

## Attachment B- Staff Report



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

#### Staff Report: Z-28-18-7 (Companion Case: GPA-CC-1-18-7) September 11, 2018

Central City <a href="#">Village Planning Committee</a> Hearing Date	September 17, 2018
<a href="#">Planning Commission</a> Hearing Date	October 4, 2018
Request From:	<a href="#">A-1</a> (Light Industrial) (1.18 acres) <a href="#">C-3 CMOD</a> (Intermediate Commercial, Capitol Mall Overlay District) (0.58 acres)
Request To:	<a href="#">R-4</a> (Multifamily Residence District) (1.18 acres) <a href="#">R-4 CMOD</a> (Multifamily Residence District, Capitol Mall Overlay District) (0.58 acres)
Proposed Use	Multifamily Residential
Location	Approximately 400 feet west of the northwest corner of 19th Avenue and Van Buren Street
Owner	Iskwatikan, LLC and RJJ Investments, LLC
Applicant	Randall Johnson
Representative	Keith Grayson
Staff Recommendation	Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Industrial (Pending Residential 15+ du/acres, GPA-CC-1-18-7)	
<a href="#">Street Map Classification</a>	Van Buren Street	Arterial	33-foot north half street
<b><i>OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b>  The multifamily land use designation is consistent with the existing land uses site. The proposal will provide a buffer from existing single-family residences to the west and the industrial zoning to the east.			

***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 rezoning request will contribute to a mix of housing along Van Buren Street, which has both multifamily and single-family residential.

***CLEAN NEIGHBORHOODS LAND USE PRINCIPLE: Support new compatible land uses that remove extremely deteriorated structures, excessive trash and debris, and other blight in neighborhoods.***

The existing site had deteriorated structures and blighted conditions. The applicant rehabilitated the existing apartment units and made improvements to the site. This request provides the opportunity to rehabilitate and improve other structures on the site to add additional apartment units that will further enhance the subject site and neighborhood.

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

[Capitol Mall Overlay District](#) – See Item #5 in the Background/Issues/Analysis Section.

[Tree and Shade Master Plan](#) – See Item #7 in the Background/Issues/Analysis Section.

[Reimagine Phoenix](#) – See Item #14 in the Background/Issues/Analysis Section.

#### **Surrounding Land Uses/Zoning**

	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Multifamily Residential	C-3 CMOD and A-1
<b>North</b>	Family Service Center	A-1
<b>South</b>	Motel	C-3 CMOD
<b>East</b>	Family Service Center	C-3 CMOD and A-1
<b>West</b>	Single-Family Residential and Tire Shop	R-3 and C-3 CMOD

#### **Background/Issues/Analysis**

##### **REQUEST**

1. This is a rezoning request for R-4 (Multifamily Residence District) and (R-4 CMOD (Multifamily Residence District, Capitol Mall Overlay District) zoning on a 1.76-acre site located approximately 400 feet west of the northwest corner of

19th Avenue and Van Buren Street. An existing 26-unit apartment complex, that was built in 1925, will remain on the site. When built in 1925, the property was formerly a motor court motel and now functions as multifamily residential. The applicant has rehabilitated the existing structures on the site, and is interested in restoring another existing structure in order to add residential units on the site. This is the reason for the rezoning request.

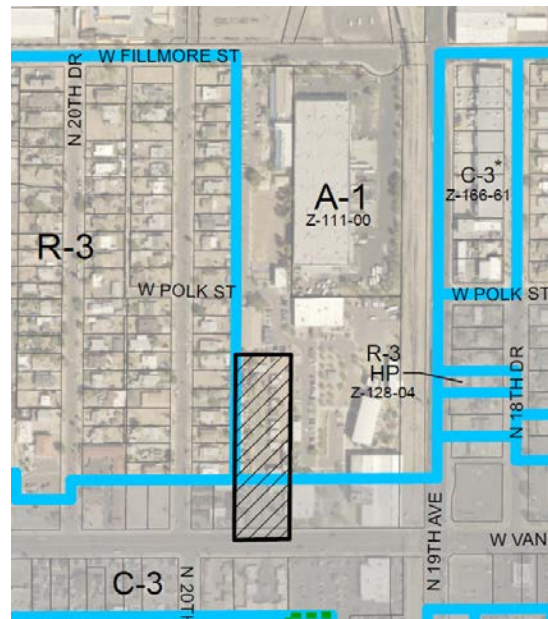
2. In 2012, the site was approved for a use permit (ZA-72-12) to allow residential units in the A-1 zoned portion of the site.

