

Attachment B



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-53-21-4
November 5, 2021

Alhambra [Village Planning Committee](#) November 16, 2021
Meeting Date:
[Planning Commission](#) Hearing Date: December 2, 2021
Request From: [R-5](#) (Multifamily Residence District) (0.31 acres)
Request To: [R-5](#) (Multifamily Residence District) (0.28 acres) and [A-1](#) (Light Industrial District) (0.03 acres)
Proposed Use: Multifamily residential and billboard
Location: Approximately 300 feet south of the southwest corner of I-17 and Campbell Avenue
Owner: Rene Sanchez Meza
Applicant / Representative: Withey Morris, PLC, Jason Morris
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 15+ dwelling units per acre	
Street Map Classification	Black Canyon Freeway Frontage Road	ADOT Frontage Road	Approximately 20-foot full street (one way)
<p>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: All housing should be developed and constructed in a quality manner.</p> <p>The development, as stipulated, will provide affordable housing with ample landscape buffers and enhanced construction techniques to mitigate noise from the nearby freeway.</p>			
<p>CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.</p> <p>The development, as stipulated, will include bicycle parking to facilitate bicycling as healthy and affordable mode of transportation and as a way of life for its residents. The site is located within one mile of Grand Canyon University, Cielito Park, and multiple schools which is a short bicycle ride away.</p>			

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 development, as stipulated, will feature enhanced perimeter landscaping including along the streetscape. The shade incorporated into the development will reduce the urban heat island effect and increase thermal comfort to make the area more walkable, bikeable, and sustainable.

Applicable Plans, Overlays, and Initiatives

[Alhambra Character Plan](#): Background Item No. 4.

[Black Canyon / Maricopa Freeway Specific Plan](#): Background Item No. 7.

[Housing Phoenix Plan](#): Background Item No. 8.

[Tree and Shade Master Plan](#): Background Item No. 9.

[Complete Streets Guidelines](#): Background Item No. 10.

[ZeroWaste Phoenix](#): Background Item No. 11.

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	R-5
West	Multifamily Residential	R-4
East	Black Canyon Freeway	R-5
North	Day Care	R-5
South	Vacant	R-5

R-5 (Multifamily Residence District) (Planned Residential Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed Site Plan</u>
Gross Acreage	-	0.31 acres
Maximum Units	16	12 (Met)
Maximum Density (dwelling units per acre)	45.68; 52.20 with bonus	38.71 (Met)
Maximum Lot Coverage	50 percent	33.2 percent (Met)
Maximum Building Height	4 stories or 48 feet	33 feet (Met)
Minimum Perimeter Setbacks		
Public Street (East)	20 feet	20 feet (Met)
North (R-5 zone)	10 feet adjacent to property line	North: 58 feet (Met)
South (R-5 zone)		South: 10 feet (Met)
West (R-5 zone)		West: 15 feet (Met)
Minimum Open Space	5 percent of gross area	Not depicted
Minimum Amenities Provided	Two required	Not depicted
Minimum Parking (spaces)	18 (1.5 per unit)	18 spaces (Met)

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 0.31-acres located approximately 300 feet south of the southwest corner of Interstate 17 and Campbell Avenue from R-5 (Multifamily Residence District) to 0.28-acres of R-5 and 0.03-acres of A-1 (Light Industrial District) to allow for multifamily residential and a billboard.

