

## ATTACHMENT B



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-26-22-4**  
**July 27, 2022**

**Encanto [Village Planning Committee](#)**  
**Meeting Date:**

August 1, 2022

**[Planning Commission](#) Hearing Date:**

September 1, 2022

**Request From:**

[C-2 H-R TOD-1](#) (Intermediate Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay One) (0.53 acres), and [P-2 H-R TOD-1](#) (Parking, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay One) (3.57 acres)

**Request To:**

[WU Code T5:6 MT](#) (Walkable Urban Code, Transect 5:6, Transit Midtown Character Area) (4.10 acres)

**Proposed Use:**

Multifamily Residential

**Location:**

Approximately 500 feet east of the northeast corner of Central Avenue and Osborn Road

**Owner:**

3443 North Central, LLC

**Applicant:**

Mill Creek Residential

**Representative:**

Nick Wood, Snell & Wilmer, LLP

**Staff Recommendation:**

Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Commercial	
<a href="#">Street Map Classification</a>	Osborn Road	Collector Street	40-foot north half street
	Mitchell Drive	Local Street	25-foot south half street

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

The proposal, as stipulated, will benefit from the proximity to light rail through reduced transportation costs to its residents and by providing convenient access to the many destinations along the transit line. The proposal will support the vitality of Midtown Phoenix by adding housing units within the Encanto Village Core, the North Central Employment Center, and within proximity to the light rail station at Central Avenue and Osborn Road.

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

The proposal, as stipulated, includes design and development standards to encourage walking, bicycling, and transit use through a shaded streetscape, units fronting the public sidewalks, and parking situated away from the public street.

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

As stipulated, the proposal includes bicycle facilities to encourage bicycling and transit use to become a way of life by leveraging its proximity to the light rail station at Central Avenue and Osborn Road. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station for residents.

**BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE: *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The proposal includes robust tree plantings between the back of curb and the building fronts and a detached sidewalk that will be shaded to 75 percent as stipulated. These improvements will create strong pedestrian environments to convey people more effectively to light rail and other areas within the Encanto Village Core.

**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.***

The proposed development will introduce additional housing opportunities in Central Phoenix with close access to light rail station and the Encanto Village Core. These additional housing opportunities supports goals contained in the Housing Phoenix Plan to preserve and create 50,000 units by 2030.

Applicable Plans, Overlays, and Initiatives	
<a href="#"><u>TOD Strategic Policy Framework</u></a> :	Background Item No. 6.
<a href="#"><u>Midtown Transit Oriented Development Policy Plan</u></a> :	Background Item No. 7.
<a href="#"><u>Encanto Village Character Plan</u></a> :	Background Item No. 8.
<a href="#"><u>Tree and Shade Master Plan</u></a> :	Background Item No. 11.
<a href="#"><u>Complete Streets Guidelines</u></a> :	Background Item No. 12.
<a href="#"><u>Housing Phoenix</u></a> :	Background Item No. 13.
<a href="#"><u>Zero Waste PHX</u></a> :	Background Item No. 14.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Surface and subsurface parking, accessory to the Phoenix Financial Center	C-2 H-R TOD-1 and P-2 H-R TOD-1
<b>East (Adjacent)</b>	Parking and office	C-1 HR TOD-1
<b>West (Adjacent)</b>	Phoenix Financial Center (office and retail)	C-2 H-R TOD-1
<b>North (Across Mitchell Dr.)</b>	Medical office, multifamily residences, single-family residences	R-4, R-5, and C-O
<b>South (Across Osborn Road)</b>	Parking, medical office, offices.	P-2, C-O H-R, and R-5

<b>Walkable Urban Code Transect 5:6 MT</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Site Plan Provisions</u></b>
Gross Acres	N/A	4.10 acres
Total Dwelling Units	No maximum	335 units
Density		81.71
Building Height	80 foot maximum	75 feet (Met)
Parking Structure Height	Less than building height	Not depicted
<b><i>Building Setbacks</i></b>		
Primary Frontage (Osborn Rd.)	12 foot maximum	Varies. 3 to 6 feet at ground level (Met)
Primary Frontage (Mitchell Dr.)	12 foot maximum	Varies. 1 to 4 feet at ground level (Met)
West	0 foot minimum	0 feet (Met)
East	0 foot minimum	0 feet (Met)
<b><i>Parking</i></b>		
<b>Parking Minimum</b> 1.0 space per unit of less than 600 square feet regardless of number of bedrooms; 1.3 spaces per efficiency unit; 1.5 spaces per 1 or 2 bedroom unit; and 2 spaces per 3 or more bedroom unit. 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.	<b>Proposed unit mix:</b> <ul style="list-style-type: none"> <li>1.3 spaces per 24 efficiency units = 32 spaces required</li> <li>1.5 spaces per 149 one bedroom units = 224 spaces</li> <li>1.5 spaces per 151 two bedroom units = 227 spaces</li> <li>2 spaces per 11 three bedroom units = 22 spaces.</li> </ul> <b>Base requirement: 504 spaces</b>	The by-right parking reduction in the WU Code for sites within 1,320 feet of a light rail station is 25 percent. 503 spaces x 0.75 adjusted requirement = 378 spaces.  455 spaces provided (Met)
Primary Frontage Setback (Osborn Rd.)	30 foot minimum or behind building	Behind building (Met)
Primary Frontage Setback (Mitchell Dr.)	30 foot minimum or behind building	Behind building (Met)
Rear (West)	0 foot minimum	N/A



Walkable Urban Code Transect 5:6 MT		
Standards	Requirements	Site Plan Provisions
Streetscape Standards		
Primary Frontage (Osborn Rd.)	Minimum sidewalk width of 5 feet and a minimum landscape depth of 5 feet	5 foot sidewalk, 5 foot landscape depth, 3 to 6 foot landscape area in front of building (Met)
Secondary Frontage (Mitchell Dr.)		5 foot sidewalk, 4 foot landscape width, 3 foot landscape area in front of building (Not met)
Lot Requirements		
Lot Coverage	80 percent maximum	98 percent (Not Met)
Primary Frontage (Osborn Rd.)	70 percent minimum	84 percent (Met)
• Frontage Types	All frontages	Storefront (Met)
• Entry Requirements	One per 50 feet of primary building frontage	Not depicted
Primary Frontage (Mitchell Dr.)	70 percent minimum	71 percent (Met)
• Frontage Types	All frontages	Storefront, Stoop and Doorwell (Met)
• Entry Requirements	One per 50 feet of primary building frontage	Not depicted
Private Open Space	Minimum 5 percent of gross	Not depicted
Glazing Requirements		
Primary Frontage (Osborn Rd.)		
• Ground Floor	For commercial frontage types, 75 percent minimum	Not depicted
• Second Floor	Minimum 25 percent, 10 percent East and West	Not depicted
• Upper Floors	N/A	Not depicted
Primary Frontage (Mitchell Dr.)		
• Ground Floor	For commercial frontage types, 75 percent minimum	Not depicted
• Second Floor	Minimum 25 percent, 10 percent East and West	Not depicted
• Upper Floors	N/A	N/A
*Site plan revision, variance, or administrative relief required.		

