

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-9-24-7 February 15, 2024

[Estrella Village Planning Committee](#) February 20, 2024

Meeting Date:

[Planning Commission](#) Hearing Date: March 7, 2024

Request From: [S-1](#) (Ranch or Farm Residence) (18.80 acres)

Request To: [C-2](#) (Intermediate Commercial) (6.46 acres)
and [C-2 HGT/WVR DNS/WVR](#) (Intermediate
Commercial, Height Waiver, Density Waiver)
(12.34 acres)

Proposal: Commercial and multifamily residential

Location: Northwest corner of 83rd Avenue and
Broadway Road

Owner: New World Properties, Inc., Manager of New
Era Phoenix, LLC

Applicant: Stephanie Watney, Withey Morris Baugh, PLC

Representative: Jason Morris, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commercial	
<u>Street Map Classification</u>	83rd Avenue	Arterial	33-feet west half street
	Broadway Road	Arterial	33-feet north half street

CONNECT PEOPLE & PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal provides a reasonable level of intensity that is respectful to the local conditions by proposing commercial development that will further serve the surrounding residential community. Furthermore, the proposed multifamily residential development proposes an enhanced building setback along the north property line, adjacent to single-family residential development.

CONNECT PEOPLE & PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.

Located adjacent to two arterial streets, the proposal, as stipulated, will provide elements for transit, pedestrians, and bicyclists in order to promote walking and alternative transportation. These elements include shaded detached sidewalks along public streets and bicycle parking located on site.

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 a multi-use trail along Broadway Road that will be planted with shade trees, shaded public and private walkways, and shaded bicycle and vehicle parking areas. These improvements will create a comfortable pedestrian environment along Broadway Road and on the site to reduce the urban heat island affect.

Applicable Plans, Overlays, and Initiatives

[Estrella Village Plan](#): Background Item No. 6.

[Estrella Village Arterial Street Landscaping Program](#): Background Item No. 7.

[Complete Streets Guiding Principles](#): Background Item No. 8.

[Comprehensive Bicycle Master Plan](#): Background Item No. 9.

[Tree and Shade Master Plan](#): Background Item No. 10.

[Monarch Butterfly Pledge](#): Background Item No. 11.

[Transportation Electrification Action Plan](#): Background Item No. 12.

[Conservation Measures for New Development](#): Background Item No. 13.

[Phoenix Climate Action Plan](#): Background Item No. 14.

[Zero Waste PHX](#): Background Item No. 15.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Agricultural land	S-1
North	Single-family residential	S-1 (Approved R1-8)
East (across 83rd Avenue)	Single-family residential	R1-10 PCD
South (across Broadway Road)	Agricultural uses and dairy farm	County R-5
West	Agricultural and farm residence	County RU-43

C-2 HGT/WVR DNS/WVR (Stipulated to R-4 Planned Residential Development Option) Multifamily Portion		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Gross Acreage	N/A	12.34 acres
Maximum Number of Units	375; 429	264 units
Maximum Density (dwelling unit/acre)	30.45; 34.80 with bonus	21.39 (Met)
Maximum Lot Coverage	50%, plus 10% for attached shade structures	34% (Met)
Maximum Building Height	3 stories or 40 feet for first 150 feet, one foot in five-foot increase to 48 feet	3 stories; 32 feet (Met)

Minimum Building Setbacks		
North (adjacent to R1-8)	15 feet	25 feet (Met)
East (adjacent to 83rd Avenue)	20 feet	20 feet (Met)
East (adjacent to C-2)	15 feet	10 feet (*Not Met)
South (adjacent to C-2)	15 feet	10 feet (*Not Met)
South (adjacent to Broadway Road)	20 feet	55 feet (Met)
West (adjacent to RU-43)	15 feet	10 feet (*Not Met)
Minimum Landscaped Setbacks		
North (adjacent to R1-8)	5 feet	5 feet (Met)
East (adjacent to 83rd Avenue)	20 feet	20 feet (Met)
East (adjacent to C-2)	5 feet	10 feet (Met)
South (adjacent to C-2)	5 feet	10 feet (Met)
South (adjacent to Broadway Road)	20 feet	25 feet (Met)
West (adjacent to RU-43)	5 feet	10 feet (Met)
Minimum Open Space	5%	8% (Met)
Minimum Parking Requirements	1.5 unreserved spaces per 1- or 2-bedroom units 396 spaces. New standards will be in affect 2/24/2024	533 spaces (Met)

*Variance or Site Plan modification needed

Background/Issues/Analysis

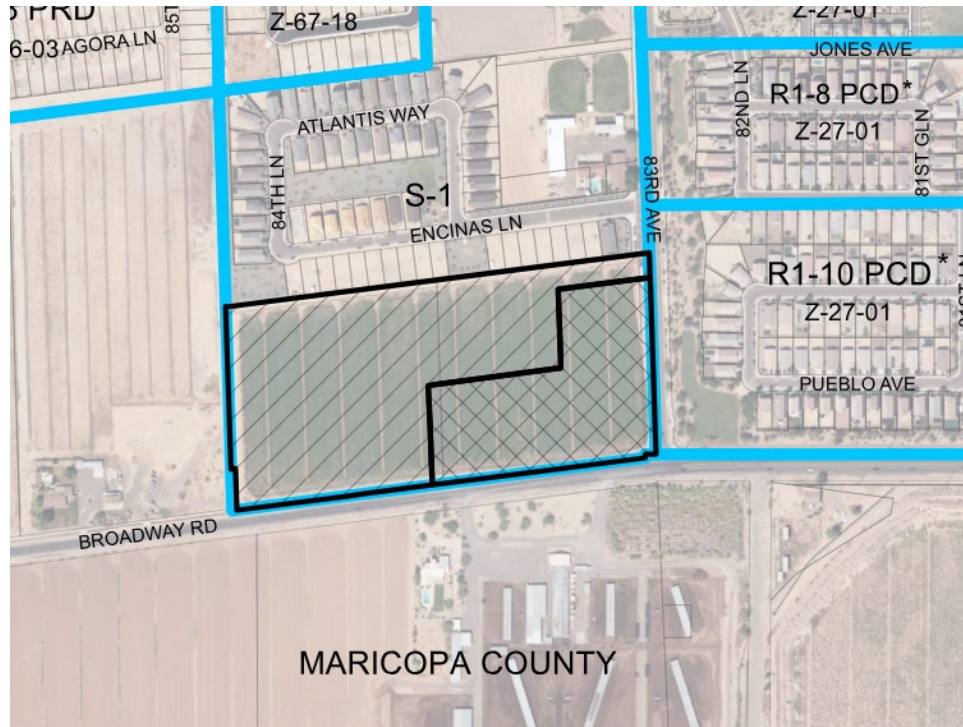
SUBJECT SITE

1. This request is to rezone 18.80 acres located at the northwest corner of 83rd Avenue and Broadway Road from S-1 (Ranch or Farm Residence) to C-2 (Intermediate Commercial) and C-2 HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) to allow commercial and multifamily development. The site is currently utilized as agricultural land.

