ATTACHMENT B



Staff Report Z-58-22-8

October 7, 2022

Camelback East <u>Village Planning</u> <u>Committee</u> Hearing Date	October 11, 2022
Planning Commission Hearing Date	November 3, 2022
Request From:	C-2 M-R (Intermediate Commercial, Mid- Rise District) (1.30 acres) P-2 (Parking) (1.82 acres) R-3 (Approved C-2 HR) (Multifamily Residence District, Approved Intermediate Commercial, High-Rise and High Density District) (3.02 acres)
Request To:	WU Code T5:6 GW (Walkable Urban Code, Transect 5:6 District, Transit Gateway Character Area) (6.14 acres)
Proposed Use:	Multifamily residential
Location:	Southeast corner of 44th Street and McKinley Street
Owner:	LDAC Holdings, LLLP
Applicant:	Investment Development Management
Representative:	Jason Morris, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Mixed Use, Village Core			
Street Map Classification	44th Street	Arterial	60-foot east half street		
	McKinley Street	Local	30-foot south half street		
	Gateway Boulevard	Private Street	31.08-foot north half street		
CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations					

per adopted transit district plans.

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The site is located within the Gateway Transit Oriented District (TOD) Policy Plan area and is within a half mile of the 44th Street and Washington Street light rail transit station. The proposed multifamily development is appropriate at this location given that the site is near a high-capacity transit corridor and within a Village Core.

CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposed development is located within a half mile of a light rail station. The Gateway TOD Policy Plan identified the site as an area for mixed use residential. The proposal for multifamily development is consistent with the vision identified for the Gateway Center area as depicted in the Gateway TOD Policy Plan and will be a compatible residential addition to the surrounding area.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposed development provides trees and shade on both 44th Street and McKinley Street which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plans, Overlays and Initiatives

Transit Oriented Development Strategic Policy Framework – See Background Item No. 3.

Gateway Transit Oriented Development Policy Plan – See Background Item No. 4.

44th Street Corridor Specific Plan – See Background Item No. 8.

Housing Phoenix Plan – See Background Item No. 9.

Comprehensive Bicycle Master Plan – See Background Item No. 10.

<u>Complete Streets Guiding Principles</u> – See Background Item No. 11.

Tree and Shade Master Plan – See Background Item No. 12.

Zero Waste PHX – See Background Item No. 13.

Surrounding Land Uses/Zoning			
	Land Use	<u>Zoning</u>	
On Site	Vacant, surface parking	C-2 M-R, P-2, R-3 (Approved C-2 HR)	
North (across McKinley Street)	Office, hotel, and church	C-O, C-2, R-3	
South (including across Gateway Boulevard)	Hotel, office	C-2 M-R, C-2 M-R SP	
East	Office	C-2	
West (across 44th Street)	Office	C-2 M-R	

	Walkable Urban Code T5:6	*if variance required
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed Site Plan
Gross Acreage	N/A	6.14 acres
Total Number of Units	N/A	402
Density	No Maximum	65.47 dwellings per acre
Building Height	80-foot maximum	60 feet (Met)
 Parking – 1.3 spaces per efficiency unit and 1.5 spaces per 1- or 2- bedroom unit and 2 spaces per 3 or more-bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms 	598 spaces minimum	634 spaces (Residential Only) (Met) 116 (Hotel; per private agreement) Total: 750
Bicycle Parking (Section 1307.H.6.d.)	Minimum 0.25 per residential unit, with a maximum of 50 required spaces	50 spaces (Met)
Streetscape Standards (Section 1312.A)		
Arterial Streets (44th Street)	6-foot sidewalk minimum	6 feet (Met)
	5-foot landscape minimum	10 feet (Met)

