

PLANNING AND DEVELOPMENT DEPARTMENT

# Staff Report: Z-70-22-8

December 30, 2022

Central City Village Planning Committee Hearing Date:	January 9, 2023
Planning Commission Hearing Date:	February 2, 2023
Request From:	<u>C-3</u> (General Commercial) (1.61 acres)
Request To:	WU Code T5:3 GW (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area) (1.61 acres)
Proposed Use:	Multifamily residential
Location:	Approximately 360 feet west of the northwest corner of 30th Street and Van Buren Street
Owner:	Arizona Housing, Inc., AHI 2900 E Van Buren, LLC
Applicant:	Mark Holleran, Arizona Housing, Inc.
Representative:	Kyle Bogasky
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Commercial			
Street Map Classification	Van Buren Street	Arterial	40-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.

The site is located within the Gateway Transit Oriented Development (TOD) District and is within one mile of the 24th Street / Washington Street / Jefferson Street light rail transit stations. The proposed multifamily residential is appropriate at this location given that the site is near a high-capacity transit corridor.

# **General Plan Conformity**

#### STRENGHTEN OUR LOCAL ECONOMY CORE VALUE; LOCAL AND SMALL BUSINESS; LAND USE PRINCIPLE: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.

The proposal to adaptively reuse an existing motel activates an underutilized property near two light rail stations and provides for additional housing options in the Central City Village that is compatible with 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 Van Buren 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.

Housing Phoenix Plan – See Background Item No. 7.

Comprehensive Bicycle Master Plan – See Background Item No. 8.

Complete Streets Guiding Principles – See Background Item No. 9.

Tree and Shade Master Plan – See Background Item No. 10.

Zero Waste PHX – See Background Item No. 11.

Surrounding Land Uses/Zoning			
	Land Use	<u>Zoning</u>	
On Site	Motel	C-3	
North	Church	R1-6	
South (across Van Buren Street)	Adult live entertainment establishment and vacant land	C-3	
East	Motel	C-3	
West	Auto sales	C-3	

Walkable Urban Code T5:3 GW			
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed Site Plan	
Gross Acreage	N/A	1.61	
Total Number of Units	No Maximum	116	
Density	No Maximum	72.05 dwelling units per acre	
Building Height	48-foot maximum	48 feet (Met)	
Min. Parking – Affordable Housing	58 total spaces (0.5 spaces per unit)	65 spaces (Met)	
Bicycle Parking – Per Section 1307.H.6.d • Minimum 0.25 per residential unit, with a maximum of 50 required spaces	29 spaces	Not specified	
Streetscape Standards (Secti	on 1312.A)		
Arterial Street (Van Buren Street)	6-foot sidewalk	5 feet (Not Met)*	
	5-foot landscape	Not specified, existing detached sidewalk**	
Main Building Setbacks			
Van Buren Street (Primary Frontage)	12-foot	0 feet (Met, existing building)	
Side (East and West)	0-foot	East: 0 feet (existing condition)	
		West: Not specified	
Rear (North)	10-foot minimum building setback when adjacent to single-family residential districts, otherwise 0-foot.	Existing building: 0 feet (Not Met)**	
Parking Setbacks			
Van Buren (Primary Frontage)	30-foot minimum or behind building	Behind building (Met)	
Side (East/West)	0-foot	Behind building (Met)	
Rear (North) – Per Section 1307.F.2.a	10-foot	Not specified	

Walkable Urban Code T5:3			
<b>Standards</b>	<b>Requirements</b>	<u>Provisions on the</u> Proposed Site Plan	
Lot Requirements	-		
Lot Coverage	80 percent maximum	37 percent (Met)	
Primary Building Frontage (Van Buren Street)	70 percent minimum	79 percent (Met)	
Open Space	5 percent minimum	6 percent (Met)	
Frontage Types Allowed			
Primary Building Frontage	All frontages or alternative	None (Not Met)**	
(Van Buren Street)	frontages per Section 1305.B.1.c		

\*Variance or design alternative required

\*\*Existing condition

### Background/Issues/Analysis

### SUBJECT SITE

 This request is to rezone a 1.61-acre site located approximately 360 feet west of the northwest corner of 30th Street and Van Buren Street from C-3 (General Commercial) to WU Code T5:3 GW (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area) to allow multifamily residential.

The subject site is within one mile of the 24th Street / Washington Street / Jefferson Street light rail stations. The subject site fronts Van Buren Street, which is envisioned to be a dynamic corridor that is a walkable and bikeable with street level activity as explained in the Van Buren Corridor section of the Gateway TOD Policy Plan.

