ATTACHMENT B



Staff Report Z-53-24-7 November 1, 2024

Maryvale Village Planning Committee November 13, 2024

Meeting Date:

Planning Commission Hearing Date: December 5, 2024

Request From: S-1 (Ranch or Farm Residence) (2.05

acres) and R1-6 (Single-Family Residence District) (8.70 acres)

Request To: R-4 (Multifamily Residence District)

(10.75 acres)

Proposal: Multifamily residential

Location: Southwest corner of 69th Avenue

and Thomas Road

Owner: Leslie Tennen

Applicant: The NPR Group, LLC

Representative: Benjamin Tate, Withey Morris Baugh,

PLC

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		units per acre	dential 3.5 to 5 dwelling		
		Proposed (GPA-MV-1-24-7): Residential 15+ dwelling units per acre			
		Residential 15+ dwelling units per acre			
Street Map Classification	Thomas Road	Arterial	55-foot south half street right-of-way		
	69th Avenue	Local	0-foot west half street right-of-way		

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOOS; 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.

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The request facilitates additional housing opportunities in the Village that will help alleviate the housing crisis.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOOS; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dinning and recreational options for residents.

The proposed rezoning will allow for higher density residential, diversifying the housing stock in the area. The new zoning will allow for additional housing near the Maryvale Village Core and in close proximity to the Desert West Park and Community Center which provide many recreational opportunities.

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, as stipulated, includes enhanced landscaping which shall be planted within the landscape strips of detached sidewalks. This will create a comfortable pedestrian environment along Thomas Road and 69th Avenue by reducing the heat island effect and making the walk to nearby destinations safer and more comfortable. The proposed development will require landscape inventory and salvage plan(s) which will facilitate many of the existing trees to remain on site.

Applicable Plans, Overlays, and Initiatives

Housing Phoenix Plan – Background Item No. 5.

<u>Tree and Shade Master Plan</u> – Background Item No. 6.

<u>Monarch Butterfly Pledge</u> – Background Item No. 7.

<u>Complete Streets Guiding Principles</u> – Background Item No. 8.

<u>Comprehensive Bicycle Master Plan</u> – Background Item No. 9.

Transportation Electrification Action Plan - Background Item No. 10.

Conservation Measures for New Development - Background Item No. 11.

Phoenix Climate Action Plan – Background Item No. 12.

Zero Waste PHX - Background Item No. 13.

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Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Residence and accessory buildings	S-1 and R1-6		
North (across Thomas Road)	Single-family residences	R1-6		
South and West	Single-family residences	R1-6		
East (across 69th Avenue)	Single-family residences	R1-6		

R-4 (Multifamily Residential) *Variance or site plan modification required				
Standards Requirements (Planned Residential Development Option)		Provisions on the Proposed site Plan		
Gross Acreage	-	10.75 acres		
Total Number of Units	327, up to 374 with bonus	288 (Met)		
Maximum Density (dwelling units/acre)	30.45, 34.80 with bonus	26.79 (Met)		
Maximum Building Height	3 stories or 40 feet for the first 150 feet, 1-foot in 5-foot increase to 48 feet, 4-story maximum	Approximately 35 feet (Met)		
Maximum Lot Coverage	50%, plus an additional 10% for attached shade structures; Total 60%	Approximately 35% (Met)		
Minimum Building Setbacks				
North (Adjacent to Thomas Road)	20 feet	Approximately 20 feet (Met)		
East (Adjacent to 69th Avenue)	20 feet	Approximately 22 to 29 feet (Met)		
West (Adjacent to property line)	15 feet	Not specified		
South (Adjacent to property line)	15 feet	Not specified		
Minimum Landscape Setbacks				
North	20 feet	20 feet (Met)		
East	20 feet	20 feet (Met)		
West	5 feet	Not specified		

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South	5 feet	Not specified
Minimum Open space	5%	7% (Met)
Minimum Amenities	Two	Swimming pool, dog run. (Met)
Minimum Parking	432 spaces	438 spaces (Met)

Background/Issues/Analysis

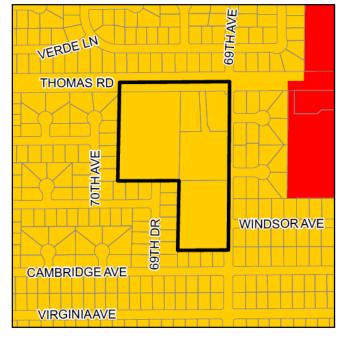
SUBJECT SITE

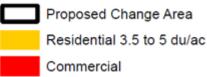
1. This request is to rezone 10.75 acres located at the southwest corner of 69th Avenue and Thomas Road from 2.05 acres of S-1 (Ranch or Farm Residence) and 8.70 acres of R1-6 (Single-Family Residence District) to R-4 (Multifamily Residence District) to allow multifamily residential. The subject site consists of a residence, accessory structures, and several trees as shown in the aerial sketch map included as an exhibit.

