#### ATTACHMENT B



# Staff Report Z-79-22-4 January 5, 2023

**Encanto Village Planning Committee** January 9, 2023

**Meeting Date:** 

**Planning Commission Hearing Date:** February 2, 2023

**Request From:** Residence District) (1.62

acres)

Request To: R-4 (Multifamily Residence District) (1.62)

acres)

Proposed Use: Multifamily residential

**Location:** Approximately 200 feet northwest of the

northwest corner of 12th Street and Turney

Avenue

Owner: Turney Canals, LLC

Applicant: Nicholas A. Sobraske, Gammage &

Burnham, PLC

**Representative:** Ashley Z. Marsh, Gammage & Burnham,

PLC

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

General Plan Conformity				
General Plan Land Use Map Designation		Residential 10 to 15 dwelling units per acre		
Street Map Classification	Turney Avenue	Local Street	25-foot north half street	

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

The requested R-4 zoning district will result in development that is sensitive to the scale and character of the surrounding area. The surrounding area contains primarily multifamily housing at a variety of intensities within multifamily zoning districts and is adjacent to the Grand Canal, creating an opportunity for activation.

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## **General Plan Conformity**

CONNECT PEOPLE AND PLACES CORE VALUE; CANALS AND TRAILS; DESIGN PRINCIPLE: Provide multi-use trail connections where appropriate.

The proposal will provide additional connections to the Grand Canal trail. The development will activate this portion of the canal frontage with balconies oriented toward the canal, view fencing along the canal edge, and new pedestrian connections.

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 will shade the sidewalk on Turney Avenue and provide landscaping on all sides of the development. This will help to provide shade for pedestrians in and around the community and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

# Applicable Plans, Overlays, and Initiatives

Housing Phoenix Plan: See Background Item No. 6.

Tree and Shade Master Plan: See Background Item No. 7.

Complete Streets Guiding Principles: See Background Item No. 8.

<u>Comprehensive Bicycle Master Plan</u>: See Background Item No. 9.

Zero Waste PHX: See Background Item No. 10.

Surrounding Land Uses and Zoning				
	Land Use	<u>Zoning</u>		
On Site	Multifamily residential	R-3		
North (across Grand Canal)	Electric utility substation and commercial uses	R-3 and R-5		
South (across Turney Avenue)	Multifamily residential	R-4 and R-5		

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Surrounding Land Uses and Zoning			
	Land Use	<u>Zoning</u>	
East (across Grand Canal)	Commercial uses	R-5	
West	Multifamily residential	R-3	

R-4 - Multifamily Residence District (Subdivision Development Option)			
<u>Standards</u>	Requirements	Provisions on the Proposed site Plan	
Gross Acreage	-	1.62 acres	
Maximum Number of Units	47 units	45 units (Met)	
Maximum Density (Dwelling units per acre)	29	27.78 (Met)	
Maximum Lot Coverage	50%	36% (Met)	
Maximum Building Height	3 stories or 40 feet	3 stories and 40 feet (Met)	
Minimum Building Setbacks			
Front (Turney Avenue)	20 feet	20 feet (Met)	
Sides	10 and 3 feet	West: 10 feet* (Not Met)	
Rear	Minimum 15 feet (Per R-4 standards)  Maximum 8 feet (width of Public Utility Easement) for 50%-85% of the building  50%-85% of the building must be built to the canal build-to-line as per 507 Tab  A.II.E.2.7.3.	Not depicted	
Minimum Open Space	5% of the gross site area	5.1% (Met)	
Minimum Parking	1.3 spaces required  1.3 spaces per efficiency unit; 1.5 spaces per 1 or 2 bedroom unit; 2 spaces per 3 or more bedroom unit; 1.0 spaces per unit of less than 600 square feet	55 spaces (Met)	

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R-4 - Multifamily Residence District (Subdivision Development Option)				
<u>Standards</u>	Requirements	Provisions on the Proposed site Plan		
Minimum Landscape Setbacks				
Front (Turney Ave)	20 feet	20 feet (Met)		
Sides	5 feet	West: 5 feet (Met)		
Rear	The area between the portion of the structure not	Not depicted		
	constructed to the build-to line and the canal should be a public or private pedestrian area with a hard surface			
	including street furniture, functional planting, and other pedestrian amenities, per 507 Tab A.II.E.2.7.4.			

