# ATTACHMENT B



# Staff Report Z-151-24-5 December 11, 2024

Alhambra Village Planning Committee December 17, 2024

**Meeting Date:** 

Planning Commission Hearing Date: January 2, 2025

Request From: R-3 (Multifamily Residence District)

(1.62 acres) and R1-6 (Single-Family

Residence District) (5.27 acres)

**Request To:** R-4A (Multifamily Residence – General)

(6.89 acres)

Proposal: Multifamily residential

**Location:** Northeast corner of 39th Avenue and

**Grand Avenue** 

Owner: School District No. 68
Applicant: UMOM Housing 11, LLC

Representative: Benjamin Graff, Quarles & Brady LLP

**Staff Recommendation:** Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Commercial			
Street Map Classification	Grand Avenue	Major Arterial	40 to 65-foot northeast half street		
	39th Avenue	Minor Collector	0 feet (25-foor easement) to 30-foot east half street		

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 will provide affordable multifamily housing opportunities in close proximity to other multifamily developments of similar densities. The proposal will broaden the range of housing types and densities available in this neighborhood.

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

The proposal, as stipulated, includes shaded bicycle parking, a bicycle repair station, and electric bike charging to encourage bicycling and transit use by leveraging its proximity to nearby parks, schools, neighborhoods, and transit stops.

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, as stipulated, includes enhanced landscaping within the landscape setbacks and along 39th Avenue. This will create a comfortable pedestrian environment along Grand Avenue and 39th Avenue by reducing the urban heat island affect and making the walk to nearby destinations safer and more comfortable.

# **Applicable Plans, Overlays, and Initiatives**

Housing Phoenix Plan: Background Item No. 6.

Comprehensive Bicycle Master Plan: Background Item No. 7.

Transportation Electrification Action Plan: Background Item No. 8.

Tree and Shade Master Plan: Background Item No. 9.

<u>Complete Streets Guidelines</u>: Background Item No. 10.

Zero Waste PHX: Background Item No. 11.

Phoenix Climate Action Plan: Background Item No. 12.

Conservation Measures for New Development: Background Item No. 13.

Monarch Butterfly Pledge: Background Item No. 14.

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Surrounding Land Uses and Zoning				
	Land Use	Zoning		
On Site	Vacant land and historic school building	R-3 and R1-6		
North	School district bus depot	R-3 and R1-6		
East	School district bus depot and used car dealership	R1-6 and C-3		
West (Across 39th Avenue)	Restaurant	C-3		
South and West (across Grand Avenue)	Industrial, auto body shop, and freight railway	A-2		

R-4A (Multifamily Residence – General)				
<u>Standards</u>	<u>Requirements</u>	Proposed Site Plan		
Gross Acreage	-	6.89 acres		
Maximum Units	300 dwelling units or 600 efficiency dwelling units	192 dwelling units (Met)		
Maximum Density (units/gross acre)	43.56 du/ac	27.87 du/ac (Met)		
	or 87.12 (for efficiency units)			
Minimum Building Setback				
Front Yard (39th Avenue)	20 feet	20 feet (Met)		
Side Yard (Grand Avenue)	10 feet	10 feet (Met)		
Side Yard (North)	5 feet	5 feet (Met)		
Rear Yard	15 feet	15 feet (Met)		
Minimum Landscape Setback				
Front Yard (39th Avenue)	20 feet	20 feet (Met)		
Side Yard (Grand Avenue)	10 feet	10 feet (Met)		
Side Yard (North)	5 feet	5 feet (Met)		
Rear Yard	5 feet	15 feet (Met)		
Maximum Lot Coverage	50 percent	Not depicted		
Maximum Building Height	48 feet	41.56 feet (Met)		
Minimum Open Space	5 percent	5.14 percent (Met)		
Minimum Parking	288 spaces	288 spaces (Met)		

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# Background/Issues/Analysis

## SUBJECT SITE

1. This request is to rezone 6.89 acres located at the northeast corner of 39th Avenue and Grand Avenue from 1.62 acres of R-3 (Multifamily Residence District) and 5.27 acres of R1-6 (Single-Family Residence District) to R-4A (Multifamily Residence – General) for multifamily residential. The subject site is currently vacant land and contains a historic school building.

