### **Attachment B**



## Staff Report Z-4-21-4 March 24, 2021

Encanto Village Planning Committee April 5, 2021

**Hearing Date** 

Planning Commission Hearing Date May 6, 2021

Request From: C-2 (Intermediate Commercial District) (0.73)

acres)

Request To: WU Code T4:3 MT (Walkable Urban Code,

Transect 4:3 District, Transit Midtown

Character Area) (0.73 acres)

Proposed Use: Multifamily Residential

**Location:** Northeast corner of 3rd Street and

Clarendon Avenue

Owner: BHABK Holdings 1, LLC

Applicant: Keith Helmuth, BHABK Holdings 1, LLC

**Representative:** Amy Malloy, Evolve Ventures **Staff Recommendation:** Approval, subject to stipulations

General Plan Conformity				
General Plan Land Use Map Designation		Commercial		
Street Map Classification	Third Street	Collector	35-foot east half	
	Clarendon Avenue	Local	30-foot north half	

CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposed development is located within the Midtown Transit Oriented Development (TOD) District. The Midtown TOD Policy Plan identified the site to be suitable to redevelop. The proposal for multifamily residences is consistent with the redevelopment vision identified in the Midtown TOD Policy Plan and will be a compatible addition to the surrounding area.

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CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposed development will provide additional housing options in the Encanto Village and is located along a planned bike corridor and near a high capacity transit corridor.

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 Midtown Transit Oriented Development (TOD) District and is within a half mile of two light rail transit stations. The proposed multifamily development is appropriate at this location given that the site is near multiple modes of transportation options.

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 both 3rd Street and Clarendon Avenue 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**

<u>Transit Oriented Development Strategic Policy Framework</u> – See Background Item No. 3.

Midtown Transit Oriented Development Policy Plan – See Background Item No. 4.

<u>Housing Phoenix Plan</u> – See Background Item No. 10.

Comprehensive Bicycle Master Plan - See Background Item No. 11.

<u>Complete Streets Guiding Principles</u> – See Background Item No. 12.

Tree and Shade Master Plan – See Background Item No. 13.

Zero Waste PHX - See Background Item No. 14.

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Surrounding Land Uses/Zoning			
	Land Use	Zoning	
On Site	Vacant	C-2	
North	Single-family residential	C-2	
South (across Clarendon Avenue)	Single-family residential	R1-6	
East	Single-family residential	R-3	
West (across 3rd Street)	Medical office	C-2	

	Walkable Urban Code T4:3	*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed Site Plan
Gross Acreage	N/A	0.73
Total Number of Units	N/A	22
Density	No Maximum	30.14 dwelling units per acre
Building Height	40-foot maximum	36 feet (Met)
Min. Parking – Per Section 702  • 10% reduction when greater than 1,320 feet of a light rail stop	33 spaces	33 spaces (Met)
Bicycle Parking – Per Section 1307.H.6.d  • Minimum 0.25 per residential unit, with a maximum of 50 required spaces	6 spaces	9 spaces (Met) (See Stipulation No. 2)
Streetscape Standards (Section 1312.C)		
Minor Collector (3rd Street)	5-foot sidewalk (minimum)	5 feet (Met)
	5-foot landscape (minimum)	6 feet (Met) (See Stipulation No. 1)
Local Street (Clarendon Avenue)	5-foot sidewalk (minimum)	5 feet (Met)
,	5-foot landscape (minimum)	5 feet (Met)
Main Building Setbacks		
Primary Frontage (3rd Street)	20-foot maximum	5 feet (Met)

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	Walkable Urban Code T4:3	*variance required or design alternative	
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed Site Plan	
Secondary Frontage (Clarendon Avenue)	8-foot maximum	8 feet (Met)	
Side (North)	0-foot minimum	0 feet (Met)	
Side (East)	0-foot minimum	0 feet (Met)	
Parking Setbacks			
Primary Frontage (3rd Street)	30-foot minimum or behind building	Approximately 15 feet (Not Met) (See Background Item No. 6)	
Secondary Frontage (Clarendon Avenue)	8-foot minimum, landscaping setback along the entire parking frontage	Approximately 24 feet (Met)	
Lot Requirements			
Lot Coverage	70% maximum	Approximately 67% (Met)	
Primary Building Frontage	60% minimum	Approximately 92% (Met)	
Open Space	5% minimum	Not Shown	
Frontage Types Allowed			
Primary Frontage (3rd Street)	Porch, patio, stoop, forecourt or alternative frontages per Section 1305.B.1.c	Common Entry (Not Met) (See Background Item No. 6)	
Secondary Frontage (Clarendon Avenue)	Porch, patio, stoop, forecourt or alternative frontages per Section 1305.B.1.c	Patio (Met)	