<sup>\*</sup>Variance or site plan revision required

## Background/Issues/Analysis

#### SUBJECT SITE

1. This request is to rezone 1.62 acres located approximately 200 feet northwest of the northwest corner of Turney Avenue and 12th Street from R-3 (Multifamily Residence District) to R-4 (Multifamily Residence District) for a multifamily residential development. The site currently contains a multifamily residential development.

#### GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The subject site is designated as Residential 10 to 15 dwelling units per acre on the General Plan Land Use Map. The areas to the north, west, east and south are also designated as Residential 10 to 15 dwelling units per acre. Further to the east, the General Plan Land Use Map designation is Commercial.



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

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The proposed zoning district is not consistent with the General Plan Land Use Map designation. However, the site is less than 10 acres; therefore, a General Plan Land Use Map amendment is not required.

#### SURROUNDING LAND USES AND ZONING

3. The subject site and all adjacent properties contain multifamily residential zoning at varying intensities. The subject site is within an R-3 district that extends to the north and west and abuts an R-5 district to the east that generally runs along 12th Street. There is an R-4 district to the south across Turney Avenue. Surrounding properties contain multifamily residential buildings to the west and south, commercial uses to the northeast along 12th Street, and a utility substation to the north across the Grand Canal.



Zoning Aerial Map, Source: Planning and Development Department

#### **PROPOSAL**

#### 4. Site Plan

The site plan, attached as an exhibit, features a three-story multifamily residential building with ground floor parking and two levels of apartments above, containing 45 dwelling units. Vehicular access is shown from a driveway on Turney Avenue with 10 outdoor parking spaces in the front of the building and the remainder of the parking spaces located on the first floor of the building. The proposal includes 5.1 percent common open space with amenities to include a pool, barbecue area, and turf.

The proposal is subject to the Canal Bank standards of Section 507 Tab A of the Phoenix Zoning Ordinance and meets the standards in the following ways. The proposal will provide a connection between the canal and the building's amenity area through a pedestrian gate. The development will include view fencing with no solid walls above three feet high along the edge with the canal, and residential windows and balconies will be oriented toward the canal. The development as depicted on the conceptual site plan does not comply with the design presumption of constructing the building along the canal build-to line. Therefore, staff does not recommend general conformance to the site plan. The developer will pursue

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flexibility of the presumption during the development review process. The development will comply with the bicycle parking requirements of Chapter 13 (Walkable Urban Code) of the Phoenix Zoning Ordinance, providing bicycle parking spaces at a minimum rate of 25 percent of the number of units (Stipulation No. 3).

## 5. Elevations

The conceptual building elevations, attached as an exhibit, depict a building with two levels of apartments above one level of parking and show color variation and balconies that promote visual interest in the building. Staff recommends Stipulation No. 1, requiring general conformance to the building elevations to ensure the building is developed as proposed.

#### STUDIES AND POLICIES

# 6. **Housing Phoenix**

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 contributing to a variety housing types that will address the supply shortage.

#### 7. 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. The proposal will include a landscape setback along Turney Avenue with a 50 percent shade requirement along the public sidewalk and will provide additional shading along the side property line and adjacent to the canal.

## 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. The proposal will provide a new pedestrian connection to the Grand Canal, promoting the use of alternative modes of transportation, such as walking and biking.

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## 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 project will provide bicycle parking spaces, consistent with the requirements of the Walkable Urban (WU) Code. This is addressed in Stipulation No. 3.

# 10. 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. The application states that the proposed development will provide recycling services.

