#### Attachment B



## Staff Report Z-57-21-3 PV PUD April 29, 2022

Paradise Valley Village Planning May 2, 2022

**Committee** Meeting Date:

**Planning Commission Hearing Date:** June 2, 2022

Request From: RSC PCD (Regional Shopping Center

District, Planned Community District)

(15.34 acres), and RSC PCD

(Approved C-2 H-R DNS/WVR SP PCD) (Regional Shopping Center District, Planned Community District, Approved Intermediate Commercial District, High-Rise and High Density District, Density Waiver, Special Permit, Planned Community District) (64.64

acres)

**Request To:** PUD (Planned Unit Development)

(79.98 acres)

Proposed Use: Planned Unit Development to allow

mixed use development

**Location:** Northwest corner of Tatum Boulevard

and Cactus Road

Owner PV Land SPE, LLC and PV JCP, LLC

**Applicant/Representative:** Ed Bull, Burch & Cracchiolo P.A.

**Staff Recommendation:** Approval, subject to stipulations

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General Plan Conformity					
General Plan Land Use Map Designation		Commercial, Paradise Valley Village Core			
Street Map Classification	Tatum Boulevard	Major Arterial	Varies 55 to 67-foot west half street		
	Cactus Road	Major Arterial	Varies 60 to 67-foot north half street		
	Paradise Village Parkway	Collector	42-foot east and south half street		

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Design neighborhoods and buildings to provide pedestrian access to adjacent transportation infrastructure such as public transit.

The proposed PUD includes standards for pedestrian pathways connecting building entrances to all public streets and adjacent commercial uses to provide a pedestrian friendly environment adjacent to a transit center.

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 PUD includes shade and landscaping requirements that will promote walkability and a pleasant pedestrian experience.

CONNECT PEOPLE AND PLACES CORE VALUE; CORES, CENTERS & CORRIDORS; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.

The proposed PUD is located within the Paradise Valley Village Core and promotes increased height and more intense uses. The proposal will connect to the existing and future infrastructure and will serve those that live and work in the village.

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

The development provides a reasonable level of intensity that is respectful to local conditions and surrounding neighborhoods. The development will provide an appropriate transition from the commercially zoned land to the south, east, west and multifamily residential uses to the north.

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## Applicable Plans, Overlays, and Initiatives

Tree and Shade Master Plan: See Background Item No. 11 below.

Complete Streets Guiding Principles: See Background Item No.12 below.

Comprehensive Bicycle Master Plan: See Background Item No. 13 below.

**Zero Waste PHX**: See Background Item No. 14 below.

**Housing Phoenix Plan**: See Background Item No. 15 below.

Surrounding Land Uses and Zoning			
	Land Use	Zoning	
On Site	Paradise Valley Mall (Retail, commercial services, restaurants, transit center)	RSC PCD, RSC PCD (Approved C-2 H-R DNS/WVR SP PCD)	
North (across Paradise Village Parkway)	Multifamily residential	PAD-14 PCD	
Northwest (across Paradise Village Parkway	Sweetwater Park (City park)	PCD (Approved R1-8 PCD)	
West (abutting)	Commercial retail, restaurants, commercial services	RSC PCD	
West (across Paradise Village Parkway)	Multifamily residential, commercial uses	PAD-14 PCD, C-2 PCD	
East (across Tatum Boulevard)	Commercial retail, restaurants, commercial services	C-2 PCD, PSC PCD	
East (abutting)	Commercial retail, restaurants, commercial services	RSC PCD	
South (abutting)	Restaurant Pads	RSC PCD	
South (across Cactus Road)	Commercial retail, restaurants, commercial services	C-2 PCD	

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### Background/Issues/Analysis

## **REQUEST**

1. This request is to rezone 79.98 acres on the northwest corner of Tatum Boulevard and Cactus Road from RSC PCD (Regional Shopping Center District, Planned Community District) and RSC PCD (Approved C-2 H-R DNS/WVR SP PCD) (Regional Shopping Center District, Planned Community District, Approved Intermediate Commercial District, High-Rise and High Density District, Density Waiver, Special Permit, Planned Community District) to PUD (Planned Unit Development) to allow a mixed-use development.