#### GENERAL PLAN

3. The site has a General Plan Land Use Map designation of Industrial. However, there is a pending General Plan Amendment request, GPA-CC-1-18-7, associated with this rezoning request, to change the General Plan Land Use Map designation to Residential 15+ dwelling units per acre.

#### SURROUNDING LAND USE AND ZONING

4. Single-family homes, zoned R-3 (Multifamily Residence District) and a tire shop, zoned C-3 CMOD (General Commercial District, Capitol Mall Overlay District), are located west of the site. To the north and the east of the site is Neighborhood Ministries, a family service center, zoned A-1 (Light Industrial District) and C-3 CMOD (General Commercial District, Capitol Mall Overlay District). South of the subject site, across Van Buren Street, is a motel that is zoned C-3 CMOD (General Commercial District, Capitol Mall Overlay District).



Source: Planning and Development Department

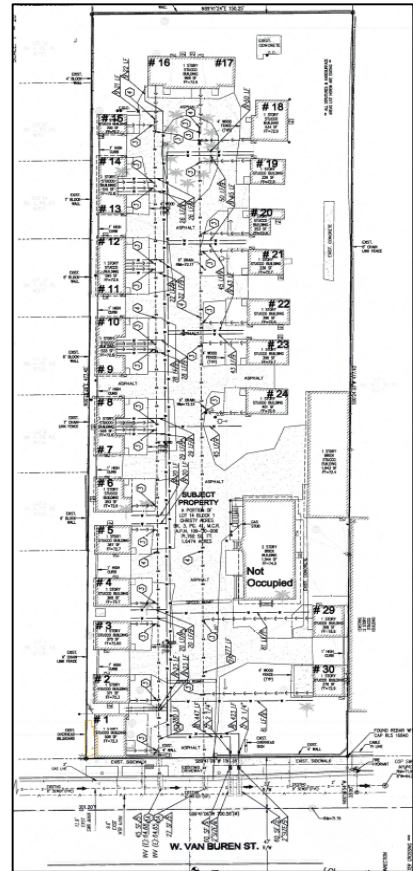
#### CAPITOL MALL OVERLAY DISTRICT

5. A portion of the property (0.58 acres) falls within the boundaries of the Capitol Mall Overlay District (CMOD). The Capitol Mall Overlay District (CMOD) is a regulatory overlay district found in Section 646 in the Zoning Ordinance. The purpose of this overlay district is to prevent a concentration of certain uses which can restrict businesses and residences from functioning normally and contributes to the deterioration of the business and living environment, the downgrading of property values, and the diminishment of health, safety and general welfare conditions in the area. This request will not conflict with the intent of the Capitol Mall Overlay District.

## SITE PLAN

6. The subject site is made up of one parcel, with frontage and access on Van Buren Street. The property is developed with an existing 26-unit multifamily residential development that was built in 1925 as a motor court motel. There is a driveway that runs in the middle of the property with parking in the front or side of each unit.

The applicant hopes to rehabilitate the building on the east side of the site (shown as “not occupied” on the site plan). This structure would be converted to add additional dwelling units for the site. The R-4 (Multifamily Residence District) zoning allows up to 34.80 dwelling units per acre with bonus. The current density on the site with the existing 26 units is 14.77 dwelling units per acre. Therefore, the current density is well within the maximum allowed density in the R-4 (Multifamily Residence District) zoning district.