GENERAL PLAN LAND USE MAP DESIGNATION

2. The General Plan Land Use Map designation for the site is Residential 3.5 to 5 dwelling units per acre. The proposal for R-4 zoning is not consistent with the current designation, however, a proposed General Plan Amendment is being requested as part of companion case GPA-MV-1-24-7 to Residential 15+ dwelling units per acre. The proposed R-4 zoning district is consistent with the proposed General Plan Land Use Map designation of Residential 15+ dwelling units per acre.

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





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SURROUNDING LAND USES AND ZONING

3. Surrounding the site are single-family residences which were platted in the late 1970s. These surrounding properties are zoned R1-6 (Single-Family Residence District).

PROPOSAL

4. The conceptual site plan attached as an exhibit proposes 288 multifamily residences distributed throughout the site in nine buildings. It also contains one single-story clubhouse and a central amenity area with a pool and a dog park area.

Two of the proposed residential buildings along the south and southwest portions of the site are setback 35 feet from the single-family residential properties. To limit the impacts of this development to the single-family residences to the south and southwest, additional setbacks greater than the Phoenix Zoning Ordinance standards are proposed as listed in Stipulation No. 3 and evergreen trees for additional buffering are required per Stipulation No. 2.

Staff recommends enhanced planting standards along the street frontages to create a shaded and more visually appealing streetscape. This is addressed in Stipulation No. 1.

The primary open space area is surrounded by the clubhouse/leasing office and two of the multifamily residential buildings. This open space area includes a pool and there is an approximate 2,000 square foot landscape strip surrounded by the parking lot and used as a dog park. The proposed open space of 7 percent will exceed the Zoning Ordinance requirements of 5%. Staff recommends Stipulation No. 4 so that the provided open space is developed as proposed.

To enhance pedestrian connectivity and safety, Stipulation No. 5 requires pedestrian pathways to visually contrast from the drive aisles.

STUDIES AND POLICIES

5. 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 contributing to a variety housing types that will address the supply shortage.

6. 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.

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Stipulation Nos. 1, 2, 6, 9, 11, 20 and 28 require enhanced planting standards or shading to contribute to the urban forest and increase thermal comfort for pedestrians and residents on site.

7. 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. 22 will require the planting of milkweed shrubs, or other native nectar plant species on the subject site.

8. Complete Streets Guiding Principles

In 2014, 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.

Stipulation No. 9 and 11 require a detached sidewalk along Thomas Road and 69th Avenue with landscaping between the curb and sidewalk for comfort and pedestrian safety. Stipulation No. 5 requires pedestrian pathways to have a contrasting pavement treatment to denote where the pedestrian pathways cross drive aisles. Stipulation No. 14 and 15 require that any street improvements to be built to ADA and City of Phoenix standards to promote accessible and safe street environment.

9. 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. Stipulation No. 17 through 20 require bicycle infrastructure on site for residents and visitors. This includes bicycle parking, electrical receptacles for electric bicycle charging, a bicycle repair station, and extra shading for the bicycle parking spaces.

10. 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

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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. Stipulation Nos. 18 and 21 provide requirements for electric bicycle and vehicle parking, charging and infrastructure.

11. 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 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. 23 through 31.

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 Greater Phoenix Green Infrastructure (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. 31, which requires a minimum of two GI techniques for stormwater management to be implemented.

13. Zero Waste 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 has indicated the project will incorporate recycling provided through dedicated recycling dumpsters in each of the solid waste enclosures throughout the site and dedicated recycling bins in all common areas.

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COMMUNITY INPUT SUMMARY

14. At the time this staff report was written, staff received one email in opposition. No additional detail was provided regarding their concerns.