## **Background/Issues/Analysis**

### **SUBJECT SITE**

1. This request is to rezone 4.10-acres from 0.53-acres of C-2 H-R TOD-1 (Intermediate Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay One) and 3.57-acres of P-2 H-R TOD-1 (Parking, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay One) to WU Code T5:6 MT (Walkable Urban Code, Transect 5:6, Transit Midtown Character Area) for the purpose of multifamily residential. The site is located within the Encanto Village Core, the North Central Employment Center, and within 500 feet of a light rail station.

### **SURROUNDING LAND USES AND ZONING**

2. The subject site is utilized for surface and subsurface parking for the adjacent office tower and this use and configuration has remained unchanged since the 1960s. The subject site and all properties between Central Avenue and Third Avenue and between Osborn Road and Mitchell Drive, including the Phoenix Financial Center, were rezoned via Rezoning Case No. Z-20-80-4. The surrounding area includes a concentration of medical offices, general offices, multifamily developments, single-family homes, and surface parking lots.
3. To the immediate west of the subject site is the Phoenix Financial Center which was designed by W. A. Sarmiento, and it was constructed in 1964 by the Henry C. Beck Company with the south tower constructed to ten stories with an additional two matching low-rise buildings along Central Avenue. In 1969, an additional eight stories were added atop the original ten to bring the tower to its current height of 18 stories. The third phase of the original proposal for a second tower on the north side of the site did not come to fruition.

While the subject site was historically envisioned as a low-rise shopping center that would be master planned with the Phoenix Financial Center and constructed atop the subsurface parking structure, the original concept did not come to fruition. The subject site does not include the Phoenix Financial Center nor any of its vertical improvements. The proposal would construct multifamily residential atop the subsurface parking structure used by the Phoenix Financial Center complex and the parking arrangement would remain intact.

Photo of the Phoenix Financial Center complex, from Central Avenue. Source: Mid-Century Marvels.



Annotated Oblique Aerial Photograph (2022) depicting the subject site in relation to the Phoenix Financial Center complex. Source: Maricopa County.



To the south of the subject site across Osborn Road are the following uses, described from west to east: a surface parking lot zoned P-2 TOD-1 which allows a maximum height of 56 feet; a medical office building constructed to six stories and zoned C-O H-R TOD-1 (Commercial Office District – Restricted Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay One) which allows a maximum height of 250 feet; and several single-story office buildings zoned R-5 TOD-1 (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay One).

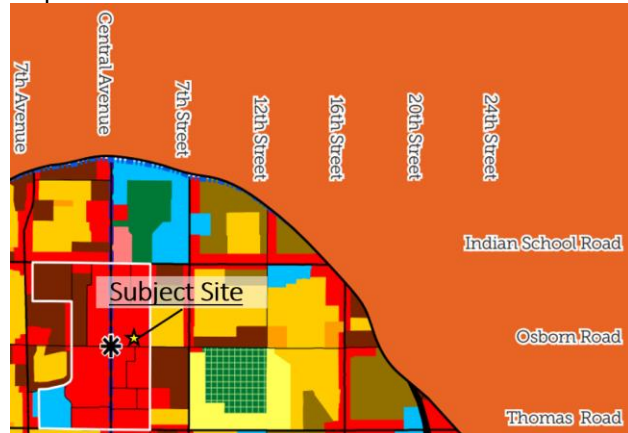
To the west of the Phoenix Financial Center (not a part of the subject site) across Central Avenue at the northwest corner of Osborn Road and Central Avenue is a pharmacy zoned C-2 that allows for a maximum height of four-stories and 56 feet due to its location within a Village Core. North of the pharmacy is a surface parking lot that was entitled through Rezoning Case No. Z-39-13 (The Broadstone Central PUD) which allows a maximum height of 250 feet for the purpose of commercial, office and multifamily residential development.

#### GENERAL PLAN LAND USE MAP

4. The General Plan Land Use Map depicts a designation of Commercial. A designation of Commercial allows multifamily and therefore, the request for multifamily is consistent with the designation. In all directions, all properties share the Commercial General Plan Land Use Map designation for a significant distance.

5. The subject site is within the Encanto Village Core. Since 1979, the village cores were envisioned for the greatest intensity and this concept remains central to the Connected Oasis Vision contained in the 2015 Phoenix General Plan. The proposal for high-intensity housing in a walkable urban format complements the vision for the Encanto Village Core and, more broadly, the Transit Oriented Development Midtown District.

Primary Core, Encanto Village Core, General Plan Land Use Map; Source: Planning and Development Department

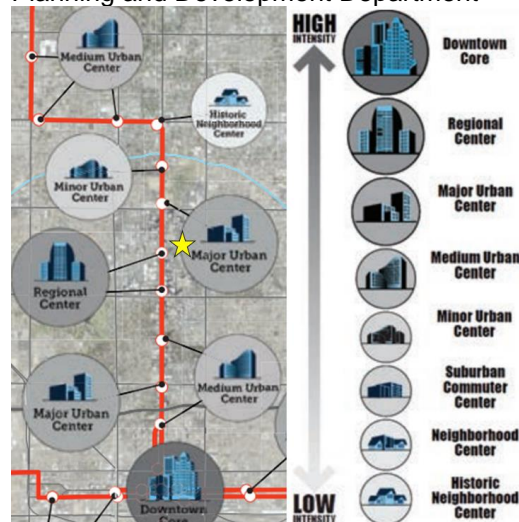


6. **Transit Oriented Development Strategic Policy Framework:**

The Transit Oriented Development Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments. The subject site is located within mere steps of the light rail station located at Osborn Road which is identified as a Regional Urban Center Place Type.

The Regional Urban Center Place Type is characterized by high intensity with building heights typically from five to 10 stories with incentive heights of up to 20 stories. Land uses may include office employment, industry cluster, high and mid rise residential, and supportive retail and commercial uses. The proposal for seven stories is consistent with the intensity envisioned by the Regional Urban Center Place Type.

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



7. **Midtown TOD Policy Plan:**

The site is located within the Midtown TOD Policy Plan Area which is bound by 7th Avenue on the west, 7th Street on the east, McDowell Road on the south, and

Indian School Road on the north. The policy plan for the Midtown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner.

Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

The Midtown TOD District Plan projects a shortfall of 17,520 housing units by 2035 and articulates a goal for more housing and employment in proximity to high-capacity transit. The proposed project will produce 335 housing units within the Encanto Village Core, the North Central Employment Center, and within proximity to light rail.

The subject site is identified on the Conceptual Zoning Map as Transect 6:22. A 6:22 Transect would allow a maximum height of 250 feet which is consistent with the site's current High Rise Incentive District Zoning and the maximum intensity allowed by the Regional Urban Center Place Type.

While the applicant's request for T5:6 is less intense than T6:22 as identified in the TOD Plan, staff supports the request for the following reasons:

- While a height of 250 feet would place more people near light rail, a building of that height at this location would likely detract from the significance of the Phoenix Financial Center.
- The existing sub-terranean parking garage is limited in how much additional load it can carry. In their application documents, the applicant states that "while the existing garage structure is robust and well-constructed, there are nevertheless limitations of constructing a building above an existing parking garage utilizing the existing structural system (which has been evaluated by a licensed structural engineer). Therefore, the project is maximizing the development potential of the site to the extent possible given the constraints

Midtown TOD District Plan, Conceptual Zoning Plan;  
Source: Planning and Development Department





of the garage's structural system." If the site were fully redeveloped, additional height and intensity would likely be possible.

8. **Encanto Village Character Plan:**

The Encanto Village Character Plan was approved and adopted into the Phoenix General Plan through General Plan Amendment GPA-1-19. The project advances the following items identified in the Encanto Village Character Plan by locating new multifamily units within the Encanto Village Core, within steps of light rail, and in a form that will create walkable and pedestrian oriented streetscapes that more comfortably convey individuals to and from the light rail.

- Land Use Principle: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.
- Design Principle: Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent existing housing. Create landscape buffers and other amenities to link new and existing development.
- Land Use Principle: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.

PROPOSAL

9. **Site Plan**

The applicant is proposing 335 dwelling units in a seven-story configuration with two points of vehicular ingress and egress from Osborn Road and another two points from Mitchell Drive. The double points of ingress and egress are necessitated by the proposed reuse of the existing subterranean parking structure which will continue to serve the Phoenix Financial Center complex in addition to the additional 335 dwelling units proposed on the site. The remaining parking is managed by wrapping a two-story parking podium with units and amenities while additional parking is configured as elevated surface parking on the approximate eastern half of the subject site.

*View Massing in Context; Source: Davis Partnership Architects*



The conceptual site plan depicts an 11-foot wide pedestrian paseo near the western property line that will run beneath the building structure that appears to bisect the site north-south. This design element both honors and advance the quasi-public parklike feel of the central green on the adjacent Phoenix Financial Center site by breaking up the superblock and by inviting the public to and through the site.

Regarding the proposed intensity, the applicant states in their narrative that “after detailed examination of the existing columns and maximum allowable loads, the proposed project was designed to maximize the development potential on the site. Therefore, a maximum building height of 80 feet developed with seven stories, the project will be able to maximize the development potential on the property which is limited by the existing structure.

Regarding the interplay between the proposed development and the Phoenix Financial Center, the applicant states that “one advantage to this proposal’s modest height is that, at a maximum height of eighty (80) feet, views to and from the Phoenix Financial Center will be preserved and (sic) therefore the views of this unique structure will not be substantially impacted by the proposed Project.”

10. Conceptual Building Elevations

The applicant is proposing a seven-story residential development with both a two level subterranean parking structure and a two-story above ground parking podium that will be wrapped with buildings along both Osborn Road and Mitchell Drive.

The conceptual building elevations depict a maximum height of 75 feet with building materials including metal panels, multiple colors of stucco, color pattern walls, storefront glazing, and multiple frontage types to activate the ground level sidewalks.

*Rendering of South Elevation Along Osborn Road; Source: Davis Partnership Architects*



## STUDIES AND POLICIES

### 11. Tree and Shade Master Plan:

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

The development aligns with the Tree and Shade Master Plan in two ways. First, the Walkable Urban Code requires that all public sidewalks be shaded to a minimum of 75 percent at maturity. Second, due to the convergence of features exacerbating the urban heat island effect and the need to convey residents along Osborn Road to/from the nearby light rail station and throughout the Encanto Village Core, staff is recommending Stipulation No. 1 to require an enhanced streetscape along Osborn Road.

### 12. Complete Streets Guidelines:

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

The Walkable Urban Code is designed to facilitate pedestrian, bicycle, and transit-oriented development and includes provisions to advance the goals of the policy guide. Further, as required by Stipulation No. 2, staff is recommending that all required residential bicycle parking be in secure facilities, such as bike lockers or a bicycle room, and that a bicycle repair stand (fix-it station) be provided near bicycle parking areas.

### 13. Housing Phoenix:

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. 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 or underutilized land in a more sustainable fashion.



14. **Zero Waste Phoenix PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY CORRESPONDENCE

15. As of the writing of this report, one letter of community correspondence has been received by staff in opposition to the request based on its height and its multifamily use.

INTERDEPARTMENTAL COMMENTS

16. The Fire Department commented that the site plan must comply with the Phoenix Fire Code, indicated there are no problems anticipated with the case, and advised that the water supply at this site is not presently known and that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
17. The Street Transportation Department provided a series of comments and stipulations pertaining to the need for sidewalk easements and the applicable streetscape standards contained in the Street Classification Map and the Zoning Ordinance for the Transit Midtown Character Areas Standards. The Transit Midtown Character Areas Standards are required by the Walkable Urban Code and therefore no stipulations are proposed.

To apply broadly to the development of the site, staff is recommending Stipulation Nos. 3 and 4 to require first, that any streetscape improvements that occur outside of dedicated right-of-way be located within a sidewalk easement and, second, that any improvements within the right-of-way or sidewalk easement comply with ADA accessibility standards.

18. The Office of Heat Response and Mitigation commented on the importance of an exceptional streetscape environment along Osborn Road due to its prominent location and the importance of trees and shade to support walkability and to increase thermal comfort. Further, in collaboration with the Office of Heat Response and Mitigation, staff is recommending enhanced streetscape standards along Osborn Road to adhere to the cross section contained in the Street Classification Map, to mitigate the urban heat island, while also further buffering the

public sidewalk from vehicle travel lanes.