# Background/Issues/Analysis

#### SUBJECT SITE

1. This request is to rezone a 0.73-acre site located at the northeast corner of 3rd Street and Clarendon Avenue from C-2 (Intermediate Commercial District) to WU Code T4:3 MT (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) to allow multifamily residences. The subject site is along the 3rd Street Improvement Project area which will improve traffic circulation, safety and mobility for pedestrians and bicyclists on 3rd Street between Garfield Street and Indian School Road. The subject site is also located approximately a quartermile south of Steele Indian School Park and Carl T. Hayden Veterans Administration Medical Center, both of which are noted assets on the Encanto Village Character Plan Asset Map.

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2. The General Plan Land Use Map designation for this site is Commercial. The proposed multifamily residential land use is consistent with this designation. The General Plan Land Use Map designations to the north and west are Commercial, and the area to the west is also within the Village Core boundary. The General Plan Land Use Map designation to the south is Residential 3.5 to 5 dwelling units per acre and to the east is Residential 10 to 15 dwelling units per acre.

Village Core

E CLA ENDON AVE

General Plan Land Use Map, Source: Planning

# 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 approximately a half-mile from the Indian School/Central Avenue and Osborn/Central Avenue light rail stations. The identified environment for the Osborn/Central Avenue light rail station area is Regional Center. Regional Center is a place type characterized by high intensity with building heights typically from five to ten stories with incentive heights of up to 20 stories.

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

Commercial 15+ du/acre 10 to 15 du/acre 3.5 to 5 du/acre

Department				
STATION NUMBER	STATION LOCATION	PLACE TYPE		
06	Indian School / Central Avenue	Major Urban Center		
07	Osborn / Central Avenue	Regional Center		
Camelback Rd  Indian School Rd  Minor Urban Center  Thomas Rd  Regional Center				

Land uses may include supportive retail, high-rise and mid-rise living, industry cluster and office employment. The identified environment for the Indian School/Central Avenue light rail station area is Major Urban Center. A Major Urban Center is a place type characterized by medium to high intensity uses, with building heights typically from four to eight stories, with incentive heights of up to fifteen stories. Land uses may include entertainment, retail, mid-rise living and office employment. The proposed transect permits a lower-intensity than the Major Urban Center and Regional Center place types and is appropiate given its half-mile distance from those stations and proximity to single-family residences.

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# 4. <u>Midtown Transit Oriented Development District Policy Plan</u>

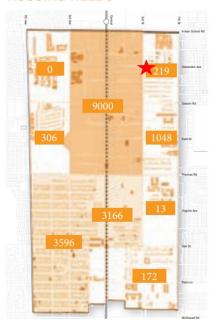
The site is located within the Midtown TOD (Transit Oriented Development) District, the boundaries for which are McDowell Road on the south, Indian School Road on the north 7th Street on the east and 7th Avenue on the west. The policy plan adopted for the Midtown TOD District provides a blueprint for 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 Midtown TOD District, one key recommendation is the implementation of a form-based zoning code. The proposal to Walkable Urban Code furthers that vision.

The Midtown TOD policy plan's current state assessment for housing indicated that the area near the subject site needs 219 more housing units by the year 2035. The current proposal will add to the housing stock in the area.

The subject site is also located within the 3rd Street Promenade area, envisioned to be "a destination for pedestrians and bicyclists...the 3rd Street Corridor is conscious of the smaller, more personal scale of adjacent historic neighborhoods and is visually integrated into a historic residential setting" (pg. 95). The subject site's enhanced bicycle amenities, detached sidewalks and lower scale are compatible with the vision for the 3rd Street Promenade.

Midtown TOD Policy Plan, Source: Planning and Development Department

#### HOUSING NEEDS



#### **Unit Demand**



## EXISTING CONDITIONS AND SURROUNDING ZONING

5. The subject site is currently vacant, as shown in the aerial sketch map included as an exhibit. The subject site has been vacant for at least 20 years, as shown in the aerial images below.

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Aerial Images, Source: Planning and Development Department



North of the subject site is a single-family residence zoned C-2. The west, across 3rd Street, are medical offices zoned C-2. To the east are single-family residences zoned R-3 (Multifamily Residence District). To the south, across Clarendon Avenue, are single-family residences zoned R1-6 (Single-Family Residence District).

