



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-19-21-8
July 1, 2022

Central City Village Planning Committee Hearing Date July 11, 2022
Planning Commission Hearing Date August 4, 2022

Request From: [C-2](#) (Intermediate Commercial District) (7.40 acres)
[C-2](#) (Approved [C-2 SP](#)) (Intermediate Commercial District, Approved Intermediate Commercial District, Special Permit) (2.08 acres)
[C-2 SP](#) (Intermediate Commercial District, Special Permit) (0.27 acres)
[R1-6](#) (Single-Family Residence District) (1.06 acres)
[R1-6](#) (Approved [PAD-13](#)) (Single-Family Residence District, Approved Planned Area Development) (0.65 acres)

Request To: [WU Code T4:3 GW](#) (Walkable Urban Code, Transect 4:3 District, Transit Gateway Character Area) (11.46 acres)

Proposed Use: Multifamily residential

Location: Southwest corner of 24th Street and the Loop 202 Freeway

Owner: Waheguru Properties, LLC

Applicant: LLC Central PHX, LLC

Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commercial and Residential 10 to 15 dwelling units per acre	
<u>Street Map Classification</u>	24th Street	Major Arterial	40-foot+ west half street
	Portland Street	Local Street	25-foot north half street

<u>General Plan Conformity</u>			
<u>Street Map Classification</u>	22nd Street	Local Street	30-foot west half street
	21st Street	Local Street	50-foot-wide street end
<p>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.</p> <p>The site is located within the Gateway Transit Oriented Development (TOD) District and is within one mile of the 24th Street and Washington Street and 24th Street and Jefferson Street light rail transit stations. The proposed multifamily development with pedestrian-friendly design elements of the Walkable Urban Code is appropriate at this location given that the site is within the Gateway TOD Policy Plan area.</p>			
<p>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.</p> <p>The proposed development is located within the Gateway Transit Oriented Development (TOD) District and is within one mile of two light rail stations. The Gateway TOD Policy Plan identified the site as an area for mixed use residential development. The proposal for multifamily residential development is consistent with the vision identified in the Gateway TOD Policy Plan and will be a compatible addition to the surrounding area.</p>			
<p>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.</p> <p>The proposed development will provide new higher-density multifamily housing opportunities to a transit-oriented neighborhood in close proximity to the major employment centers of Downtown Phoenix and Sky Harbor Airport. The proposal will broaden the range of housing types and densities available in this high opportunity neighborhood.</p>			

General Plan Conformity

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 24th 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. 9.

Comprehensive Bicycle Master Plan – See Background Item No. 10.

Complete Streets Guiding Principles – See Background Item No. 11.

Tree and Shade Master Plan – See Background Item No. 12.

Zero Waste PHX – See Background Item No. 13.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	R1-6, R1-6 (Approved PAD-13), C-2, C-2 SP, and C-2 (Approved C-2 SP)
North	Loop 202 Freeway	R1-6, C-2, C-2 SP, and C-O
South	Single-family residential	R1-6 and R-3 RI
South (across Portland Street)	Vacant building	C-1
East (across 24th Street)	Gas station and vacant land	C-2 and C-2 (Approved C-2 SP)
West	Freeway Interchange	R1-6

Walkable Urban Code T4:3 GW		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	N/A	11.46
Total Number of Units	No Maximum	274
Density	No Maximum	23.91 dwelling units per acre
Maximum Building Height	40 feet	33 feet (Met)
Min. Parking – Per Section 702 <ul style="list-style-type: none"> • 10% reduction when greater than 1,320 feet of a light rail stop 	362 spaces	447 spaces (Met)
Bicycle Parking – Per Section 1307.H.6.d <ul style="list-style-type: none"> • Minimum 0.25 per residential unit, with a maximum of 50 required spaces 	50 spaces	Not specified
<i>Streetscape Standards (Section 1312.A)</i>		
Arterial Street (24th Street)	6-foot sidewalk (minimum) 5-foot landscape (minimum)	Not specified
Local Street (Portland Street, 22nd Street, and 21st Place)	5-foot sidewalk (minimum) 5-foot landscape (minimum)	Not specified
<i>Main Building Setbacks</i>		
24th Street (Primary Frontage)	20-foot maximum	20 feet, 2 inches (Not Met)*
Portland Street, 22nd Street, and 21st Place (Secondary Frontage)	8-foot maximum	Not specified
Side (North and South) Per Section 1303.A.2	10-foot minimum building setback when adjacent to single-family residential districts, otherwise 0-foot minimum	Not specified
<i>Parking Setbacks</i>		
24th Street (Primary Frontage)	30-foot minimum or behind building	Not specified