Source: Conceptual site plan provided by applicant

## TREE AND SHADE MASTER PLAN

7. The provision of shade trees in the landscape area is an essential component for contributing toward the goals of the Tree and Shade Master Plan. Staff is recommending the trees be planted in the landscape planter south of the sidewalk along Van Buren Street to provide a pleasant and shaded pedestrian environment for thermal comfort of pedestrians and to reduce the urban heat island effect along Van Buren Street. This is addressed in Stipulation No. 1.

## COMMUNITY INPUT

8. At the time this staff report was written, staff had not received any correspondence from the public regarding the request.

## INTERDEPARTMENTAL COMMENTS

9. The City of Phoenix Street Transportation Department has noted that the developer shall dedicate a 10-foot sidewalk easement on the north side of Van Buren Street. This is addressed in Stipulation No. 2.
10. The City of Phoenix Aviation Department has noted that the property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights

regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation No. 3.

11. The Water Services Department has noted that there are no water or sewer infrastructure concerns with the proposed zoning.
12. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2205 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
13. Fire prevention does not anticipate any issues with this request. The site and/or building(s) shall comply with the Phoenix Fire Code. The water supply (gpm and psi) to this site is unknown. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

#### OTHER

14. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. 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 is not addressed in this development.
15. The site is located in an area identified as being archaeologically sensitive. If no previous archaeological projects have been conducted within this project area, it may be 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. These are addressed in Stipulation Nos. 4, 5, and 6.
16. Development and use of the site is 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 abandonment may be required.

## **Findings**

1. Subject to approval of GPA-CC-1-18-7, the subject site is consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre.
2. Existing structures that have been on site since 1925 will be rehabilitated and additional units established, which will further enhance the area.
3. The proposed development does not conflict with the intent and regulations of the Capitol Mall Overlay District.

## **Stipulations**

1. The property owner shall provide minimum 2-inch caliper shade trees to be placed 20-feet on center or in equivalent groupings in the landscape area between the sidewalk and the curb along Van Buren Street, as approved by the Planning and Development Department.
2. The developer shall dedicate a 10-foot sidewalk easement on the north side of Van Buren Street, as approved by the Planning and Development Department.
3. The property owner 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. The form and content of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
4. If determined necessary by the Phoenix Archaeology 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 Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
5. The applicant shall conduct Phase II archaeological data recovery excavations if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary.
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.