19. The Historic Preservation Division of the Planning and Development Department expressed concerns over the potential impact of the project on the adjacent Phoenix Financial Center which currently has no historic protections. The Phoenix Financial Center is identified in the Midtown TOD Plan as historic, is referred to as a “notable mid-century masterpiece” and that “buildings such as the Phoenix Financial Center capture the bold spirit of the era.” The Division further recommends that the approval of the request be subject to a stipulation or agreement to protect the Phoenix Financial Center in a manner such as:
  - Expanding the rezoning request to include the Phoenix Financial Center and adding HP (Historic Preservation) or HP-L (Historic Preservation – Landmark) Zoning to said property, which is not currently within the request.
  - Requiring the applicant to consent to allowing the Historic Preservation Commission to initiating a separate HP or HP-L zoning application after the approval of the request currently at hand.
  - Requiring a conservation easement be recorded on the Phoenix Financial Center site.

Due to the Phoenix Financial Center being outside of the current rezoning request and under separate ownership, the proposed conditions and stipulations would be outside of what would normally be stipulated. As such, staff strongly encourages the preservation of the Phoenix Financial Center but does not recommend the above be stipulated.

#### OTHER

20. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 8.
21. The Aviation Department requires the existence and operational characteristics of Phoenix Sky Harbor Airport be disclosed to tenants and buyers, an aviation agreement be recorded, and that a no-hazard determination be obtained from the FAA. These are addressed in Stipulation Nos. 5 through 7.
22. 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.

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

### **Findings**

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal, as stipulated, will create a strong pedestrian environment along both Osborn Road and Mitchell Drive with shaded and detached sidewalks to convey residents safely and comfortably within the Encanto Primary Core and to the Osborn Road Light Rail Station.
3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

### **Stipulations**

1. The developer shall construct a minimum 5-foot-wide detached sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk along the north side of Osborn Road planted to the following standards. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
  - a. All trees shall be of a large canopy, shade, and single-trunk variety with a minimum 3-inch caliper.
  - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
  - c. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
2. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d

of the Phoenix Zoning Ordinance, shall be secured parking.

- b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
  - c. A bicycle repair station ("fix it station") shall be provided and maintained by the developer near secure bicycle parking area.
3. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development 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. Developer to record a Notice to Prospective Purchasers of Proximity to Airport, as required by the State, prior to final site plan approval.
6. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
7. The developer shall grant and record an aviation 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.
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 County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Staff Report: Z-26-22-4

July 27, 2022

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**Writer**

Nick Klimek

July 27, 2022

**Team Leader**

Racelle Escolar

**Exhibits**

Zoning sketch map

Aerial sketch map

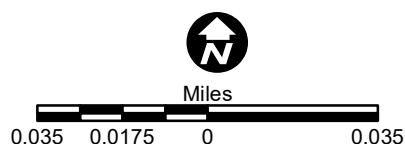
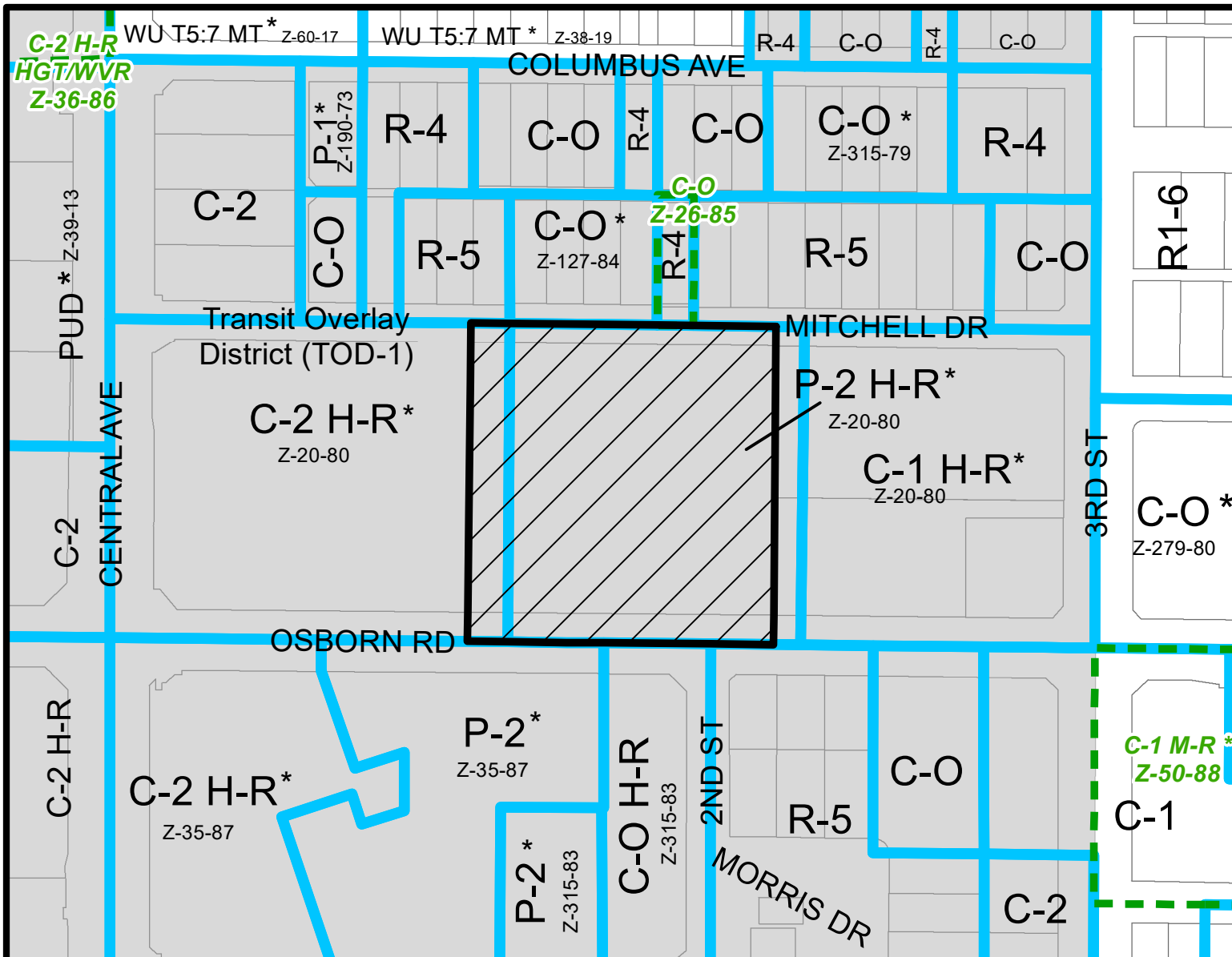
Conceptual Site Plan date stamped March 30, 2022 (2 pages)

Conceptual Building Elevations date stamped March 30, 2022

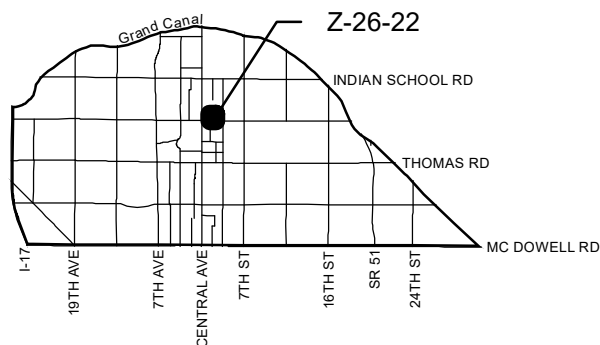
Conceptual Building Renderings date stamped March 30, 2022 (5 pages)

North Central Employment Center Profile (2 pages)

Community Correspondence (1 page)



**ENCANTO VILLAGE**  
CITY COUNCIL DISTRICT: 4



APPLICANT'S NAME: Mill Creek Residential

APPLICATION NO. Z-26-22

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

4.10 Acres

DATE: 4/28/2022  
REVISION DATES:

AERIAL PHOTO &  
QUARTER SEC. NO.