SURROUNDING LAND USES AND ZONING

2. The area to the north is developed with single-family residences zoned S-1 (Approved R1-8) (Ranch or Farm Residence, Approved Single-Family Residence District). To the east, across 83rd Avenue, is a single-family residential subdivision zoned R1-10 PCD (Single-Family Residence District, Planned Community District). To the west is agricultural land with a ranch residence located in the County jurisdiction, zoned RU-43 (One Acre Per Dwelling Unit).

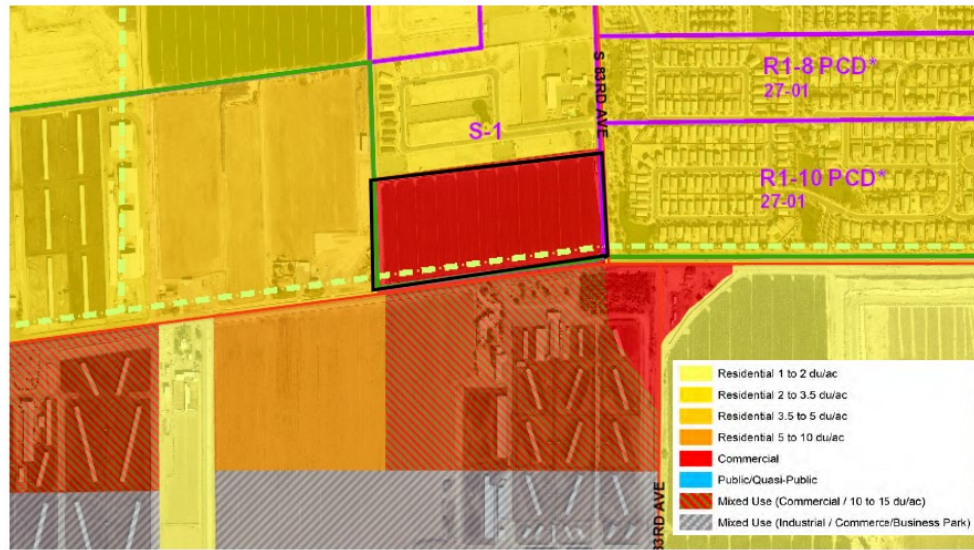
Finally, to the south, across Broadway Road, is a dairy farm and agricultural land in the County jurisdiction, zoned R-5 (Multifamily Residence District).



Existing Zoning Aerial Map
Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site is designated as Commercial on the General Plan Land Use map. The area to the north and east, is designated Residential 2 to 3.5 dwelling units per acre. West of the subject site is designated as Residential 3.5 to 5 dwelling units per acre. Finally, south of the subject site, across Broadway Road, is designated Mixed Use (Commercial / Residential 10 to 15 dwelling units per acre). The proposed C-2 and C-2 HGT/WVR DNS/WVR zoning districts are consistent with the Commercial General Plan Land Use Map designation.



General Plan Land Use Map
Source: Planning and Development Department

PROPOSAL

4. Site Plan

The conceptual site plan, attached as an exhibit, depicts numerous multifamily residential buildings along the north and west portion of the property. There are 264 units proposed. The proposed multifamily residential development has access via 83rd Avenue along the north portion of the subject site. An enhanced building setback is proposed along the north and west portion of the subject site, adjacent to the single-family residential development. Furthermore, a drive aisle and parking spaces are located adjacent to single-family residential to the north. The proposed amenity area and clubhouse are located along the southwest portion of the subject site. Furthermore, the site plan depicts a multi-use trail along Broadway Road. The proposed multifamily development does not meet building setbacks along the east and south, adjacent to the proposed commercial development; and the west, adjacent to the County land. As a result, staff does not recommend general conformance to the site plan. Stipulation No. 24 will require the multifamily residential development to conform to the R-4 PRD development standards.

Commercial C-2 zoning is proposed on the southeast corner of the site, immediately adjacent to 83rd Avenue and Broadway Road. There is no defined user or site plan for the commercial portion of the subject site at this time. However, any future development is subject to the approved stipulation for this case and the Zoning Ordinance requirements. Since there is no site plan, staff recommends that site plans and elevations for any future development on the C-2 portion of the subject site be reviewed and approved by the Planning Hearing Officer through the public hearing process. Specific development requirements

that will be reviewed by the Planning Hearing Officer include accessible pedestrian pathways, pedestrian connections between commercial development if the site is built in phases, and at least two pedestrian pathways connecting the multifamily development to the future commercial development. This is addressed in Stipulation No. 31.

5. **Elevations**

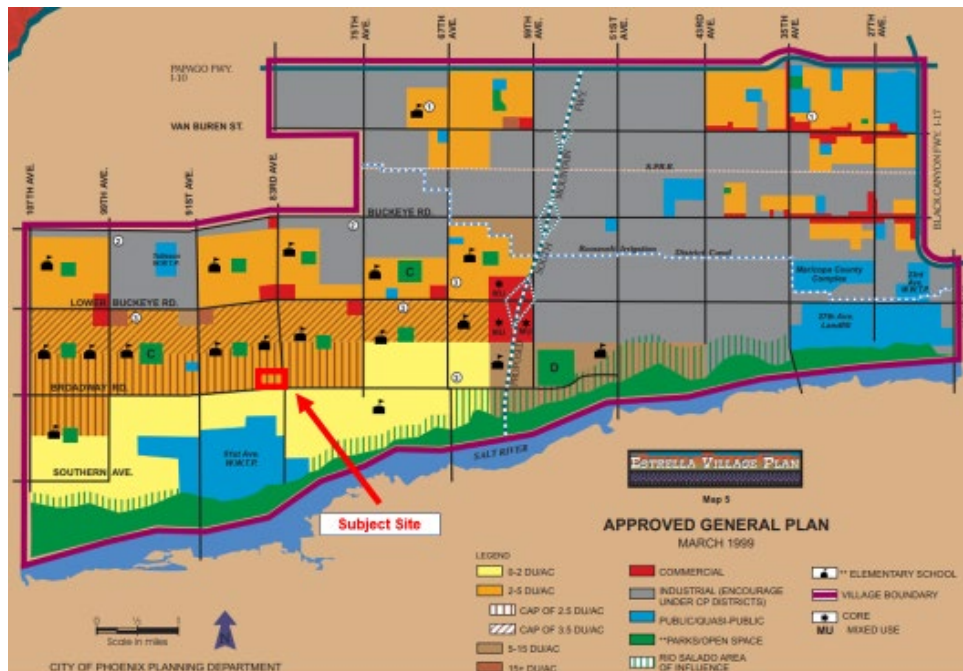
The conceptual building elevations, attached as an exhibit, depict 32-foot, three-story multifamily buildings. The conceptual elevations depict architectural features that include variation in colors, building articulation, and numerous window sizes. Staff is recommending general conformance to these building elevations per Stipulation No. 23.