INTERDEPARTMENTAL COMMENTS

- 15. The Street Transportation Department requested:
 - Relocation of SRP facilities outside of City right-of-way.
 - Dedication and construction of right-of-way be made along Thomas Road.
 - The sidewalk along Thomas Road be detached and separated by a landscape area.
 - Dedication and construction of right-of-way be made along 69th Avenue.
 - A detached sidewalk to be constructed along 69th Avenue.
 - An enhanced pedestrian connection be provided to provide direct pedestrian access to the bus stop.
 - Replenish landscape in the median islands.
 - Replace unused or broken street improvements and construct all street improvements with all required elements to comply with ADA accessibility standards.

These are addressed in Stipulation Nos. 7 through 15.

- 16. The Public Transit Department requires the installation of a bus pad on east bound Thomas Road as identified in Stipulation No. 16.
- 17. The Historic Preservation Office noted that the applicant went through the 30-day demolition hold process and the Historic Preservation Commission did not choose to move forward with initiation.

OTHER

- 18. 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. 32 to 34.
- 19. 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

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form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 35.

20. 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 abandonments may be required.

Findings

- 1. The proposal is consistent with the proposed General Plan Land Use Map designation and with several General Plan 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.
- 3. This proposal, as stipulated, provides enhanced setbacks and landscape areas and a more comfortable pedestrian environment for residents and visitors of the site.

Stipulations

- 1. The landscape setbacks along 69th Avenue and Thomas Road shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
- 2. Evergreen trees shall be planted within the west landscape setback, adjacent to Building No. 7 and Building No. 9, and the south landscape setback adjacent to Building No. 9, as depicted on the site plan dated October 24, 2024.
- 3. A minimum 30-foot building setback shall be provided for the first floor, exclusive of carports, with a minimum 40-foot building setback for floors above the first floor, for the west portion of Building No. 7, and west and south portions of Building No. 9, as depicted on the site plan dated October 24, 2024.
- 4. A minimum of 7% of the gross project area shall be retained as open space, as approved by the Planning and Development Department.
- 5. 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.

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- 6. All pedestrian walkways, including sidewalks, 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. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
- 7. Existing SRP facilities along Thomas Road 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.
- 8. A minimum 65-feet of right-of-way shall be dedicated and constructed for the south side of Thomas Road. Right-of-way construction shall include the extension of the existing median to the 69th Avenue intersection, as approved by the Street Transportation Department.
- 9. The existing attached sidewalk shall be detached and constructed with a minimum 6-foot-wide sidewalk separated by a minimum 10-foot-wide landscape area on the south side of Thomas Road, adjacent to the development. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, and shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

- 10. A minimum 25-feet of right-of-way shall be dedicated and constructed for the west side of 69th Avenue.
- 11. A minimum 5-foot-wide detached sidewalk shall be constructed on the west side of 69th Avenue, adjacent to the development, and separated by a minimum 5-foot-wide landscape area. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, and shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

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- 12. An enhanced pedestrian connection shall be provided on the northern site boundary, adjacent to Thomas Road, to allow for direct pedestrian access to the adjacent transit bus stop, as approved by the Planning and Development Department.
- 13. The median islands within Thomas Road, adjacent to the development, shall be replenished with the approved landscaping and trees, as approved by the Planning and Development Department.
- 14. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
- 15. 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.
- 16. A bus pad shall be constructed that is 40 feet long and 10 feet wide, conforming with City of Phoenix Standard Detail P1260, on eastbound Thomas Road. The pad should be located at least 50 feet west of 69th Avenue, as approved by the Planning and Development Department.
- 17. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces to be provided through Inverted U and/or artistic racks and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, or through secure parking storage area/s, or a combination thereof, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
- 18. 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.
- 19. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not be limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department

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- 20. Bicycle parking spaces 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.
- 21. A minimum of 2% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure and a minimum of 3% of the required parking space shall include Electric Vehicle (EV) Ready Infrastructure, as approved by the Planning and Development Department.
- 22. 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.
- 23. 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.
- 24. 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.
- 25. A leak detection device shall be installed for the irrigation system within any open space area larger than 10,000 square feet, as shown on the site plan dated October 24, 2024.
- 26. 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.
- 27. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
- 28. 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, drought tolerant, shade trees, or a combination thereof.
- 29. Provide a landscape irrigation plan that includes zones to establish the amount of irrigation to apply based on maturity and type of the landscaping. Irrigation should be applied efficiently based on the maturity and need for the vegetation.
- 30. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup

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Program for a minimum of 10 years, or as approved by the Planning and Development Department.

