

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-50-23-4 October 24, 2023

Encanto Village Planning Committee November 6, 2023
Meeting Date:

Planning Commission Hearing Date: December 7, 2023

Request From: R1-6 (Single-Family Residence District) (0.77 acres) and R-5 (Multifamily Residence District) (0.58 acres)

Request To: WU Code T4:3 MT (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) (1.35 Acres) Townhomes

Proposal: Northeast corner of 3rd Street and Cheery Lynn Road

Location: Kris Rigsby, Rigsby, LLC

Owner: Kristjan Sigurdsson

Applicant/Representative: Approval, subject to stipulations

Staff Recommendation:

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>			Residential 15+ dwelling units per acre
<u>Street Map Classification</u>	3rd Street	Collector	50-foot east half street
	Cheery Lynn Road	Local	30-foot north half street
<i>CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; 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.</i>			
The site is located within the Midtown Transit Oriented Development (TOD) District and is within a half mile of two light rail transit stations located at Osborn Road/Central Avenue and Thomas Road/Central Avenue. Bus service on 7th Street is less than half a mile to the site. The proposed multifamily development is appropriate at this location given that the site is near multiple modes of transportation options.			

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposal is located within the Midtown Transit Oriented Development (TOD) District. The Midtown TOD Policy Plan identified the site to be suitable to redevelop. The proposal for multifamily residences is consistent with the redevelopment vision identified in the Midtown TOD Policy Plan and will be a compatible addition to 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 proposal provides trees and shade on both 3rd Street and Cheery Lynn Road as well as in the amenity area which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plans, Overlays, and Initiatives

[**Transit Oriented Development Strategic Policy Framework**](#): Background Item No. 3.

[**Midtown Transit Oriented Development Policy Plan**](#): Background Item No. 4.

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

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

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

[**Transportation Electrification Action Plan**](#): Background Item No. 11.

[**Comprehensive Bicycle Master Plan**](#): Background Item No. 12.

[**Zero Waste PHX**](#): Background Item No. 13.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Single-family residences, office and vacant parcels	R-5, R1-6
North	Restaurant	C-2, P-1
West (across 3rd Street)	Office and parking garage	C-1 TOD-1, C-2 H-R, TOD-1
East	Parking Lot	P-1
South (across Cheery Lynn Road)	Multifamily residential	WU Code T5:6 MT

Walkable Urban Code T4:3 MT		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	N/A	1.35
Total Number of Units	No maximum	15
Density	No maximum	11.11
Building Height	40-foot maximum	27 feet (Met)
Min. Parking – Per Section 702 <ul style="list-style-type: none"> • 10% reduction when greater than 1,320 feet of a light rail stop 	30 spaces	30 spaces (Met)
Bicycle Parking – Per Section 1307.H.6.d <ul style="list-style-type: none"> • Minimum 0.25 per residential unit, with a maximum of 50 required spaces 	4 spaces	4 spaces (Met)
<i>Streetscape Standards (Section 1312.C)</i>		
Local Street (3rd Street)	5-foot sidewalk (minimum)	6 feet (Met)
	5-foot landscape (minimum)	5 feet (Met)
Local Street (Cheery Lynn Road)	5-foot sidewalk (minimum)	5 feet (Met)
	5-foot landscape (minimum)	5 feet (Met)

Walkable Urban Code T4:3 MT		*variance required or design alternative
Standards	Requirements	Provisions on the Proposed Site Plan
<i>Main Building Setbacks</i>		
3rd Street (Primary Frontage)	20-foot maximum	4 feet 9 inches (Met)
Cheery Lynn Road (Secondary Frontage) (South)	8-foot maximum	4 feet 6 inches (Met)
Alley (North)	0-foot minimum	10 feet (Met)
Rear (East)	0-foot minimum	44 feet (Met)
<i>Parking Setbacks</i>		
3rd Street (Primary Frontage)	30-foot minimum or behind building	Garage parking provided (Met)
Cheery Lynn Road (Secondary Frontage) (South)	8-foot minimum	Garage parking provided (Met)
North and east	0-foot minimum	Garage parking provided (Met)
<i>Lot Requirements</i>		
Lot Coverage	70 percent maximum	56 percent (Met)
Primary Building Frontage (3rd Street Street)	60 percent minimum	Not specified
Open Space	5 percent minimum	5 percent (Met)
<i>Frontage Types Allowed</i>		
Primary Building Frontage (3rd Street)	Porch, patio, stoop, forecourt, or alternative frontages per Section 1305.B.1.c	Patio (Met)

