

Attachment B



City of Phoenix PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-63-20-2 RD Kierland PUD March 26, 2021

Paradise Valley [Village Planning Committee](#) Meeting Date: April 5, 2021

[Planning Commission](#) Hearing Date: May 6, 2021

Request From: [CP/GCP PCD](#) (7.14 acres)

Request To: [PUD](#) (7.14 acres)

Proposed Use: Planned Unit Development to allow multifamily residential and commercial uses.

Location: Southeast corner of Kierland Boulevard and Greenway Parkway

Owners: York Street Inn, Inc.

Applicant: Trey Brandt, RD Kierland

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Industrial	
		Proposed (GPA-PV-1-20-2): Mixed Use (Commercial/Commerce Park/Residential 15+ dwelling units per acre)	
Street Map Classification	Kierland Boulevard	Collector	40 and 50-foot east half street
	Greenway Parkway	Arterial	55 and 67-foot south half street
	Marilyn Road	Local	30-foot north half street
CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES GOAL; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.			

The proposed RD Kierland PUD supports increased intensity by proposing multifamily residential that is compatible in scale and intensity with the surrounding Kierland area and properties adjacent to the site. The development is located in a mixed-use corridor where nearby properties are multifamily or commercial. The project site is also within a designated employment center. The concentration of people near employment uses promotes the sustainability of nearby commercial uses. The requested PUD will facilitate ongoing investment and development of the greater Kierland 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 RD Kierland PUD proposes landscaping around all four sides of the building. Detached sidewalks along Kierland Boulevard, Marilyn Road and Greenway Parkway framed with landscape strips will provide thermal comfort for pedestrians. The PUD also requires that a minimum of 75 percent of public pedestrian pathways be shaded.

CONNECT PEOPLE & PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should be designed to include convenient bicycle parking.

The proposed development will provide bicycle parking for both residents and guests. The project also is in close proximity to a proposed bike lane along 71st Street and will support tenants who prefer using alternative modes of transportation to get to work or nearby entertainment.

Applicable Plans, Overlays and Initiatives

[Maricopa Association of Governments \(MAG\) Desert Ridge and Kierland Employment Center](#) – See background item No. 5 below.

[Tree and Shade Master Plan](#) – See background item No. 8

[Complete Streets Guiding Principles](#) – See background item No. 9

[Comprehensive Bicycle Master Plan](#) – See background item No. 10

[Zero Waste PHX](#) – See background item No. 11

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Commercial Office	CP/GCP PCD
South (across Marilyn Rd)	Commercial Office	PUD
North (across Greenway Parkway)	Commercial Office/Retail	C-2 PCD
East	Commercial Office	CP/GCP PCD
West (across Kierland Blvd)	Commercial Office	CP/GCP PCD

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 7.14-acre site located on the southeast corner of Kierland Boulevard and Greenway Parkway. The request is to rezone from CP/GCP PCD (Commerce Park/General Commerce Park, Planned Community District) to PUD (Planned Unit Development) to allow multifamily residential and commercial uses.
2. The subject site consists of two parcels that are under the ownership of York Street Inn, Inc. The site currently contains two one-story office building with surface parking. The subject site was annexed into the City of Phoenix on October 15, 1961. At that time the subject site and the surrounding area vastly consisted of vacant land. This area was planned in 1975 as a Planned Community District (PCD) of 1,082 acres, previously known as the Desert Springs PCD and now known as the Kierland PCD, through Rezoning Case No. Z-11-75. Subsequently, the Kierland PCD went through several amendments since its original approval. The current CP/GCP zoning designation was established through Amendments D and Rezoning Case Nos. Z-11-D-75 on June 15, 1994 and Z-11-F-75 on February 19, 1997. Maricopa County Historical Aerials indicate that the first property to develop near the site was in approximately 1997 just west of the subject site and the subject property began development in approximately 1998. The PCD Zoning District is intended to establish a development pattern for a larger area while permitting flexibility for specific developments and safeguards that adequate infrastructure needs are met for the area. The proposed PUD also proposes to remove the property from the PCD and the developer will be required to provide updated infrastructure as needed and determined through the Planning and Development Department's site development process.



2019

Historic Aerials, Source: Maricopa County Assessor's Office

-
- Subject Site**
- CP/GCP PCD***
11-75 7025 7047 703
- PUD***
11-14635 7077 7077
- Legend:**
Industrial (Grey)
Commercial (Red)
- Streets:**
N KIERLAND BLVD
E ARLYN RD

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

4. North

The property to the north of the subject site, across Greenway Parkway, is a mixed use shopping center (Kierland Commons) zoned C-2 PCD (Intermediate Commercial, Planned Community District).