- 31. 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.
- 32. 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.
- 33. If Phase I data testing is required, and 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, the applicant shall conduct Phase II archaeological data recovery excavations.
- 34. 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.
- 35. 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

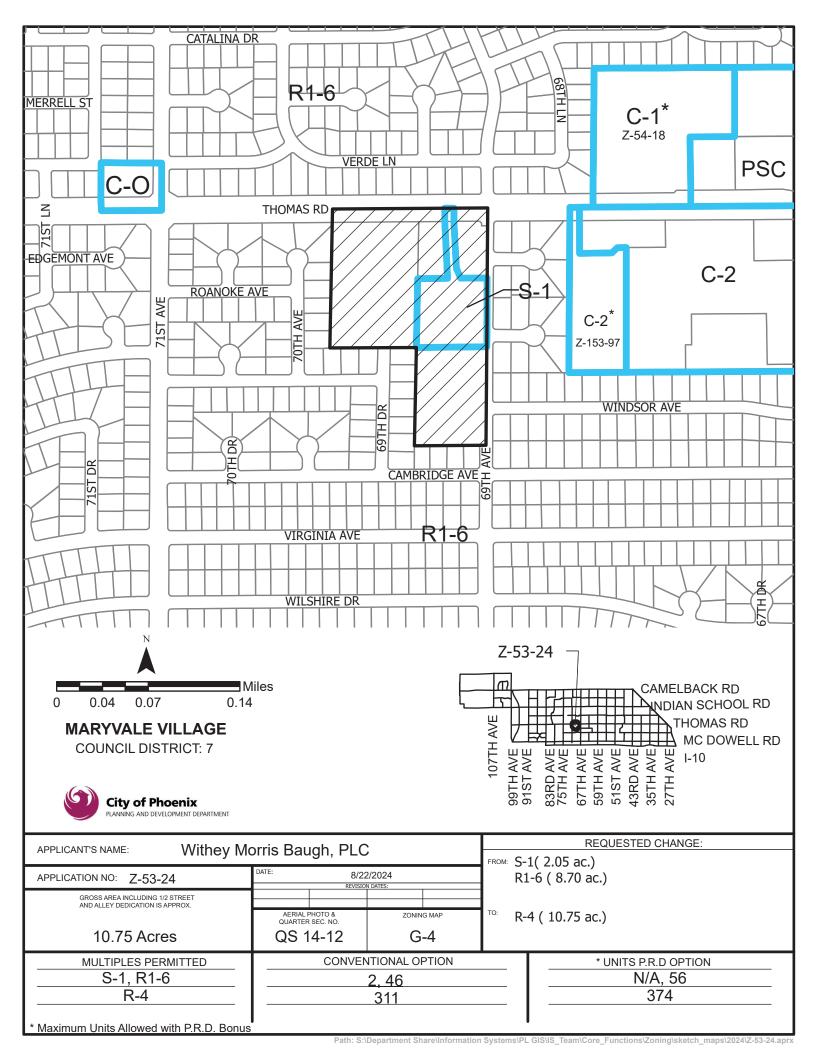
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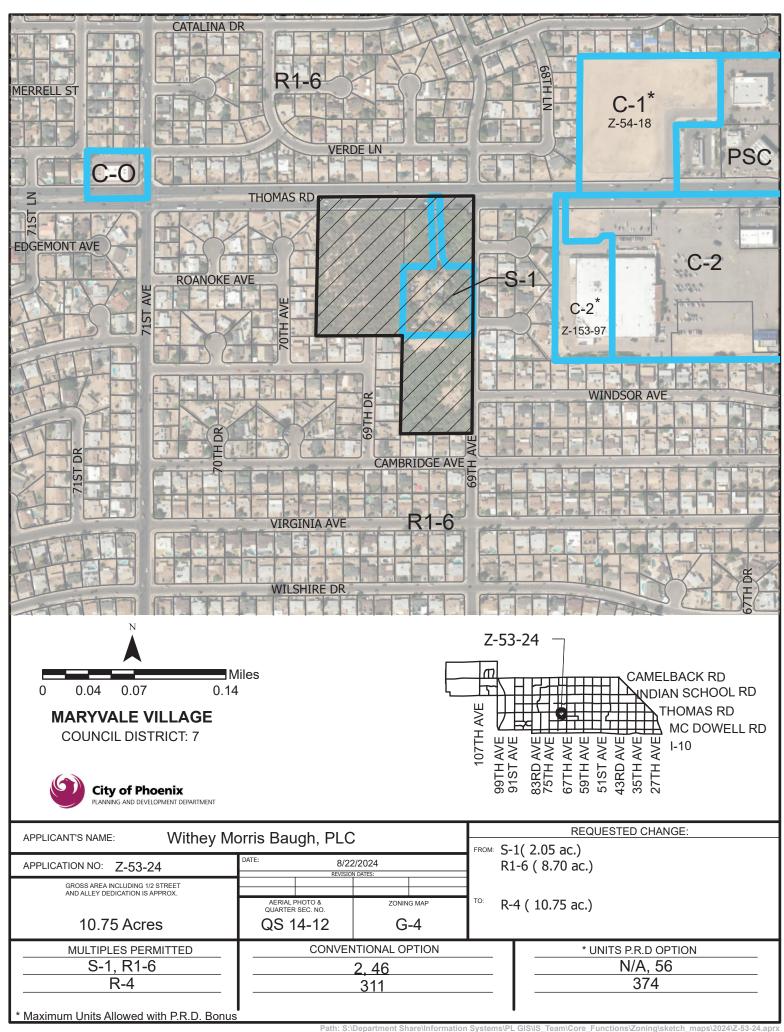
Team Leader