## **EXISTING SITE CONDITIONS**

2. The subject site is the former Paradise Valley Mall, and most of the original mall structure has been demolished. Approval of rezoning case Z-49-XX-75-3 established the approved C-2 H-R DNS/WVR SP PCD zoning on a portion of the proposed PUD site last year. Phase I of the PV Mall redevelopment located at the southeast portion of the PV Mall property and within the approved C-2 H-R DNS/WVR SP PCD area is not included within the PUD. Rezoning case Z-49-XX-75-3 permitted the development of a multifamily project, currently under construction, as part of Phase I.

## **SURROUNDING LAND USES AND ZONING**

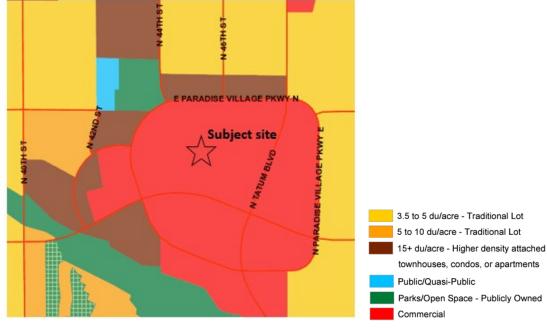
The aerial and zoning sketch maps attached as an exhibit provide an aerial of the surrounding area and illustrate the existing zoning. To the north are several multifamily developments zoned PAD-14 PCD. To the northwest and west are properties zoned PCD (approved R1-8 PCD), PAD-14 PCD, C-2 PCD and RSC PCD developed with a city park, multifamily residential and various commercial uses. To the south of the site are properties zoned RSC PCD and C-2 PCD developed with various commercial uses. To the east are properties zoned PSC PCD and C-2 PCD developed with various commercial uses.

#### **GENERAL PLAN LAND USE MAP DESIGNATIONS**

4. The General Plan Land Use Map designation for the subject site is Commercial and the site is within a designated village core. The proposed PUD is consistent with the designation. The Commercial land use designation also applies to all adjacent land to the south, west and east.

The land to the north and southwest of the subject site is designated Residential 15+ dwelling units per acre, and the city park to the northwest is designated Parks/OpenSpace – Publicly Owned.

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General Plan Land Use Map

Source: Planning and Development Department

## **PROPOSAL**

The proposal was developed utilizing the PUD zoning district. The Planned Unit Development (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 authors and proposes standards and guidelines that are tailored to the context of a site on a case-by-case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied. A link to the submitted PUD Narrative hearing draft is included with this report as an exhibit. Stipulation No. 1 includes a requirement to provide an updated version of the narrative after City Council approval.

The PUD will provide the regulatory framework for the redevelopment of the mall area outside of what is under construction today as part of Phase I. Exhibit 10 of the PUD Narrative provides a map outlining the boundaries for Phase I and the boundaries of the PUD.

6. **Land Use:** The PUD narrative proposes a diverse mix of uses meant to serve as the foundation for a vibrant Village Core. Most of the uses are derived from the site's approved C-2 Intermediate Commercial zoning. The PUD does establish a list of prohibited uses including, but not limited to, adult oriented uses and auto body shops.

Staff recommends Stipulation No. 1.a to include the self-service storage use that was previously approved through rezoning case Z-49-XX-75-3, with

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specific conditions to limit the building height and square footage.