## **PROPOSAL**

6. The proposed T4:3 District is described as a low-intensity urban residential fabric characterized by single-family homes, duplexes, single-family attached and small multifamily developments, averaging 30 to 40 feet in height. As shown on the conceptual site plan attached as an exhibit, the proposed development is a three-story multifamily residential building, up to 36 feet in height. The ground level will include detached sidewalks on both street frontages, in addition to bicycle parking and a bicycle repair station. The conceptual site plan proposes a patio frontage type along Clarendon Avenue and a common entry frontage type along 3rd Street. The allowed frontage types along the primary frontage are porch, patio, stoop, forecourt or an alternative frontage type per Section 1305.B.1.c. The applicant will either update the frontage type along 3rd Street to one of the allowed frontages or pursue an alternative design prior to preliminary plan approval. Furthermore, the proposed site plan shows parking spaces behind a screen wall within the parking setback area. The applicant will update their site plan to meet the required parking setback prior to preliminary site plan approval.

Stipulation No. 1 requires detached sidewalks along both frontages with a minimum 6-foot-wide landscape area between back of curb and sidewalk on 3rd Street and a minimum 5-foot-wide landscape area along Clarendon Avenue. Stipulation Nos. 3 and 6 require a 6-foot-wide sidewalk easement along 3rd Street and that all sidewalks be located within a sidewalk easement. To create a

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bike-supportive environment along a planned bicycle 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.

- 7. To increase pedestrian and bicyclist safety along the frontages, the proposed site plan shows vehicular access from the alley. Stipulation Nos. 4 and 5 require a 5-foot-minimum dedication along the west side of the alley and that vehicular access be provided from the alley.
- 8. As a primary purpose of the Walkable Urban Code and due to the site's proximity to public transit, several stipulations address pedestrian safety. Stipulation No. 7 requires all street improvements to be built according to ADA accessibility standards. Stipulation No. 8 requires stamped or colored concrete, decorative pavers or another material to be placed across drive aisles to alert drivers of pedestrians. Stipulation No. 9 requires that clearly defined, accessible pathways be provided to connect building entrances and public sidewalks using the most direct route.
- 9. Section 1304.C. of the Zoning Ordinance requires that all sides of a building exhibit design continuity and multiple exterior accent materials. The provided conceptual elevations attached as an exhibit show multiple exterior accent colors, materials, and design continuity throughout all sides of the building.

### AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

## 10. 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 providing 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. The proposed multifamily development supports the goal of providing more housing units by 2030.

# 11. 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. It is recommended that two types of parking be provided on the property: secured parking for residents, and short-term rack parking for guests.

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Providing secure bicycle parking for residents and parking for guests of the development is supportive of multimodal travel options and will encourage residents to use biking as an alternative mode of transportation. A bicycle repair station provided within the building or on site which will also promote bicycling as an alternative mode of transportation. These are addressed in Stipulation No. 2.

### 12. Complete Streets Guidelines

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 shaded sidewalks which will increase the thermal comfort for those walking to and from nearby transit and those patronizing local businesses. The proposal also includes several bicycle racks for visitors and residents, in addition to a bicycle repair station as required in Stipulations Nos. 1 and 2. Stipulations Nos. 8 and 9 require pedestrian safety features such as stamped or colored concrete, decorative pavers or other materials across the driveway aisles, and clearly defined pedestrian pathways connecting building entrances to public sidewalks.

#### 13. 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. The general development standards of the Walkable Urban Code require that 75 percent of sidewalks and pedestrian ways be shaded. Staff is recommending Stipulation No. 1 to provide detached sidewalks and planting areas between the back of curb and sidewalk along both street frontages.

#### 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 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 project will be subject to the current City of Phoenix residential waste collection and recycling requirements.

#### COMMUNITY INPUT SUMMARY

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

#### INTERDEPARTMENTAL COMMENTS

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16. The Street Transportation Department requested a minimum 6-foot-wide sidewalk easement along 3rd Street, a 5-foot dedication along the west side of the alley, that vehicular access be provided from the alley, that all public sidewalks be located within a sidewalk easement and that all street improvements be constructed to ADA accessibility standards. These are addressed in Stipulation Nos. 3 through 7.