South

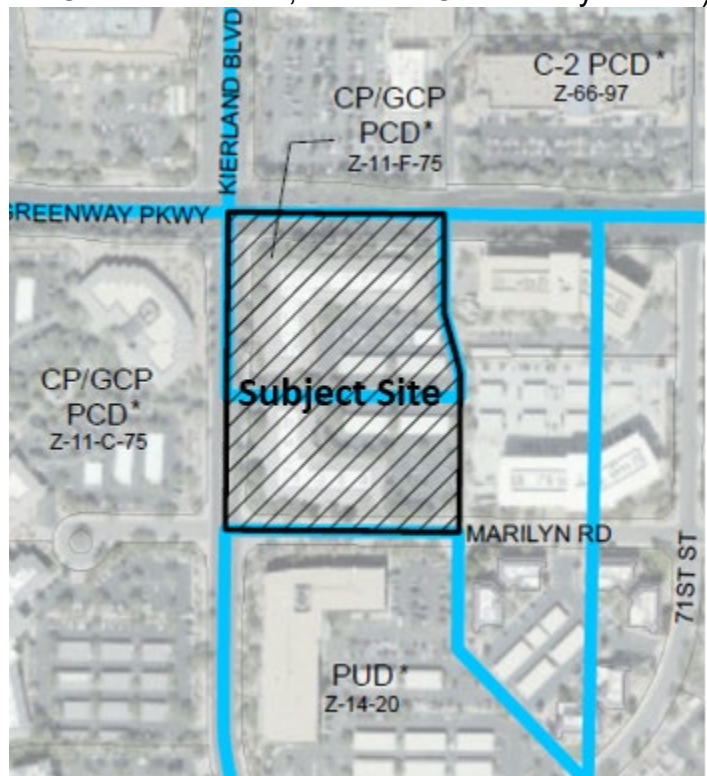
Directly south of the subject site is a two-story office building that was recently rezoned to PUD (Planned Unit Development) through Rezoning Case No. Z-14-20-2 that allows office with minor commercial uses.

East

Directly to the east of the subject site are two four-story commercial office buildings zoned CP/GCP PCD (Commerce Park/General Commerce Park, Planned Community District)

West

West of the subject site, across Kierland Boulevard, is a two-story commercial office building zoned CP/GCP PCD (Commerce Park/General Commerce Park, Planned Community District).



Surrounding Zoning, Source: City of Phoenix Planning and Development Department

5. The subject site falls within the boundaries of the Maricopa Association of Governments designated Desert Ridge/Kierland major employment center and is in close proximity to a City of Phoenix designated employment center. The Desert Ridge/Kierland employment center runs east from 36th Street to Scottsdale Road between Deer Valley Road and the Central Arizona Project Canal, including the area from 64th Street to Scottsdale Road between the CAP canal and Acoma Drive.



Employment Center Map, Source: City of Phoenix Planning and Development Department

A mix of housing types is encouraged in employment centers and commercial corridors. The Desert Ridge/Kierland

employment center profile provided by the City of Phoenix Community and Economic Development Department identifies that the Kierland area is comprised of a highly educated, executive and professional workforce with a large inventory of Class A office space. Providing additional residential options in close proximity to the nearby office spaces will add to the sustainability of the established employment center and the Kierland area overall.

PROPOSAL

6. The proposal was developed utilizing the PUD zoning designation. The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant writes a document proposing standards and guidelines that are tailored to the context of a site on a case by case basis.

Where the RD Kierland PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions shall be applied.

7. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped March 15, 2021. The proposed standards were designed to allow for a multifamily development that continues enhancement along the Kierland Boulevard corridor for a more pedestrian-friendly environment.

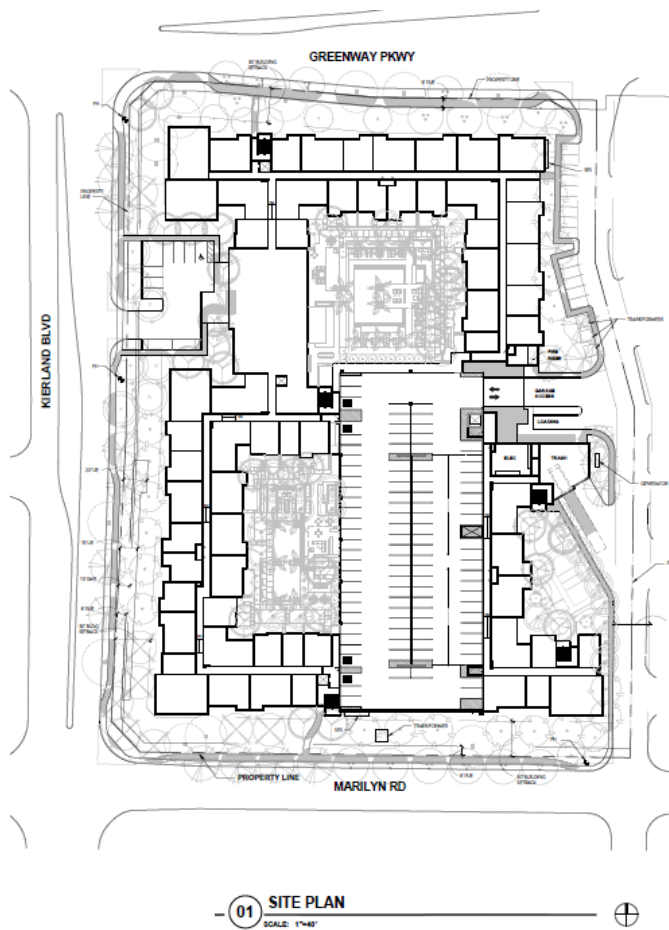
List of Uses

The Development Narrative proposes a number of permitted uses. The proposed uses consist of the permitted C-2 and CP/GCP zoning uses found in Sections 623 and 626 of the Phoenix Zoning Ordinance, with some prohibited uses. Additionally, multifamily residential is permitted with a maximum of 360 residential dwelling units.