PLANS, OVERLAYS, AND INITIATIVES

6. **Estrella Village Plan**

The Estrella Village Plan adopted in 1999, outlines a vision for developing the Estrella Village through five main goals that include:

1. Orderly growth;
2. Identifiable village core;
3. Strong residential neighborhoods;
4. Variety of homes and jobs; and
5. Consistent streetscapes and trail linkages.



Estrella Land Use Map

Source: Planning and Development Department

Goal 3 of the Estrella Village Plan, “Protection of residential neighborhoods”, Objective A, “New Residential Development”, recommends that new residential developments and retail centers are supported by street circulation systems and surrounding character. Bounded by two arterials, the proposed C-2 and C-2 HGT/WVR DNS/WVR zoning districts allows multifamily residential uses and commercial uses that are supported by the existing streets which will be improved.

Goal 4, “Housing and Employment”, Objective B, “Variety of housing densities and types”, recommends a diversity of housing products in the Estrella Village. The proposed C-2 HGT/WVR DNS/WVR zoning district will introduce a new land use in the immediate area allowing for new housing opportunities within the Village.

Goal 5, “Urban Design”, recommends for streetscape and trail systems to be uniform and consistent to provide identity and linkage between neighborhoods and with activity centers. Several stipulations as recommended by staff would promote enhanced urban design along the streetscapes. Stipulation Nos. 12 and 15 recommends a detached sidewalk with enhanced landscaping along 83rd Avenue and a multi-use trail along Broadway Road to promote a positive character of the village.

7. **Estrella Village Arterial Street Landscaping Program**

The Estrella Village Arterial Street Landscaping Program adopted in 1999, provides a landscape palette for arterial streets within the Estrella Village to help establish the community’s character. In addition to providing planning guidelines, the plan also indicates the locations to establish entry gateways that welcome individuals entering the village with an entry sign and an enhanced landscape area of 75 feet by 75 feet in size.

The subject site is adjacent to 83rd Avenue and Broadway Road, arterial streets. Thus, staff recommends Stipulation No. 1 to require adherence with the Estrella Village Arterial Street Landscaping Program requirements along the street frontage to promote the community’s character.

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. To provide a safe pedestrian environment staff is recommending enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles. This is addressed in Stipulation No. 7. Stipulation No. 12 will help pedestrianize the immediate street

frontage by providing a detached sidewalk along 83rd Avenue. Furthermore, bicycle parking will be required on the proposed multifamily development and the future commercial portion of the site to encourage alternative transportation. This is addressed in Stipulation Nos. 27 and 33. In addition, any street improvements must comply with City of Phoenix, Maricopa County and ADA standards. This is addressed in Stipulation Nos. 14 and 20.

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. 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. As stipulated, the multifamily project will provide secured and guest bicycle parking per the City's Walkable Urban Code. Furthermore, the multifamily development will contain a bicycle repair station, shaded parking, and parking spaces for electric bicycle charging capabilities. This is addressed in Stipulation No. 27. Finally, the future commercial development will be required to provide bicycle parking per the standards found in the City's Walkable Urban Code and electrical receptacles for electric bicycle charging capabilities. This is addressed in Stipulation No. 33.

10. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending stipulations designed to provide trees and enhanced shade within the development as follows:

- Uncovered surface parking lot areas shall be landscaped with minimum two-inch caliper drought tolerant shade trees to achieve a minimum of 25 percent shade (Stipulation No. 3);
- Detached sidewalks along 83rd Avenue shall be planted with two-inch caliper trees (Stipulation No. 12);
- The north landscape setback of the proposed multifamily portion shall be planted with a minimum two-inch caliper evergreen trees (Stipulation No. 25);
- All pedestrian walkways within the proposed multifamily development shall be shaded to achieve 75 percent shade (Stipulation No. 26);
- Landscape areas within the multifamily development shall be planted with minimum two-inch caliper, large canopy trees (Stipulation No. 30);

- A minimum five-foot landscape setback shall be provided along the commercial perimeter adjacent to the multifamily development (Stipulation No. 32).

11. **Monarch Butterfly Pledge**

In April 2021, Mayor Kate Gallego signed the [National Wildlife Federation's Mayor's Monarch Pledge](#). 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. 8 will require the planting of milkweed shrubs, or other native nectar plant species on the subject site.

12. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation Nos. 27, 28, 33 and 34.

13. **Conservation Measures for New Development**

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - *Build the Sustainable Desert City*. The Conservation Measures for New Development policy includes 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. 2 through 6, 29, and 35.

14. **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. 6, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

15. **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 indicated that the provision for recycling containers will be evaluated through the site planning process.

COMMUNITY INPUT SUMMARY

16. At the time this staff report was written, staff has received seven letters of opposition for this rezoning application. The stated concerns include the proposed multifamily development, traffic congestion, crime, homelessness, and lowered property values.

INTERDEPARTMENTAL COMMENTS

17. **Street Transportation Department**

The Street Transportation Department has requested the following:

- A 55-foot right-of-way dedication for 83rd Avenue.
- A 70-foot flared intersection tapered to a minimum 55-foot right-of-way for the west half of 83rd Avenue.
- A raised center median within 83rd Avenue and a detached sidewalk on the west half of 83rd Avenue with landscaping.
- A minimum 55-foot right of way dedication for Broadway Road.
- All street improvements to Broadway Road to be reviewed and approved by Maricopa County.
- A 30-foot Multi-Use Trail Easement and trail adjacent to Broadway Road.
- Clearly defined pedestrian pathways connecting residences throughout

the site to Broadway Road.

- An enhanced pedestrian entryway along the southern site boundary.
- A Traffic Impact Study to be submitted to the City.
- All existing electrical utilities within the right-of-way to be undergrounded.
- All streets shall be constructed to meet City and ADA standards.

These are addressed in Stipulation Nos. 10 through 20.

18. Public Transportation Department

The Public Transportation Department has requested a bus stop pad on westbound on Broadway Road. This is addressed in Stipulation No. 9.