Background/Issues/Analysis

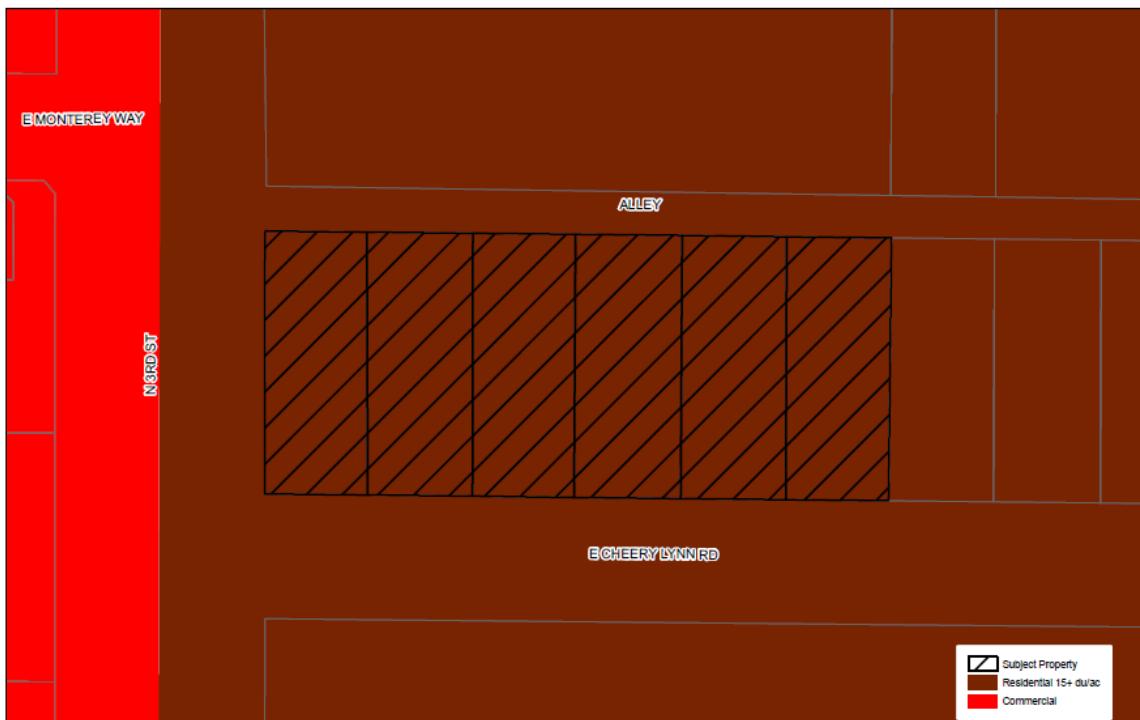
SUBJECT SITE

1. The request is to rezone a 1.35-acre site located at the northeast corner of 3rd Street and Cheery Lynn Road from 0.58 acres of R-5 (Multifamily Residence District) and 0.77 acres of R1-6 (Single-Family Residence District) to WU Code T4:3 MT (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) to allow townhomes. The site is along the 3rd Street Improvement Project area which will improve traffic circulation, safety, and mobility for pedestrians and bicyclists on 3rd Street between Garfield Street and Indian School Road. The

subject site is also located approximately one-half mile southwest to the U-Haul Headquarters and three quarters of a mile southeast of the Public Art at Central and Thomas both of which are noted assets on the Encanto Village Character Plan Asset Map.

GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The General Plan Land Use Map depicts the subject site with a designation of Residential 15+ dwelling units per acre. The properties to the east, north and south have a General Plan Land Use Map designation of Residential 15+ dwelling units per acre. The property across 3rd Street to the west has a General Plan Land Use Map designation of Commercial. The proposal is consistent with the General Plan Land Use Map designation.



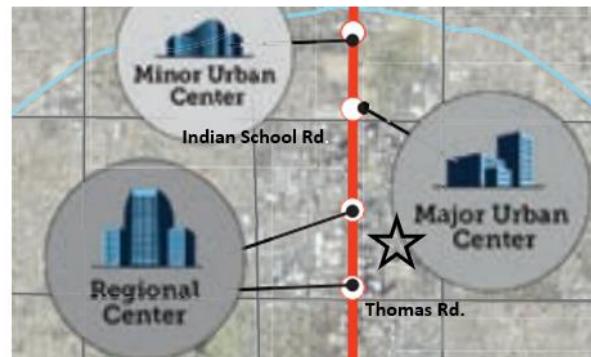
General Plan Land Use Map; Source: Planning and Development Department

3. Transit Oriented Development Strategic Policy Framework:

The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The subject site is approximately a half-mile from the Osborn Road/Central Avenue and Thomas Road/Central Avenue light rail stations. The identified environment for the Osborn Road/Central Avenue and Thomas Road/Central Avenue light rail station areas is Regional Center. The Regional Center is a place type characterized by high intensity with building heights typically from five to ten stories with incentive heights of up to 20 stories.