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**Writer**

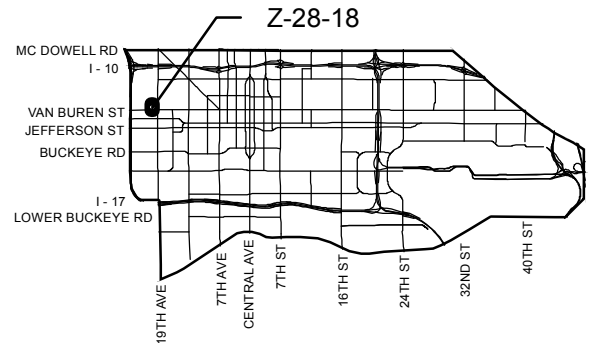
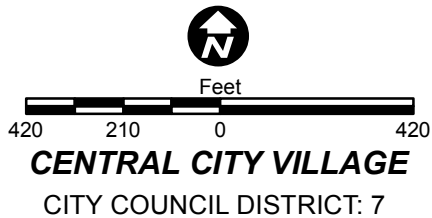
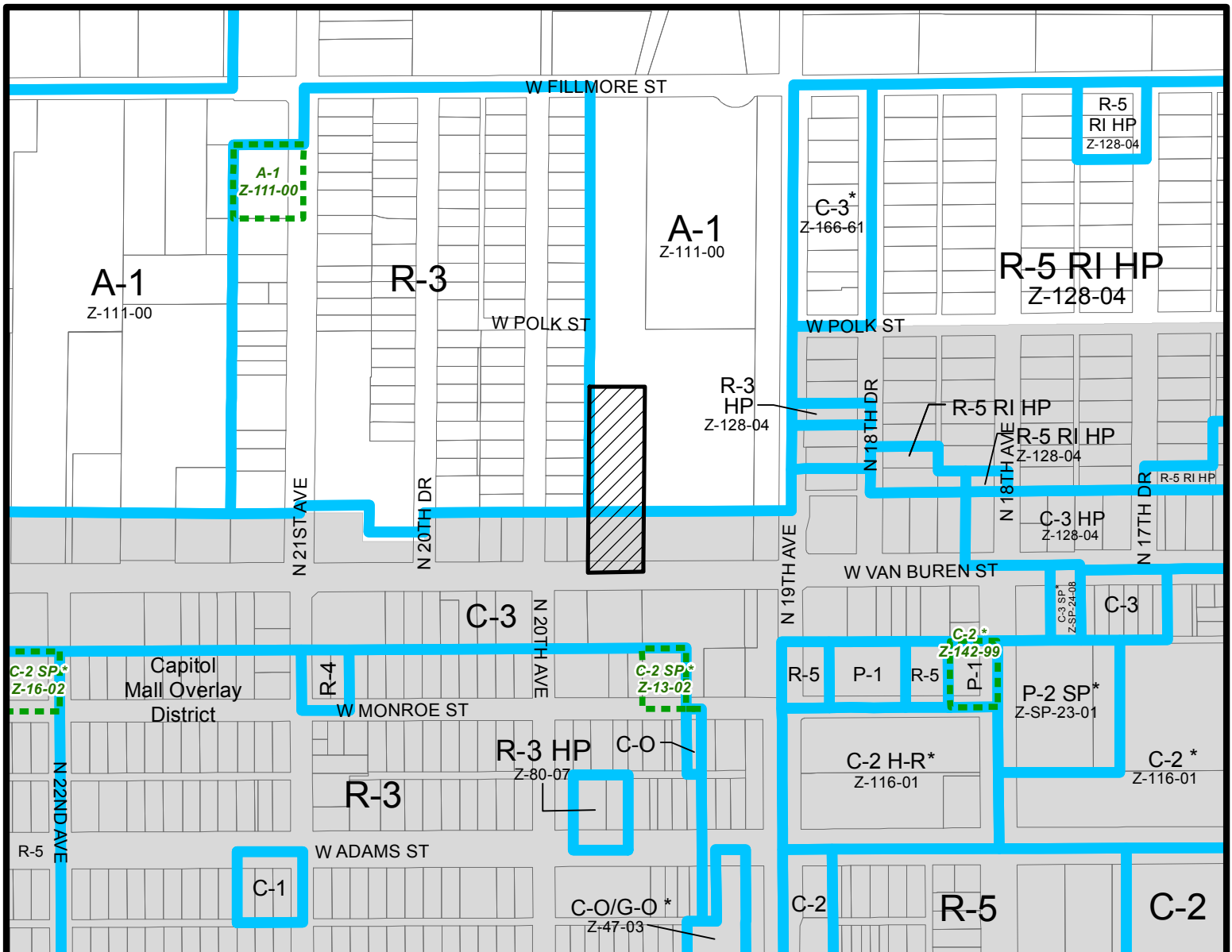
Hannah Bleam  
September 11, 2018