#### **COMMUNITY INPUT SUMMARY**

11. As of the writing of this report, staff has not received any letter in support or opposition to this case.

#### INTERDEPARTMENTAL COMMENTS

- 12. The Street Transportation Department commented that the developer shall construct a minimum five-foot-wide sidewalk along Turney Avenue, provide bicycle parking consistent with the Walkable Urban Code, deposit funds in an escrow account for the purposes of upgrading the pedestrian crossing along the Grand Canal at 12th Street, and that all street improvements are constructed to city and ADA standards. These are addressed in Stipulation Nos. 2 through 5.
- 13. The Water Services Department commented that the property has existing water and sewer mains that can potentially serve the development. In addition, the Water Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.
- 14. The Aviation Department commented that the property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. This is addressed in Stipulation No. 6.
- 15. The Fire Department commented that there were no anticipated problems with the referenced case and that the development will need to comply with the Phoenix Fire Code.

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#### OTHER

- 16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 7 through 9.
- 17. 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. 10.
- 18. 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 requested R-4 zoning district is consistent with the zoning districts in the surrounding area.
- 2. The proposal is consistent with the surrounding uses in the area and will provide for additional housing options in the Encanto Village.
- 3. The proposed development enhances connectivity in the immediate vicinity by constructing a sidewalk along Turney Avenue, providing a private connection from the canal to the development, and contributes funds to upgrade the canal crossing at 12th Street.

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## **Stipulations**

- 1. The development shall be in general conformance with the elevations date stamped October 19, 2022 as approved by the Planning and Development Department.
- 2. The developer shall construct a minimum 5-foot-wide sidewalk along the north side of Turney Avenue, as approved by the Planning and Development Department.
- 3. The developer shall provide bicycle parking and/or storage as required by Chapter 13, Section 1307.H, as approved by the Planning and Development Department.
- 4. The developer shall deposit \$25,000 in an escrow account to the Street Transportation Department prior to preliminary site plan approval for the purposes of upgrading the pedestrian crossing along the Grand Canal and 12th Street.
- 5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 6. The property owner shall record documents that disclose the existence, and operational characteristics of the 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. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 9. In the event archaeological materials are encountered during construction, the

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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.

10. 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.