The Development Narrative also proposes restricting certain uses that are inconsistent with the Narrative's vision of mixed-use pedestrian oriented development.

Conceptual Site Plan

The development's main access points are along Kierland Boulevard and the private drive bordering the eastern boundary of the subject site. The project proposes a five-story, 68-foot tall multifamily building and 68-foot tall parking garage that is partially wrapped by dwelling units. The remaining portion of the parking structure shall be screened with architectural embellishments consistent with the primary façade. Three amenity courtyards are proposed and are reserved as private common open space. Kierland Boulevard, Greenway Parkway and Marilyn Road will contain enhanced streetscape with a minimum seven-foot detached sidewalk along Greenway Parkway and a minimum five-foot wide sidewalks along Kierland Boulevard and Marilyn Road framed by landscape areas that will include trees, shrubs and live ground cover along.



Site Plan, Source: Nelson Partners

Development Standards

The PUD development narrative proposes development standards based on the CP/GCP Zoning District. These standards vary from the CP/GCP standards in relation to height, lot coverage, open space and building setbacks. All other development standards are comparable.

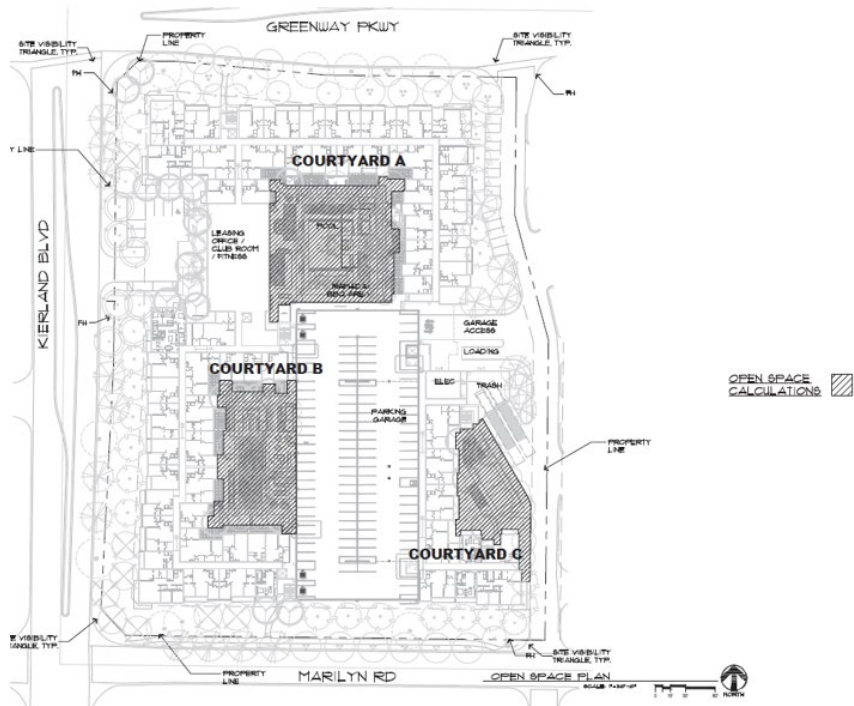
a. Maximum Residential Unit Count: Maximum Dwellings Maximum Density	360 dwelling units 50.42 dwelling units per gross acre
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b. Minimum Lot Width/Depth	No Minimum
c. Minimum Building Setbacks	From Property Line
North (Internal Property Line)	30 feet 6 inches
West (71st Street)	30 feet
South (Internal Property Line)	30 feet
East (Interior Property Line)	15 feet
d. Minimum Landscape Setbacks	
North (Internal Property Line)	30 feet
West (71st Street)	30 feet
South (Internal Property Line)	30 feet
East (Interior Property Line)	0 feet
e. Maximum Building Height	68 Feet
f. Maximum Lot Coverage	55 percent of Total Net Site Area
g. Open Space	Minimum 10 percent of gross site area

The proposed maximum height of the project is 68 feet. The CP/GCP standards allow a maximum height of 80 feet with a use permit. Staff is supportive of the additional height due to the design and placement of the building as well as comparable heights in the area.

The lot coverage proposed for the project is 55 percent. The CP/GCP standards require a maximum lot coverage of 50 percent. The additional lot coverage is offset by a generous open space standard of 26,000 square feet. The CP/GCP standards are silent on open space. Therefore, the open space proposed far exceed ordinance standards and will serve as an amenity to residents and visitors.