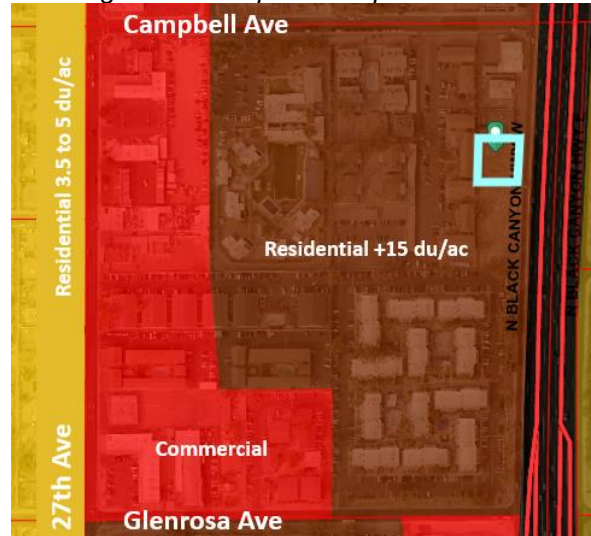
SURROUNDING LAND USES AND ZONING

2. The subject site has been vacant since 1986 and is zoned R-5. To the north of the subject site is a single-story structure operating as a daycare and is zoned R-5. While only developed as a single-story, the R-5 zoning permits a maximum height of four stories and 48 feet, subject to additional setbacks. To the south of the subject site is a vacant site and zoned R-5. To the west of the subject site is a multifamily residential development constructed to a height of two stories and 30 feet and zoned R-4 (Multifamily Residence District). The R-4 zoning permits a height of three stories or 40 feet, up to a maximum height of 48 feet and four stories with additional setbacks.

GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map depicts the subject site and all adjacent sites west of the Black Canyon Freeway as Residential +15 dwelling units per acre. The proposed use and density for the multifamily portion of the project is consistent with the General Plan Land Use Map designation. The off-premise sign proposed requires A-1 zoning which is not consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre but because the site is under 10 acres, a General Plan Amendment is not required.

General Plan Land Use Map Excerpt; Source: Planning and Development Department



To the east of the subject site is the Black Canyon Freeway which has a General Plan Land Use Map designation of Transportation.

4. Alhambra Character Plan

The Alhambra Character Plan was approved and adopted into the Phoenix General Plan through General Plan Amendment GPA-1-19. The proposal advances these concepts by redeveloping a long-vacant property in a manner compatible with the surround land uses and enhanced with trees for shade, environmental benefits, and buffering from the adjacent freeway.

- Land Use Principle: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.
- Land Use Principle: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas and where transit or transportation alternatives exist.
- Design Principle: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

PROPOSAL

- The conceptual site plan depicts a two and three-story affordable multifamily residential structures connected by a breezeway and an off-premise sign (billboard) oriented east-northeast. The multifamily residential structure is situated on the approximate south half of the site with vehicular parking on the approximate north half of the site. The off-premise sign is depicted on the approximate south half of the site and adjacent to the Black Canyon Freeway Frontage Road.

Conceptual Site Plan; Source: CIFUENTES >> STUDIO



To encourage that the site develops with affordable housing, staff is recommending Stipulation No. 1 which restricts development to a maximum of 30 feet in height unless long-term affordability requirements are met for at least 75 percent of the units. If the applicant meets the long-term affordability requirements contained in the stipulation, the site will be allowed a maximum height of 40 feet.

Due to the location adjacent to a freeway, staff is recommending a series of stipulations to promote high-quality design, vegetative buffers, and thermal comfort enhancements. Stipulation No. 3 requires enhanced building plans to certify that indoor noise levels not exceed 45-decibels and that building plans be certified by a qualified engineer to meet this enhanced standard. Stipulation No. 4 requires enhanced landscape plantings between the public right-of-way and the building and parking lot including shade trees to further mitigate noise, light, and thermal impacts. Stipulation No. 5 requires enhanced landscape plantings in the north, south, and west landscape setbacks with larger trees of a shade variety to soften the perimeter of the site in a manner that further mitigate noise, light, and thermal impacts.

6. The conceptual building elevations depict the two- and three-story buildings connected by a breezeway and both buildings include inset balconies to break-up the building mass.

The northern building is three stories in height with ground level carports and inset balconies on the third floor. The southern building is two stories with inset balconies on the second floor.