- 17. The Public Transit Department requested that pedestrian pathways that cross drive aisles be constructed of decorative pavers, stamped or colored concrete or another material other than those uses to pave the parking surfaces and that clearly defined, accessible pedestrian pathways be provided to link building entrances to public sidewalks. These are addressed in Stipulation Nos. 8 and 9. The Public Transit Department also noted that all cross access agreements shall include a pedestrian pathway and that trees shall be placed to provide 75 percent shade coverage for sidewalks and pedestrian pathways. The subject site does not propose a cross access agreement and the Walkable Urban Code requires 75 percent shade coverage for sidewalks.
- 18. 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.
- 19. 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. The Aviation Department also requires that the project receive a No Hazard Determination from the FAA and that the property owner grant and record an avigation easement. These are addressed in Stipulation Nos. 10 through 12.
- 20. The Fire Department commented that they do not anticipate any problems with this case. However, they noted that the site access is limited and buildings shall comply with the Phoenix Fire Code.

#### OTHER

- 21. 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. 13.
- 22. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.

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Zoning adjustments, abandonments or other formal actions may also be required.

## **Findings**

- 1. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development with which will help alleviate the housing shortage in Phoenix.
- 2. The proposal provides a new housing option to contribute to the mix of housing types in the area and is consistent with the Midtown TOD Policy Plan designation as a site suitable for redevelopment.
- 3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Midtown TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

# **Stipulations**

- 1. All public sidewalks shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb along the north half of Clarendon Avenue and a minimum 6-foot-wide landscape area located between the sidewalk and back of curb along the east half of Third Street, as approved by the Planning and Development Department.
- The developer 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 1306.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 minimum 6-foot-wide sidewalk easement for the east side of 3rd Street, as approved by the Planning and Development Department.

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- 4. The developer shall dedicate a minimum of 5 feet for the west side of the alley, as approved by the Planning and Development Department.
- 5. All vehicular site access shall be provided from the alley, consistent with the Walkable Urban Code standards and as approved by the Planning and Development Department.
- 6. All public sidewalks shall be located in a dedicated public sidewalk easement, as approved by the Planning and Development Department.
- 7. 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.
- 8. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
- 9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
- 10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
- 11. 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.
- 12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- 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.

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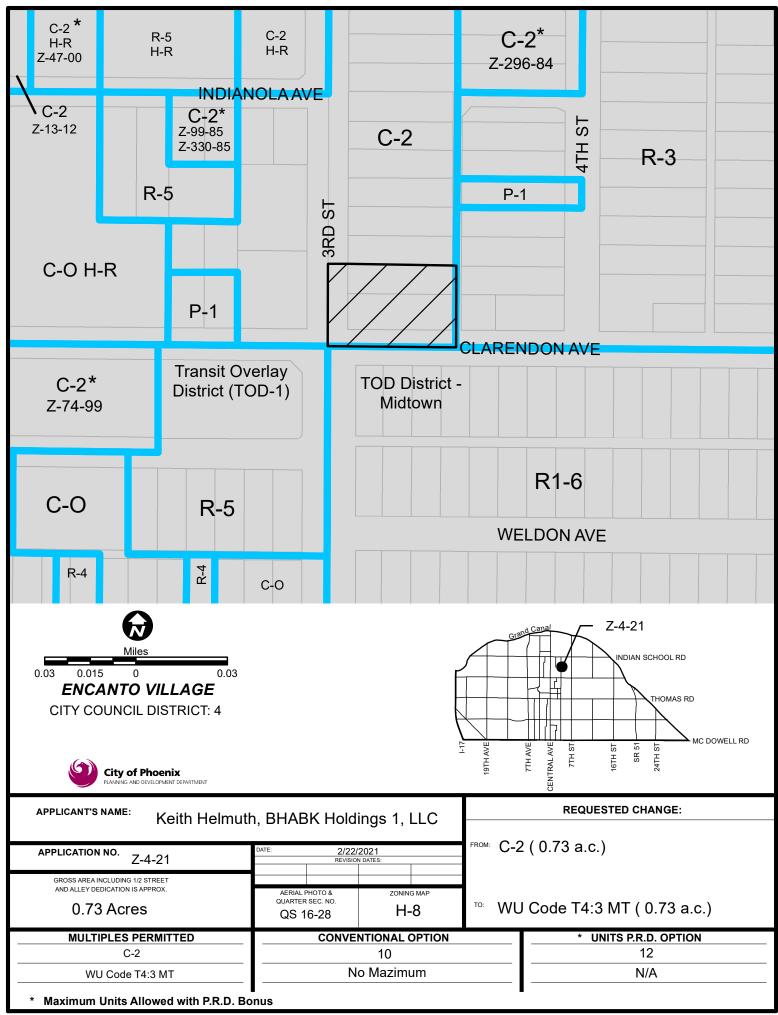
# <u>Writer</u>