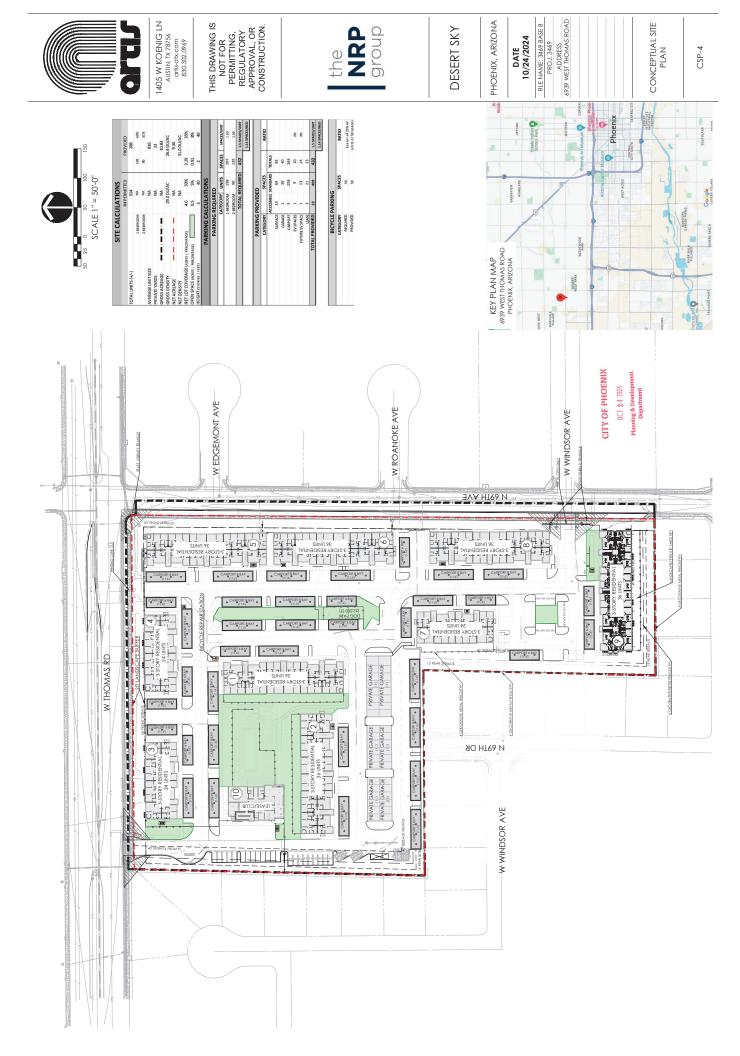
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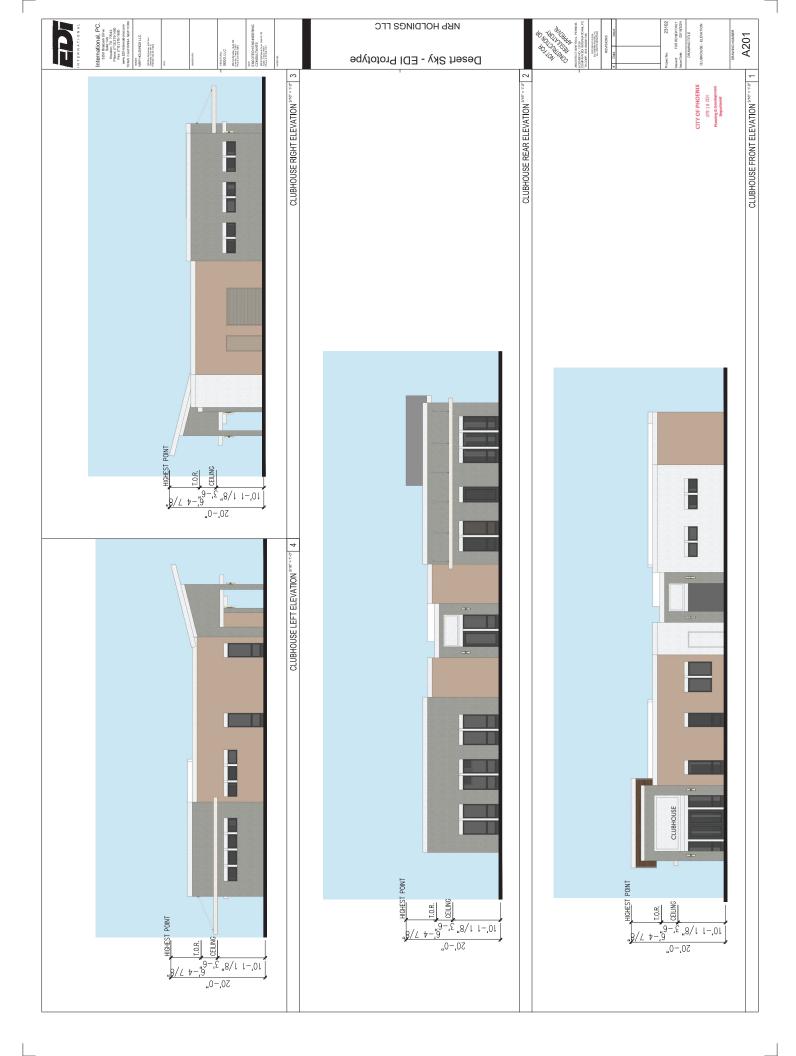
Exhibits