The subject site is a former two-story motel. The proposal is to adaptively reuse the existing building, converting it into apartments, and construct a new fourstory multifamily residential building on a vacant portion of the site.

2. The General Plan Land Use Map designation for this site is Commercial. That designation accommodates office, retail, service, and multifamily development. The proposed multifamily development is consistent with the designation. The General Plan Land Use Map designations to the south, east, and west are Commercial. The General Plan Land Use Map



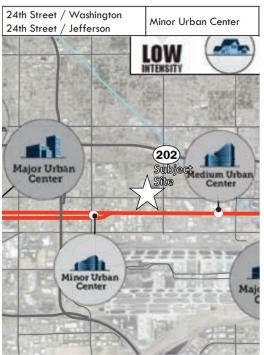
General Plan Land Use Map, Source: Planning and Development Department

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designation to the north is Public/Quasi-Public.

# 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 mile of the 24th Street / Washington Street / Jefferson light rail stations. The identified environment for the station is Minor Urban Center. Minor Urban Center is a place type characterized by medium to low intensity with building heights typically from two to five stories with incentive heights of up to seven stories. Land uses may include supportive retail, mid-rise living and low-rise office employment. The proposed adaptive reuse of the two-story motel and development of a new four-story mulifamily residential building is consistent with the Minor Urban Center placetype.



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

# 4. Gateway Transit Oriented Development District Policy Plan

The site is located within the Gateway TOD (Transit Oriented Development) District, the boundaries for which are State Route 143 or the Hohokam Expressway to the east, Interstate 10 to the west, the Loop 202 to the north, and Air Lane to the south. The policy plan adopted for the Gateway TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services. In order to realize the implementation of the Vision and Master Plan for the Gateway TOD District, one key recommendation is the implementation of a form-based zoning code. Staff Report: Z-70-22-8 December 30, 2022 Page 6 of 12

> The proposal to Walkable Urban Code furthers that vision. The proposed T5:3 transect is consistent with the conceptual zoning map in the Gateway TOD District Plan. The Gateway TOD policy plan indicates that the subject site is suitable for retrofit and is an adaptive reuse opportunity. The plan also identifies this portion of the Van Buren corridor as an economic development opportunity for retail/restaurant with redevelopment sites identified with mixed-use future land use. While the proposal to



Gateway TOD Policy Plan, Conceptual Zoning Plan, Source: Planning and Development Department

adaptively reuse the existing motel is consistent with the retrofit designation, the site presents an opportunity for infill development with vacant land on the subject site. Further, the proposal is for a multifamily residential use but the proposed transect, T5:3, allows for a mix of commercial and residential uses which is compatible with the economic development opportunity designation and the mixed-use designation of the surrounding properties.

The Gateway TOD Policy Plan explains that the character area has a great stock of vintage motor court motels and while many are in poor condition, they "offer creative reuse opportunities." (pg. 36). The Gateway TOD Policy Plan envisions that in the year 2040, the motels along Van Buren Street have been revitalized and draw on Van Buren's history to restore a positive character and rich sense of place." (pg. 64). The Van Buren Corridor portion of the plan for 2040 identifies the adaptive reuse of old motels on Van Buren Street as potential catalyst projects, stating that "the numerous vintage motels that once defined the character of the street may be rehabilitated as affordable housing for seniors, artists or innovative co-housing communities. This combined with additional mixed uses in the form of restaurants, retail and office space, has the potential to bring new life back to the once-thriving thoroughfare." (pg. 119).

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Gateway TOD Policy Plan, Example Motel Adaptive Reuse, Source: Planning and Development Department

The proposal to adaptively reuse the motel into a multifamily residential community exemplifies the goal of the Gateway TOD Policy Plan to reuse the existing motel to bring new life back to the once-thriving thoroughfare.

The subject site fronts Van Buren Street, which is envisioned to be the "thriving heart of the Gateway District" (pg. 107) and an area that is safe for pedestrians, bicyclists and that is home to mixed-use buildings featuring street-level retail with apartments and offices on the upper floors. The subject site's detached sidewalks with replenished vegetation along Van Buren Street and enhanced bicycle amenities are compatible with the vision for the Van Buren Corridor.

### EXISTING CONDITIONS AND SURROUNDING ZONING

5. The subject site is zoned C-3 and contains a two-story structure formerly used as a motel, a surface parking lot, and vacant land. To the east is a motel zoned C-3. To the west is an auto sales lot zoned C-3. To the north is St. Mark's Catholic Church zoned R1-6. Across Van Buren Street to the south is an adultoriented business zoned C-3.