Conceptual Building Elevations, Top from northeast, Bottom from southwest; Source: CIFUENTES >> STUDIO



7. The off-premise sign requires A-1 zoning and the applicant is therefore requesting a narrow portion of the new site be zoned A-1 and that the remainder be zoned R-5. The applicable development standards for the R-5 multifamily residential portion are contained in Section 618 of the Phoenix Zoning Ordinance as detailed in the development standards table in this report. The applicable development standards for the off-premise sign are contained in [Section 705.2 \(Off-Premise Signs\)](#). Among other standards relevant to the proposed off-premise sign is a separation requirement from any residential zoning district; due to the proximity to nearby residential zones and the proposed multifamily zoning on the subject site, the applicant will be required to seek a variance once the rezoning is finalized to allow an off-premise sign.

To encourage that the site develops with affordable housing in addition to the off-premise sign, staff is recommending Stipulation No. 2 which requires that a minimum of one framing inspection on the multifamily structure be completed before a permit can be issued for the off-premise sign.

STUDIES AND POLICIES

8. [Black Canyon / Maricopa Freeway Specific Plan](#)

The Freeway Mitigation Program, created in the City of Phoenix by the 1988 approval of Proposition 17, authorized general obligation bonds to prepare plans and fund projects to mitigate the blighting effects on neighborhoods from existing and proposed freeway construction. The Black Canyon/ Maricopa Freeway Specific Plan study area is 32 miles long from Pinnacle Peak Road at I-17 in the north, to Pecos Road at I-10 in the south. Generally, the width of the study area is one-quarter mile on each side of the freeway.

The subject site is identified in Segment 10 with a land use designation of High Density Residential and the proposal for multifamily residential is consistent with that recommendation. The proposal advances Land Use Policy Nos. 3 and 4 (Page 11 in the Plan) by including multifamily at a compatible density and by including landscaping and enhanced construction measures for noise mitigation, respectively.

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 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 new affordable housing units to help address the supply shortage while also using vacant and underutilized land in a more sustainable fashion. As described earlier in the report, staff is recommending Stipulation No. 1 to require that 75 percent of units be maintained for long-term affordability to allow the applicant to reach a maximum height of 40; if the site is not affordable housing, height will be limited to 30 feet. The applicant is proposing that all 12 units be affordable.

10. [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. To advance the goals and intent of the Tree and Shade Master Plan, staff is recommending a series of stipulations to bring enhanced tree plantings to this proposed affordable housing community.

- Stipulation No. 4 requires the development adhere to C-2 Streetscape

Landscape Plantings with all trees being of a shade variety.

- Stipulation No. 5 requires enhanced tree plantings in the required landscape areas along the north, south, and west perimeters of the site with all trees being of a shade variety.

11. **Complete Streets Guidelines**

The City of Phoenix City Council adopted the Complete Streets Guiding Principles and these 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 applicant is proposing affordable housing and therefore staff is recommending a series of stipulations pertaining to active transportation which is an affordable and attainable transportation option.

- Stipulation No. 6 to require all right-of-way improvements determined by ADOT (Arizona Department of Transportation) including a sidewalk along the Black Canyon Freeway Frontage as applicable.
- Stipulation No. 7 to require a minimum of three inverted-U style bicycle racks (six spaces) located in a convenient and shaded location.

12. **ZeroWaste Phoenix**

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

13. As of the writing of this report, no community correspondence has been received.

INTERDEPARTMENTAL COMMENTS

14. The Fire Department commented that the site plan must comply with the Phoenix Fire Code and further indicated there are no problems anticipated with the case. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
15. The Street Transportation Department noted the subject site is served by the Black Canyon Freeway Frontage Road which is under the jurisdiction of ADOT.

To promote coordination with ADOT on required improvements including city desires such as ADA Accessibility and sidewalks, staff is recommending four stipulations as follows:

- Stipulation No. 6 to require right-of-way improvements such as sidewalks along the full length of the subject site, subject to approval by ADOT.
- Stipulation No. 8 to require all streets and right-of-way improvements be constructed with all required elements and comply with ADA accessibility standards.
- Stipulation No. 9 to require any new driveways or changes to existing driveways be reviewed and approved by ADOT.
- Stipulation No. 10 to require a Red Border Letter to initiate correspondence between the owner and ADOT regarding necessary coordination and acknowledgements pertaining to their proximity to the freeway.