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. 21.
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 final site plan approval. This is addressed in Stipulation No. 22.
21. 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 compatible with the General Plan Land Use Map designation and will provide commercial and residential opportunities within the Estrella Village.
2. The proposal contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The proposal will provide increased shade which will help to reduce the urban heat island effect.
3. As stipulated, the proposed development will include development and design standards such as enhanced streetscapes, and landscape buffer and planting standards, to mitigate impacts to the surrounding properties.

Stipulations

Overall Development

1. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
2. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized internal to the site, as approved or modified by the Planning and Development Department.
3. 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.
4. 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.
5. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
6. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
7. 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.
8. 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.
9. A bus stop pad shall be constructed on westbound Broadway Road, locate from 83rd Avenue according to City of Phoenix Standard Detail P1258. The bus pad

shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.

10. A minimum 55-feet of right-of-way shall be dedicated for the west half of 83rd Avenue, adjacent to the development.
11. A minimum 70-foot flared intersection tapering to a minimum 55-foot right-of-way shall be dedicated for the west half of 83rd Avenue, adjacent to the development.
12. Improvements to the west half of 83rd Avenue shall be consistent with the arterial CM cross section consisting of a 14-foot raised and landscaped center median and a minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape area, adjacent to the development. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant, shade trees 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.
13. A minimum 55-feet of right-of-way shall be dedicated for the north half of Broadway Road, or as approved by Maricopa County.
14. All street improvements to Broadway Road are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
15. A minimum 30-foot wide Multi-Use Trail Easement (MUTE) shall be dedicated adjacent to Broadway Road. Construction of the Multi-Use Trail shall comply with the Estrella Multi-Purpose Trail Plan.
16. Clearly defined pedestrian pathway(s), consisting of decorative material such as brick, pavers or alternative material providing shall be provided connecting the residences throughout the site to the Broadway Multi-Use Trail and the adjacent commercial site, as approved by the Planning and Development Department.
17. An enhanced pedestrian entryway shall be provided on the southern site boundary, adjacent to the trail, to allow for direct pedestrian access to site and the trail system.
18. A Traffic Impact Study (TIS) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and

approved by the Street Transportation Department. The TIS shall include signal warrant analysis for 83rd Avenue and Broadway Road. If the approved TIS determines that a signal is warranted at this intersection, the developer shall be required to fund 100% of the cost and construct the signal. If the TIS does not warrant the signal, the developer shall be required to contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department.

19. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
20. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
21. 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.
22. 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.

Multifamily development as depicted on the site plan date stamped February 2, 2024

23. The development shall be in general conformance with the elevations date stamped January 8, 2024, as modified by the following stipulations and approved by the Planning and Development Department.
24. The R-4 Planned Residential Development Option shall be utilized for the development.
25. The north landscape setback shall be planted with minimum 2-inch caliper large canopy, evergreen trees, planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
26. 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.

27. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department
 - a. The developer shall provide secure bicycle parking per Section 1307 of the Zoning Ordinance.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces. Parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. 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.
 - e. A minimum of 10% of the required bicycle parking spaces shall be include standard electrical receptacles for electric bicycle charging capabilities.
28. A minimum of 2% of the required parking spaces shall include EV Installed infrastructure. A minimum of 5% of the required parking spaces shall include EV Capable spaces.
29. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup for a minimum of 10 years, or as approved by the Planning and Development Department.

30. Landscape areas shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

Commercial Portion as depicted on the site plan date stamped February 2, 2024

31. The conceptual site plan and elevations for the future commercial development as depicted on the site plan date stamped February 2, 2024, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modifications prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department. The site plan shall incorporate the following elements:
 - a. Accessible pedestrian pathways that connect building entrances and public sidewalks using the most direct route for pedestrians.
 - b. Pedestrian connections between adjacent commercial developments (if developed across multiple phases).
 - c. At least two pedestrian pathway shall be provided to connect the proposed multifamily development to the proposed commercial development.
32. A minimum 5-foot wide landscape setback shall be provided along the commercial perimeter adjacent to multifamily, planted with evergreen trees, as approved by the Planning and Development Department.
33. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department
 - a. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - b. A minimum of 5% of the required bicycle parking spaces shall include standard electrical receptables for electric bicycle charging capabilities.
34. A minimum of 5% of the required parking spaces shall include EV Ready infrastructure.

35. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.