Station Number	Station Location	Place Type
07	Osborn Road/Central Avenue	Regional Center
08	Thomas Road/Central Avenue	Regional Center

*TOD Strategic Policy Framework
Placetypes, Source: Planning and
Development Department*



Land uses may include supportive retail, high-rise and mid-rise living, industry cluster and office employment. The proposed transect permits a lower intensity than the Regional Center place types and is appropriate given its half-mile distance from those stations.

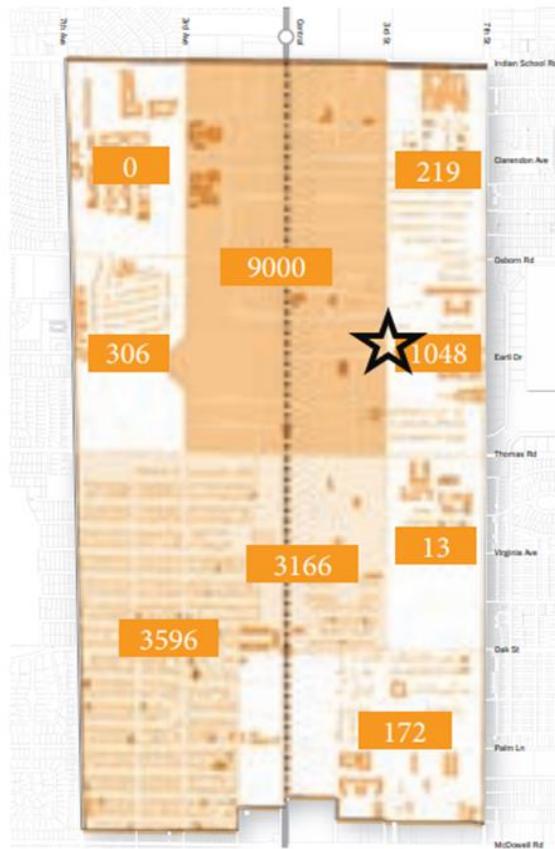
4. Midtown Transit Oriented Development Policy Plan:

The site is located within the Midtown TOD (Transit Oriented Development) District, the boundaries for which are McDowell Road on the south, Indian School Road on the north, 7th Street on the east, and 7th Avenue on the west. The policy plan adopted 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. In order to realize the implementation of the Vision and Master Plan for the Midtown TOD District, one key recommendation is the implementation of a form-based zoning code. The proposal to Walkable Urban Code furthers that vision.

The Midtown TOD policy plan's current state assessment for housing indicated that the area near the subject site needs 1,048 more housing units by the year 2035. The current proposal will add to the housing stock in the area.

The subject site is also located within the 3rd Street Promenade area, envisioned to be "a destination for pedestrians and bicyclists...the 3rd Street Corridor is conscious of the smaller, more personal scale of adjacent historic neighborhoods and is visually integrated into a historic residential setting" (pg. 95). The subject site's enhanced bicycle amenities, detached sidewalks and lower scale are compatible with the vision for the 3rd Street Promenade.

HOUSING NEEDS



Unit Demand

Housing Units
Needed by 2035

Midtown TOD Policy Plan Source: Planning and Development Department

EXISTING CONDITIONS AND SURROUNGING ZONING

5. The subject site currently includes single-family residences, vacant lots, and an office. North of the subject site is a restaurant zoned C-2 (Intermediate Commercial) and P-1 (Passenger Automobile Parking, Limited). To the west across 3rd Street is an office and a parking structure zoned C-1 TOD-1 (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One) and C-2 H-R TOD-1 (Intermediate Commercial, High Rise Interim Transit-Oriented Zoning Overlay District One) and to the east is a parking lot zoned P-1. To the south, across Cheery Lynn Road, is a multifamily residential development zoned WU Code T5:6 MT (Walkable Urban Code, Transect 5:6 District, Transit Midtown

Character Area).