### PROPOSAL

6. The proposed T5:3 District is described as a low-intensity urban mixed-use fabric characterized by small main street scale commercial uses, adaptive reuse of single-family homes to retail, office uses and dining establishments, and mixed-use residential developments incorporating a broad mix of frontage types,

averaging 30 feet to 48 feet in height. As shown on the conceptual site plan attached as an exhibit, the proposed development will refurbish the existing twostory motel into multifamily residential units and construct a new four-story multifamily residential building along the western edge of the site that is currently vacant. The proposal will also include an addition to the existing structure fronting the street that will contain a community room with a storefront frontage type. The applicant states that the proposed units will be affordable and supportive units facilitated through the LIHTC program. Affordable housing in the WU Code requires 0.5 parking spaces per unit.

The conceptual elevations, attached as an exhibit, demonstrate the proposed street frontage of the remodeled existing building and the proposed new building. In order to ensure a quality architectural design visible from the street, Stipulation No. 1 requires that the south elevation of the new building have a minimum of 25 percent glazing on the ground floor. The proposal will maintain the existing detached sidewalk along Van Buren Street and replenish the landscaping to the standards in the WU Code, including providing 75 percent shade along the public sidewalk, per Stipulation No. 4.

### AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

### 7. Housing Phoenix Plan

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by reusing an old motel and constructing a new building to provide additional affordable housing, contributing to the mix of housing types in the area and help address the housing shortage in Phoenix.

### 8. 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. To create a bike-supportive environment along the Van Buren Street corridor, bicycle infrastructure is incorporated into the proposed project. Stipulation No. 2 requires guest bicycle parking and a bicycle repair station to be provided on site in addition to the bicycle parking requirements of the Walkable Urban Code.

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### 9. 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 a shaded, detached sidewalk along Van Buren Street which will increase the thermal comfort and usability for those walking to and from nearby transit and those patronizing local businesses, per Stipulation No. 4. The proposal also includes several bicycle parking spaces for visitors and residents as required in Stipulation No. 2. The frontage of the existing building will be enhanced with transparency to improve the quality of the public realm adjacent to the site.

### 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. Stipulation Nos. 3 and 4 require that the development will provide shaded detached sidewalks on Van Buren Street.

### 11. Zero Waste PHX

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposed development will provide recycling services for residents.

### COMMUNITY INPUT SUMMARY

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

### INTERDEPARTMENTAL COMMENTS

- 13. The Street Transportation Department requested that all streets be constructed with the required improvements and comply with current ADA standards and the dedication of a 10-foot-wide sidewalk easement along the north side to Van Buran Street. Construction of a six-foot detached sidewalk and replenishment and maintenance of landscaping between the back of the curb and sidewalk are also required. These are addressed in Stipulation Nos. 3 through 5.
- 14. 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.

- 15. 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. 6.
- 16. The Fire Department commented that the buildings shall comply with the Phoenix Fire Code.

### OTHER

- 17. 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. 7.
- 18. 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. 8.
- 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.

### **Findings**

- 1. The proposal is consistent with the General Plan Land Use Map designation and the Gateway TOD Policy Plan vision for the site.
- 2. The proposal will redevelop a vacant motel and provide 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.

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### **Stipulations**

- 1. The south building elevations of the new structure shall provide a minimum 25 percent glazing on the ground floor, as approved by the Planning and Development Department.
- 2. Secure bicycle parking pursuant to Section 1307.H.6 of the Zoning Ordinance shall be provided for the total units on the site. In addition, the development shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
  - b. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
- 3. The developer shall dedicate a 10-foot-wide sidewalk easement along the north side of Van Buran Street, except for those areas where a current building footprint exists. Any future removal of building along Van Buren Street will require a 10-foot-wide sidewalk easement dedication, as approved by the Planning and Development Department.
- 4. The developer shall maintain the existing width of the landscape strip area along the north side of Van Buren Street between the sidewalk and back of the curb, replenish and maintain the landscaping within it, and construct a minimum 6foot-wide detached sidewalk, 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.
- 5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalks, 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.
- 6. 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.

- 7. 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.
- 8. Prior to preliminary 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.

#### <u>Writer</u>

Anthony Grande December 30, 2022

### Team Leader

Racelle Escolar

### **Exhibits**

Sketch Map Aerial Map Conceptual Site Plan Date Stamped September 26, 2022 Conceptual Elevations Date Stamped September 26, 2022