16. The Public Transit Department commented on the need for a robust system of shaded pedestrian pathways with measures to delineate pedestrian crossings at drive-aisles. This is addressed within the standards the Phoenix Zoning Ordinance.

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 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. 11 through 13.
18. 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 Residential +15 dwelling units per acre.
2. As stipulated, the development will provide additional affordable housing units, which advances the purpose and intent of the Housing Phoenix Plan.
3. The proposal is appropriate at this location due to its compatibility with the surrounding land uses and the location adjacent to Interstate 17.

Stipulations

1. The maximum building height shall not exceed 30 feet. If the following conditions are met, the maximum height shall be 40 feet. 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.
2. One framing inspection for the primary building on the R-5 portion of the site shall be approved prior to the issuance of a permit for any off-premise signage.
3. 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.
4. The C-2 Streetscape Landscape Standards for planting type, size and quantity shall be used along the Black Canyon Highway Frontage Road with all trees being of a shade variety, as approved by the Planning and Development Department.

5. The required landscape setback areas along the north, west, and south site boundaries shall be planted with shade trees placed 20 feet on center or in equivalent groupings with 75 percent of the trees being a minimum 3-inch caliper, as approved by the Planning and Development Department.
6. The developer shall construct right-of-way improvements along the frontage road for the limits of the subject site including sidewalks, as determined and approved by ADOT.
7. The developer shall provide a minimum of 3 inverted-U style bicycle racks located near building entrances and shaded to a minimum 50 percent, as approved by the Planning and Development Department.
8. 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.
9. Any new driveways and changes to existing driveways shall require the review and approval of ADOT. Documentation of ADOT's approval of all modifications shall be provided prior to Preliminary Site Plan approval.
10. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.
11. 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.
12. 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.
13. 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.