## 7. **Development Standards:**

- Building Height: The PUD narrative proposes three distinct building height areas. Inside the boundaries of the Loop Road the maximum building height is 120 feet. Outside of the Loop Road near Paradise Village Parkway the maximum building height is 85 feet. Outside of the Loop Road near Tatum Boulevard and Cactus Road the maximum building height is 30 feet. Exhibit 11 of the PUD Narrative illustrates how the building height standards are applied on the site today and will continue as part of the PUD.
- **Dwelling Unit Density**: Maximum 3,200 dwelling units for the PUD area.
- **Lot Coverage**: Fifty percent maximum with exceptions for roof overhangs, parking garages, projections, and balconies.
- 8. **Signs:** The PUD proposes a sign framework that will support the development of a mixed-use urban development in a Village Core. Staff has proposed a modification to the PUD narrative's Sign Section in Stipulation No.1.d to require the development of a Master Planned Development Sign Plan consistent with approaches in downtown Phoenix and other Village Cores.
- 9. **Design Guidelines:** The PUD narrative establishes requirements regarding building materials and makes dozens of guidelines from the Phoenix Zoning Ordinance requirements for the project including enhanced standards for the treatment of walls and parking lot screening. An update to the PUD Narrative is proposed in Stipulation 1.c to provide guidelines for how parking garages should be screened from or integrated into the mixed-use development.
- 10. Layout, Connectivity, Open Space and Shade: The PUD narrative contains several exhibits that illustrate a potential layout for the proposed redevelopment (Exhibits 12, 13, 15, 16, 18 and 25). The PUD envisions the creation of a mixed-use urban center served by a grid pattern of walkable streets. Exhibit 25 in the PUD Narrative provides a pedestrian circulation plan that identifies primary pedestrian corridors, pedestrian paths, bike paths and open space. The pedestrian circulation plan proposes connections between all the open space areas, development blocks, parking structure, public library, and surrounding streets. As individual projects within the PUD are submitted, they will be required to address the circulation plan's proposed layout and components or propose an update to the plan that will meet the envisioned connected pedestrian network.

The PUD narrative proposes a minimum 10 percent of the net site area will be

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dedicated for private outdoor amenities and open space. In addition, the PUD contains minimum shade coverage of 75 percent for the designated primary pedestrian corridors and minimum 50 percent shade coverage for the pedestrian paths. An update to the PUD narrative is proposed in Stipulation 1.b that requires a minimum of 25 percent of surface parking lots be shaded with a combination of structural or vegetative shade.

The combination of the pedestrian circulation plan, minimum open space and shade requirements will help position new development to meet the vision for an inviting, safe, and active walkable mixed-use development in the Paradise Valley Village Core.

#### **PLANS AND INITIATIVES**

#### 11. 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 include trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

As stipulated, the PUD requires minimum 25 percent shade in all surface parking lots, minimum 75 percent shade coverage on designated primary pedestrian corridors and minimum 50 percent shade for all pedestrian paths.

#### 12. 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 PUD's pedestrian circulation plan (Exhibit 25) provides for a multi-modal network of pedestrian and bike baths. The PUD's requirements for detached sidewalks shaded with street trees also responds to the Complete Streets Guiding Principles.

#### 13. Comprehensive Bicycle Master Plan

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. At buildout, the PUD narrative calls for the provision of a minimum of 25 bicycle parking spaces for visitors and a secured bicycle parking facility for employees with a minimum of 25 bicycle parking spaces.

#### 14. 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

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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 PUD addresses recycling by including recycling containers as a possible pedestrian amenity and encouraging the use of recycled building materials, along with construction waste diversion goals.

### 15. Housing Phoenix Plan

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposal, which permits up to 3,200 dwelling units within the proposed PUD area, supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

### **COMMUNITY INPUT SUMMARY**

- 16. Staff has received two pieces of correspondence regarding the proposal. Below is a summary of some of the points raised:
  - Dust generated during the demolition and ongoing redevelopment has been significant.
  - The project should look to provide open space and recreation areas for the surrounding community.
  - The development team should be coordinating with the Phoenix Office of Heat Response and Mitigation.
  - The design of the buildings needs to be context sensitive.

### INTERDEPARTMENTAL COMMENTS

- 17. The Street Transportation Department also requested that the applicant submit a Traffic Impact Study to the City for this development and construct all streets within and adjacent to the development with all required elements to ADA standards. This is addressed in Stipulation Nos. 7 and 8.
- 18. 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 located in a Shaded Zone X, on panel 1755 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

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19. The Public Transit Department has determined that if the developer relocate and/or reconstruct the Paradise Valley Transit Center, a minimum of three transit vehicle servicing points shall be incorporated within the design and a minimum of 50 percent shade shall be provided at the transit center. Furthermore, dedication of transit easements or other legal agreements shall be implemented to ensure vehicle access to all public transit facilities. These are addressed in Stipulation Nos. 2 through 3.