## **GENERAL PLAN**

2. The subject site is designated as Commercial. The areas to the north, east, and west are designated Commercial. The areas to the south and west (across Grand Avenue) are designated Industrial. The proposed R-4A zoning district is not consistent with the General Plan Land Use Map designation; however, a General Plan Amendment is not required because the site is less than 10

General Plan acres in size.



#### SURROUNDING LAND USE AND ZONING

3. To the north and east is a school district bus depot zoned R-3 and R1-6; to the east is a used car dealership zoned C-3; to the west, across 39th Avenue is a restaurant zoned C-3; and to the west and south, across Grand Avenue, is an auto body shop, freight railway, and industrial uses zoned A-2.



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

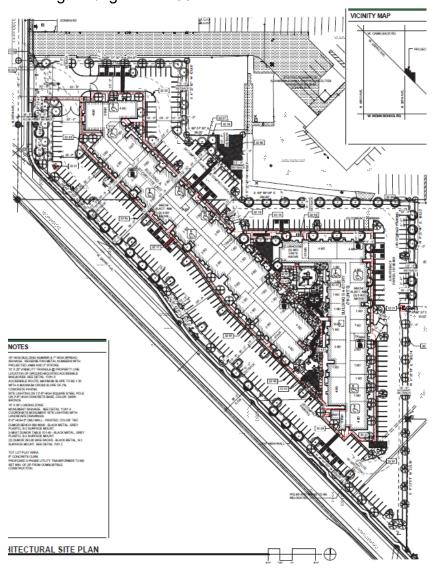
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## **PROPOSAL**

# 4. Site Plan

The proposal is for a 192-unit affordable multifamily residential development. The conceptual site plan, attached as an exhibit, depicts the site layout including the location of the two four story buildings (with a mix of one, two-, three- and four bedroom units), the parking areas, the club house, central amenity area with children's play equipment and seating, landscape areas, common areas, pedestrian circulation, vehicular circulation, site view triangles, and trash enclosure. The site will have one point of ingress/egress on 39th Avenue.

Staff recommends Stipulation No. 1 to require pavement treatments that visually contrast parking and drive aisles where pedestrian walkways cross a vehicular path to enhance pedestrian safety. To promote enhanced walkability and shade, Stipulation No. 2 requires one pedestrian access point at the southeastern corner of the site, Stipulation No. 4 requires enhanced landscape setbacks and planting standards, Stipulation Nos. 6 and 8 require shaded internal pathways and parking areas. Stipulation Nos. 14 and 15 require detached sidewalks along Grand Avenue and 39th Avenue.



Conceptual Site Plan; Source: Perlman Architects of Arizona

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## 5. Conceptual Building Elevations

The conceptual building elevations, included as an exhibit, illustrate the two proposed four-story multifamily residential buildings. The plans feature four-sided architecture with varying materials and colors.



Conceptual Building Elevations; Source: ProCa Design LLC.

## STUDIES AND POLICIES

## 6. 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 providing 192 affordable units that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

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# 7. 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.

To create a bike-supportive environment for residents, bicycle infrastructure is incorporated into the proposed project. Staff recommends Stipulation No. 3 which will require shaded guest and residential bicycle parking, electric bicycle charging facilities, and a bicycle repair station to be provided on site.

# 8. Transportation Electrification Action Plan

In June 2022, 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 Nos. 3 and 5 which require a minimum three percent of the required parking spaces to be EV Capable and a minimum ten percent of the bicycle parking spaces include outlets for electric bicycle charging.

# 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 frontage should be detached from the curb 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 comfortable streetscape environment with an enhanced landscape setback, shaded internal pedestrian pathways, shaded parking lots, and a shaded detached sidewalk along 39th Avenue. These are addressed in Stipulation Nos. 4, 6, 8, and 15.

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# 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 a detached sidewalk along Grand Avenue and a shaded detached sidewalk along 39th Avenue. This is addressed in Stipulation Nos. 14 and 15.

## 11. 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 applicant stated in their submittal materials that they will seek to provide recycling on the site if possible.

# 12. Phoenix Climate Action Plan

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the <a href="Greater Phoenix Metro Green Infrastructure">Green Infrastructure</a> (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 12, which requires a minimum of two GI technique for stormwater management to be implemented in this development.

## 13. Conservation Measures for New Development

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - Build the Sustainable Desert City. The Conservation Measures for New Development policy includes

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direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 8 through 13.