Walkable Urban Code T4:3 GW		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Portland Street, 22nd Street, and 21st Place (Secondary Frontage)	8-foot minimum or behind building	Not specified
Side (North and South) Per Section 1307.F.2.a	Adjacent to single-family zoning: 10-foot minimum, otherwise 0-foot minimum	Not specified
<i>Lot Requirements</i>		
Lot Coverage	70 percent maximum	28 percent (Met)
Primary Building Frontage (24th Street)	60 percent minimum	Not specified
Secondary Building Frontage (Portland Street, 22nd Street, and 21st Place)	None	None (Met)
Open Space	5 percent minimum	Not specified
<i>Frontage Types Allowed</i>		
Primary Building Frontage (24th Street)	Porch, patio, stoop, forecourt, or alternative frontages per Section 1305.B.1.c	Not specified
Secondary Building Frontage (Portland Street, 22nd Street, and 21st Place)	Porch, patio, stoop, forecourt, or alternative frontages per Section 1305.B.1.c	Not specified

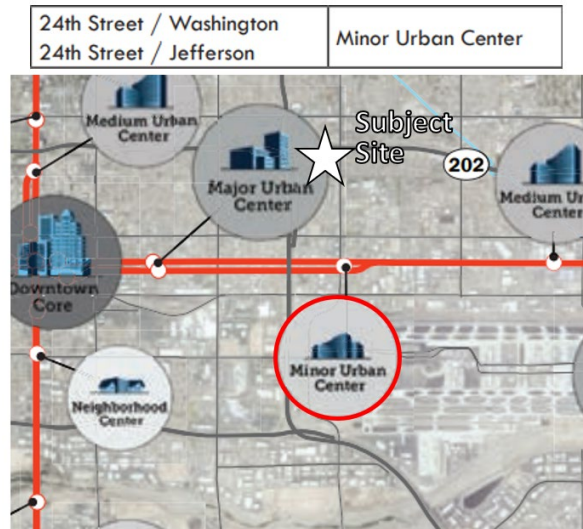
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone an 11.46-acre site located at the southwest corner of 24th Street and the Loop-202 Freeway from C-2 (Intermediate Commercial District) (7.40 acres), C-2 (Approved C-2 SP) (Intermediate Commercial District, Approved Intermediate Commercial District, Special Permit) (2.08 acres), C-2 SP (Intermediate Commercial District, Special Permit) (0.27 acres), R1-6 (Single-Family Residence District) (1.06 acres), and R1-6 (Approved PAD-13) (Single-Family Residence District, Approved Planned Area Development) (0.65 acres) to WU Code T4:3 GW (Walkable Urban Code, Transect 4:3, Gateway Character Area) to allow multifamily residential development. The subject site is located within the Gateway TOD Policy Plan area and within one mile of the 24th Street / Jefferson Street and 24th Street / Washington Street light rail stations.

3. **Transit Oriented Development Strategic Policy Framework**

The Transit Oriented Development (TOD) Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The subject site is within one mile of the 24th Street / Washington Street and 24th Street / Jefferson Street 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 three-story residential development is consistent with the Minor Urban Center placetype.