The proposed interior building setback is 15 feet where 0 feet is required in the CP/GCP district standards. A 30 foot building setback is proposed along Kierland



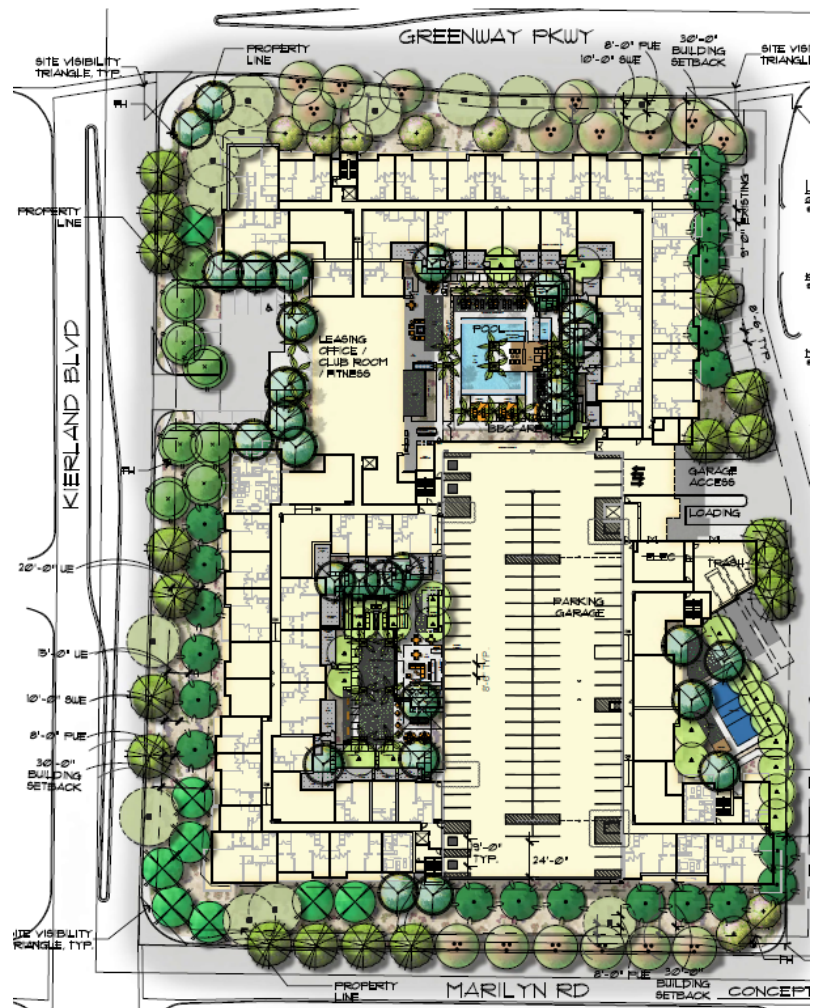
Open Space Plan, Source: Nelson Partners

Boulevard, Greenway Parkway and Marilyn Road, which is comparable to the CP/GCP district requirements.

Landscape Standards

The PUD proposes landscaping along all sides of the building. The Development Narrative includes increased landscape setbacks adjacent to the street frontages. Minimum landscape setbacks of 30 feet will be provided along Kierland Boulevard, Greenway Parkway and Marilyn Road. These areas will incorporate a mixture of 1, 2 and 3 inch caliper trees in all landscape areas and shall utilize existing trees where possible. In addition to the trees, the developer shall install a minimum of 5 five-gallon drought tolerant shrubs per tree and 75 percent live ground cover.