QS 16-28

ZONING MAP

H-8

REQUESTED CHANGE:

FROM: P-2 H-R TOD-1 ( 3.57 a.c.)  
C-2 H-R TOD-1 ( 0.53 a.c.)

TO: WU Code T5:6 MT ( 4.10 a.c.)

MULTIPLES PERMITTED

P-2 H-R TOD-1, C-2 H-R TOD-1  
WU Code T5:6 MT

CONVENTIONAL OPTION

518, 77

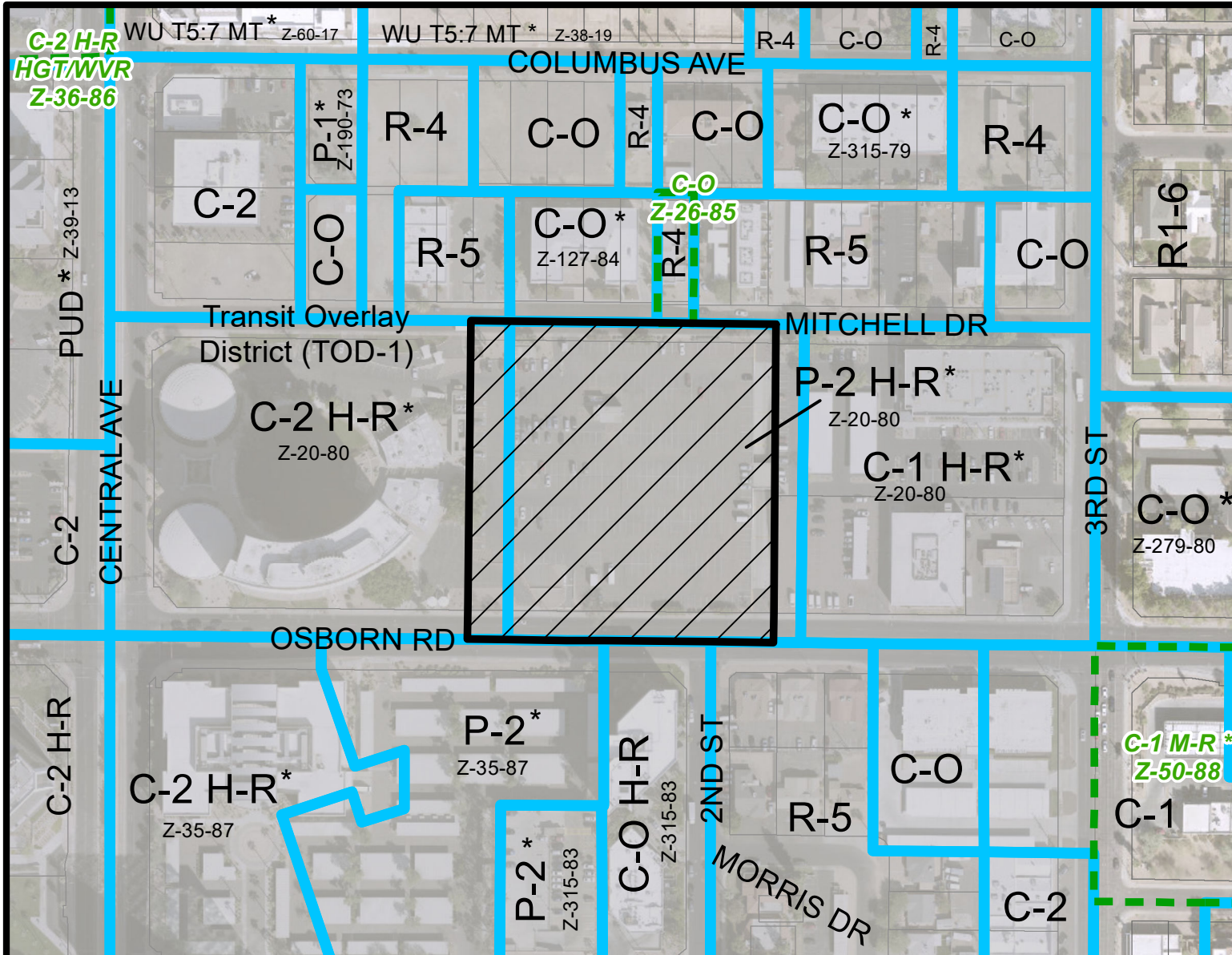
No Maximum

\* UNITS P.R.D. OPTION

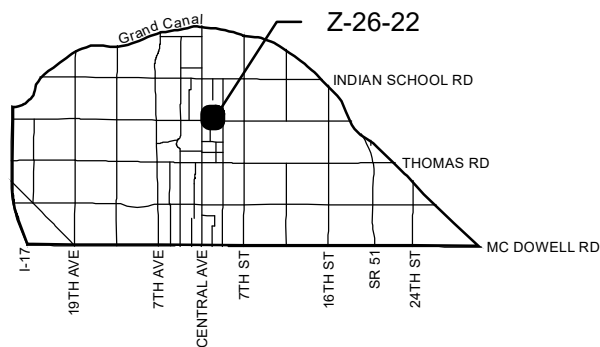
N/A, 9

N/A

\* Maximum Units Allowed with P.R.D. Bonus



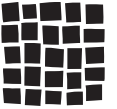
**ENCANTO VILLAGE**  
CITY COUNCIL DISTRICT: 4



<b>APPLICANT'S NAME:</b> Mill Creek Residential		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-26-22	<b>DATE:</b> 4/28/2022 <b>REVISION DATES:</b>	<b>FROM:</b> P-2 H-R TOD-1 ( 3.57 a.c.) C-2 H-R TOD-1 ( 0.53 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 4.10 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 16-28	<b>ZONING MAP</b> H-8	<b>TO:</b> WU Code T5:6 MT ( 4.10 a.c.)
<b>MULTIPLES PERMITTED</b> P-2 H-R TOD-1, C-2 H-R TOD-1 WU Code T5:6 MT	<b>CONVENTIONAL OPTION</b> 518, 77 No Maximum		<b>* UNITS P.R.D. OPTION</b> N/A, 9 N/A

\* Maximum Units Allowed with P.R.D. Bonus





**DAVIS**  
PARTNERSHIP  
ARCHITECTS

2901 Blake Street, Suite 100  
Denver, CO 80205  
303.961.8555

Consultant(s)

Stamp



Issuance Date

REZONING 2022.03.25  
SUBMITTAL

Revisions Date No.