The Public Transit Department requested the developer dedicate right-of-way and construct two bus stop pads at locations approved by the Public Transit Department. Further, the developer shall provide clearly defined, accessible pedestrian pathways connecting building entrances, bus stop pads, transit centers, site amenities and public sidewalks using the most direct route possible. Pedestrian pathways crossing drive aisles and parking area crossings shall be constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces. Additionally, all cross-access agreements shall include a pedestrian pathway. These are addressed in the PUD Narrative, and in Stipulation Nos. 4 through 6.

- 20. The Fire Prevention division of the Fire Department does not anticipate any issues with this request. The site or/and building(s) shall comply with the Phoenix Fire Code. However, the water supply to this site is unknown. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
- 21. The Water Services Department indicated that no zoning stipulations are required; however, commented that capacity is a dynamic condition that can change over time due to a variety of factors. The requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.
- 22. 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.9.

#### OTHER

23. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonment maybe required.

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#### **Findings**

1. The proposed development will revitalize a prominent site within a village core.

- 2. The proposed PUD will allow for additional housing units to be built which will help alleviate the housing shortage in Phoenix and advance the goals of the Housing Phoenix Plan.
- 3. The proposed developments scale and intensity is appropriate given the location within the Paradise Valley Village Core, at the intersection of major arterials and at a location served by existing transit.

#### **Stipulations**

- 1. An updated Development Narrative for the Paradise Valley Mall PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 14 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped (Insert date of public hearing draft) as modified by the following stipulations. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 21, 2022 as modified by the following stipulations:
  - a. Permitted use list, Page 39: Add the following standards for a self-service storage warehouse: Storage buildings shall not exceed three stories or 30 feet in height. Storage buildings shall be limited to an 80,000-square foot footprint, and not to exceed a 200,000-square foot floor area.
  - b. Shade Standards, Page 37: Add the following language to this section: a minimum of 25% structural or vegetative shade at maturity shall be provided in surface parking lots.
  - c. Design Guidelines, Page 46: Add the following language regarding parking garages: All newly constructed parking structures visible from the loop road or any primary pedestrian route shall be wrapped with other uses such as, street level retail, office space, or residential dwelling units; or with decorative screening such as, perforated screening, illuminated art, living greenery, decorative metal panels or other design features.
  - d. Language in the Sign Section on pages 51-56 shall be replaced with the following: Signs within the Paradise Valley Mall PUD area will be permitted in accordance with Zoning Ordinance Section 705 for commercial (C-2) zoned properties and as part of an approved Master Planned Development Sign Plan in accordance with Section 1209.B.8

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of the Phoenix Zoning Ordinance (Downtown Code) and the standards for a master planned development covering a contiguous area of at least ten acres. Off-premise signs are not permitted within the Paradise Valley Mall PUD area per the current standards within section 705.2 of the Phoenix Zoning Ordinance. Concepts for consideration as part of a Master Planned Development Sign Plan are included as exhibits 22-24 of the PUD.

- 2. Relocation and/or reconstruction of the Paradise Valley Transit Center is subject to Planning and Development Department and Public Transit Department Approval. A minimum of three transit vehicle servicing points shall be constructed at any relocated or reconstructed site. All plans and designs for relocated and/or reconstructed transit facilities shall require approval from the Public Transit Department and the Planning and Development Department. The Public Transit Department shall retain removable assets located at the Paradise Valley Transit Center should relocation and/or reconstruction be approved.
- 3. Vehicle access to all public transit facilities shall be ensured by dedication of transit easements or other legal agreements, as approved by the Public Transit Department and the Planning and Development Department.
- 4. The developer shall dedicate right-of-way and construct two bus stop pads at locations approved or modified by the Public Transit Department. The bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pads shall be spaced from intersections according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade at bus stop pads, as approved by the Planning and Development Department.
- 5. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
- 6. All cross-access agreements shall include a pedestrian pathway, as approved by the Planning and Development Department.
- 7. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of site plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Christopher Kowalsky, Special Projects Administrator, at (602) 534-7105, to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, City Engineers Office. Additional

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dedications and/or improvements may be required as per the approved Traffic Impact Study.