Local Streets	5-foot sidewalk minimum	5 feet (Met)	
(McKinley Street)	5-foot landscape minimum	5 feet (Met)	
Main Building Setbacks			
Primary Frontage (44th Street)	12-foot maximum	16 feet (Not met)*	
Secondary Frontage (McKinley Street)	10-foot maximum	10 feet (Met)	
Side (Gateway Blvd)	0-foot minimum	Approximately 77 feet (Met)	
Rear (East)	0-foot minimum	32 feet (Met)	
Parking Setbacks			
Primary Frontage (44th Street)	30-foot minimum or behind building	Behind building (Met)	
Secondary Frontage	20-foot minimum, 10-foot	10 foot landscape	
(McKinley Street)	landscape setback from ROW	setback provided	
Lot Requirements			
Lot Coverage	80% maximum	62.2% (Met)	
Primary Building Frontage	70% minimum	Not provided	
Secondary Building Frontage	50% minimum	Not provided	
Frontage Types Allowed			
Primary Frontage (44th Street)	All frontages or alternative frontages	Patio (Met)	
Secondary Frontage (McKinley Street)	All frontages or alternative frontages	Patio (Met)	
Open space	5% minimum	22.6% (Met), 6.0% public (Met)	

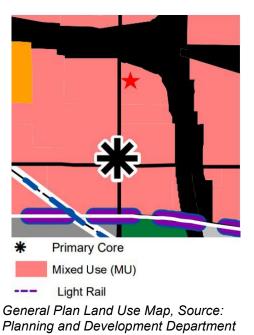
Background/Issues/Analysis

SUBJECT SITE

 This request is to rezone a 6.14-acre site located at the southeast corner of 44th Street and McKinley Street from C-2 M-R (Intermediate Commercial, Mid-Rise District) (1.30 acres), P-2 (Parking) (1.82 acres), and R-3 (Approved C-2 HR) (Multifamily Residence District, Approved Intermediate Commercial, High-Rise and High Density District) (3.02 acres) to WU Code T5:6 GW (Walkable Urban Code, Transect 5:6 District, Transit Gateway Character Area) to allow multifamily residential. The subject site is approximately one-quarter mile southwest of the Loop 202 and State Route 143 interchange and is within a half mile of the 44th Street and Washington Street light rail station. The subject site fronts 44th Street, Staff Report: Z-58-22-8 October 7, 2022 Page 5 of 13

which is an arterial street connecting the suburban office and hotel park in the Gateway Center area to Sky Harbor International Airport.

2. The General Plan Land Use Map designation for this site is Mixed Use, and the site is within a Camelback East Village Primary Core. This designation allows for many uses including residential, commercial, and office and calls for a pedestrian-oriented streetscape. The General Plan Land Use Map designations to the north, south, east and west are also Mixed Use. The proposal for multifamily residential is consistent with this designation and contributes streetscape improvements required by the Walkable Urban Code.



3. Transit Oriented Development Strategic Policy Framework

The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The subject site is within a half mile from the 44th Street and Washington light rail station. The identified environment for the station is Major Urban Center. Major Urban Center is a place type characterized by medium-high intensity with building heights typically between four and eight stories with incentive heights of up to fifteen stories. Land uses may include entertainment destinations. retail destinations. mid-rise living, or office employment. The proposed mid-rise multifamily development is consistent with the Major Urban Center placetype.



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

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4. Gateway Transit Oriented Development District Policy Plan

The subject site borders the Gateway Center, which is known for its high concentration of hotel and office uses due to its proximity to Sky Harbor International Airport. The existing Gateway Center area has taken the form of a typical suburban office/hotel park, with isolated buildings interspersed with big parking lots. On page 70 of the Gateway TOD District Plan, the Master Plan calls for Business Park Repair via "the incremental urbanization of the suburban office and hotel park in the Gateway Center area by integrating urban housing on underutilized land". The plan proposes a process of "sprawl repair" to transform the area into a more vibrant and walkable mixed use neighborhood that can take better advantage of its proximity to the light rail. The proposal directly supports these goals from the Gateway TOD Master Plan by incorporating residential units into a major employment center.

Gateway TOD Policy Plan, Source: Planning and Development Department



EXISTING CONDITIONS AND SURROUNDING ZONING

5. North of the subject site, across McKinley Street, is a three-story office building zoned C-O (Commercial Office – Limited Commercial), a four-story hotel zoned C-2 (Intermediate Commercial), and a church zoned R-3 (Multifamily Residence District). To the east is a small office zoned C-2 (Intermediate Commercial) at the end of the McKinley Street cul-de-sac. To the south across Gateway Boulevard there are additional mid-rise office buildings zoned C-2 M-R (Intermediate Commercial, Mid-Rise District) and C-2 M-R SP (Intermediate Commercial, Mid-Rise District). Directly adjacent to the southwest is the existing hotel zoned C-2 M-R (Intermediate Commercial, Mid-Rise District). Across 44th Street to the west is an office development on the former site of the Chinese Cultural Center.