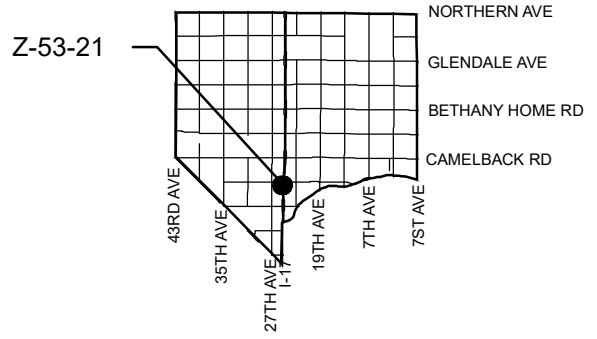
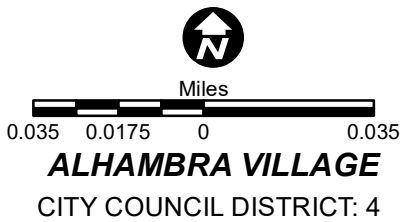
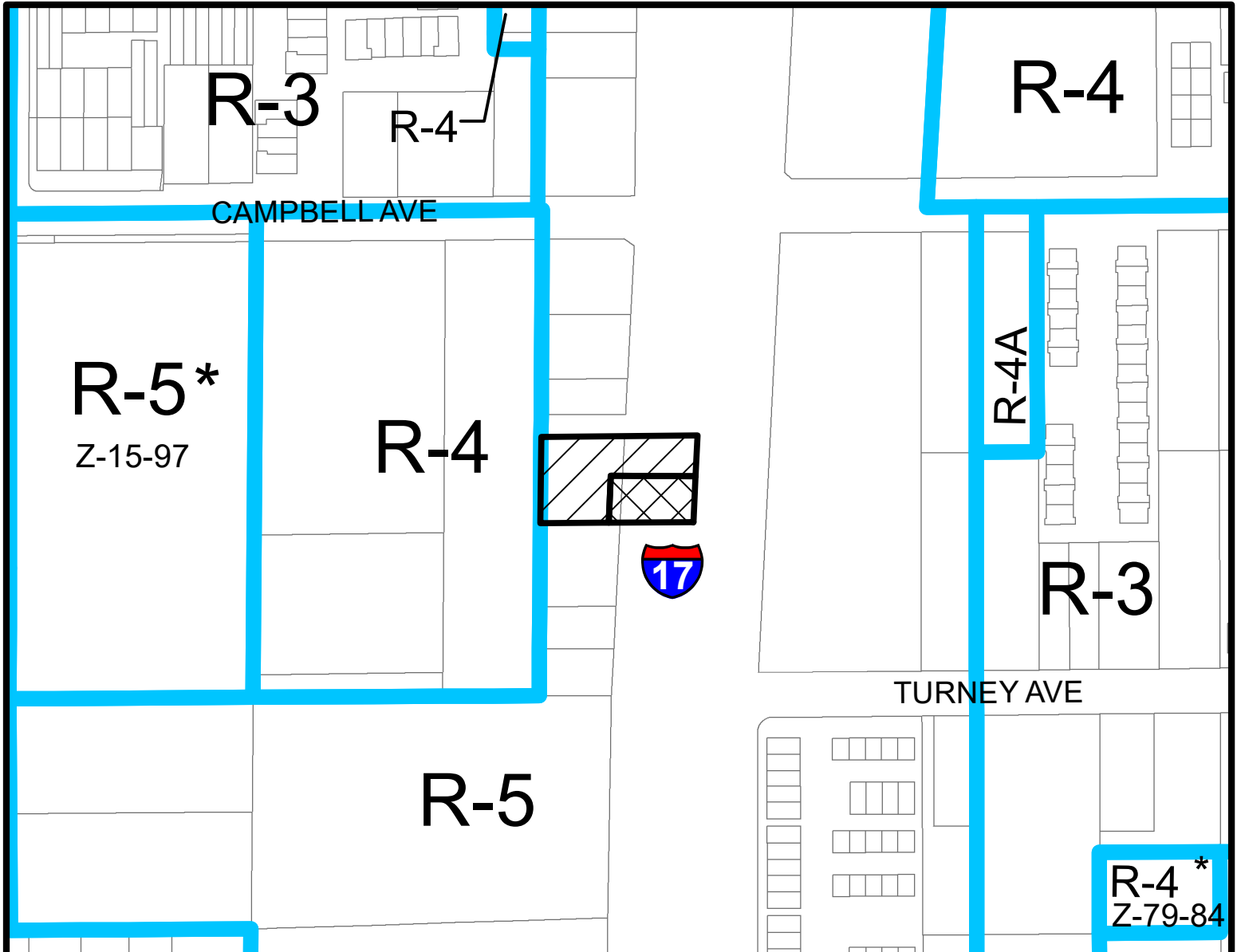
Writer