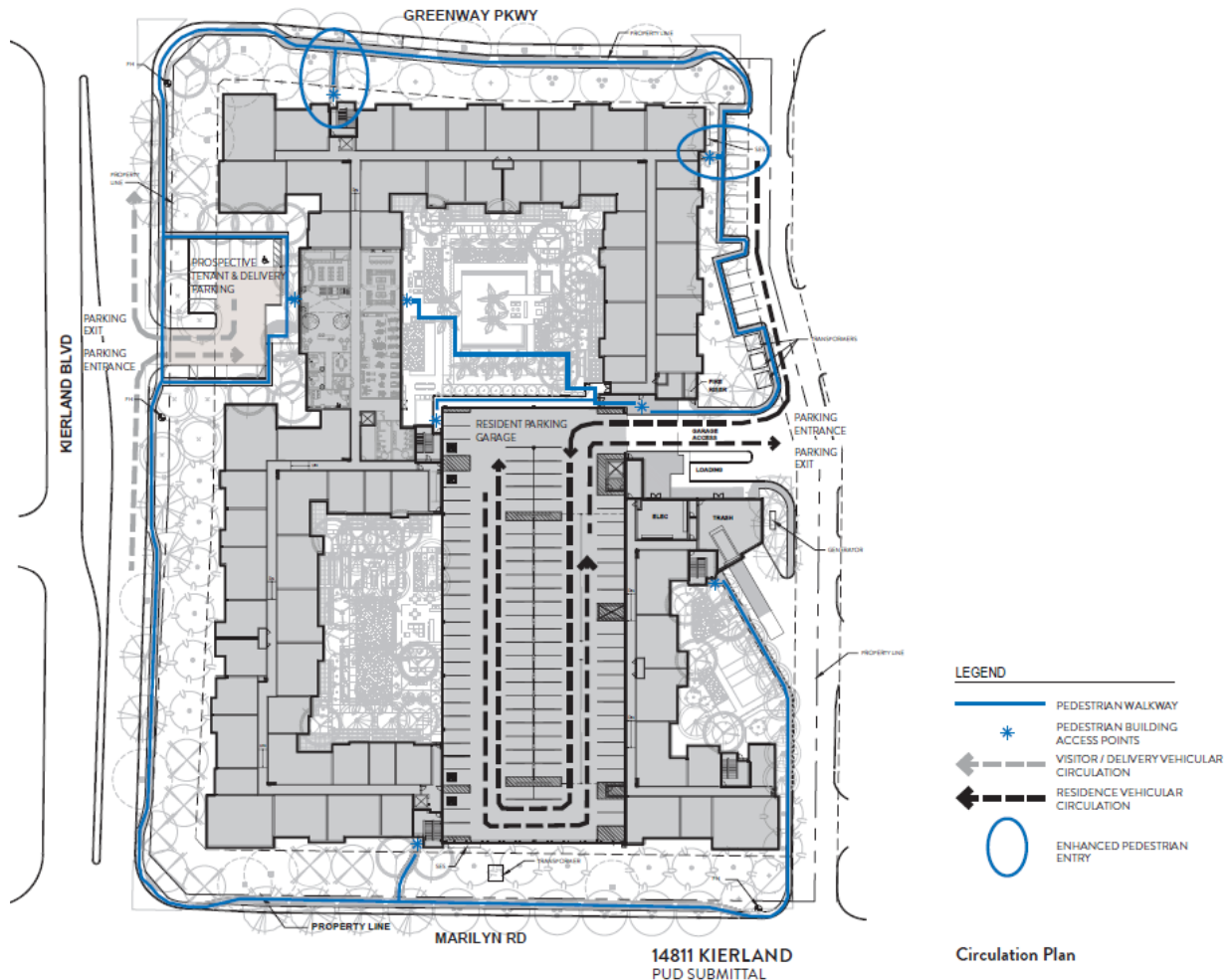
The streetscape along Greenway Parkway will include a minimum seven-foot wide detached sidewalk and a mixture of two-inch (60 percent) and three-inch (40 percent) caliper trees along the public rights-of-way. This exceeds minimum tree size requirements in the CP/GCP district. The landscaping will provide for a pedestrian-friendly environment with 75 and 50 percent shade at maturity along the sidewalks and pedestrian pathways. The PUD proposes landscaping along public sidewalks with a minimum planting size of 60 percent two-inch caliper trees, 40 percent three-inch caliper trees and 75 percent live ground cover adjacent to rights-of-way.



Conceptual Landscape Plan, Source: Collaborative Design Studio

Design Guidelines and Standards

The Development Narrative includes design standards that promote pedestrian circulation on and around the site. The graphic below illustrates the proposed pedestrian network for the site.



Circulation Plan, Source: Nelsen Partners

Design standards ensure that the building facade will contain 20 percent natural stone, 30 percent glazing, 25 percent masonry and 60 percent stucco as depicted in the graphic below. Elevations of the building will provide one private balcony per unit and building corners will provide a change in color or material from immediately adjacent building sections on floors 1 through 4. The northwest corner will include a wrap around balcony as depicted in the graphic below. The final elevations and building plans submitted to the City will incorporate the provisions outlined in the development narrative and shall follow the Design Guidelines of Section 507.Tab A of the Phoenix Zoning Ordinance.

A minimum of 75 percent of the garage structure visible from the public right-of-way shall be wrapped by dwelling units. The remainder of the parking structure shall be screened with architectural material consistent with the primary building façade as outlined in the development narrative. The landscape design shall have a uniform streetscape design and a uniform perimeter design. Several residential amenities are also proposed, which are outlined below.



Conceptual Elevations, Source: Nelsen Partners

Parking Standards

The proposed parking exceeds what is required by Section 702 of the zoning ordinance.

The PUD proposes a minimum of .25 bicycle space per unit with a maximum of 25 spaces and shall comply with Section 1307.H. of the City of Phoenix Zoning Ordinance.

Comparative Parking Standards Table

Unit Type	Ordinance Parking Requirement	Parking Provided
Studio (43 Units)	1.3 parking spaces per unit, or 56 spaces	
1 Bedroom (129 Units)	1.5 parking spaces per unit, or 194 spaces	
2 Bedroom (163 Units)	1.5 parking spaces per unit, or 245 spaces	
3 Bedroom (25 Units)	2 parking spaces per unit, or 50 spaces	
Total	545 Total Spaces	569 Total Spaces

Parking Standards, Source: Nelsen Partners

Fences/Walls

All site fences and walls will be consistent with Section 703.A of the Phoenix Zoning Ordinance. In addition, all screen walls shall include architectural detailing consistent or complementary to the building facade.