Writer

Nayeli Sanchez Luna

February 15, 2024

Team Leader

Racelle Escolar

Exhibits

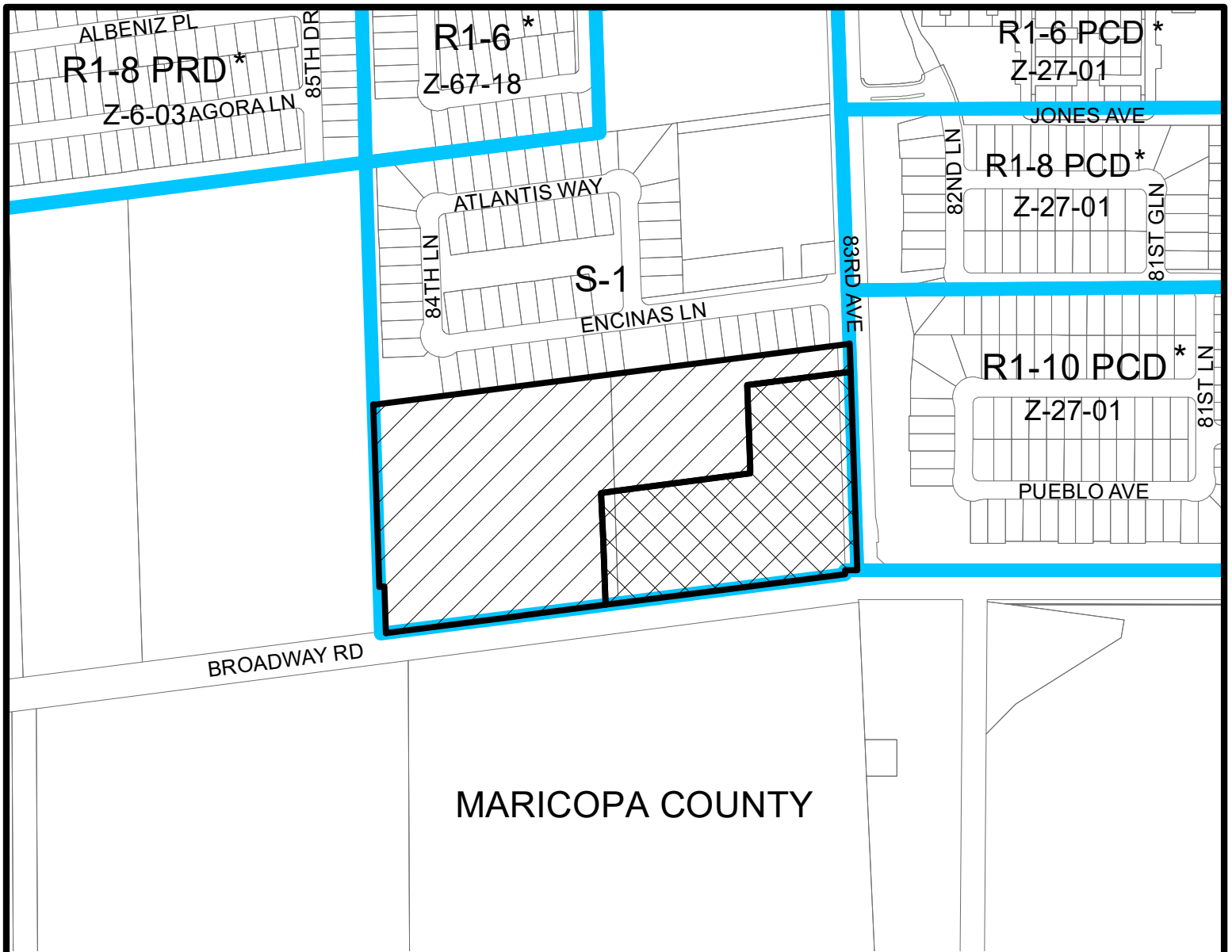
Sketch map

Aerial map

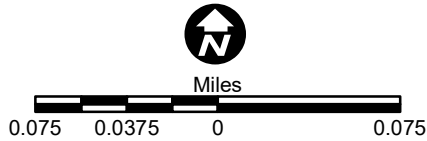
Conceptual site plan date stamped February 2, 2024

Conceptual elevations date stamped January 8, 2024 (4 pages)

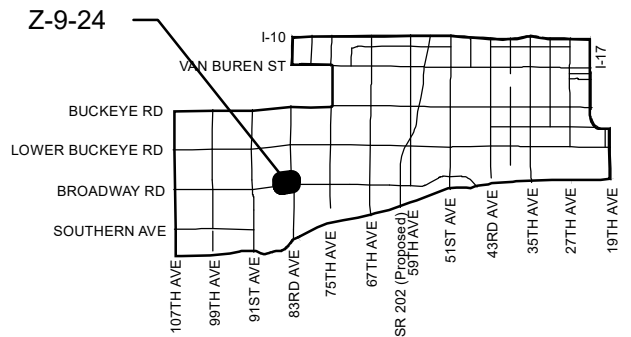
Correspondence (7 pages)



MARICOPA COUNTY

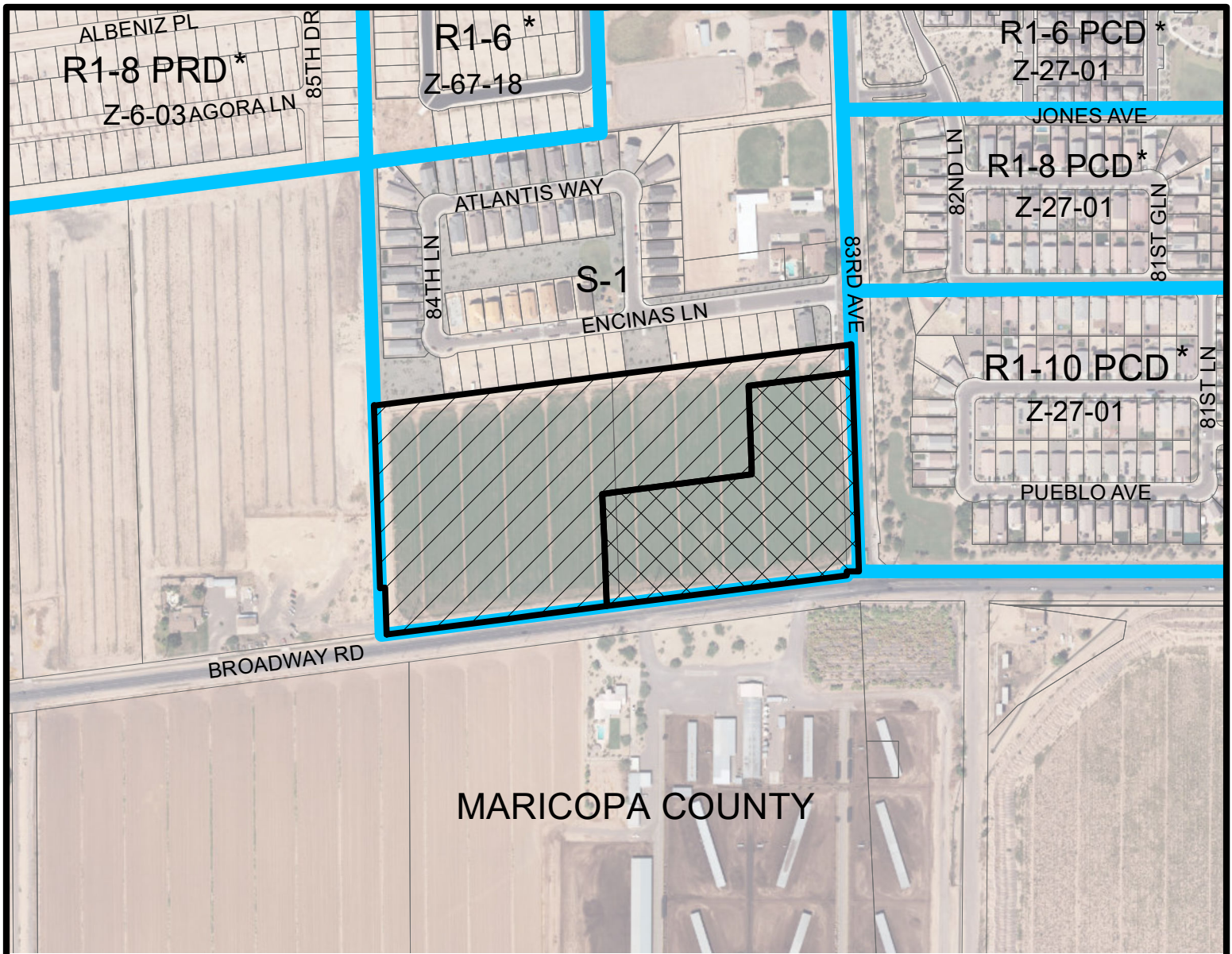


ESTRELLA VILLAGE
CITY COUNCIL DISTRICT: 7

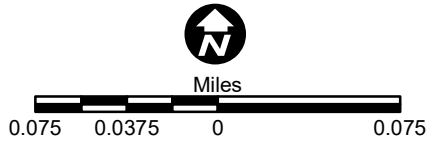


APPLICANT'S NAME: Withey Morris Baugh, PLC		REQUESTED CHANGE:	
APPLICATION NO. Z-9-24	DATE: 1/22/2024 REVISION DATES: 2/07/2024	FROM: S-1 (18.80 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 18.80 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 5-8	ZONING MAP E-3	TO: C-2 HGT/WVR DNS/WVR (12.34 a.c.) C-2 (6.46 a.c.)
MULTIPLES PERMITTED S-1 C-2 HGT/WVR DNS/WVR, C-2	CONVENTIONAL OPTION 18 537, 93		* UNITS P.R.D. OPTION N/A 644, 112