PROPOSAL

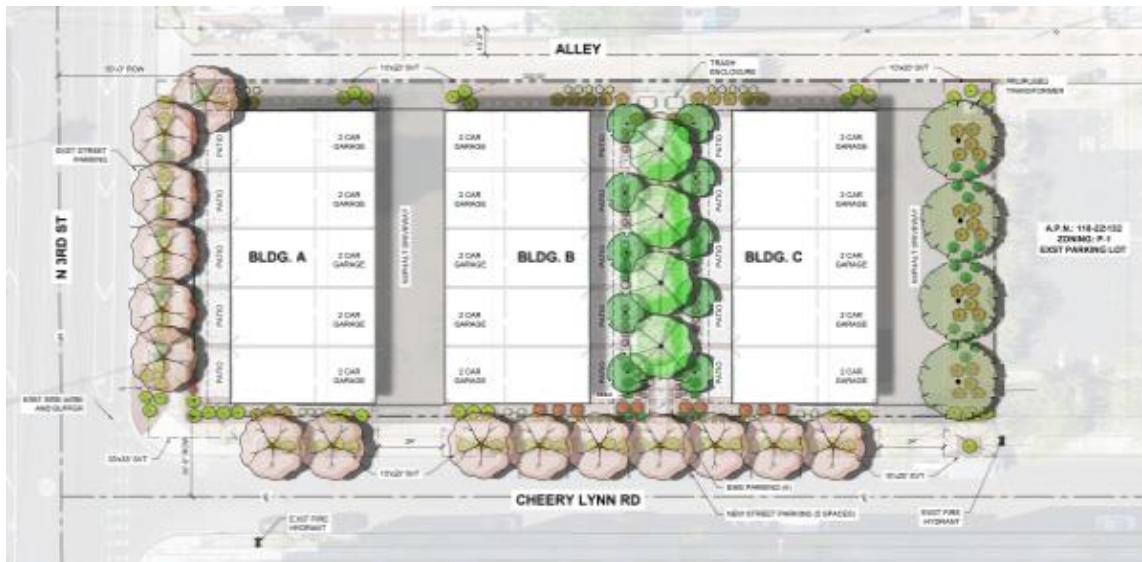
6. The proposed T4:3 District is described as a low-intensity urban residential fabric characterized by single-family homes, duplexes, single-family attached and small multifamily developments, averaging 30 to 40 feet in height. As shown on the site plan attached as an exhibit, the proposed development includes three two-story residential buildings, up to 27 feet in height. The ground level will include detached sidewalks on both street frontages, in addition there will be bicycle parking and a bicycle repair station. The site plan indicates a patio frontage type along 3rd Street and automobile access along Cheery Lynn Road, and resident parking will be provided in internal garages. The proposal includes an open space amenity area with trees and landscaping. The following is a conceptual rendering of the proposed development showing the 3rd Street frontage treatment and existing bicycle route.



Conceptual Building Renderings, Source: K & I Homes, LLC

Stipulation No. 5 requires a detached sidewalk along the west side of 3rd Street with an 8-foot-wide landscape area between the back of curb and sidewalk. To foster a bicycle supportive environment along the 3rd Street corridor, bicycle parking will be provided per the requirements of the Walkable Urban Code and a bicycle repair station will be provided as noted in Stipulation No. 2.a.

7. Staff also recommends Stipulation No. 1 to require 75 percent live coverage within the landscaped retention area. The conceptual landscape plan as provided below indicates the extent of landscape treatment on the site.



Conceptual Landscape Plan, Source: K & I Homes, LLC

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. 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 by providing and contributing to a variety housing types that will address the supply shortage at a more rapid pace. The proposed multifamily development supports the goal of providing more housing units by 2030.

9. 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 proposal, as stipulated, will create a streetscape environment with a shaded and detached sidewalk and the retention area landscaping will include shade trees and shrubs. These are addressed in Stipulation Nos. 1 and 5.

10. **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 proposed development, as stipulated, will support walking, bicycling, and transit-use by including bicycle parking on the site, by including a bicycle repair (fix it) station to help patrons keep their bikes in a state of good repair, and by constructing a shaded and detached sidewalk along 3rd Street and Cheery Lynn Road. These are addressed in Stipulation Nos. 2 and 5.

11. **Transportation Electrification Action Plan:**

In, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation No. 3 which requires a minimum 10 percent of the required parking spaces to be EV ready. Additionally, Stipulation No. 2.b. requires electrical receptacles for 10 percent of the required secured bicycle parking to encourage micromobility.

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. As stipulated, the development will provide a bicycle repair station and bicycle parking spaces per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. This is addressed in Stipulation No. 2. a.

Zero Waste Phoenix:

13. 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 proposed conceptual site plan shows recycling bins located in the alley and the project information notes recycling will be consistent with City of Phoenix requirements.