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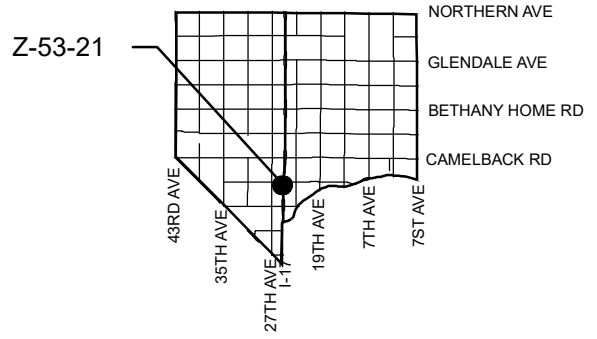
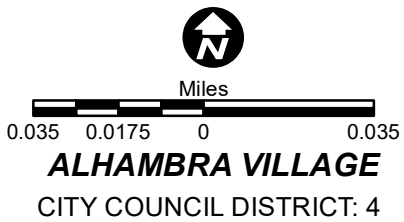
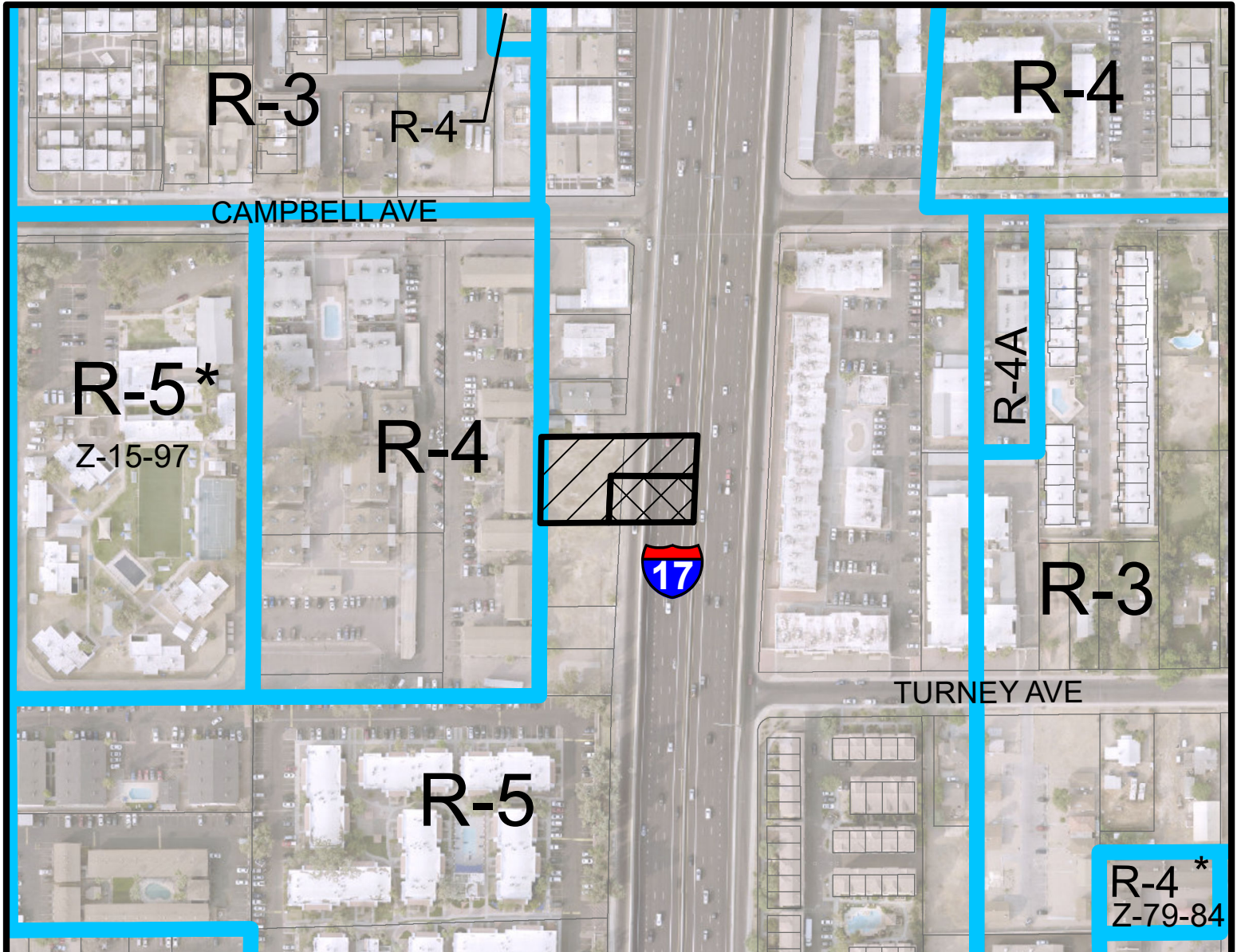
Nick Klimek
November 8, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped July 30, 2021
Conceptual Renderings date stamped July 30, 2021



APPLICANT'S NAME: Withey Morris, PLC / Jason Morris		REQUESTED CHANGE:	
APPLICATION NO. Z-53-21	DATE: 8/05/2021 REVISION DATES:	FROM: R-5 (0.31 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 0.31 Acres	<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 18-23	<small>ZONING MAP</small> H-7	TO: R-5 (0.28 a.c.) A-1 (0.03 a.c.)
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D. OPTION
R-5	13		16
R-5, A-1	12, N/A		14, N/A
* Maximum Units Allowed with P.R.D. Bonus			