#### Writer

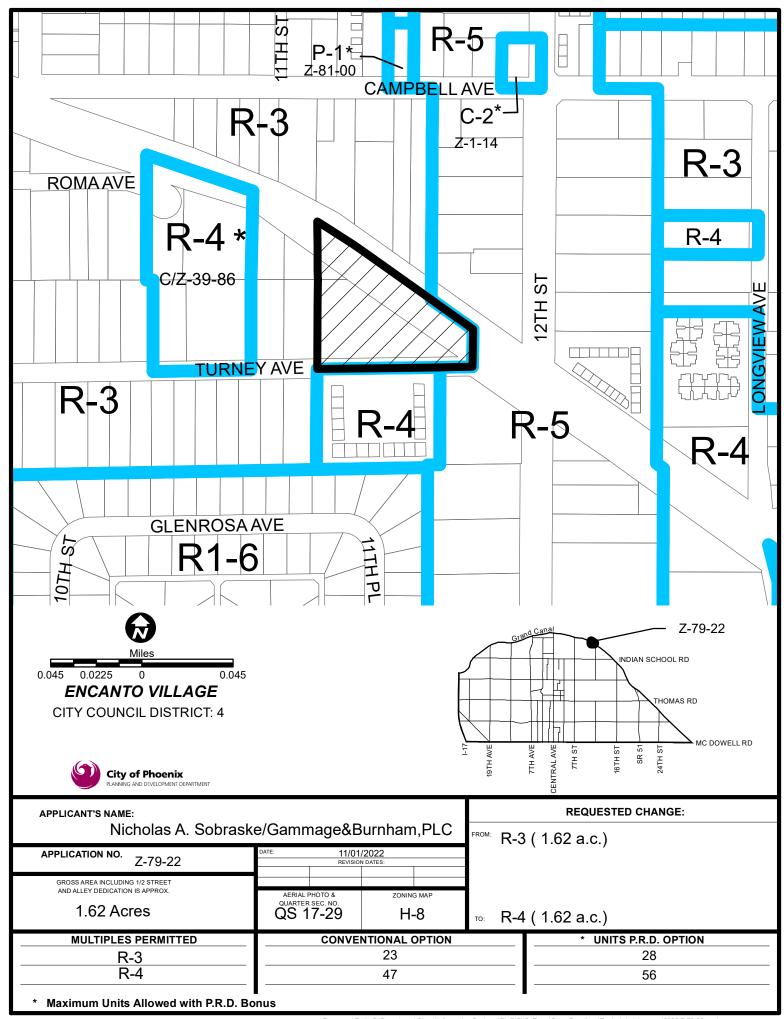
Sarah Stockham January 5, 2023

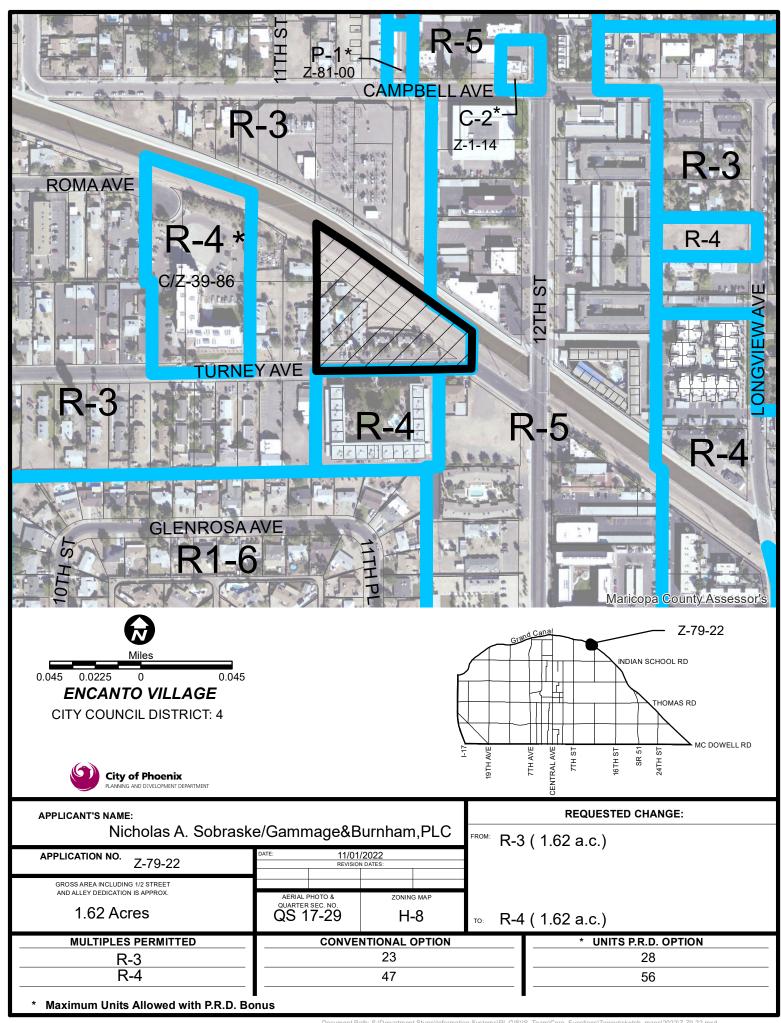
# Team Leader

Racelle Escolar

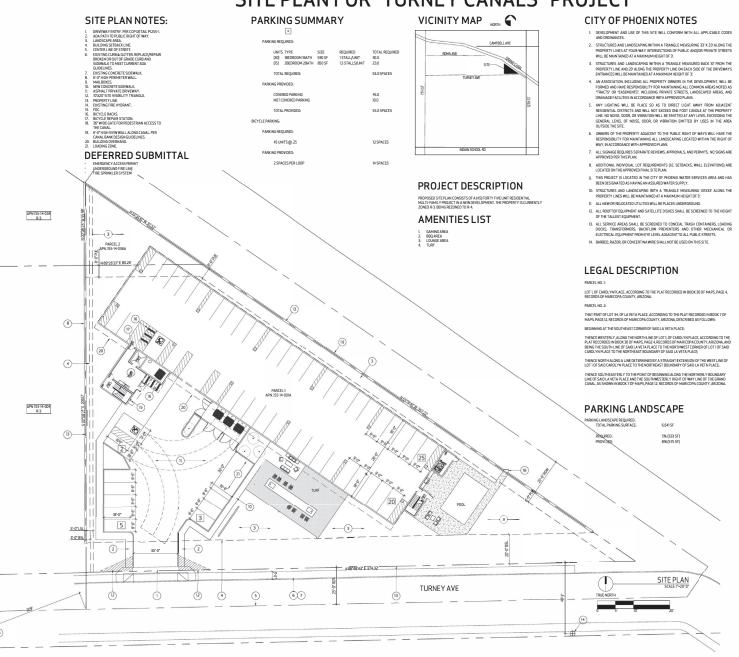
#### **Exhibits**

Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped October 19, 2022
Conceptual Building Elevations date stamped October 19, 2022





# SITE PLAN FOR "TURNEY CANALS" PROJECT



#### CODE REVIEW

OCCUPANCY USE

CONSTRUCTION TYPE

AUTHORITY CTY OF PHORIX ARZONA

COSE

208 INTERNATIONAL PULLONG CODE WIJAMSHOMENTS

208 INTERNATIONAL PICCHORACA CODE

208 INTERNATIONAL PLANSING CODE

209 INTERNATIONAL PLANSING CODE

209 INTERNATIONAL PLANSING CODE

209 INTERNATIONAL EXECTRICA CODE

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209 INTERNATIONAL EXECTRICA CODE

200 INTERNATIONAL EXECUTION CODE

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NON-SEPARATED

PROJECT INFORMATION ADDRESS: 1118 EAST TURNEY AVENUE PHOENIX, ARIZONA 85014 155-14-001A 155-14-036A PROPOSED USE: MULTIFAMILY 451INITS STORIES: (3) THREE STORIES BUILDING