COMMUNITY CORRESPONDENCE

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

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department requires that the alley between 3rd Street and 5th Street to be paved, that a minimum five-foot-wide detached sidewalk along 3rd Street be provided with a minimum eight-foot-wide landscape strip, and that all street improvements be constructed to City and ADA standards. These are addressed in Stipulation Nos. 4 through 6.

OTHERS

16. This site is not located in an area identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, ground-disturbing must cease to allow the Archaeology Office time to assess the development. This is addressed in Stipulation No. 8.
17. 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 7.
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. This proposal is consistent with the General Plan Land Use Map designation and several land use and design principles.
2. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage

in Phoenix and is consistent with the Midtown TOD Policy Plan designation as a site suitable for redevelopment.

3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Midtown TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. Landscape areas within retention areas shall be planted with shrubs, accents and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
2. Bicycle infrastructure shall be provided as described below, as approved by the Planning and Development Department.
 - a. A publicly accessible bicycle repair station ("fix it station") shall be provided and maintained adjacent to 3rd Street. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - b. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
3. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) ready infrastructure, as approved by the Planning and Development Department.
4. The full 20-foot width of the adjacent alley shall be paved from 3rd Street to 5th Street.
5. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 3rd Street, adjacent to the development, as approved by the Planning and Development Department.

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.

6. All streets within and adjacent to the development shall be constructed 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.
7. 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.
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.

Writer

John Roanhorse

October 24, 2023

Team Leader

Racelle Escolar

Exhibits

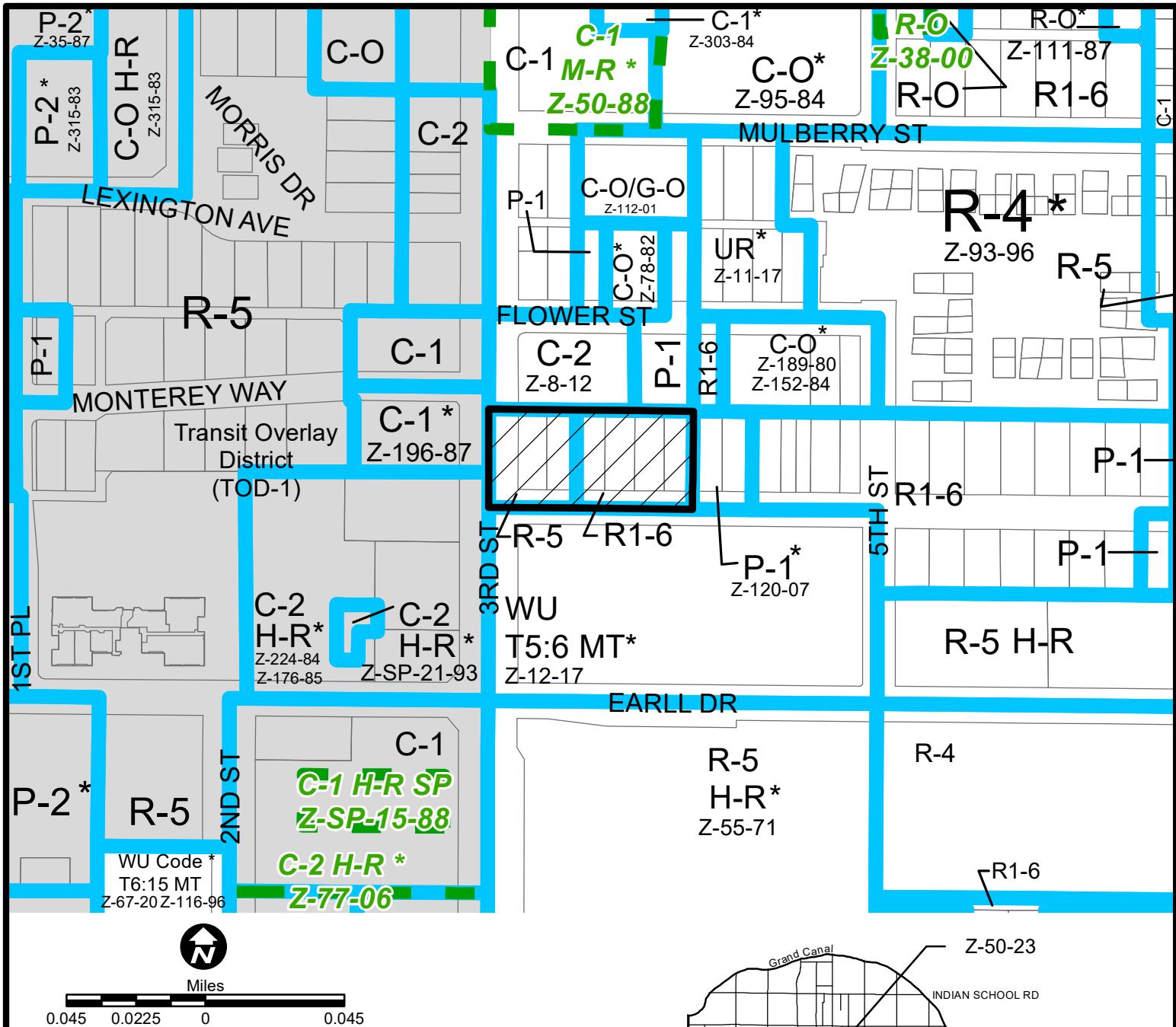
Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped August 1, 2023

