



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: February 13, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: ITEM 71 ON THE FEBRUARY 15, 2023 FORMAL AGENDA – PUBLIC HEARING/FORMAL ACTION - REZONING APPLICATION Z-50-22-4 – APPROXIMATELY 180 FEET NORTH OF THE NORTHEAST CORNER OF 7TH AVENUE AND CAMELBACK ROAD (ORDINANCE G-7078)

Item 71, Rezoning Application Z-50-22-4, is a request to rezone 4.79 acres located at approximately 180 feet north of the northeast corner of 7th Avenue and Camelback Road, from C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) to allow multifamily residential.

The Alhambra Village Planning Committee heard the case on Dec. 20, 2022, and recommended approval, per the staff recommendation, with an additional stipulation, by a vote of 12-4.

The Planning Commission heard the case on Jan. 5, 2023 and recommended approval, per the Alhambra Village Planning Committee recommendation, by a vote of 8-0.

A community member appealed the Planning Commission recommendation on Jan. 9, 2023; and the adjacent property owner appealed on Jan. 12, 2023.

The City Council continued the case on Feb 1, 2023 to the Feb. 15, 2023 meeting by a vote of 9-0.

The applicant has met with the adjacent property owner to address their concerns about the shared driveway along the north side of the site. As a result, staff is recommending an update to Stipulation No. 15.

The revised stipulation is listed below with updates in **BOLD AND CAPITAL** letters.

Staff recommends approval, subject to the following stipulations:

1. The developer shall provide a minimum 10,000 square feet of publicly accessible open space in a forecourt configuration, as described below and as approved or modified by the Planning and Development Department. The publicly accessible open space shall be:
 - a. Adjacent and accessible to the public sidewalk on 7th Avenue;

- b. Provided in areas of not less than 500 square feet and 20 feet in width;
 - c. Shaded to a minimum of 50 percent by vegetative shade;
 - d. Maintained in perpetuity without fences or barriers;
 - e. Eligible to qualify as a forecourt frontage type;
 - f. Improved to contain, at minimum, a drinking fountain for people and pets, art, and seating.
- 2. All ground floor dwelling units adjacent to 7th Avenue shall utilize the stoop and door well, forecourt, or porch frontage types, as approved or modified by the Planning and Development Department.
 - 3. Between the public sidewalk and the building fronts, there shall be a 6-foot-wide landscape area planted with minimum 3-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department to comply with frontage requirements.
 - 4. The development shall incorporate masonry elements into the primary exterior building materials and shall be reflective of the architectural style in the area, as approved by the Planning and Development Department.
 - 5. The developer shall install traffic calming devices along the driveways of the property so that vehicle drivers exercise caution prior to crossing the sidewalk when exiting the property, as approved or modified by the Planning and Development Department.
 - 6. The developer shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. One bicycle repair station shall be provided and maintained by the developer in an area of high visibility near the secure bicycle parking areas.
 - 7. A minimum 35 percent of the uncovered parking lot area shall be shaded by minimum 3-inch caliper shade trees, as approved by the Planning and Development Department.
 - 8. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. The TIS shall include evaluation of 7th Avenue peak hour

restrictions and resulting site traffic routing on the surrounding street network and proposed mitigation to Colter Street. The developer shall be responsible for all costs for mitigation measure determined by the Study and contribute funds for the Colter Street Project. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.

9. The southern driveway onto 7th Avenue, as depicted on the site plan date stamped October 31, 2022, shall be restricted to right-in/right-out only and access shall be coordinated with the Public Transit Department, as approved by Planning and Development.
10. The developer shall construct a minimum 6-foot-wide sidewalk separated from the curb by a minimum 10-foot-wide landscape area along the east side of 7th Avenue and planted with minimum three-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
11. The developer shall dedicate a sidewalk easement to accommodate a minimum 6-foot-wide sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
12. 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.
13. 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.
14. 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.
15. The developer shall work with the Street Transportation and Planning and Development departments regarding the proposed parking along the north side of the site **WHICH SHALL BE PARALLEL PARKING ONLY so that it does not interfere with traffic flow along the shared driveway** and to potentially stripe the driveway to include a left-turn lane.

Approved: _____


Alan Stephenson, Deputy City Manager