**Team Leader**

Samantha Keating

**Exhibits**

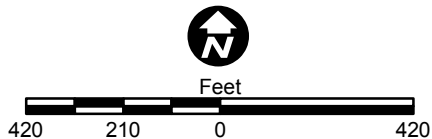
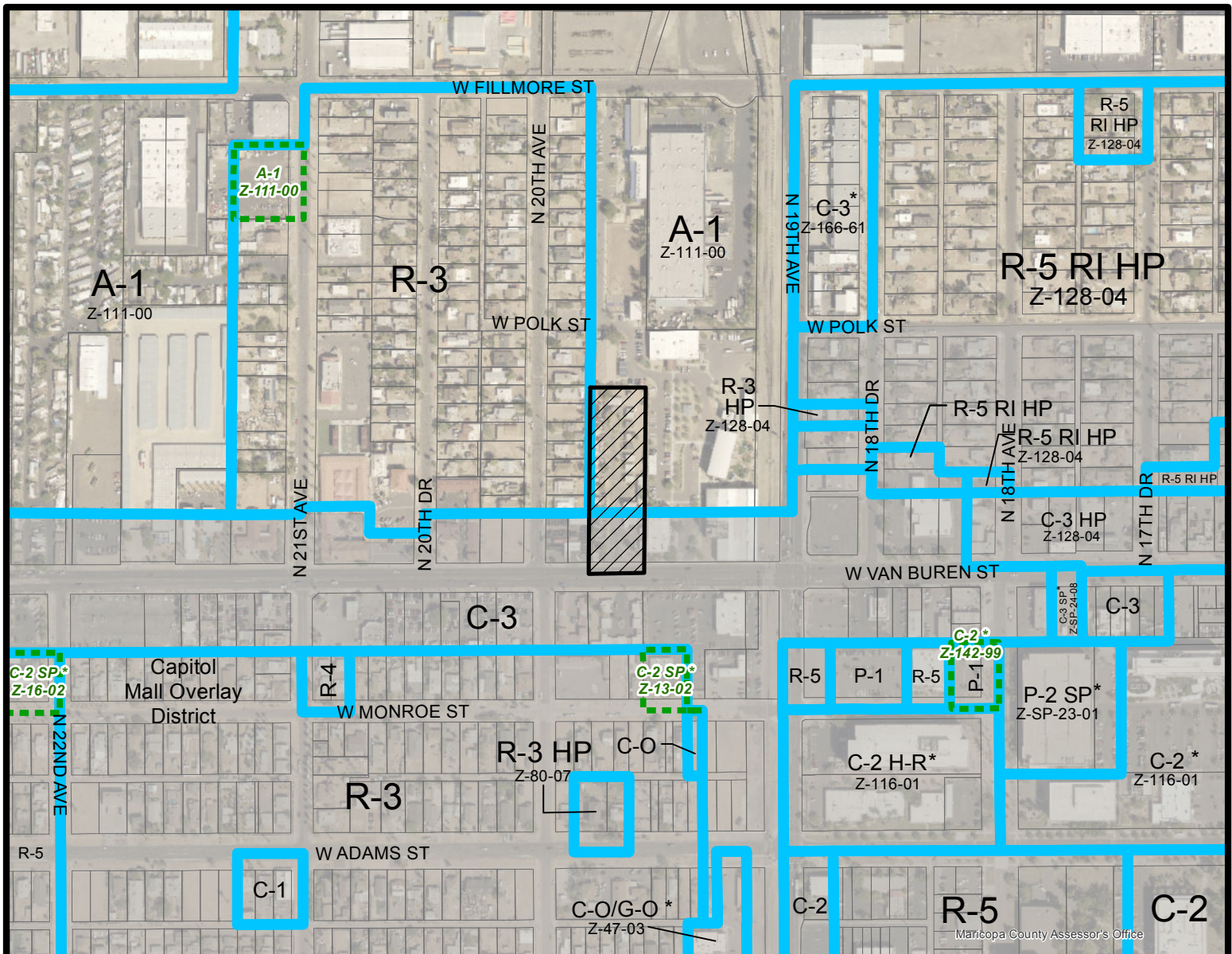
Sketch Map  
Aerial  
Site Plan date stamped April 20, 2018