CITY OF PHOENIX

940 S 4<sup>TH</sup> ST  
Planning & Development  
Department

Project Information

**Modera Midtown at Punchcard**  
OSBORN RD. AND CENTRAL AVE.  
PHOENIX, AZ 85012

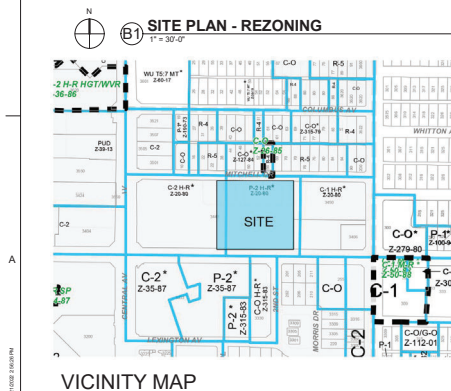
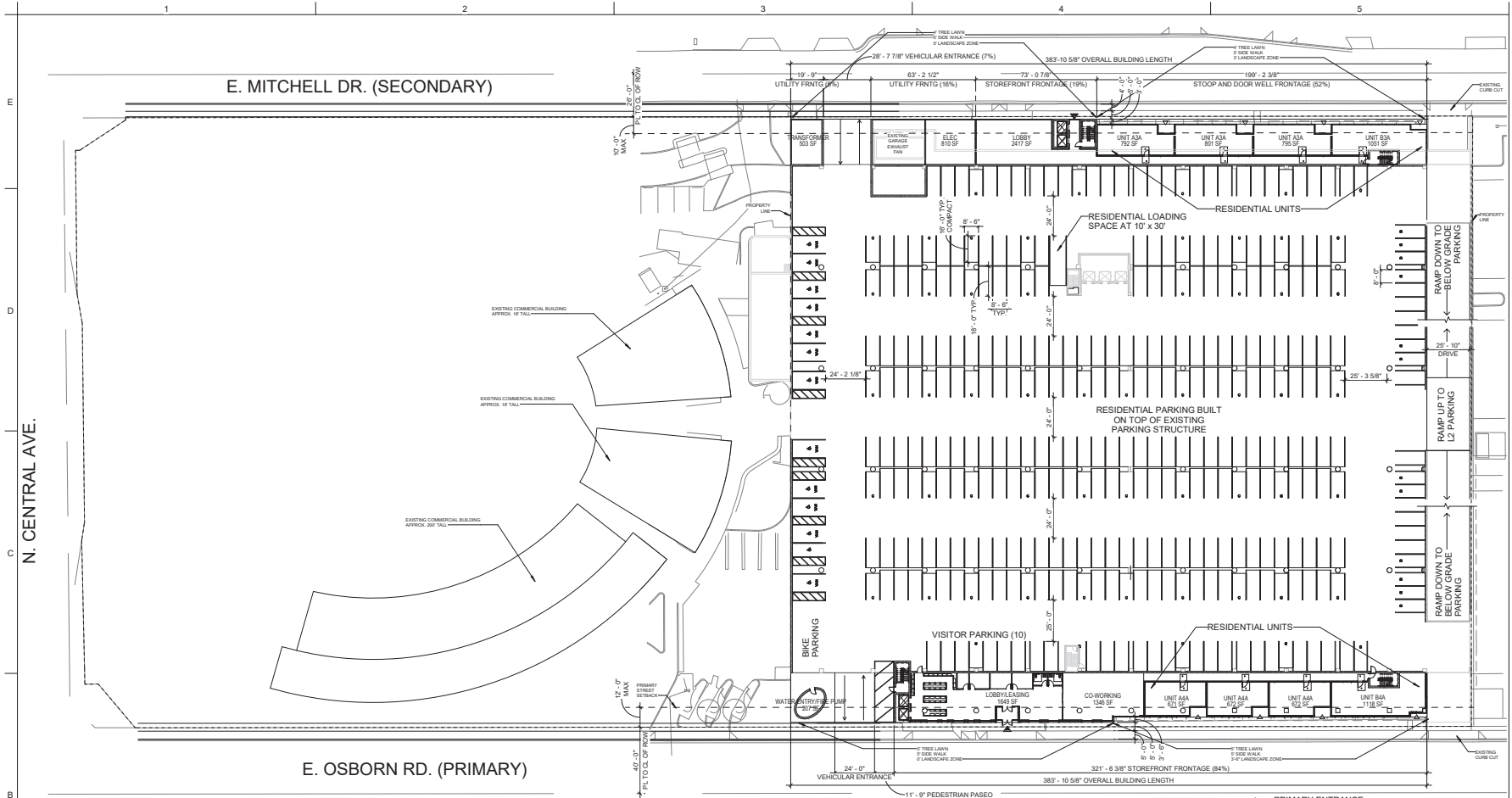
Sheet Information

Sheet Title:  
**CONCEPTUAL SITE PLAN**

Sheet Number:

**A-100**

DPA Project: 21165.00.000



**PROJECT NAME AND ADDRESS:**  
MODERA MIDTOWN AT PUNCHCARD  
OSBORN RD. AND CENTRAL AVE.  
PHOENIX, AZ  
APN: 118-33-137F

**PROJECT OWNER:**  
MILL CREEK RESIDENTIAL  
15210 N. SCOTTSDALE ROAD, SUITE 210  
SCOTTSDALE, AZ 85254

**GENERAL ZONING ANALYSIS:**

**LOT SIZE:**

151,273 SF (3.47 ACRES)

**GROSS BUILDING FOOTPRINT AREA:**

TOTAL BUILDING - 145,045 SF

**L1 PARKING DECK - 129,739 SF**

**TOTAL GROSS SQUARE FOOTAGE:**

RESIDENTIAL: 392,876 SF (308,268 SF RENTABLE)

PARKING: 184,763 SF (129,739 AT GRADE; 55,024 AT 2ND LEVEL DECK)

**ZONING & USE:**

PROPOSED RE-ZONING FROM R-5/R1-6 TO WU T5.6 - MIDTOWN

MULTI-FAMILY RESIDENTIAL

**LOT COVERAGE:**

PROPOSED: 98%

**BUILDING HEIGHT:**

PROPOSED: 74' 7 STORIES

**LANDSCAPE - TO BE PROVIDED:**  
SEE LANDSCAPE PLAN

**SETBACKS:**

PRIMARY (E. OSBORN RD.): 12' MAX ALLOWED.