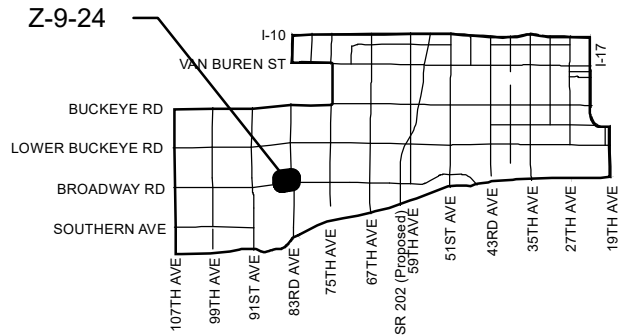
* Maximum Units Allowed with P.R.D. Bonus



MARICOPA COUNTY



ESTRELLA VILLAGE
CITY COUNCIL DISTRICT: 7



APPLICANT'S NAME: Withey Morris Baugh, PLC		REQUESTED CHANGE:	
APPLICATION NO. Z-9-24	DATE: 1/22/2024 REVISION DATES: 2/07/2024	FROM: S-1 (18.80 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 18.80 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 5-8	ZONING MAP E-3	TO: C-2 HGT/WVR DNS/WVR (12.34 a.c.) C-2 (6.46 a.c.)
MULTIPLES PERMITTED S-1 C-2 HGT/WVR DNS/WVR, C-2	CONVENTIONAL OPTION 18 537, 93		* UNITS P.R.D. OPTION N/A 644, 112

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

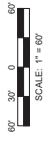
OWNER / DEVELOPER NEW ERA PHOENIX, LLC NEW WORLD PROPERTIES, INC. - MANAGER C/O THE LEAD GROUP LLC 5401 N. PINA ROAD, STE 125 SCOTTSDALE, AZ 85250 CONTACT: RICHARD JELLES	CVL DESIGN TEAM CVL CONSULTANTS, INC. 4650 N. 12TH STREET PHOENIX, AZ 85014 PHONE: (602) 264-4765 CONTACT: JULIE VERMILLION
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OWNER / DEVELOPER NEW ERA PHOENIX, LLC NEW WORLD PROPERTIES, INC. - MANAGER C/O THE LEAD GROUP LLC 5401 N. PINA ROAD, STE 125 SCOTTSDALE, AZ 85250 CONTACT: RICHARD JELLES	CVL DESIGN TEAM CVL CONSULTANTS, INC. 4650 N. 12TH STREET PHOENIX, AZ 85014 PHONE: (602) 264-4765 CONTACT: JULIE VERMILLION
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PROPERTY BOUNDARY	PROPOSED ROW
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CONCEPTUAL SITE PLAN TO SUPPORT THE REZONING REQUEST FOR A NEW COMMERCIAL AND MULTI-FAMILY COMMUNITY LOCATED AT THE NORTHWEST CORNER OF BROADWAY ROAD AND 81RD AVENUE



KVA NO: 23-1901
SDEV NO: 230016
PAPP NO: 2306883
Q.S. 05-8

DATE: 1/22/24	CVL# 1-01-0141901
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COMMERCIAL BUILDING SETBACKS		
Adjacent to Streets		
For structures not exceeding two stories or 30'	Average 25'	Minimum 20' permitted for up to 50% of structure including projections
For structures exceeding two stories or 30'	Average 30'	(Same as above)

		Not Adjacent to Streets		When Adjacent to Streets	
Maximum Building Height	(S-1, S-2, RE-4) (R-4, R-6, TO R-4*)	GP, NC, PK, NO, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20, R-21, R-22, R-23, R-24, R-25, R-26, R-27, R-28, R-29, R-30, R-31, R-32, R-33, R-34, R-35, R-36, R-37, R-38, R-39, R-40, R-41, R-42, R-43, R-44, R-45, R-46, R-47, R-48, R-49, R-50, R-51, R-52, R-53, R-54, R-55, R-56, R-57, R-58, R-59, R-60, R-61, R-62, R-63, R-64, R-65, R-66, R-67, R-68, R-69, R-70, R-71, R-72, R-73, R-74, R-75, R-76, R-77, R-78, R-79, R-80, R-81, R-82, R-83, R-84, R-85, R-86, R-87, R-88, R-89, R-90, R-91, R-92, R-93, R-94, R-95, R-96, R-97, R-98, R-99, R-100, R-101, R-102, R-103, R-104, R-105, R-106, R-107, R-108, R-109, R-110, R-111, R-112, R-113, R-114, R-115, R-116, R-117, R-118, R-119, R-120, R-121, R-122, R-123, R-124, R-125, R-126, R-127, R-128, R-129, R-130, R-131, R-132, R-133, R-134, R-135, R-136, R-137, R-138, R-139, R-140, R-141, R-142, R-143, R-144, R-145, R-146, R-147, 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MULTI-FAMILY PARCEL DATA					
GROSS AREA	560,689 SF	12.99 AC.			
NET AREA	525,922 SF	12.07 AC.			
PROPOSED ZONING		42 DSW/HWY HOTSPR			
TOTAL UNITS	264 UNITS				
MAXIMUM LOT COVERAGE	18% OF TOTAL	FROZEN			
DENSITY	35.45 DU/AC	20.3 DU/AC			
OPEN SPACE REQUIRED	0.87 AC	5%			
OPEN SPACE PROVIDED	1.04 AC	8%			
PERMETER STANDARDS		20' ADJACENT TO PUBLIC STREET 10' ADJACENT TO PROPERTY LINE			
BUILDING SETBACKS		10' FRONT			
MAXIMUM HEIGHT		3 STORIES OR LESS / 11 FT INCREASE TO 4 HIGH STORY MAX			
PARKING SPACES		REQUIRED			
PARKING PAVEMENT		RESERVED			
A/A PARKING SPACES	11	REQUIRED			
THERE SHALL BE A 15-FOOT MAX HEIGHT WITH TEN FEET OF CLEARANCE FROM THE EXISTING BUILDING TO THE MAX PERMITTED HEIGHT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK.					
--- ASSUMED 3 & 3 STORY BUILDINGS ---					