The subject site is currently vacant with a portion being used as surface parking for an adjacent hotel. The subject site has been historically used for single-family residential but has remained largely vacant for nearly 20 years, as shown in the historical imagery below. In 2003, the eastern portion of the site was rezoned for an 11-story mixed use multifamily and retail tower via case Z-134-03, and while

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building permits were issued the project was never built.



Aerial Images, Source: Planning and Development Department

PROPOSAL

6. The proposed T5:6 District is described as a medium-high-intensity mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work and residential units adjacent to the Light Rail Corridor, averaging 56 feet to 100 feet in height. As shown on the attached conceptual site plan, the proposed development is a 402-unit, five-story multifamily residential building, 60 feet in height. The ground level will include detached sidewalks on both street frontages, with patios fronting 44th Street and McKinley Street. The bulk of the building massing fronts McKinley Street, while the main entrance and parking garage is accessed via Gateway Boulevard, a private street. The parking garage is wrapped by units and will contain 708 parking spaces, including 116 spaces dedicated to the adjacent hotel. Forty-two surface parking spaces are also provided for a total of 750 spaces, exceeding the number required by the Walkable Urban Code. The site plan depicts two amenity areas in the form of courtyards that provide a pool, dog park, and barbecue area amenities.

Section 1304.C. of the Zoning Ordinance requires that all sides of a building exhibit design continuity and multiple exterior accent materials. The conceptual elevations shown below depict multiple exterior accent colors, materials, and design continuity throughout all sides of the building.



West Elevations, Source: DAVIS

As the subject site is over five acres in size and exceeds the maximum block length of 600 feet, the applicant will be required to meet the conditions of Section 1304.G.2 in the Walkable Urban Code. These conditions include minimum five percent publicly accessible open space and improvements to thoroughfares and pedestrian access. The proposal shows six percent publicly accessible open space.Thoroughfares may include existing alleyways and cross-block access within the development and pedestrian ways/paseo for circulation, access and connectivity should be provided at any point along a frontage that is more than 300 feet from a thoroughfare intersection or existing pedestiran way.

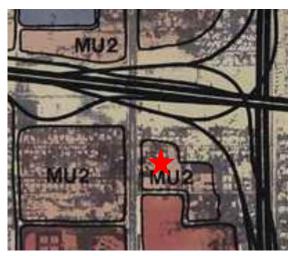
7. To create a bike-supportive environment along the 44th Street corridor and its connection to the light rail station, Stipulation No. 1 requires guest bicycle parking and that a bicycle repair station to be provided on site.

Stipulation No. 2 requires a 6-foot sidewalk easement for the east side of 44th Street along the primary frontage, and Stipulation No. 3 requires a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of 44th Street in order to enhance pedestrian safety and shading.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. 44th Street Corridor Specific Plan

The site is located within the boundaries of the 44th Street Corridor Specific Plan. Completed in 1991, the 44th Street Corridor Specific Plan established a framework to provide compatibility of new development along 44th Street from McDonald Drive to Sky Harbor International Airport. The Land Use Plan within the Specific Plan designates the subject site for Mixed Use 2, which calls for integrated variation of land uses and allows for multifamily residential at or above 15 dwelling units per acre. The proposal is consistent with this designation and contributes to the mix of uses in the area.



44th Street Corridor Land Use Map, Source: Planning & Development Department

9. 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

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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 contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion. The proposed multifamily development supports the goal of providing more housing units by 2030.

10. 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. Providing bicycle parking for residents and for guests of the development is supportive of multimodal travel options and will encourage residents to use biking as an alternative mode of transportation. Stipulation No. 1 serves to further the goals of this plan by providing bicycle amenities and guest bicycle parking.