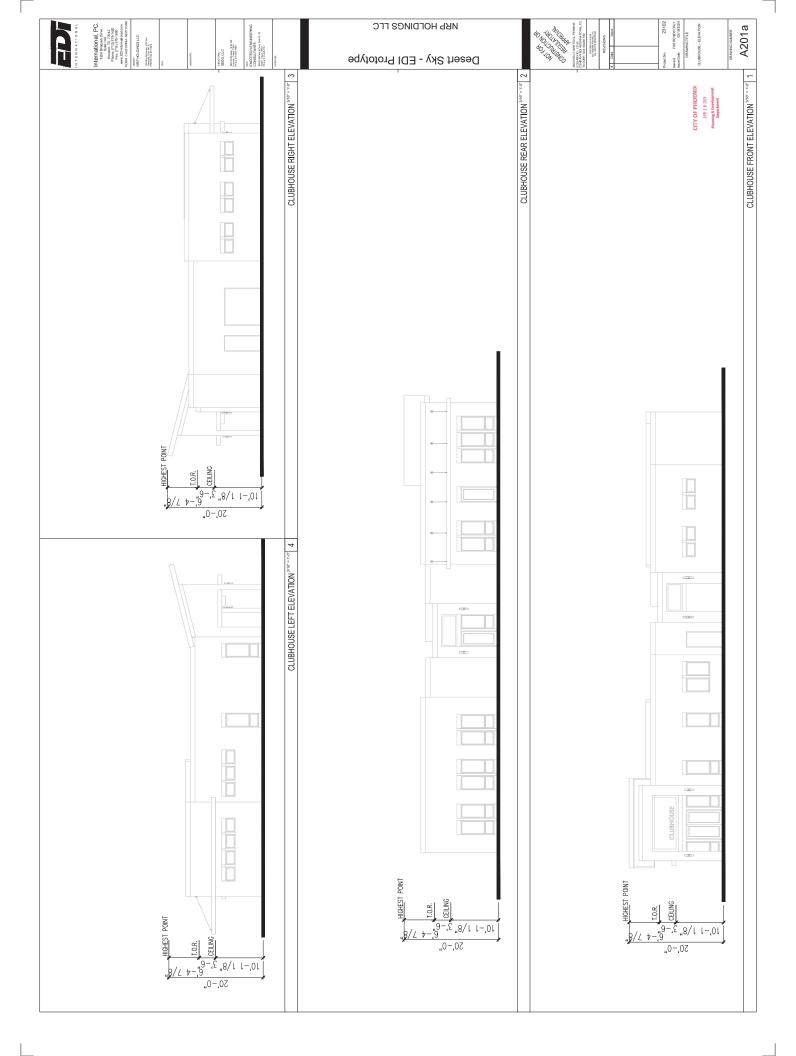
Zoning Sketch Map
Aerial Sketch Map
Conceptual Site Plan date stamped October 24, 2024
Conceptual Elevations date stamped April 10, 2024 (6 pages)
Conceptual Renderings date stamped April 10, 2024 (5 pages)
Correspondence





