or fenestration when walls exceed 30 feet in length to minimize the appearance



Site Rendering, Source: PUD Narrative

The corners will incorporate different colors and building materials to enhance visual interest. Further, the design will incorporate elements of the surrounding mid-century modern neighborhood such as low sloped and flat roofs, masonry veneer used to create the perception of solid volumes, emphasis on horizontal lines, minimalistic detailing, emphasis on balconies and other outdoor spaces, and use of natural colors.

# AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

# 9. Housing Phoenix Plan

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030.

# 10. Tree and Shade Master Plan

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The PUD includes enhanced shading standards to reduce the urban heat island effect.

#### 11. Complete Streets Guiding Principles

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as

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bicycles, pedestrians, transit, and vehicles. The development will activate the street frontages, provide detached sidewalks and provide enhanced landscaping and shade along the sidewalks.

#### 12. Comprehensive Bicycle Master Plan

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal incorporates requirements for bicycle parking and a bicycle repair station to encourage multi-modal transportation.

#### 13. Zero Waste PHX

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The application materials state that recycling will be a part of the development.

#### COMMUNITY INPUT SUMMARY

14. At the time this staff report was written, one letter in support and one letter with concerns has been received. Concerns shared were regarding traffic, and construction noise.

#### INTERDEPARTMENTAL COMMENTS

- 15. The Street Transportation Department has required that the developer dedicate a sidewalk easement on Indian School Road, submit a traffic impact study, and that all streets be constructed with required improvements and comply with current ADA standards. These are addressed in Stipulation Nos. 2 through 4.
- 16. 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. This is addressed in Stipulation No. 5.

#### OTHER

17. 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

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> 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 Nos. 6 through 8.

- 18. 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. 9.
- 19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

- 1. The project site is appropriately located along an arterial street and is consistent with the General Plan Land Use Map designation.
- 2. The proposal will develop an underutilized site and provide additional housing options within the Village.
- 3. The proposed PUD sets forth design and development standards that will facilitate pedestrian-oriented design, promote a safer walking and bicycling environment, and is compatible with the surrounding neighborhood.

#### **Stipulations**

- 1. An updated Development Narrative for the 22nd & Indian School PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped January 27, 2023, as modified by the following stipulations:
  - a. Front cover: Revise the date information on the cover page to the following:

City Council Adopted: [Add Adoption Date]

b. Page 7, Lot Development Standards, Maximum Density: update to 56.5 du/gross ac

- c. Page 8, Landscape Standards, Landscape Planting, North (Indian School Road), Landscape Strip: Update first sentence to read "Minimum 11-footwide Landscape Strip between back of curb and sidewalk."
- 2. The developer shall dedicate a 10-foot-wide sidewalk easement along the south side of Indian School Road, as approved by the Planning and Development Department.
- 3. The applicant shall submit a Traffic Impact Study to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
- 4. 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.
- 5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney
- 6. 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.
- 7. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
- 9. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa

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County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