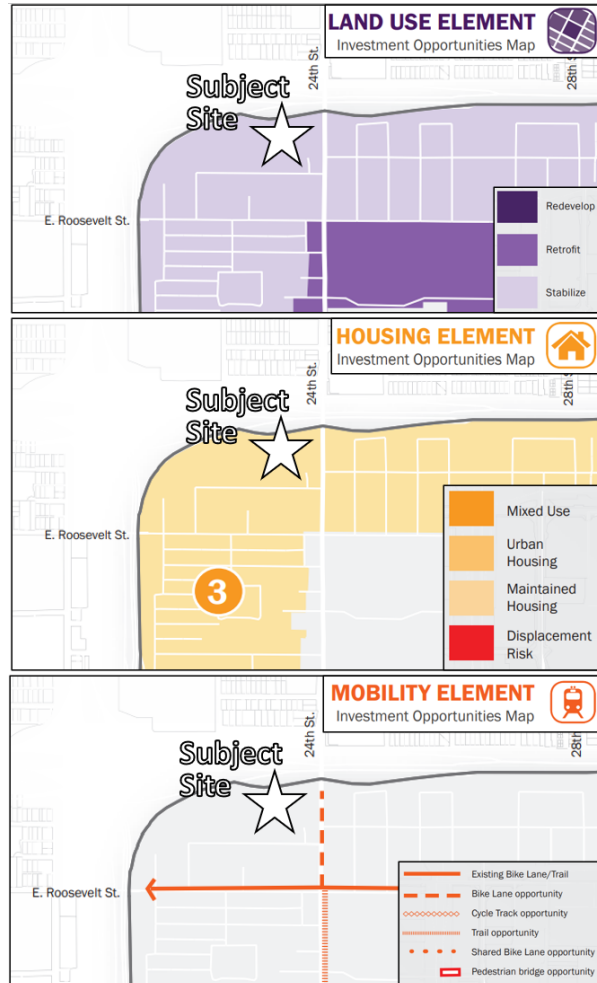


TOD Strategic Policy Framework Placetypes, Source: Planning and Development Department

4. **Gateway Transit Oriented Development District Policy Plan**

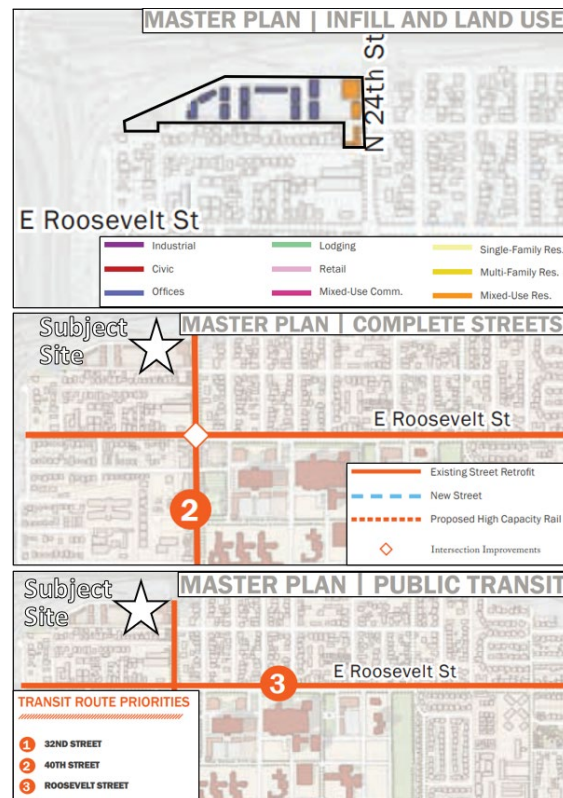
The site is located within the Gateway TOD District, the boundaries for which are State Route 143 or the Hohokam Expressway to the east, Interstate 10 to the west, the Loop 202 to the north, and Air Lane to the south. The policy plan adopted for the Gateway TOD District provides a blueprint for fully 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. The proposal to Walkable Urban Code furthers that vision. While the plan does not identify a specific transect for the subject site, the proposed T4:3 transect is consistent with lower-intensity transects generally located farther from the light rail stations.

The Gateway TOD policy plan identifies the subject site with the “stabilize” and “maintained housing” labels on the land use and housing element maps, highlighting the need for contextual development that is sensitive to the surrounding neighborhoods. The proposal for three-story multifamily buildings in the WU Code T4:3 transect is consistent with these designations. The site also fronts on 24th Street, which is identified for a bike lane opportunity in the mobility element. While the proposed development would not create a new bike lane, it would include bicycle parking and a pedestrian friendly frontage that meets the vision of alternative transportation options at this location.