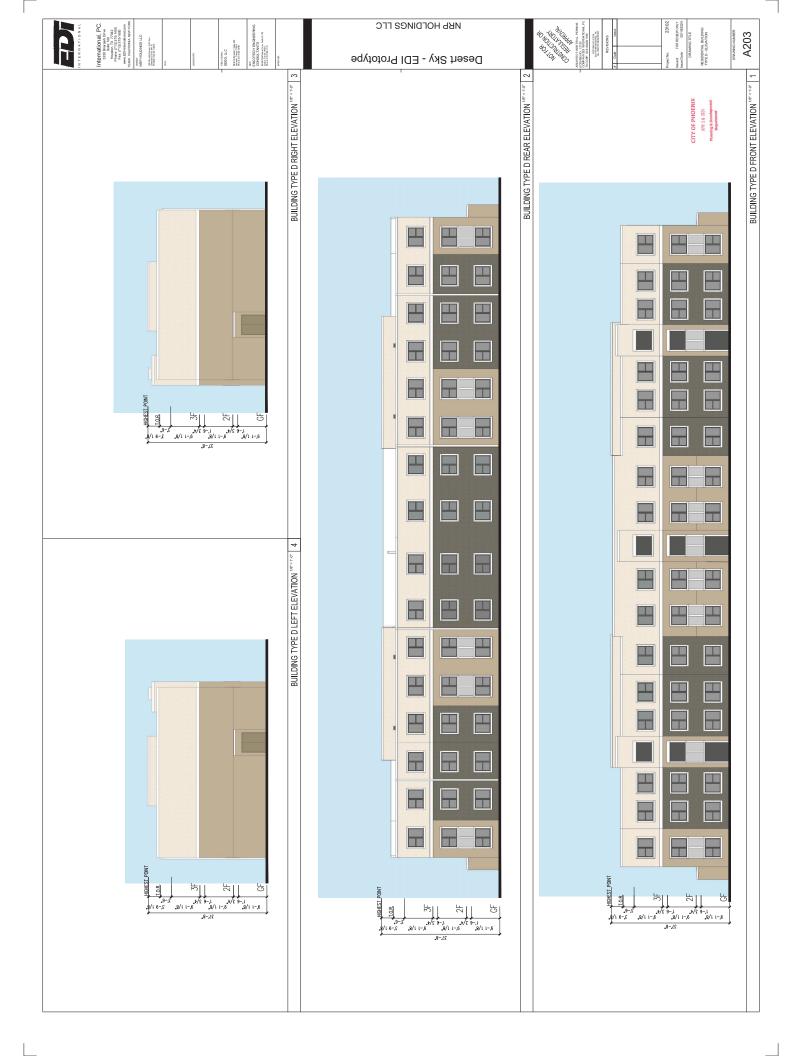














Desert Sky - EDI Prototype

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CLUBHOUSE FRONT VIEW-2 2





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Desert Sky - EDI Prototype





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APR 1 0 2024 Planning & Development Department





From: Efrain Betancourt Jr
To: Matteo Moric

Subject: Rezoning z-53-24 & GPA-MV-1-24

Date: Wednesday, September 25, 2024 4:16:42 PM

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello

I received this rezoning notice.

My name is efrain betancourt. I own a property nearby.

Im opposed to this rezoning. How can I vote on this or what do i need to do so it doesnt go through?

thanks

Efrain jr 623-693-8719