11. 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. The proposal includes shaded detached sidewalks (as required in Stipulation No. 3 and in the Walkable Urban Code) which will increase the thermal comfort for those walking to and from nearby transit and those commuting on foot to nearby employment centers.

12. 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. The Walkable Urban Code requires a minimum of 75 percent the sidewalk or pedestrian way to be shaded, with a minimum of 50 percent shading in public and private open space areas.

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 proposed project will be subject to the current City of Phoenix residential waste collection and recycling requirements.

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COMMUNITY INPUT SUMMARY

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

INTERDEPARTMENTAL COMMENTS

- 15. The Street Transportation Department requested a 6-foot-wide sidewalk easement along 44th Street, a minimum six-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of 44th Street, a 10-foot sidewalk easement at the McKinley Street cul-de-sac, a Traffic Impact Analysis, and that all street improvements be constructed with all required elements and to ADA accessibility standards. These are addressed in Stipulation Nos. 2 through 6.
- 16. 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, water capacity is a dynamic condition that can change over time due to a variety of factors. The Water Services Department also stated that the site will require a re-plat or a lot combination(s) as the Phoenix City Code does not allow water or sewer services to cross through property lines.
- 17. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation No. 7.
- 18. The Fire Department commented that the buildings shall comply with the Phoenix Fire Code. The Fire Department also stated that the team be aware of the requirements for fire apparatus access road width and clear height.

OTHER

19. 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. 8 through 10.

- 20. 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 preliminary site plan approval. This is addressed in Stipulation No. 11.
- Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

<u>Findings</u>

- 1. The proposal will redevelop a vacant property and provide a high-quality multifamily residential development which is consistent with the Gateway TOD Policy Plan goals.
- 2. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.
- 3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Gateway TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations

- 1. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. One bicycle repair station shall be provided and maintained by the developer near the secure bicycle parking area.
- 2. The developer shall dedicate a minimum 6-foot-wide sidewalk easement for the east side of 44th Street along the subject site's frontage, as approved by the Planning and Development Department.

- 3. The developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of 44th Street, as approved by the Planning and Development Department.
- 4. The developer shall dedicate a 10-foot sidewalk easement at the McKinley Street cul-de-sac to ensure that all public facilities are in public right of way or public easement, as approved by the Planning and Development Department.
- 5. The applicant shall submit a Traffic Impact Analysis to the City for this development. No preliminary approval of plans shall be granted until the analysis is reviewed and approved by the City.
- 6. 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.
- 7. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the

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Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

<u>Writer</u>

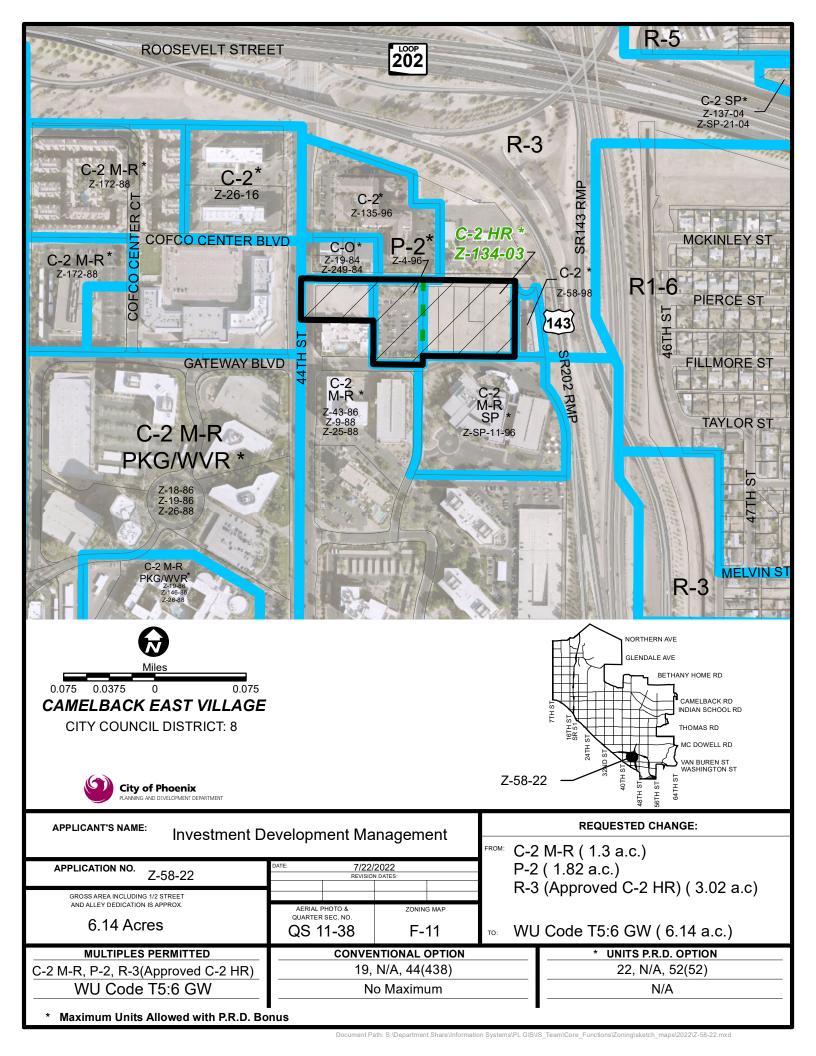
Jackson Olson Sarah Stockham October 7, 2022