Amenities

The PUD proposes amenities intended for use by residents and guests to include a clubhouse no less than 9,000 square feet, fitness center no less than 1,800 square feet, fifth floor viewing deck, swimming pool or spa and at least three of the following:

- Lounge deck
- Shaded outdoor dining area
- Water features
- Barbeque grills
- Fire features
- Seating nodes

Shade

The proposed shade standards require that a minimum of 75 percent of shade cover be provided at maturity over public sidewalks and 50 percent shade coverage over private sidewalks.

Lighting Plan

All lighting will be consistent with the standards of Section 704 (Environmental Performance Standards) of the Phoenix Zoning Ordinance and Section 507 Tab A. and Section 23-100 of the City Code.

Signage

The proposed sign standards shall comply with Section 705.C.6 of the City of Phoenix Zoning Ordinance.

Sustainability

The Development Narrative proposes several options to incorporate sustainability principals including drought tolerant landscaping, LED landscape and exterior building lighting, and recycling receptacles. The project also proposes retaining established tree where possible along Greenway Parkway and Marilyn Roads, where possible and the utilization of low flow water fixtures.

PUD Compatibility to Zoning Ordinance

The PUD proposes building setbacks that are comparable or greater than what is required by the Phoenix Zoning Ordinance in the CP/GCP zoning district. The interior setbacks are proposed at 15 feet, where the zoning ordinance is 0 feet and the street setbacks are proposed at 30 feet where the zoning ordinance requires a 30 foot setback along the perimeter of Commerce Park zoning and 20 feet on the interior. All property boundaries adjacent to public streets will include enhanced landscaping with 7 foot and 5 foot wide detached sidewalks. Shade at 75 percent coverage at maturity will be provided to increase pedestrian comfort and activity. The open space standards are greater, requiring a minimum of 26,000 square feet or a minimum of 10 percent of the total gross site area where the CP/GPC code section does not require open space. The PUD landscape setbacks proposed are comparable or greater compared to the minimum requirement of the Phoenix Zoning Ordinance and require that 60 percent of trees be a minimum of 2-inch caliper and 40 percent be 3-inch caliper planted along all public rights-of-way to include Kierland Boulevard, Marilyn Road and Greenway Parkway.

Phasing

The project will be constructed in one phase.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes landscaped pedestrian walking paths, open space areas and greater planting standards than otherwise required by the City of Phoenix Zoning Ordinance.

9. **Complete Streets Guiding Principles**

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. There are proposed detached sidewalks adjacent to the public streets and multiuse pathways throughout the site which provides a safer and more comfortable pedestrian experience.

10. [Comprehensive Bicycle Master Plan](#)

The Comprehensive Bicycle Master Plan also supports options for both short-and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal requires bicycle parking spaces be provided on the site. Bicycle racks shall consist of an inverted-U or other decorative design and installed per the requirements of Section 1307. H.



Source: Dero

11. [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 provision of recycling is addressed in the PUD narrative.

COMMUNITY INPUT SUMMARY

12. At the time the staff report was written, staff has not received any community correspondence since the application was submitted.

INTERDEPARTMENTAL COMMENTS

13. The Street Transportation Department has proposed stipulations requiring that all streets within and adjacent to the development, shall be constructed with all mandatory elements. All improvements shall meet ADA requirements. No preliminary approval of plans shall be granted until a Traffic Impact Study/Statement is reviewed and approved by the City. These are addressed in Stipulation Nos. 2 and 3.

14. The City of Scottsdale Aviation Department expressed concern with the location of this project as it relates to the airports flight paths and the 55 and 60 DNL noise contours of Scottsdale Airport. The City of Scottsdale comments and proposed stipulations were provided to the City of Phoenix Aviation Department for review.
15. The City of Phoenix Aviation Department has noted that the site is within the Scottsdale Municipal Airport (SDL) traffic pattern airspace, therefore, the developer shall provide notice to prospective purchasers of the existence and operation characteristics of the Scottsdale Airport and shall provide documentation that Form 7460-1 from the FAA. The requirements are addressed in Stipulation Nos. 4 and 5.
16. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
17. The City of Phoenix Floodplain Management division of the Public Works 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 1760 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
18. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

OTHER

19. 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 No. 6.
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 proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment.
2. The proposed development will provide additional housing options close to employers at a designated Major Employment Center.
3. The development will provide increased shade which will help to reduce the urban heat island effect.

Stipulations

1. An updated Development Narrative for the RD Kierland PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped March 15, 2021, as modified by the following stipulations:
 - a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
1st Submittal: November 18, 2020
2nd Submittal: January 29, 2021
Hearing Draft: March 15, 2021
City Council adopted: TBD
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.
4. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) 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.

5. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
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.