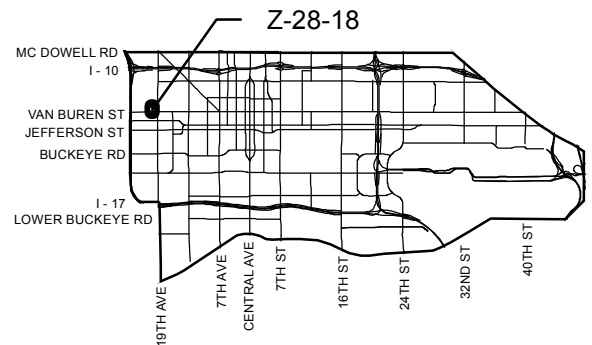
<b>APPLICANT'S NAME:</b> Randall Johnson		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-28-18	<b>DATE:</b> 7/24/2018 <b>REVISION DATES:</b> 9/10/2018	<b>FROM:</b> A-1 (1.18 a.c.) C-3 CMOD (0.58 a.c.)	<b>TO:</b> R-4 (1.18 a.c.) R-4 CMOD (0.58 a.c.)
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b>  1.76 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 11-24 <b>ZONING MAP</b> F-7	<b>* UNITS P.R.D. OPTION</b> N/A, 10 41, 20	
<b>MULTIPLES PERMITTED</b> A-1, C-3 CMOD R-4, R-4 CMOD	<b>CONVENTIONAL OPTION</b> N/A, 8 34, 17		

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





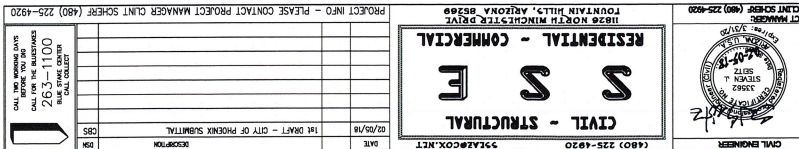
**CENTRAL CITY VILLAGE**  
CITY COUNCIL DISTRICT: 7



<b>APPLICANT'S NAME:</b> Randall Johnson		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-28-18	<b>DATE:</b> 7/24/2018 <b>REVISION DATES:</b>	<b>FROM:</b> A-1 (1.18 a.c.) C-3 CMOD (0.58 a.c.)	<b>TO:</b> R-4 (1.18 a.c.) R-4 CMOD (0.58 a.c.)
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<b>MULTIPLES PERMITTED</b> A-1, C-3 CMOD R-4, R-4 CMOD	<b>CONVENTIONAL OPTION</b> N/A, 8 34, 17		<b>* UNITS P.R.D. OPTION</b> N/A, 10 41, 20
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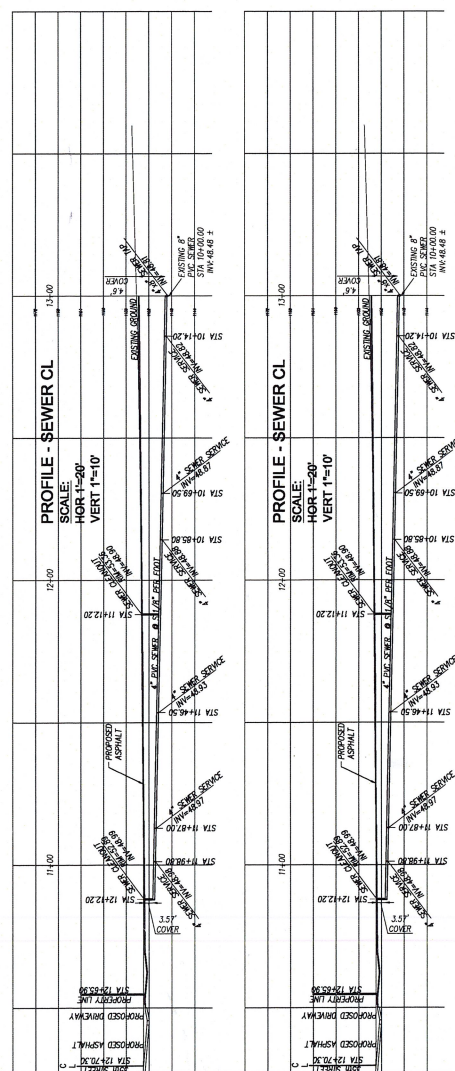