Conceptual Building Elevations date stamped August 1, 2023

Conceptual Landscape Plan dated September 1, 2023

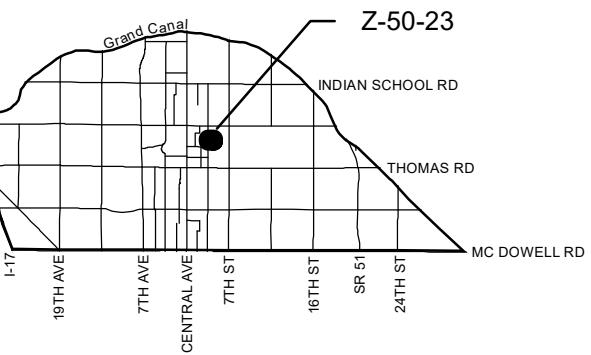


ENCANTO VILLAGE

CITY COUNCIL DISTRICT: 4

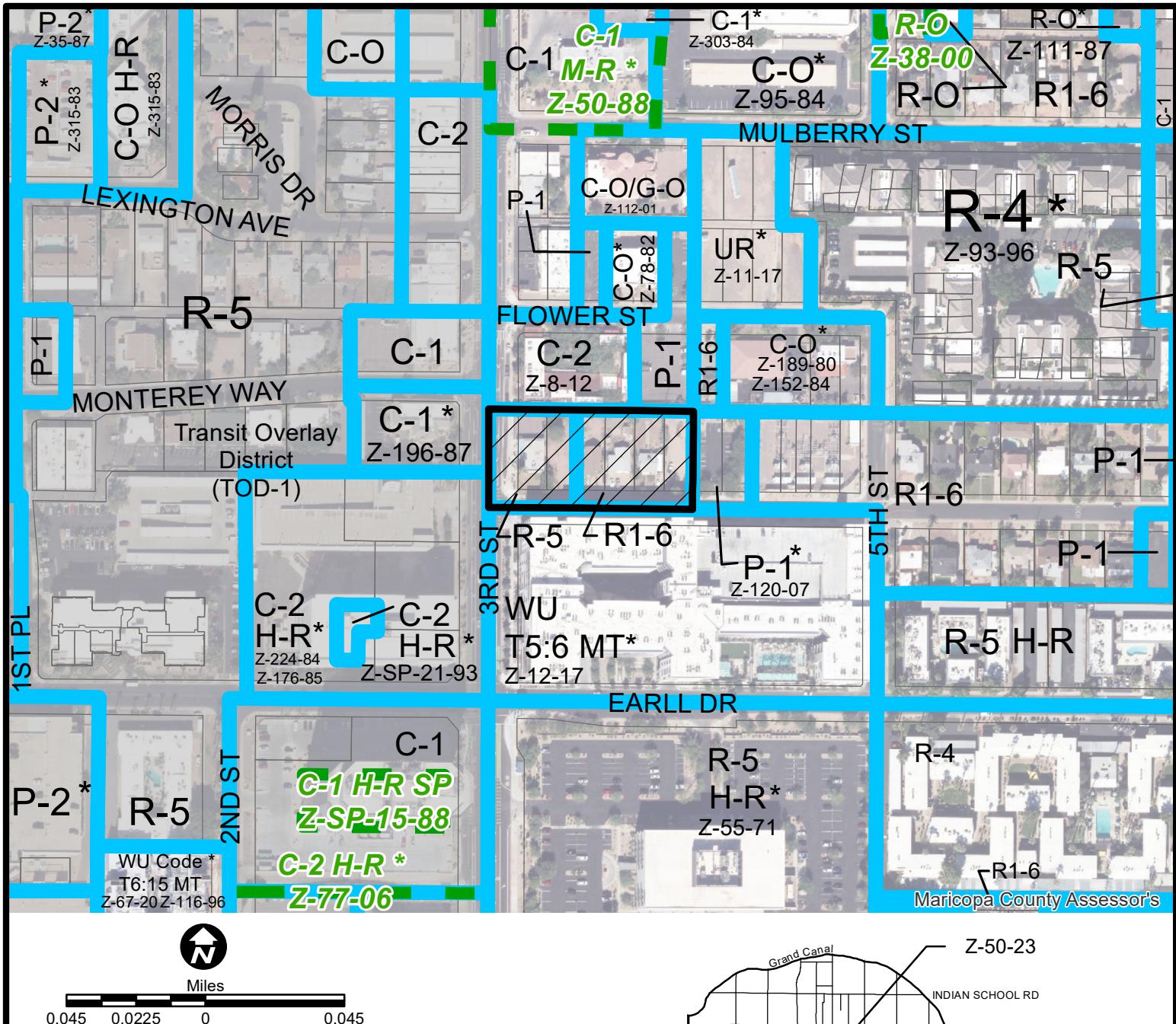


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME:	Kristjan Sigurdsson		REQUESTED CHANGE:
APPLICATION NO.	Z-50-23	DATE: 8/9/2023 REVISION DATES: 10/13/2023	FROM: R-5 (0.58 ac.) R1-6 (0.77 ac.)
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.35 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 15-28	ZONING MAP G-8
MULTIPLES PERMITTED R-5, R 1-6 WU Code T4:3 MT		CONVENTIONAL OPTION 25, 4 No Maximum	* UNITS P.R.D. OPTION 30, 5 N/A

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



ENCANTO VILLAGE

CITY COUNCIL DISTRICT: 4



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Kristjan Sigurdsson

APPLICATION NO. Z-50-23

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

1.35 Acres

DATE: 8/9/2023
REVISION DATES: 10/13/2023

AERIAL PHOTO &
QUARTER SEC. NO.
QS 15-28

ZONING MAP
G-8

REQUESTED CHANGE:

FROM: R-5 (0.58 ac.)
R-1-6 (0.77 ac.)

TO: WU Code T4:3 MT (1.35 ac.)