- 8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscape 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.
- 9. 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

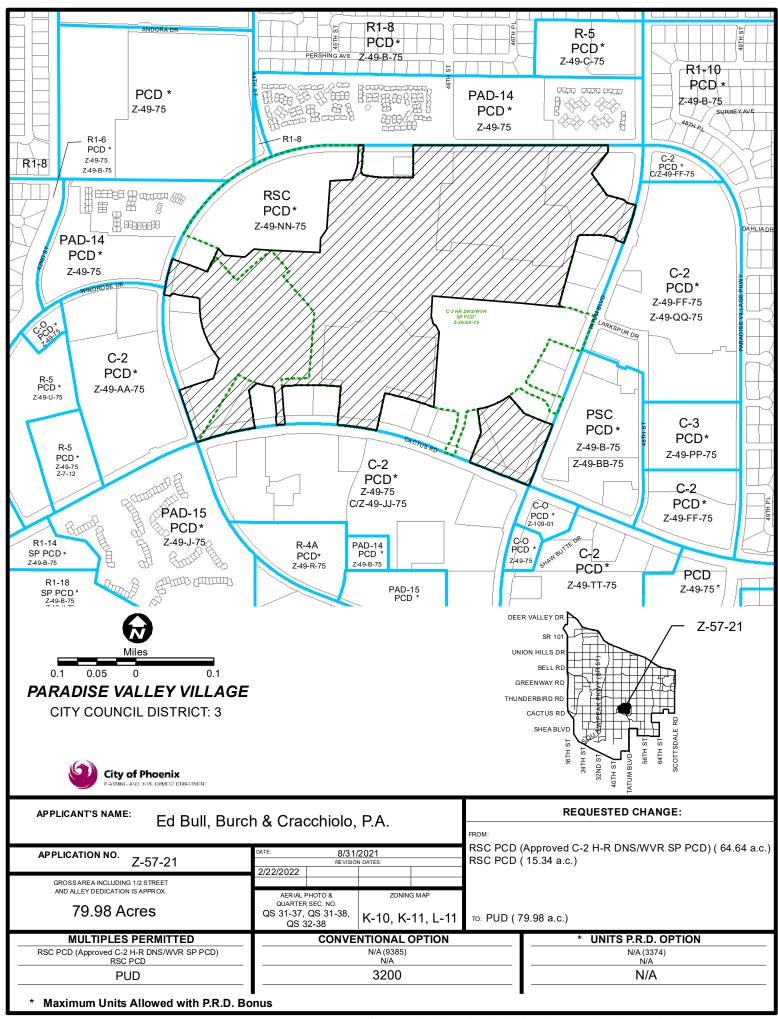
Joshua Bednarek April 27, 2021

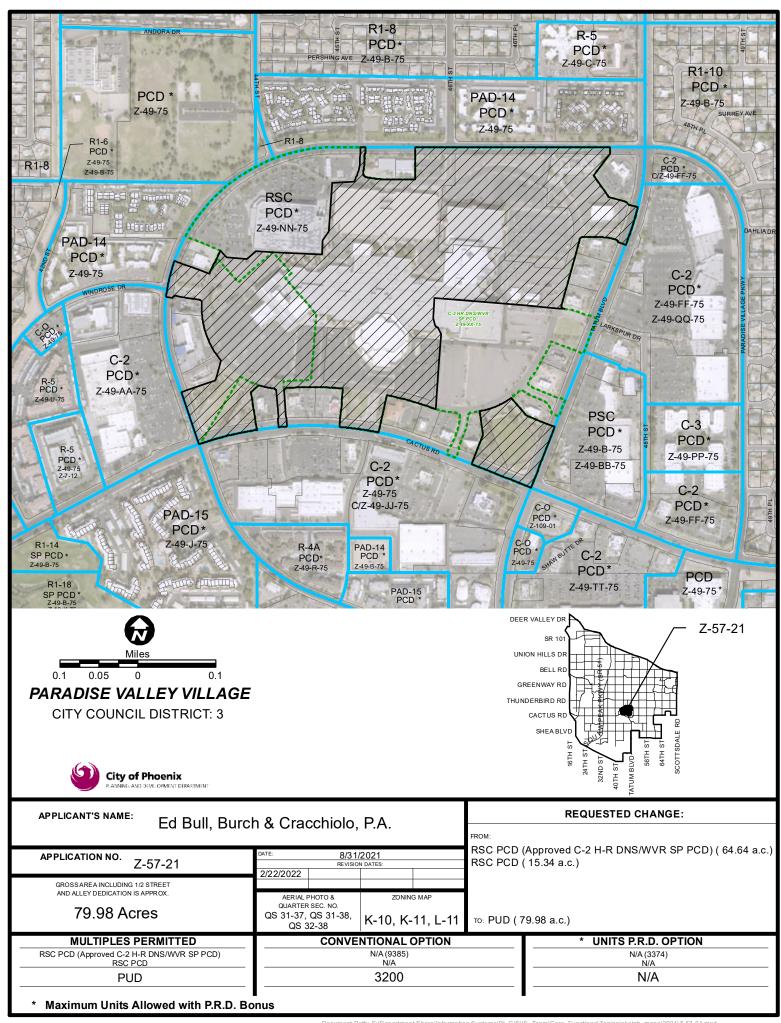
#### Team Leader

Racelle Escolar

### **Exhibits**

Zoning Sketch Map
Aerial Sketch Map
Community Correspondence (2 pages)
PUD Narrative Date Stamped April 21, 2022





# **David O Simmons**

From:	Diana Stevenson < dianafstevenson@gmail.com>
Sent:	Monday, March 7, 2022 9:18 AM David O Simmons
To: Cc:	Diana Stevenson
Subject:	Case No Z 57-21 Pv mall site
Mr. David Simmons	
City of Phoenix Village Planner,	
To whom it may concern,	
	ondominiums Phase II across from the demolition site.
	thoughts on regards of the demolition and redevelopment.
Hopefully, there are no asbestos of	ar increased significantly. Layer of dust on patios and vehicles has to be cleaned daily. Or other materials in this dust particles. I've had to clean and dust my patio daily since ery month in the past. Plus allergies have really affected me this last year.
inconveniences caused to neighbor neighborhood. It was the coolest As a single mom I have memories	e new development there should be dedicated communities spaces for the ors. The PV mall is a memories location for many community members in our place to shop, walk, and many seniors from my community used to exercise there. of my son playing in all the coin machines, and train ride, plus indoor playground. I plans there is a zone dedicated for little children. Splash pad, indoor cooled
Knowing it's a private developmen	nt I don't know how much involvement from the community they want.
I am a busy single mom I'm not ev to let someone know how is it bee	ren involved in my association. I don't really have time for meetings. But I just thought en for us the neighbors.
Sincerely,	
Diana Stevenson	
Sent from my iPhone	

From: Marc Soronson