**1930 WEST VAN BUREN STREET  
A MULTI-FAMILY SUBDIVISION**  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 EAST  
OF THE GILA AND SALT RIVER BASELINE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



APR 20 2018

**Planning & Development  
Department**



## CONSTRUCTION NOTES

- | SEWER NOTES |    |
|-------------|----|
| 2           | EA |
| 350' LF     |    |
| 26          | EA |
| 6           | EA |
- 1A INSTALL 4"Ø" TAPPING SLEEVE  
 2A INSTALL 4" ØDS-35 PVC SEWER LINE,  
 LENGTH AS INDICATED  
 3 INSTALL 4" PVC SANITARY SEWER CONNECTION  
 PER CDS 301.174-40  
 PER CDS 301.174-60 AT BUILDING  
 PER CDS 708.3.5  
 \*\*\* MIN 24" VERT CLEARANCE  
 PER IRC P9001.1, CPM 603.2  
 PER INSTALL SEWER CLEANOUT \*\*\*

\*\*\* BACKFILL PER COP SUPPLEMENT TO MAG UNIFORM STD

WATER NOTES

- |   |   |        |
|---|---|--------|
| 5 | SAWCUT, REMOVE, AND REPLACE PAVEMENT<br>- PER COP STD DET P1600                         |        |
| 6 | INSTALL WATER SERVICE CONNECTION<br>- PER COP STD DET P1142<br>SIZE AS INDICATED        |        |
| 7 | INSTALL BLOCK/LOW PRESTRESSURE ASSEMBLY<br>- PER COP STD DET P1154<br>SIZE AS INDICATED | 2 EA   |
| 8 | INSTALL 2 1/2" POLYETHYLENE PIPE (PE2),<br>ALL FITURES TO COMPLY WITH NSRF              | 870 LF |
| 9 | INSTALL 1" POLYETHYLENE PIPE (PE1)<br>ALL FITURES TO COMPLY WITH NSRF                   | 862 LF |

\*\*\* BACKFILL PER COP SUPPLEMENT TO MAG  
UNIFORM STD SPEC, SECTION 601.2.2

**NOTES:** THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES OF WHICH THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS TO THE BEST OF THE ENGINEER'S KNOWLEDGE ARE NOT GUARANTEED. THE ENGINEER HAS NO RESPONSIBILITY AS TO THE ACCURACY, COMPLETENESS OR VALIDITY OF ANY INFORMATION OR RECORDS SHOWN ON THESE PLANS AND ASSUMES NO RESPONSIBILITY AS TO THE ACCURACY, COMPLETENESS OR VALIDITY OF ANY INFORMATION OR RECORDS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE THE NECESSARY PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND AVOID ANY DAMAGE TO ANY UTILITY LINES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY RECORDS NOT SHOWN ON THESE PLANS BY VERIFICATION OF THE LOCATION IN THE FIELD PRIOR TO THE INVESTIGATION OF THE ACTUAL PORTION OF THE WORK ATTRIBUTED TO THIS LOCATION.

**SAFETY NOTE:** THE CONTRACTOR WILL BE RESPONSIBLE FOR THE CONDUCT OF ALL PERSONS AND PROPERTY DURING THE WORK. THE REQUIREMENT WILL APPLY CONTINUOUSLY AND THE DUTY OF THE ENGINEER TO NORMAL WORKING HOURS. THE CONTRACTOR'S PERFORMANCE IS NOT TO BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR'S PERFORMANCE IS NOT TO BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR'S PERFORMANCE IS NOT TO BE LIMITED TO NORMAL WORKING HOURS.