3' TO 6' PROVIDED AT GROUND LEVEL

2' PROVIDED AT UPPER LEVELS

SECONDARY (E. MITCHELL DR.): 10' MAX ALLOWED.

1' TO 4' PROVIDED AT GROUND LEVEL

0' PROVIDED AT UPPER LEVELS

**PARKING STANDARDS:**

RESIDENTIAL: 10% REDUCTION ALLOWED FOR PROXIMITY TO LIGHT RAIL

EFFICIENCY UNITS = 1.3 SPACES/UNIT

1-BED UNITS = 1.5 SPACES/UNIT

2-BED UNITS = 1.5 SPACES/UNIT

3-BED UNITS = 2 SPACES/UNIT

50% SPACES REQUIRED, WITH 10% REDUCTION = 455 SPACES REQUIRED TOTAL

**TOTAL RESIDENTIAL PARKING PROVIDED: 455 SPACES**

GROUND LEVEL 1: SPACES: 310

LEVEL 2: SPACES: 145

(1.45 SPACES/UNIT)

**TOTAL NON-RESIDENT PARKING PROVIDED: 10 SPACES**

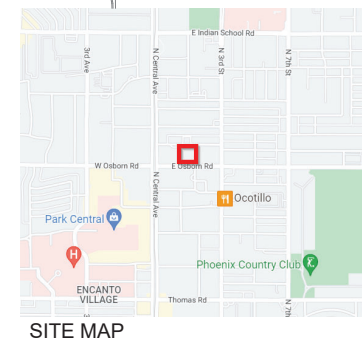
RESIDENTIAL:

PROPOSED: 335 UNITS

**BICYCLE PARKING:**

REQUIRED: 50 SPACES MAX. OR .25/UNIT

PROVIDED: 50 SPACES







**A 1** SOUTH ELEVATION  
1"=20'



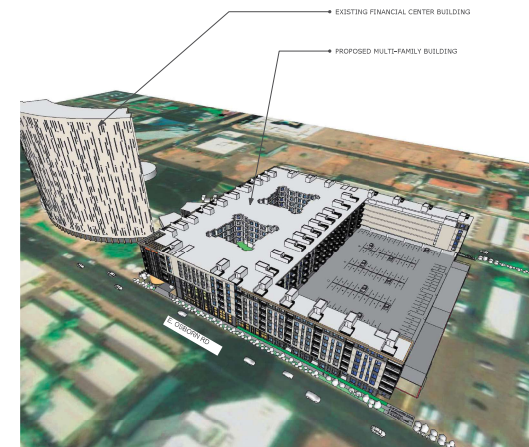
**A 2** EAST ELEVATION  
1"=20'



**A 3** WEST ELEVATION  
1"=20'



**A 4** NORTH ELEVATION  
1"=20'



View of Massing in Context



RENDERING OF SOUTH ELEVATION ALONG E. OSBORN RD



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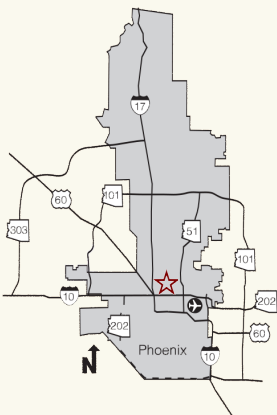


# City of Phoenix Employment Center Profile

## NORTH CENTRAL

The North Central employment center offers an exceptional location in one of the city's premier office corridors.

This employment center extends from McDowell Road north to Camelback Road between Seventh Street and Seventh Avenue. The North Central area includes high-rise office and residential buildings surrounded by historic single family neighborhoods, parks and cultural amenities.



### Labor Force Accessibility and Skills

The North Central employment center offers excellent access to a large portion of the metro area's 1.7 million workers. Approximately 770,000 young, well-educated workers reside within a 30 minute drive time.<sup>1</sup> High concentrations of service and health care workers live within 10 to 20 minutes. In addition, about 16 percent of the workforce living within a 20 minute drive time is made up of executives, managers and technical professionals.<sup>2</sup>

Projected growth for this area will result in close to 170,000 new residents within a 30 minute drive time by 2020, providing a continually expanding labor pool.<sup>3</sup>

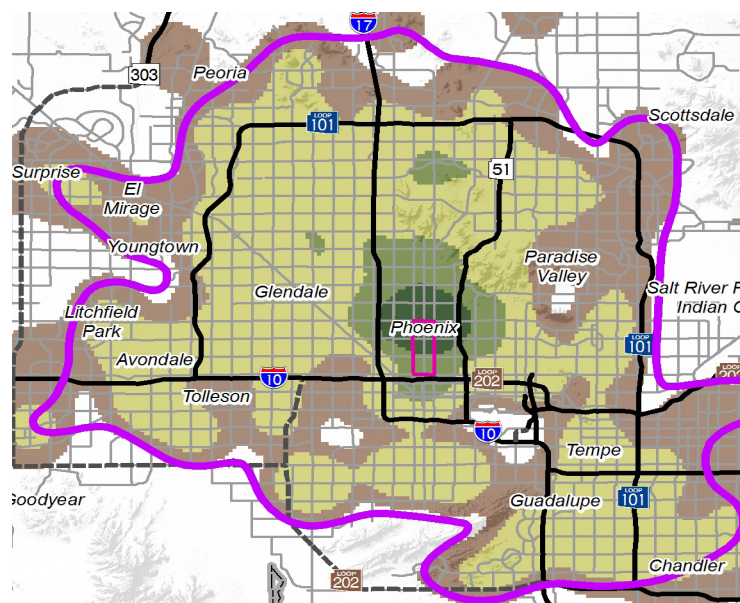
1, 2, 3 Claritas, 2015.

### Employment by Occupation

Workforce	10 Min. Drive		20 Min. Drive		30 Min. Drive	
	Number	%	Number	%	Number	%
Management	7,416	7	57,595	8	131,498	9
Engineering & Science	2,224	2	16,777	2	36,046	3
Healthcare & Education	11,089	10	82,493	11	170,387	12
Service	16,173	15	109,119	15	195,911	14
Sales	10,112	9	81,075	11	167,369	12
Clerical & Admin. Support	15,143	14	117,524	16	219,346	16
Construction	8,978	8	48,001	6	71,611	5
Production	6,210	6	39,874	5	64,441	5
Trans./Material Mover	6,373	6	46,614	6	76,283	5
<b>Total</b>	<b>83,718</b>		<b>599,072</b>		<b>1,132,892</b>	

Source: Claritas, 2015.