Gateway TOD Policy Plan, Source: Planning and Development Department

The Gateway TOD policy plan identifies the subject site in the master plan as a development opportunity with a future conceptual mixed-use development, while noting that the WU Code would not prescribe specific uses, but would allow a more flexible mix based on market conditions. The plan also identifies 24th Street as a complete streets priority street. In the public transit map of the master plan, Roosevelt Street is identified as a transit route priority, highlighting that future transit improvements should be made along the corridor, which is one block south of the subject site.



Gateway TOD Policy Plan, Source: Planning and Development Department

EXISTING CONDITIONS AND SURROUNDING ZONING

5. The subject site is an 11.46-gross-acre vacant lot, adjacent to the freeway interchange, with mostly commercial zoning on the site, as shown on the sketch map attached as an exhibit. In the western portion of the site, there is a 1.71-acre portion zoned for single-family residential uses, including R1-6 and R1-6 (Approved PAD-13). The surrounding area contains a mix of uses and zoning. Properties along 24th Street are zoned commercial (C-1 and C-2) and contain a gas station, retail, and a vacant building formerly used as a house of worship. Directly south of the subject site, properties along Portland Street and 22nd Street, including lots with rear lot lines abutting the subject site, are zoned for residential uses, (R1-6 and R-3) and contain single-family residential uses. Directly north and west of the subject site are the Loop 202 and I-10 freeways.

PROPOSAL

6. The proposed WU Code 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. As shown on the conceptual site plan attached as an exhibit, the proposed development consists of ten two- and three-story residential buildings with a maximum height of 33 feet. The proposal includes a building with frontage on 24th Street and a leasing office at the corner

of 24th Street and Portland Street. The 24th Street frontage would be required to have a minimum of 60 percent building frontage, and the frontage must meet the frontage type requirements outlined in Chapter 13 of the Zoning Ordinance. Additionally, detached sidewalks will be required along the street frontage with a 5-foot-wide landscape area between the sidewalk and back of curb. The site plan depicts vehicular access through a driveway on 24th Street, leading to drive aisles and parking lots throughout the site and an exit-only gate to 22nd Street near the western edge of the property.

The development will be required to provide bicycle parking for residents pursuant to Section 1307.H of the Zoning Ordinance, which requires bicycle parking at a rate 0.25 spaces per unit in multifamily residential development with a maximum of 50 spaces. In addition, the development would be required to provide 0.05 spaces of guest bicycle parking per unit and a bicycle repair station (Stipulation No. 1).

7. Because the site is over five acres, it will be considered a large-scale development, according to Section 1304.G of the Zoning Ordinance, which may require revisions to the conceptual site plan attached as an exhibit. Five percent of the lot area shall be provided as a public open space, and the plan shall include improvements to thoroughfares and pedestrian access. These revisions will be addressed during the development review process.
8. 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

9. [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.

10. **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. Per Section 1307.H of the Zoning Ordinance and as stipulated, the development would provide bicycle parking for residents and guests, in addition to providing a bicycle repair station, encouraging the use of biking as an alternative mode of transportation. This is addressed in Stipulation No. 1.

11. **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 shaded, detached 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 parking spaces for visitors and residents, in addition to a bicycle repair station as required in Stipulation No. 1.

12. **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 Walkable Urban Code requires detached sidewalks along street frontages and a 75 percent minimum shade requirement for public sidewalks and internal pedestrian pathways.

13. **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 conceptual site plan and application materials did not reference recycling containers.

COMMUNITY INPUT SUMMARY

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

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department requested a minimum 10-foot-wide sidewalk easement on the west side of 24th Street, dedication of right-of-way along 24th Street for a right turn deceleration lane, improvements constructed per the approved traffic impact statement, and that all street improvements be constructed with all required elements to ADA accessibility standards. These are addressed in Stipulation Nos. 2 through 5.
16. The City of Phoenix Water Services Department has noted that all public streets bounding and within a proposed development must have public water mains within them, and if none exists, the developer must install. However, water capacity is a dynamic condition that can change over time due to a variety of factors.
17. 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 aviation easement. These are addressed in Stipulation Nos. 6 through 8.
18. The Fire Department commented that the buildings shall comply with the Phoenix Fire Code, including apparatus access road turning radius requirements and fire flow standards.