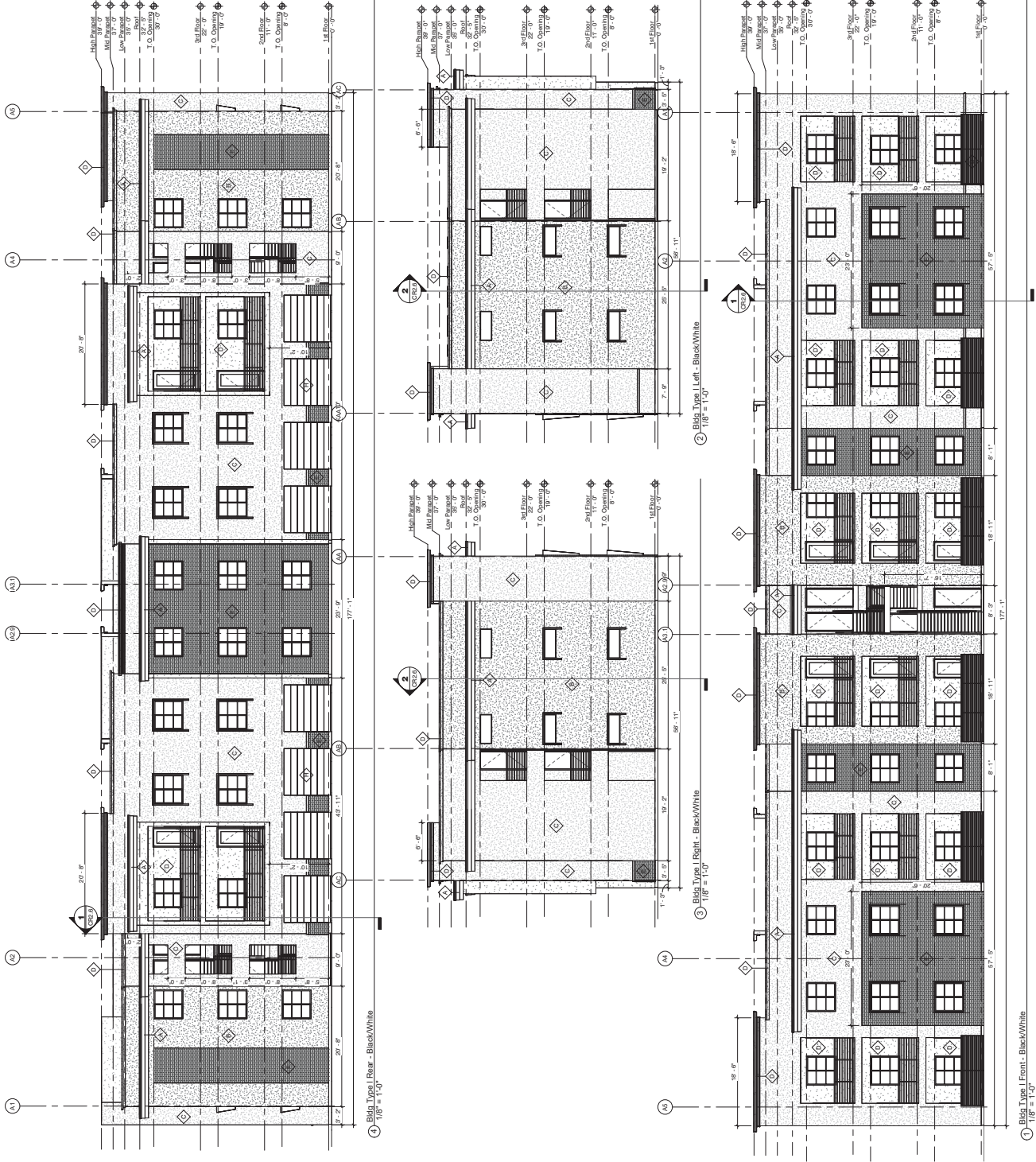
ARIZONA STATE
DEPT OF TRANS
APN: 101-32-002M
ZONED: R-5

ARIZONA STATE
DEPT OF TRANS
APN: 101-32-002L
ZONED: R-5

ARIZONA STATE
DEPT OF TRANS
APN: 101-32-002J
ZONED: R-5

FEB 02 2024

**Planning & Development
Department**



EXTERIOR FINISH LEGEND	
DESCRIPTION: PAINTED STUCCO COLOR: BITTER CHOCOLATE - SW 6073	1
DESCRIPTION: PAINTED STUCCO COLOR: MEXICAN SAND - SW 7019	2
DESCRIPTION: PAINTED STUCCO COLOR: WHIRLWIND - SW 6576	3
DESCRIPTION: PAINTED STUCCO COLOR: BLANETREE - SW 9995	4
DESCRIPTION: FAUX BRICK BOND COLOR: DUSTED CURRANT	5

83RD AVENUE & BROADWAY MULTI-FAMILY

PHOENIX, AZ

NOT FOR CONSTRUCTION

N.F.C.

NOT FOR CONSTRUCTION

REVISIONS

SITE
Drawn By: SD
Reviewed By: LDB
SD Project No: 4391
Date: 01/04/2024

Sheet: A2.5

Bldg Type I - EXTERIOR
BLACK/WHITE

CITY OF PHOENIX
JAN 08 2024
Planning & Development
Department

1 Bldg Type I Front - Black/White
1/8" = 1'-0"

2 Bldg Type I Left - Black/White
1/8" = 1'-0"

3 Bldg Type I Right - Black/White
1/8" = 1'-0"

4 Bldg Type I Rear - Black/White
1/8" = 1'-0"

83RD AVENUE & BROADWAY MULTI-FAMILY

NOT FOR CIRCULATION

N.F.C.

NOT FOR CONSTRUCTION

JAN 08 2024

CITY OF PHOENIX

Planning & Development
Department

Phase:	SITE
Drawn By:	SDI
Reviewed By:	LDB
SDI Project No:	4391
Date:	01/04/2024

Sheet:
CR2.4
BLDG TYPE I - EXTERIOR
ELEVATIONS - COLOR



Nayeli Sanchez Luna

From: Paulina Bte <pbracamo7@gmail.com>
Sent: Sunday, January 28, 2024 9:27 PM
To: Nayeli Sanchez Luna; Stephanie@wmbattorneys.com
Subject: Case No Z-9-24

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

This email is regarding the hearing on 1/29 about posible apartments located at the northwestern corner of 83 ave north of broadway to which I am against it.

