

Attachment E

REPORT OF PLANNING COMMISSION ACTION September 5, 2019

ITEM NO: 8	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-38-19-4
Location:	Approximately 280 feet east of the northeast corner of Central Avenue and Columbus Avenue
From:	R-4 TOD-1, R-5 TOD-1
To:	WU Code T5:7 MT
Acreage:	3.93
Proposal:	Multifamily housing
Applicant:	City of Phoenix Planning Commission
Owner:	City of Phoenix Housing Department
Representative:	City of Phoenix, CED

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Camelback East 8/5/2019 Approval, per the staff recommendation and an additional stipulation. Vote: 10-1.

Planning Commission Recommendation: Approval, per the staff memo dated September 5, 2019.

Motion Discussion: Commissioner Shank made a MOTION to approve Z-38-19-4, per the staff memo dated September 5, 2019.

Commissioner Mangum seconded the motion.

Commissioner Howard asked staff what the official policy is for the Village Planning Committee asking for stipulations allowing them discretion over the site plan and elevations before being reviewed by someone else.

Ms. Escolar responded that in general there is no official policy, but if that is something the Village has requested it is just a review and comment and they do not have to provide any type of recommendation. The applicant is just going back to the Village to provide additional information on what is being proposed on this specific site. For this site there is not a development proposed. The Community and Economic Development Department will be working on a procurement process, an RFP (Request for Proposal) and once a developer is chosen they will present that project to the Village.

Commissioner Howard clarified that it is not an approval, but a notice requirement and voiced a concern that it sets a precedent when Villages can supplant the judgement of the city planners with their own.

Commissioner Glenn questioned if it is put out for an RFP and pursued LIHTC (Low Income Housing Tax Credits) then is this an extra hurdle that could sink a potential LIHTC application.

Ms. Cindy Stotler, City of Phoenix Housing Director, responded that the Housing Department does own this property and is working on the RFP with the Community and Economic Development Department. We are hoping to not have a low-income housing tax credit project on this site simply because of this size. Usually a low-income housing tax project is a maximum of 75 to 100 units. We are looking for a couple hundred to 300 units. The proposal is for 75 project-based vouchers, and we are trying to get a mix of affordable and workforce housing. We really want a market rate developer to come in on a larger scale development.

Commissioner Glenn stated that it might be something that should be tracked if we are looking for LIHTC applications on other projects. The stipulation could impact a potential applicant's ability to access that program.

Ms. Stotler responded that Commissioner Glenn was correct, because of such a tight timeline to get that application, and get it approved with Housing and the Planning and Development Department with the city, that would be a difficult thing to do.

Mr. Bednarek added to Commissioner Howard's comment about the added stipulation. The only time we see that stipulation is if there are no site plans and elevations associated with the request. One of the requirements to proceed through the rezoning process is that you have site plans and elevations. In some instances, the project is just not there yet, and it is sort of a tradeoff to let the applicant have the entitlements and come back once a developer is in place and they know what the site is going to look like. We have found that collaboration between the Village Planning Committees and the developer is a good compromise, so they can go forward and get the site entitled.

Motion details: Commissioner Shank made a MOTION to approve Z-38-19-4, per the staff memo dated September 5, 2019.

Maker: Shank
Second: Mangum
Vote: 8-0
Absent: Gaynor
Opposition Present: No

Findings:

1. The proposal is consistent with the Midtown TOD master plan's vision for affordable housing on the subject site.
2. The proposal provides a new housing option to contribute to the mix of housing types in the area and addresses the Midtown TOD Policy Plan's goals for more housing in the district.
3. As stipulated, the pedestrian pathways will contribute to the walkability and connectivity in the area.

Stipulations:

1. A minimum 10-foot wide open space area shall be provided along the western property line, as approved by the Planning and Development Department.
2. The development shall provide a shaded pedestrian accessway through the center of the site from east to west connecting to the open space area along the western property line, as approved by Planning and Development Department.
3. The development shall provide a minimum of one shaded pedestrian accessway across the site from north to south, as approved by the Planning and Development Department. This shall be separate and distinct from any pedestrian accessway located in the open space area in Stipulation No. 1.
4. Bicycle parking shall be provided as follows:
 - 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 spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
5. The developer shall record a Notice to Prospective Purchasers of proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
7. THE SITE PLAN AND ELEVATIONS SHALL BE REVIEWED BY THE ENCANTO VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO PRELIMINARY SITE PLAN APPROVAL ONCE A REQUEST FOR PROPOSAL (RFP) SUCCESSFUL PROPOSER IS SELECTED AS PART OF THE REQUEST FOR PROPOSALS.

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