HEIGHT: ALLOWED: PROPOSED: 40'-0" HIGH 40"-0" HIGH LOT SIZE: NET ACRES: GROSS ACRES: 48,975 SF (1.12 ACRES) PER SURVEY 71,856 SF (1.64 ACRES) BUILDING FOOTPRINT TOTAL BUILDING FOOTPRINT LOT COVERAGE ALLOWED: PROPOSED: 50.0% (24,487 SF) 36.0% (17,660 SF)

#### PROJECT DIRECTORY

LOT SALES:

1URNEY CANALS, LLC 4470 WEST SUNSET BOULEVARD, #3

CONTACT: ASH PATHI PHONE: 310.570.2380

CHITECT TOMECAN DESIGN, P.C.
4368 NORTH CIVIC CENTER PLAZA ST. 201
SCOTTSDALE, ARIZONA 85251

CONTACT: MARK TOMECAK
JACOBS WALLACE, LLC
223 WEST BETHAMY HOME ROAD
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CITY OF PHOENIX

OCT 1 9 2022

Planning & Development Department



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TURNEY CANALS
THE BAST TURNEY AVERAGE
PROBABLE, ARECONS 8504

ASYSSE:

2219

SATE: 7.5.2022

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DESIGN
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TURNEY CANALS

1118 EAST TURNEY AVENUE
PHOENIX, ARIZONA 85014

ISED:

JOB#2 2

CONTENTS: BUILDING ELEVATIONS

<sub>знеет No:</sub> А2.00