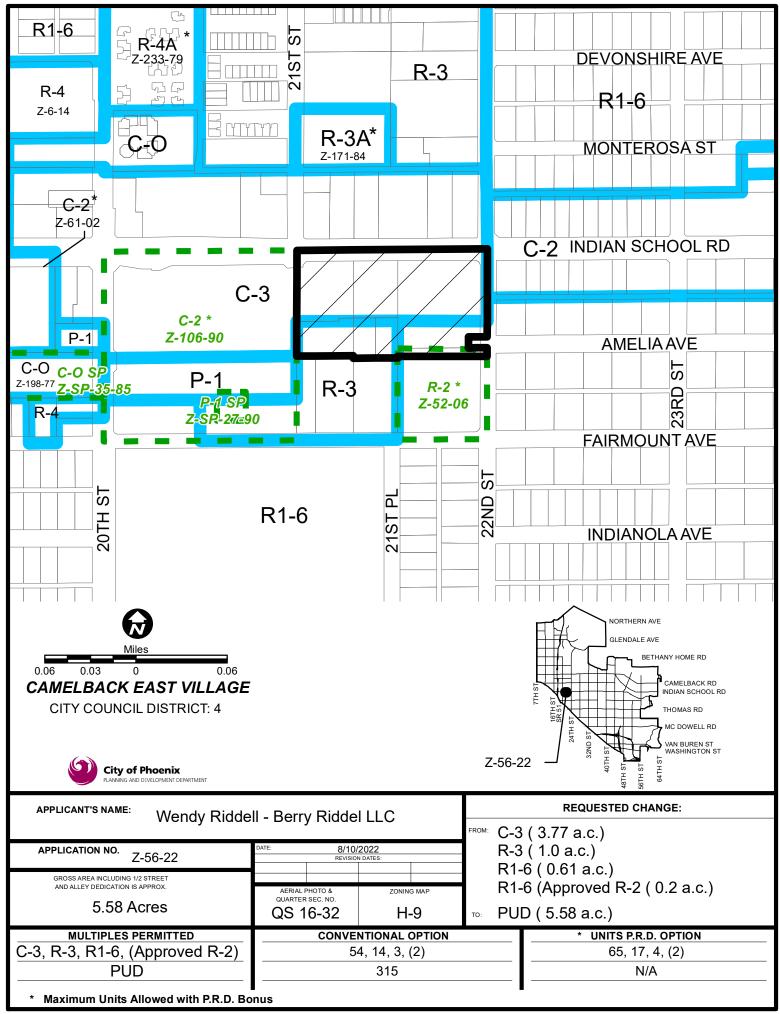
<u>Writer</u>

Sarah Stockham February 6, 2023

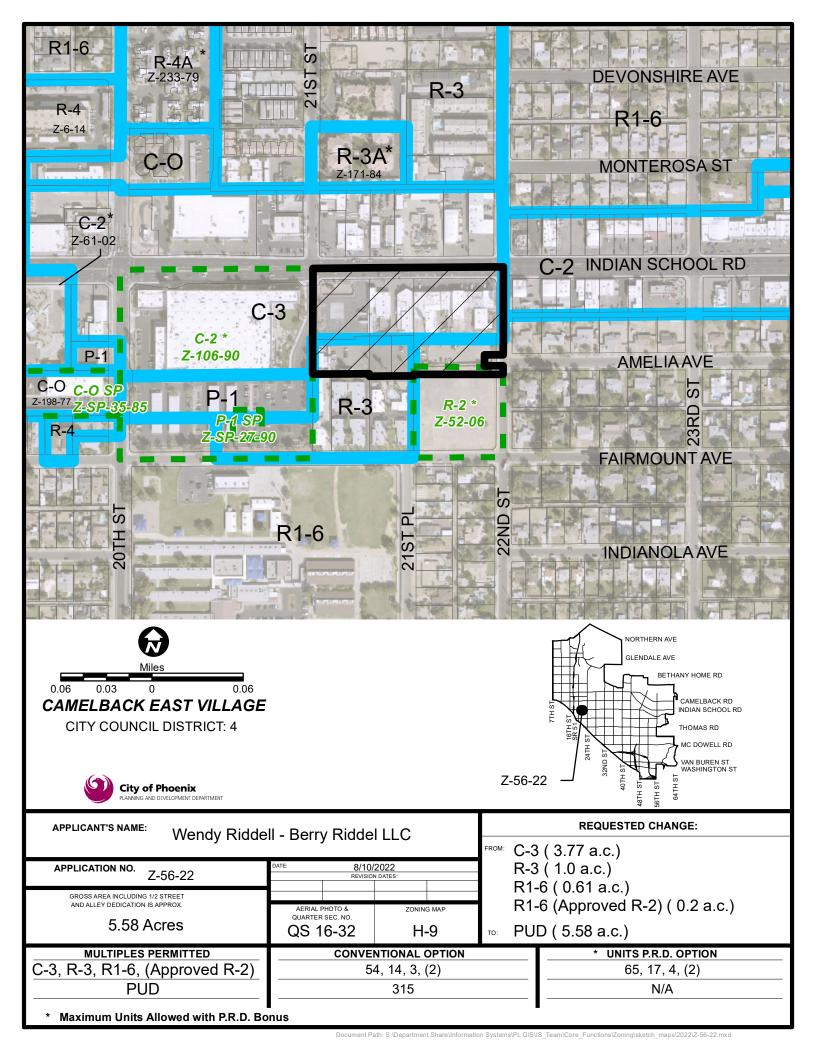
Team Leader Racelle Escolar

# <u>Exhibits</u>

Aerial Map Sketch Map Conceptual Site Plan date stamped January 27, 2023 Conceptual Elevations date stamped January 27, 2023 <u>22nd Street & Indian School PUD</u> development narrative date stamped January 27, 2023 Correspondence (2 pages)



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# CITY OF PHOENIX JAN 27 2023

Planning & Development

Department

EAST (22ND STREET) ELEVATION

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NORTH (INDIAN SCHOOL ROAD) ELEVATION

Ms. Stockham,

I wanted to share my enthusiastic support for PUD case #Z-56-22-4. Indian School Road can certainly support some density, and this development could also help revitalize the area and would bring in new residents to patronize local businesses. This is exactly the kind of development we need to encourage in Phoenix in order to help solve our housing crisis. My only suggestion would be to require more secure bicycle parking for residents, since only 32 spaces will be offered and there will likely be over 500 residents. I would love to see this project come to fruition. Thank you.

Kristin Heggli Camelback East Village Resident Hello,

I was unable to attend the zoom meeting regarding the proposed apartment complex going in at 22nd Street and Indian School. Any meeting minutes forwarded to me would be greatly appreciated.

Talis Construction currently uses the lot at 22nd Street and Fairmont for transferring materials and dirt. My neighbors and I have complained almost weekly to the city of Phoenix regarding the 24 HOUR noise, trucks with dirt consistency coming down our streets and the dust that it has created. We call the non emergency city line almost every weekend. We will continue to call if this new project bring even more construction (especially during non business hours).

My concerns are not necessarily the complex itself but the traffic it will bring while it is being built and moving forward. The small neighborhood of Loma Linda is quiet and we would like to keep it as such. I understand that the city of phoenix is evolving but it is hard to swallow seeing another apartment complex coming to our streets.

Another concern we have is the parking that might build up along 22nd Street. We (The City of Phoenix) have placed NO parking signs along 23rd Street and 22nd Street due to another local bar's parking issues, Rebel Lounge. I would suggest that the whole street of 22nd is a NO Parking or Loading at <u>any time</u>. This would help out side of the street with noise, trash, loading etc.

I also would like to see construction times stay during business hours along with NO spot lights or bright lights shining down Amelia (while building and forever). This would literally shine straight into our bedroom windows which face east.

As I said, we are happy to see our city evolve but I would like to be apart of meetings, emails, and consistent communication moving forward for this project.

Thank you in advance,

Kathryn Keizer kathrynkeizer21@gmail.com 480-388-9448