To: Sarah Stockham

 Subject:
 PV VPC Meeting - April 4, 2022

 Date:
 Tuesday, April 5, 2022 1:30:35 PM

Hi Sarah --

Thank you for allowing me to speak last night. The Web Ex would not allow me to raise my hand or comment.

The presentation by the PHX Office of Heat Response and Mitigation was excellent. Glad to see Phoenix is advancing this program. I am also impressed with the progress thus far. Living in the Optima Kierland project is evidence on how the treatment of heat can be mitigated. It is amazing the temperature difference inside the project versus outside in the summer months.

I do want to formalize my comments on the RED PUD at Paradise Valley Mall. I know RED very well and they are a great developer and do some state of the art projects. I am very impressed with the site plan. However, I have two main comments on what was presented last night.

- 1. The project should be coordinated with the PHX Office of Heat Response and Mitigation. This is a critical repurpose of an old mall and needs to be a show case project to demonstrate successful redevelopment. The location is central to the city and this project needs to be a showcase as we redevelop other outdated malls. I request the VPC to assure that RED is coordinating with the OHRM and following their guidance as the project advances.
- 2. RED's Cityscape project shows that a developer can showcase premium, context sensitive architecture in the Valley. The presentation, especially the Street Light project, shows a lack of context sensitive design. The Streetlight project is very mid western and not reflective of what residents of Phoenix should expect from developers like RED. I suggest that the VPC, or other PHX committees review the architecture before approval. RED should be held to a high standard of design. I did not see that last night.

Thank you again for the opportunity to comment. I look forward to participating in your VPC meetings monthly.

Marc Soronson