APPLICANT'S NAME: Withey Morris, PLC / Jason Morris		REQUESTED CHANGE:	
APPLICATION NO. Z-53-21	DATE: 8/05/2021 REVISION DATES:	FROM: R-5 (0.31 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 0.31 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 18-23	ZONING MAP H-7	TO: R-5 (0.28 a.c.) A-1 (0.03 a.c.)
MULTIPLES PERMITTED R-5 R-5, A-1	CONVENTIONAL OPTION 13 12, N/A		* UNITS P.R.D. OPTION 16 14, N/A
* Maximum Units Allowed with P.R.D. Bonus			

BLACK CANYON APARTMENT LOFTS



CITY OF PHOENIX

JUL 30 2021

Planning & Development
Department

SHEET DIRECTORY	
Sheet Number	Sheet Name
8001	SITE PLAN
8010	PROJECT IMAGES / RENDERINGS
8011	CONTEXT PLAN
8012	CONTEXT PHOTOS

PROJECT DIRECTORY

ARCHITECT/APPLICANT:

CIFUENTES STUDIO LLC
304 E. PARK AVENUE
GILBERT, AZ 85234
CONTACT: DANIEL CIFUENTES, AIA
REGISTRATION NO. 44990
© DANIELCIFUENTESSTUDIO.COM
T: 480.201.2035

OWNER:

NEZA REBE SANDOZ
410 NORTH BLACK CANYON HWY
PHOENIX, AZ 85017
CONTACT: KANYAR LAKSHARI
T: 213.285.2468

PROJECT DESCRIPTION:

PROPOSED NEW 12 UNIT 3 AND 2 STORY TWO BEDROOM MULTIFAMILY DEVELOPMENT WITH PARKING AND PROPOSED BILLBOARD LOCATION.

Address:	410 NORTH BLACK CANYON HWY
City:	PHOENIX, AZ 85017
Area:	154-18-018
Lot Area:	13,988 (30 AC)
Site Area:	60
Site Use:	NO CHANGE
Site Zoning:	RS
Proposed Structure:	RESIDENTIAL MULTIFAMILY
Proposed Structure Area:	4,540 SF OF BUILDING FOOTPRINT
Proposed Structure Height:	1,038 SF OF PARKING
Proposed Structure Depth:	33.2%
Proposed Structure Width:	50.0%
Proposed Structure Area:	330'
Proposed Structure Height:	48'-0"

CODE SUMMARY

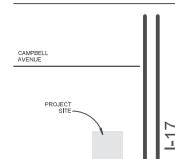
APPLICABLE BUILDING CODES:

2017 National Electrical Code
2018 International Building Code Administrative Provisions
2018 International Building Code
2018 International Energy Conservation Code
2018 International Fire Code
2018 International Fuel Gas Code
2018 International Mechanical Code
2018 International Plumbing Code
Arizona Uniform Building Code and Implementing Rules
Any approved Mass Amendments