Writer

David Simmons

March 26, 2021

Team Leader

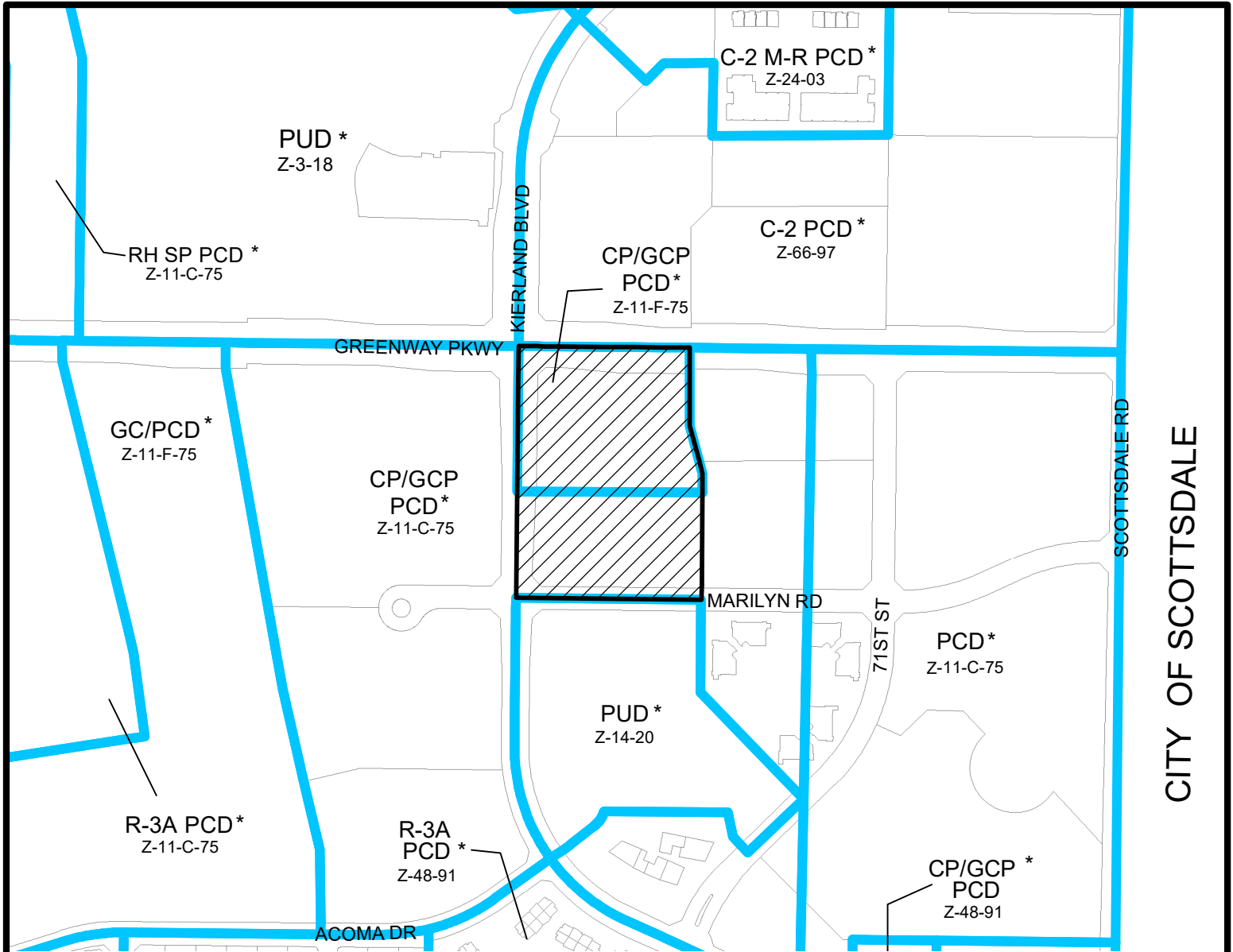
Samantha Keating

Exhibits

Zoning Sketch Map

Zoning Aerial Map

[RD Kierland PUD Development Narrative date stamped March 15, 2021](#)



CITY OF SCOTTSDALE



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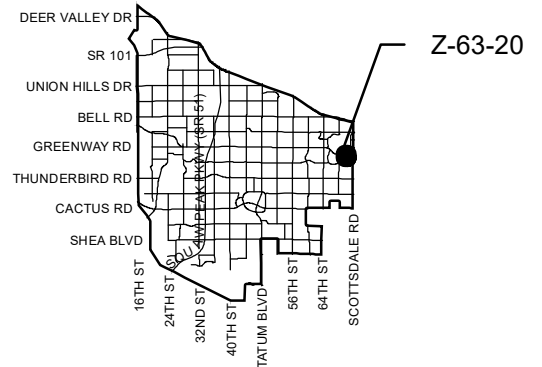
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PARADISE VALLEY VILLAGE