The idea of having apartments in that location is a terrible idea. I understand buyers are seeking a potential monetary investment not caring about already homeowners of the area including farmers, but rather to profit from their own pockets. This area is not meant for apartments just because the area is growing or has potential growth. On the contrary the area is lacking the needs to maintain current residents in the area that include small roads including broadway, 83 ave and lower buckeye, building a complex that will hold potential 296 people will make traffic worse adding more congested traffic in the area (unnecessary traffic). This area already has the absence of food stores to maintain current local residents, and NO Mcdonalds in every corner is not enough to support extra residents in the area. This area could potentially benefit from a food store where locals can buy their foods for their family instead of an apartment complex or maybe a dream of having a nice park for local residents to enjoy to keep the area green/calm where residents can enjoy a quiet walk with their families.

When we initially purchased our home in the area, we did due to the tranquility of the area. Being away from the city, including an apartment complex. Since the build of apartments 3 story of 75 ave and Mcdowell, this area has already seen a change with traffic and crime. More robberies in the area, gunshots and unsafe areas for parking lots on walmart/Target and other local stores in the area. All I can see with new apartments is adding extra crime to this area. The schools already hold a number of students impacting classes with a high volume of students per classroom, it is very explanatory this area is not Glendale, Maryvale or other areas of Phoenix with expansion to add an apartment complex when the area cannot maintain.

Lastly, Broadway has been known to hold and grow beautiful families to continue their agriculture love. Adding an apartment complex will destroy the area completely, taking away our beautiful view of mountains and tranquility of the area. Unfortunately, our farmers are gradually being abused by taking their own property, ignoring the fact that growing apartment buildings is just as simple as growing rich soil. Unless it will benefit the local residents (homeowners), which in the case of the apartment is the opposite, the area should be left as is and the community will have a negative impact.

Thank you

Paulina Saenz
Community of Tuscano

Nayeli Sanchez Luna

From: Sara Price <slprice44@gmail.com>
Sent: Sunday, January 28, 2024 6:21 PM
To: Stephanie@wmbattorneys.com; Nayeli Sanchez Luna
Subject: Tuscano Community Re: proposed apartments nearby

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

As a resident of the Tuscano Community, I would like to express my concern and contempt of building an apartment complex on the corner of Broadway Road and 83rd Ave. The current infrastructure does not support this development nor does the retail and nearby educational facilities. The complex will lower all property values and bring an overall negative and unwanted element to an already overcrowded area. Please take these considerations into consideration prior to making such a detrimental issue of moving this project forward.

Thank you.

Nayeli Sanchez Luna

From: Bruce Olson <bruceolson73@gmail.com>
Sent: Monday, January 29, 2024 8:29 PM
To: Nayeli Sanchez Luna
Subject: Development

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to voice my opposition to an apartment complex at 83rd Ave and Broadway. This would make traffic much worse and no doubt bring more crime. The area is not developed and there are not good routes as it is. The proposed city park at 83rd and Elwood should be developed before any more housing is done.

Bruce Olson
Tuscano Community

Nayeli Sanchez Luna

From: Lauren Chartier <chartierlauren@yahoo.com>
Sent: Monday, January 29, 2024 8:51 PM
To: Nayeli Sanchez Luna
Subject: AGAINST REZONING TO MULTIFAMILY LAND TO Estrella village planner

Follow Up Flag: Follow up
Flag Status: Flagged

I am part of this community and do not want a multi family land to happen around here!

I do not agree to the re-zoning in Hurley Ranch (Broadway rd & 83rd ave).

Nayeli Sanchez Luna

From: betsy mastro <bmastro59@gmail.com>
Sent: Thursday, February 1, 2024 7:58 PM
To: Nayeli Sanchez Luna
Subject: AGAINST REZONING TO MULTIFAMILY LAND TO Estrella village planner

- 1).3 story will block any view to people in parcel C - they will look at the wall from their backyards. If I were a resident of parcel C I would be very upset about it.
- 2). Developers tell a nice story about how nice this apartment complex will be, however, it DOESN'T mean it will. Nothing holding them accountable to build a nice complex.
- 3).Traffic is already horrible on Broadway as it is. traffic will be worse during and after development .
- 4). The more rental properties by big companies we have around the area the LESS loud our voices will be heard. because they will okay with any developments
- 5). Apartments that are cheap will bring **crime**. and homeless to our community. **No on apartment**. There **are no benefits** to bringing nice luxury rentals in our area because there are no good stores, groceries or restaurants here at all.

Nayeli Sanchez Luna

From: Breanna Lozano <breannadoyle@gmail.com>
Sent: Wednesday, February 7, 2024 8:16 AM
To: Nayeli Sanchez Luna
Subject: Re: Against rezoning to multifamily land (Z-9-24-7)

Follow Up Flag: Follow up
Flag Status: Flagged

Yes.

And I also lost received some information about a homeless shelter being built. I am against that as well.

> On Feb 6, 2024, at 3:43 PM, Nayeli Sanchez Luna <nayeli.sanchez.luna@phoenix.gov> wrote:

>

> Good afternoon Ms. Lozano,

>

> Are you referring to the rezoning case Z-9-24-7 which is proposing multifamily and commercial development on the northwest corner of 83rd Avenue and Broadway Road?

> Please let me know.

>

> Much appreciated,

> Nayeli Sanchez Luna

> Planner II* Village

> City of Phoenix

> Planning and Development Department

> Long Range Planning Division

> 200 West Washington Street

> Phoenix, Arizona 85003

> nayeli.sanchez.luna@phoenix.gov

> (602) 534-9938

>

>

>

> -----Original Message-----

> From: Breanna Lozano <breannadoyle@gmail.com>

> Sent: Monday, January 29, 2024 8:57 PM

> To: Nayeli Sanchez Luna <nayeli.sanchez.luna@phoenix.gov>

> Subject: Against rezoning to multifamily land

>

> Against rezoning to multifamily land

Nayeli Sanchez Luna

From: Jonathan Chen <jonchend@gmail.com>
Sent: Wednesday, February 7, 2024 4:17 PM
To: Nayeli Sanchez Luna
Subject: Disapproval notice case# Z-9-24

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

I'm writing to state my disapproval and concerns for rezoning in Hurley Ranch, Case # Z-9-24.

I am against the rezoning from commercial to multi-family. We need more single family housing, not apartments that are going to bring in low income, worse traffic, and more crime. Myself and my neighbors want more businesses or single family dwellings.

As someone who has worked hard for a great community and the ability to own a beautiful house, and gives back to the community by supporting businesses, please consider my concerns from the viewpoint of a homeowner and father who wants a safe and desirable neighborhood for their family.

Please respond at your earliest convenience with receipt of this email. Thank you for your time and consideration,

-Jon Chen