MULTIPLES PERMITTED

R-5, R 1-6

WU Code T4:3 MT

CONVENTIONAL OPTION

25, 4

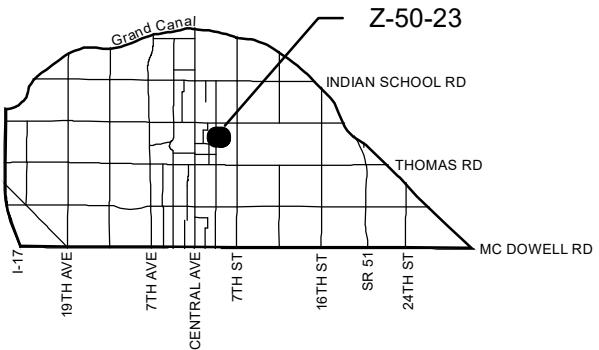
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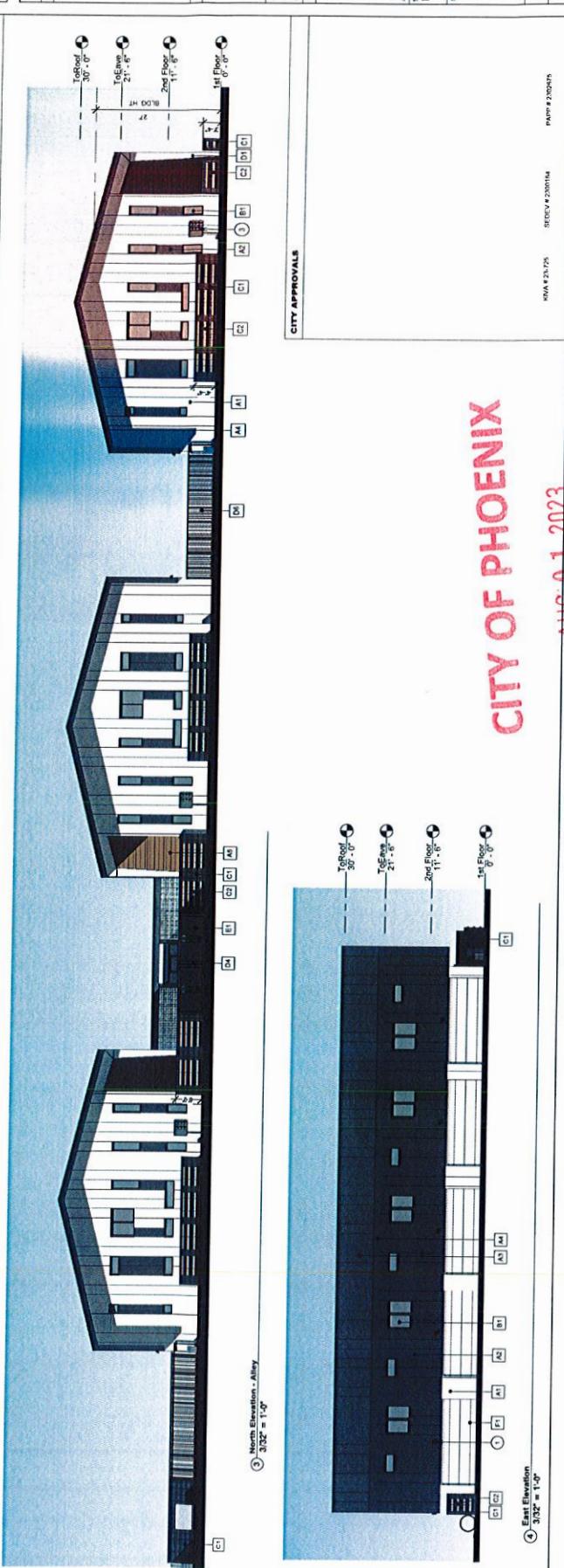