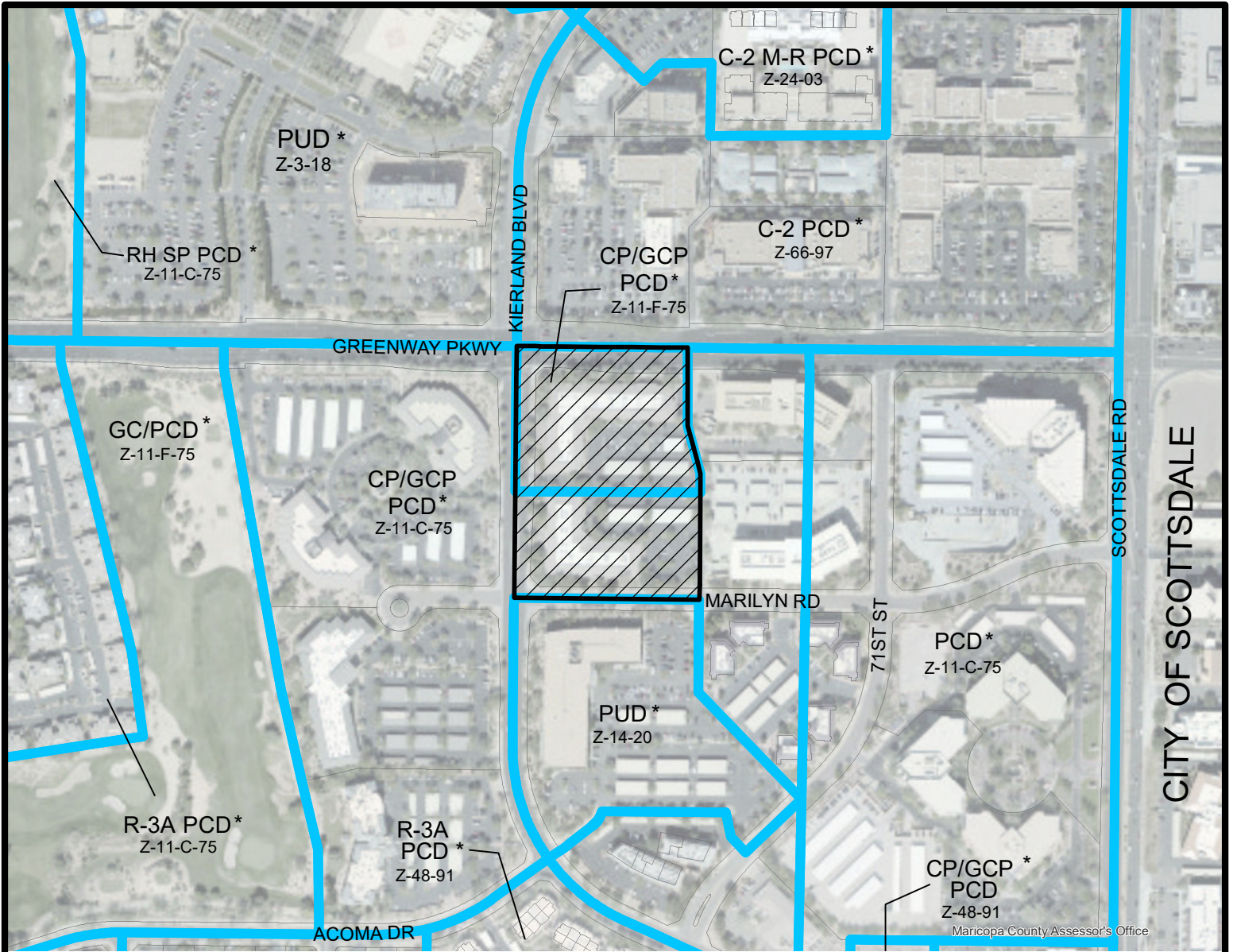
CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Trey Brandt, RD Kierland		REQUESTED CHANGE:	
APPLICATION NO. Z-63-20		FROM: CP/GCP PCD (7.14 a.c.)	
DATE: 11/23/2020 REVISION DATES:		TO: PUD (7.14 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 7.14 Acres			
AERIAL PHOTO & QUARTER SEC. NO. QS 34-44		ZONING MAP L-12	
MULTIPLES PERMITTED CP/GCP PCD PUD		CONVENTIONAL OPTION N/A 360	
* Maximum Units Allowed with P.R.D. Bonus		* UNITS P.R.D. OPTION N/A N/A	



Maricopa County Assessor's Office



Miles

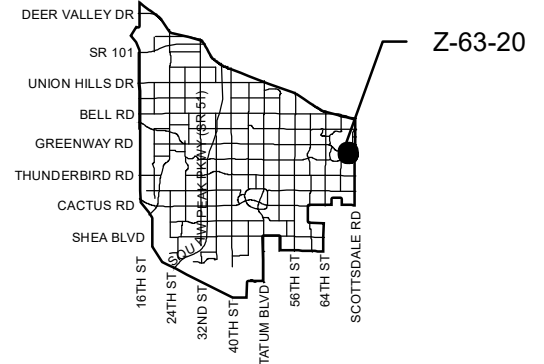
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PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Trey Brandt, RD Kierland

APPLICATION NO. Z-63-20

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

7.14 Acres

DATE: 11/23/2020
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.

QS 34-44

ZONING MAP

L-12

REQUESTED CHANGE:

FROM: CP/GCP PCD (7.14 a.c.)

TO: PUD (7.14 a.c.)

MULTIPLES PERMITTED

CP/GCP PCD

PUD

CONVENTIONAL OPTION

N/A

360

* UNITS P.R.D. OPTION

N/A

N/A

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