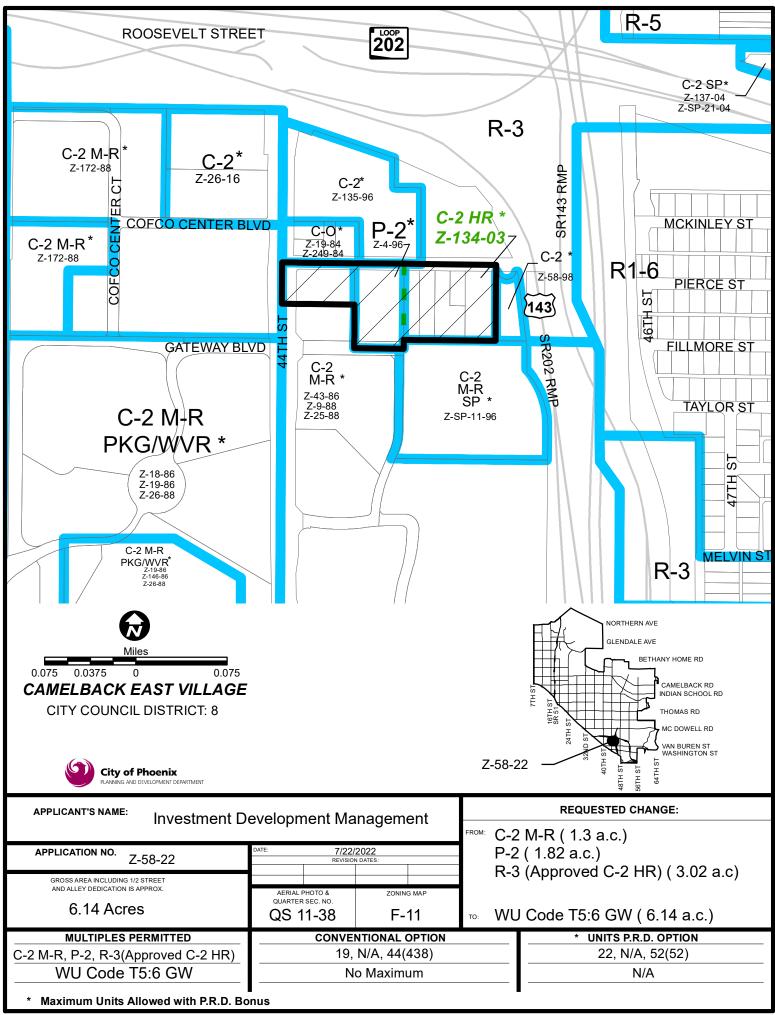
<u>Team Leader</u>

Racelle Escolar

<u>Exhibits</u>

Aerial Map Sketch Map Conceptual Site Plan Date Stamped September 8, 2022 (1 page) Conceptual Elevations Date Stamped July 15, 2022 (1 page)





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