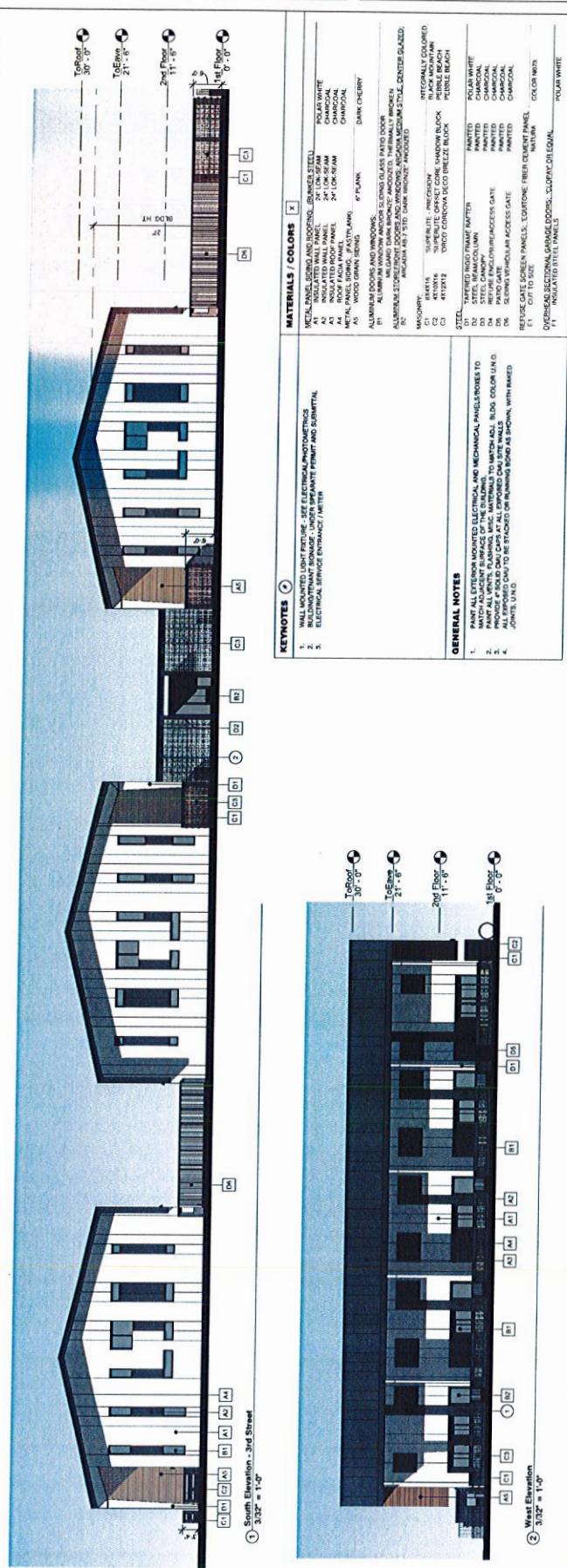
* UNITS P.R.D. OPTION

30, 5

N/A

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





MI:REVIT - Projects Paxton 3rd & Cherry - ZN.M

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