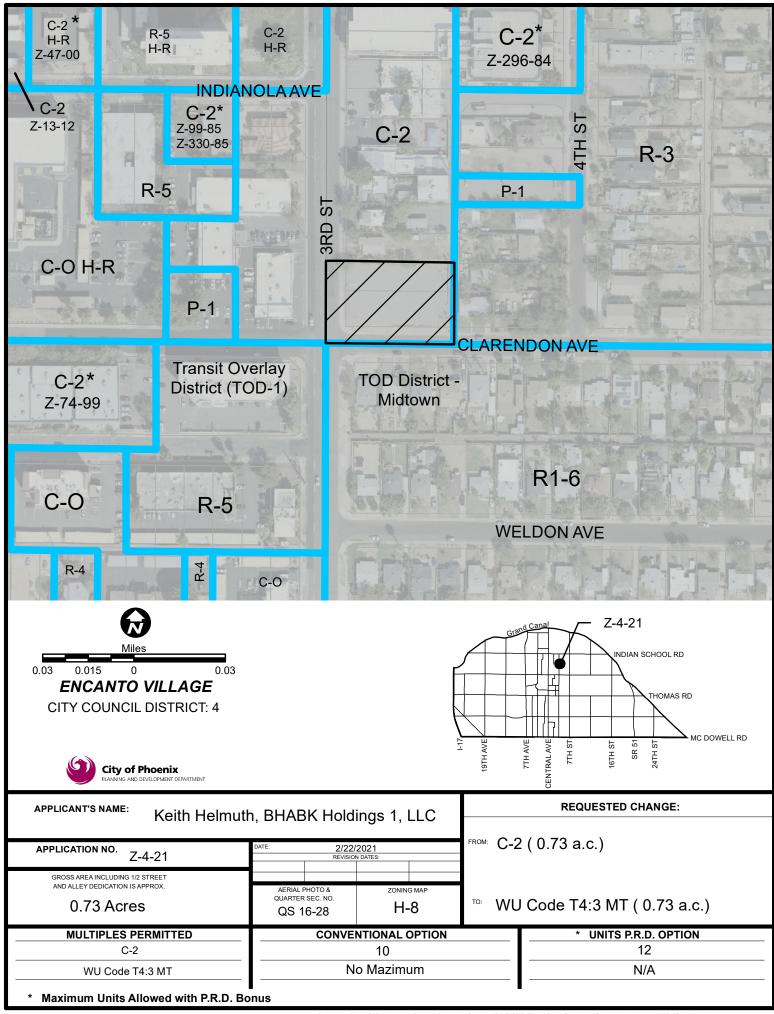
Sarah Stockham March 24, 2021

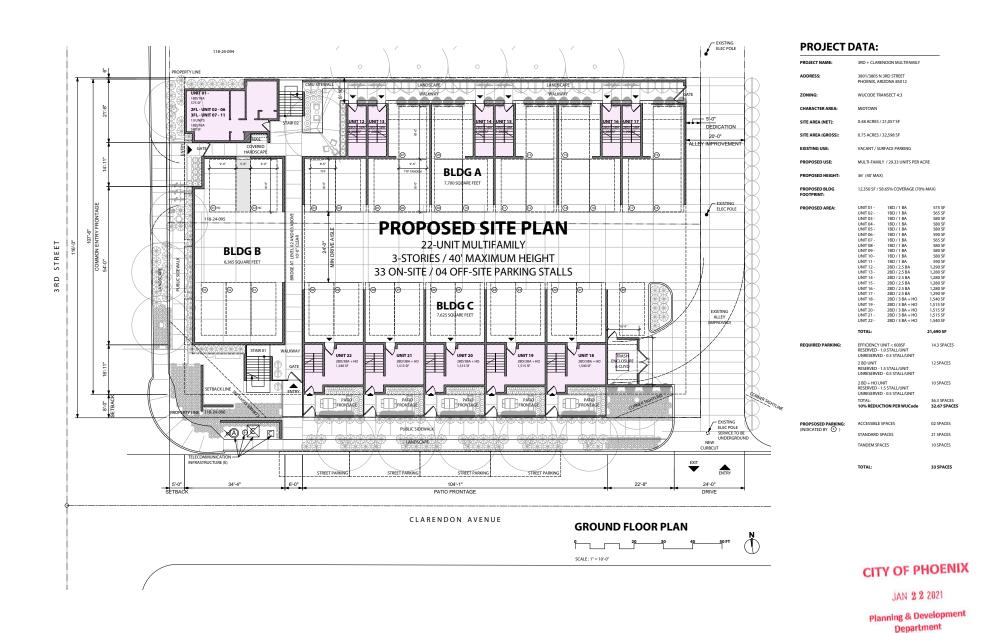
<u>Team Leader</u> Samantha Keating

Exhibits Sketch Map Aerial Map

Conceptual Site Plan and Elevations Date Stamped January 22, 2021 (5 pages)