# 14. Monarch Butterfly Pledge:

In April 2021, Mayor Kate Gallego signed the <u>National Wildlife Federation's Mayor's Monarch Pledge</u>. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 7 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

## COMMUNITY CORRESONDENCE

15. As of the writing of this report, no letters of support or opposition have been received for the request.

## INTERDEPARTMENTAL COMMENTS

- 16. The Public Transit Department requested a pedestrian access point at the southwest corner of the site to facilitate trips to nearby bus stops. This is addressed in Stipulation No. 2.
- 17. The Street Transportation Department requested detached sidewalks be provided along Grand Avenue and 39th Avenue, which is addressed in Stipulation Nos. 14 and 15. Additionally, Stipulation No. 16 requires the dedication of right-of-way for 39th Avenue, Stipulation 17 requires all SRP facilities be relocated outside of City right-of-way, Stipulation No. 18 requires the submittal of a Traffic Impact Analysis (TIA) and adherence to the TIA recommendations prior to preliminary site plan approval, Stipulation No. 19 requires site access control to follow the TIA recommendations accepted by Phoenix and ADOT, and Stipulation No. 20 requires that the developer construct all improvements in the right-of-way with all required elements and to ADA standards.
- 18. The Aviation Department requested the airport disclosure stipulation. This is addressed in Stipulation No. 21.
- 19. The Historic Preservation Office indicated that the applicant must complete the 30-day demolition hold process because the existing building is a commercial structure over 50 years old. A stipulation to mitigate the loss of the building is not necessary, as the federally funded project will address mitigation through the federal environmental review process.

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## 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 22.
- 21. 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 final site plan approval. This is addressed in Stipulation No. 23.
- 22. 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 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.
- 2. The site is appropriately located along a major arterial street.
- 3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.

# **Stipulations:**

- 1. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
- 2. A minimum of one pedestrian access point connecting directly to Grand Avenue shall be provided at the southeastern corner of the site, as approved by the Planning and Development Department.
- 3. The development shall incorporate bicycle infrastructure as described below

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and as approved by the Planning and Development Department.

- a. Secure bicycle parking shall be provided per Section 1307 of the Zoning Ordinance.
- b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
- c. A minimum of 10 percent of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
- d. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade.
- e. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
  - i. Standard repair tools affixed to the station;
  - ii. A tire gauge and pump affixed to the base of the station or the ground;
  - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- 4. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, with a minimum five 5-gallon shrubs per tree, 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 a pedestrian environment for installing the required plants.
- 5. A minimum of 3% of the required vehicle parking spaces shall include EV Capable infrastructure.
- 6. All internal pedestrian pathways shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.

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- 7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- 8. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, shade trees, or a combination thereof.
- Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
- 10. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.
- 11. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
- 12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- 13. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.
- 14. The sidewalk along Grand Avenue, exclusive of the sidewalk adjacent to the westbound right-turn deceleration lane, shall be a minimum of 5 feet in width and detached with a minimum 4-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, or as approved by the Arizona Department of Transportation.
  - a. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

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Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

- 15. The sidewalk along 39th Avenue shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings.
  - b. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

- 16. A minimum 30 feet of right-of-way shall be dedicated and constructed for the east side of 39th Avenue.
- 17. Existing SRP facilities along 39th Avenue are to be relocated outside of City right-of-way, unless otherwise approved by the Street Transportation Department. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- 18. The Traffic Impact Analysis (TIA) must be submitted to both the City of Phoenix and the Arizona Department of Transportation. Development shall adhere to the recommendations of the TIA for the improvements to the 39th Avenue and Grand Avenue intersection, before preliminary site plan approval is granted, as accepted by the City of Phoenix and the Arizona Department of Transportation.
- 19. All access control for the site shall be determined through the accepted recommendations of the TIA by the City of Phoenix and the Arizona Department of Transportation.
- 20. 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

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Development Department. All improvements shall comply with all ADA accessibility standards.

- 21. 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.
- 22. 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.
- 23. Prior to final 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.

## Writer

Samuel Rogers December 11, 2024

## **Team Leader**

Racelle Escolar

## **Exhibits**

Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped December 4 2024
Conceptual Elevations date stamped October 23, 2024 (7 pages)