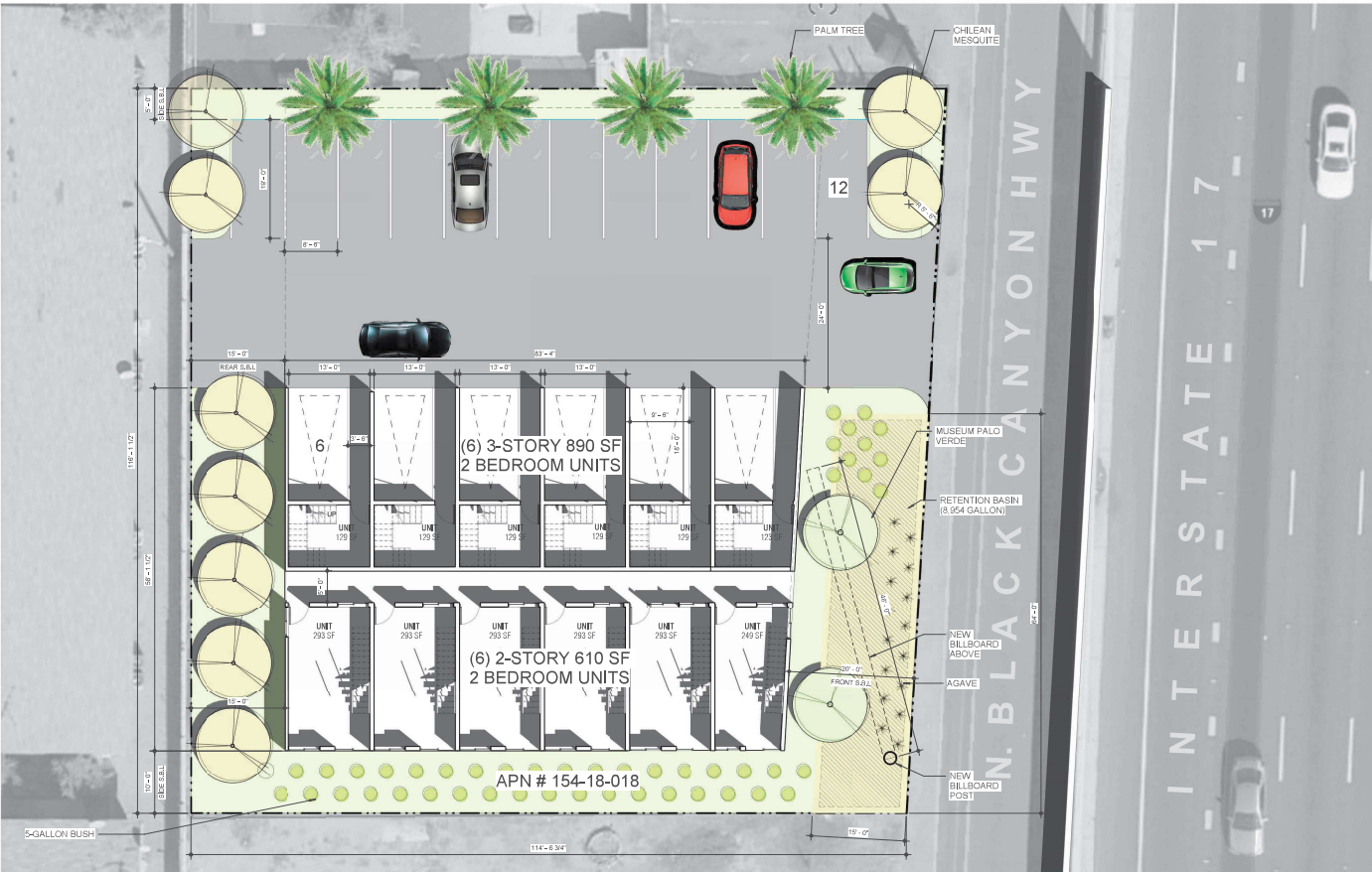
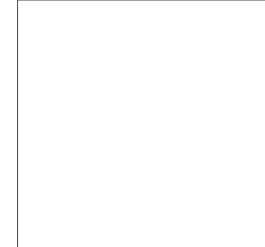
PARKING CALCULATIONS:

MULTIFAMILY (2-BEDROOM UNITS): 18 STALLS
12 UNITS + 1.5 SPACES/UNIT = 18 STALLS
MULTIFAMILY PARKING REQUIRED: 18 STALLS
PARKING STALLS PROVIDED: 18 STALLS
TOTAL PARKING STALLS PROVIDED: 18 STALLS
CODE COMPLIANCE CHECK: 18 STALLS = 18 STALLS ✓

VICINITY MAP



CITY APPROVAL



REFERENCE PROJECT



THE HOLLYHOCK
ARCHITECT: STUDIO MA
PHOTOGRAPHER: ROEHNER + RYAN

CITY OF PHOENIX

JUL 30 2021

Planning & Development
Department

SCHEMATIC DESIGN PERSPECTIVES



DATE	DESCRIPTION	BY

NOT FOR CONSTRUCTION

PROJECT IMAGES / RENDERINGS
Project number: 21016
Date: 05.24.21

a010