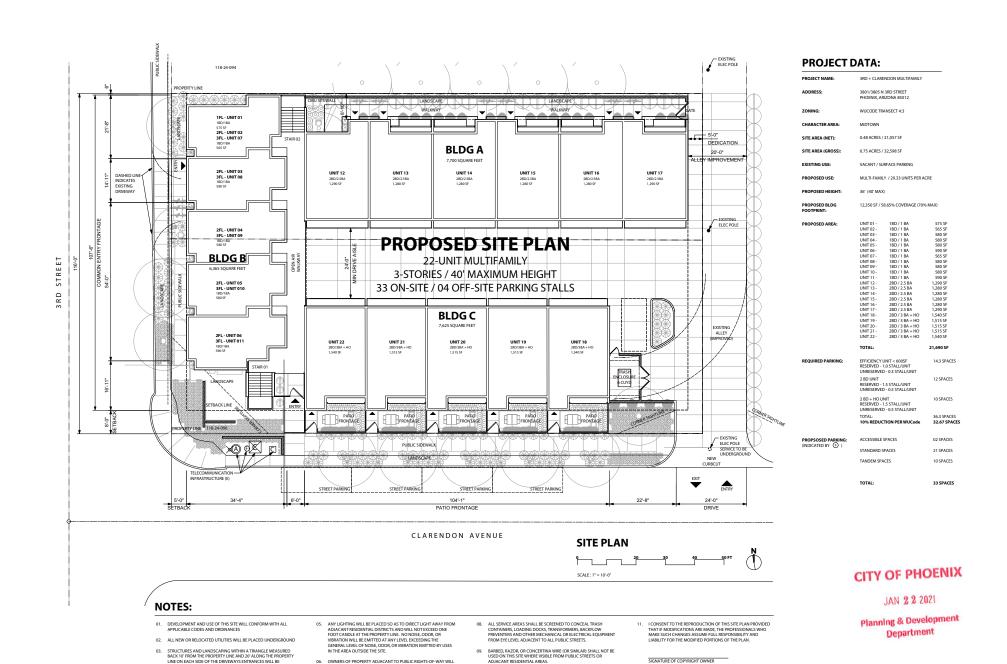












10. ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN.

LINK lab

PREFLING Engineering

MAINTAINED AT A MAXIMUM HEIGHT OF 3'.

04. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'X 33' WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.

FLOOR

HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING

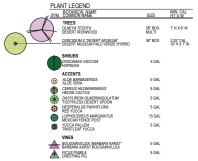
WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.

ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.

ARENDON

PRINTED NAME OF COPYRIGHT OWNER





CITY OF PHOENIX

JAN 22 2021

Planning & Development Department



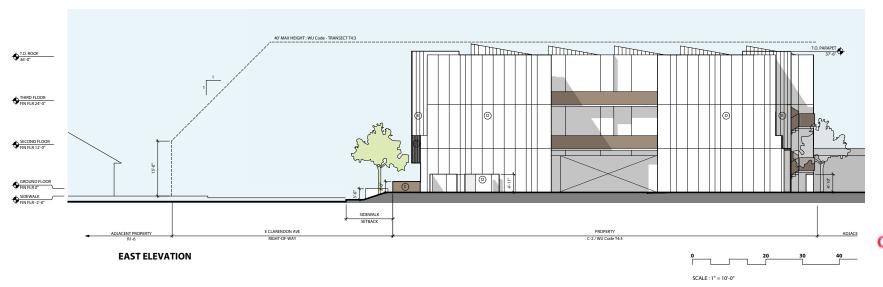








#### **WEST ELEVATION**



#### ELEVATION KEYNOTE

- (A) MINIMUM GLAZING ON BUILDING FRONTAGE FACING STREET RIGHT-OF-WAY (1305.B.2) GROUND FLOOR 25% SECOND FLOOR 25%, 10% EAST AND WEST
- © METAL SCREEN PANEL
- D STUCCO
- E STANDING SEAM METAL PANEL

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JAN 2 2 2021

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