### Commute Shed



Commuters who travel to Employment Corridor per Square Mile

- 4 to 10
- 10 to 25
- 25 to 50
- More than 50
- Phoenix North Central Job Center
- Phoenix North Central Job Center Catchment Area

Source: Maricopa Association of Governments, TRP Reduction Database, 2013

- Access to a large executive and professional workforce
- Advanced telecommunications infrastructure
- Large inventory of office space
- Competitive lease rates
- Superior accessibility to key business and financial services

Equal Opportunity Employer/Program. Auxiliary Aids and services are available upon request to individuals with disabilities. Products and services made available through Federal Funding provided by the Workforce Investment Act.

## Sites and Buildings

The North Central employment center offers a **large inventory of office and commercial space** mixed with a variety of hotel and residential developments. From high-rise office buildings and condominiums to palm tree-lined streets of historic single-family neighborhoods, diversity enhances the appeal of this conveniently located area.

The area has about **14.5 million square feet of existing office space** in close proximity to downtown. For companies that require build-to-suit space, there are prime commercial high-rise parcels available.<sup>4</sup>

The map to the right highlights the type of community real estate in the North Central area. Our team can provide more detail, custom information based on your requirements.

4 CoStar Realty Information Inc., 2015

## Connectivity

The North Central employment center features modern, **reliable telecommunications infrastructure** that is supported by multiple providers. These providers are able to offer specialized capabilities such as complete digital infrastructure, T-1 (DS1) lines, T-3 (DS3) lines, self-healing fiber ring architecture and high-speed data communications. Local exchange carriers with service in the North Central area include CenturyLink and Cox Communications.

## Infrastructure

**Abundant and reliable power sources** are available from a highly advanced network system that provides redundant feeds from multiple sub-stations.

The North Central employment center enjoys easy access to a **modern network of urban freeways and arterial streets**. This employment center has excellent transit service and is located along the **METRO light rail** transit line that connects the area to downtown Phoenix, Phoenix Sky Harbor International Airport and surrounding cities.

For businesses that require convenient air access, **Phoenix Sky Harbor International Airport** is located just 15 minutes away. The airport is one of the busiest in the U.S. based on passenger traffic and offers more than **830 daily non-stop flights** to nearly 80 domestic destinations and 13 international destinations.<sup>5</sup>

5 Phoenix Sky Harbor International Airport, 2015.

## Existing and Planned Development

- 1. Century Link Tower**  
586,403 sq. ft.  
Office
- 2. Viad Tower Phase II**  
478,488 sq. ft.  
Office - Proposed
- 3. Phoenix Corporate Tower**  
445,811 sq. ft.  
Office
- 4. Phoenix Plaza Tower II**  
419,453 sq. ft.  
Office
- 5. Phoenix Plaza Tower I**  
418,613 sq. ft.  
Office
- 6. Younan Central Plaza**  
405,693  
Office
- 7. 2800 Tower**  
364,533 sq. ft.  
Office
- 8. 3550 Tower**  
287,269 sq. ft.  
Office
- 9. Park Central - Bldg 7**  
224,953 sq. ft.  
Office
- 10. Security Title Plaza**  
219,032 sq. ft.  
Office

Source: CoStar Realty Information Inc., 2015



## Amenities and Attractions

The exciting **Phoenix Arts District** includes the Phoenix Art Museum and Theater, the Playhouse on the Park and the internationally renowned Heard Museum of Native American Art. Steele Indian School Park, located at the northeast corner of Central Avenue and Indian School Road, features an expansive 15-acre entry garden, several historical buildings depicting the history of Phoenix Indian School, an amphitheater with seating for 1,500, a 2.5-acre bird-shaped lake and waterfall and a 15-acre neighborhood park. Located in the heart of the North Central employment center, Park Central is a 500,000 square foot mixed-use redevelopment featuring offices, retail, restaurants and business-oriented hotels. In addition, there are a number of **new luxury apartment developments** in the area that provide a variety of housing options for workers and support continued office and retail development.

### Major Area Employers

**CenturyLink**  
Telecommunications  
**Deloitte LLP**  
Accounting and Management Consulting  
**Fennemore Craig**  
Law Firm  
**SCF Arizona**  
Direct Property and Casualty Insurance - HQ  
**Viad Corporation**  
Business Services - HQ

**PricewaterhouseCoopers**  
Accounting and Management Consulting  
**Dignity Health**  
Hospital Administration  
**IBM Corporation**  
Administrative Operations  
**U-Haul International**  
Leasing Services - Corp. HQ  
**Xerox Corporation**  
Copiers and Office Products  
**BMO Harris Bank**  
Banking and Financial Services

Source: Maricopa Association of Governments, 2013



City of Phoenix  
Community and Economic Development Department  
200 W. Washington St., 20th Floor | Phoenix, AZ 85003  
www.phoenix.gov/econdev | 602-262-5040



**From:** [lesleybush](mailto:lesleybush)  
**To:** [nwood@swlaw.com](mailto:nwood@swlaw.com)  
**Cc:** [Nick Klimek](#)  
**Subject:** Rezoning app Z-26-22 at 3443 N Central by Mill Creek Residential  
**Date:** Friday, May 6, 2022 3:45:42 PM  
**Attachments:** [GJPP7SK5ZBGHRKOLVRG3MTRCSM.webp](#)

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Dear Mr. Wood,

Thank you for your letter of April 13th regarding the rezoning app of parcel number 118-33-137F by Mill Creek Residential. I would like to share my opinions on the proposed development.

The project overview states 7 stories and a maximum height of 80 feet - but with the roof-top deck, the building will be 8 stories, and the elevation drawings show the height as 83 feet. I think the building exceeds the limit on stories and will be too high. It would be better at 6 stories. The site to be occupied is too massive - stretching from Osborn Rd to Mitchell Drive. And building on top of existing underground parking may be unsafe - I attached a picture from the news of an apartment complex parking deck which collapsed above a sub level garage in Cleveland on May 3rd 2022. There are so many new apartment buildings in this area, I don't think we need another. I would rather see a quality condominium building or quality town houses with a smaller footprint where people can purchase a home and stay for several years instead of another apartment building with a transient population. I am not in favour of the proposed development.

Also, I don't know who to address this to, but the "punchcard" building of the Phoenix Financial Center has numerous cracks on the south facade. I attached a picture. (You have to zoom in to see the cracks - mainly on the top right quadrant.)

Thank you for your time.

Sincerely,  
Lesley Bush

Sent from my Samsung Galaxy Tab®|PRO