OTHER

19. 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. 9 through 11.
20. 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. 12.

21. 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 will redevelop a vacant property and provide multifamily residential development that is consistent with the Gateway TOD Policy Plan vision for the site.
2. The proposal provides a new multifamily 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, bicycle, and shade amenities consistent with the Gateway TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.

Stipulations

1. In addition to the bicycle parking requirements per Section 1307.H.6 of the Phoenix Zoning Ordinance, 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 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.
2. The developer shall dedicate a minimum 10-foot-wide sidewalk easement along the west side of 24th Street, as approved by the Planning and Development Department. The required streetscape area shall be encompassed by the sidewalk easement.

3. The developer shall dedicate fee title right-of-way along the west side of 24th Street to accommodate the required right-turn deceleration lane, as approved by the Planning and Development Department.
4. The developer shall construct improvements per the approved Traffic Impact Analysis.
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 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.

12. 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

Anthony Grande

July 1, 2022

Team Leader

Racelle Escolar

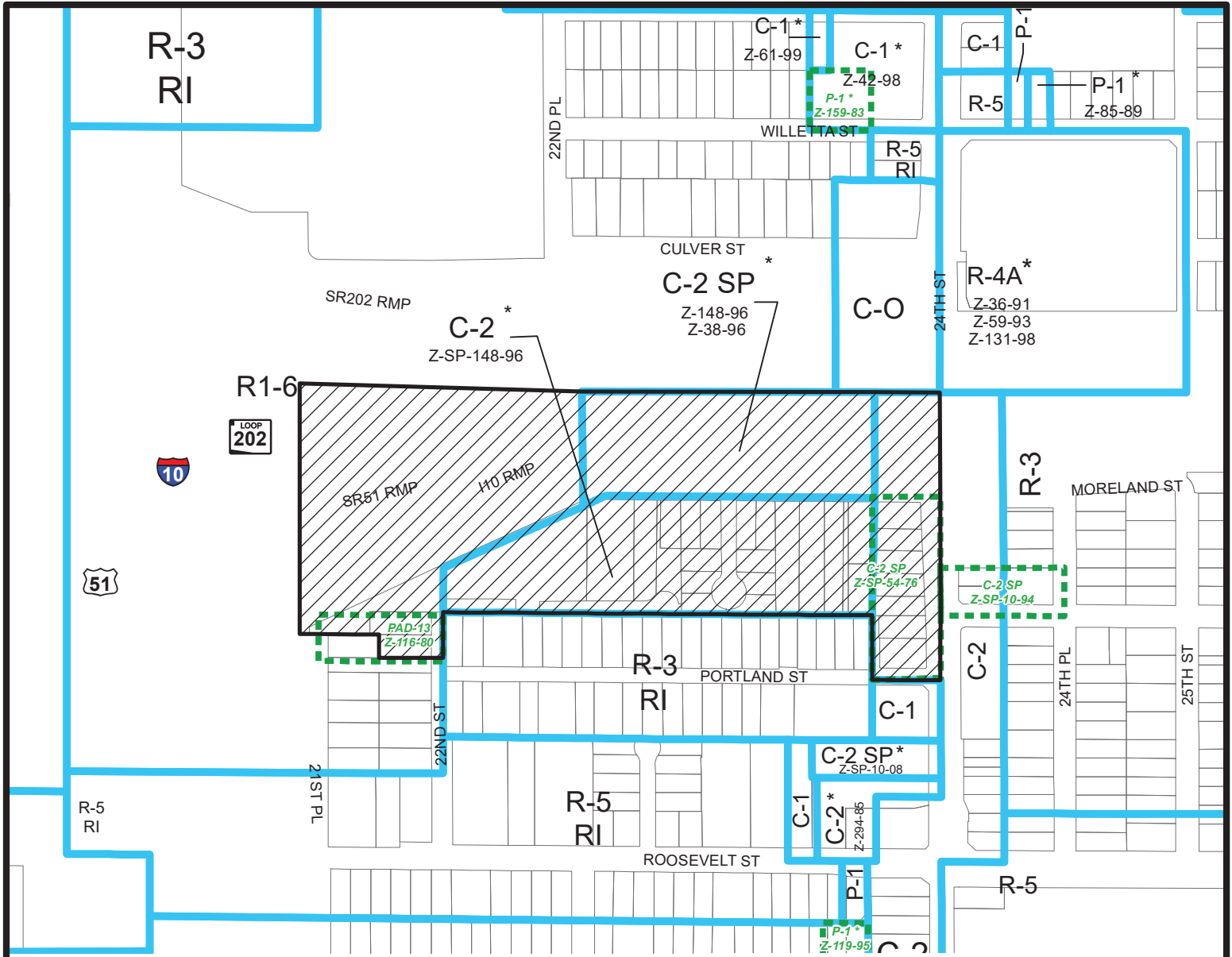
Exhibits

Sketch Map

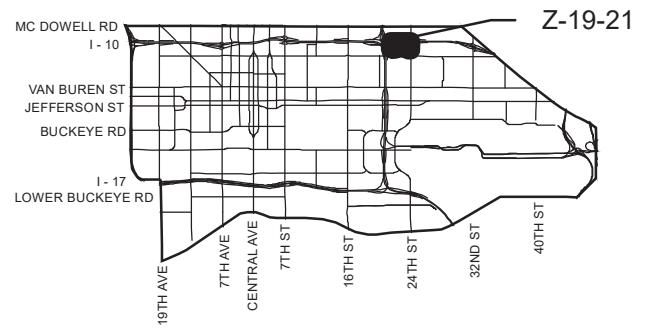
Aerial Map

Conceptual Site Plan Date Stamped March 21, 2022

Conceptual Elevations Date Stamped March 21, 2022 (2 pages)



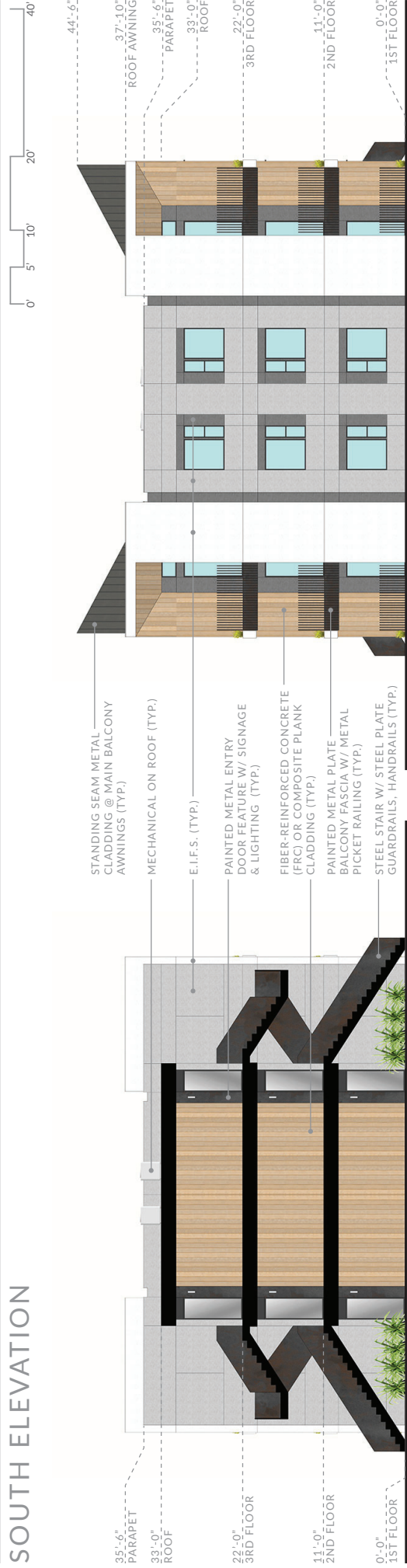
CENTRAL CITY VILLAGE
CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Lyfe Living Communities c/o Bert Kempfer		REQUESTED CHANGE:	
APPLICATION NO. Z-19-21	DATE: 4/26/21 REVISION DATES: 4/26/22	FROM: C-2 (7.40 a.c.) C-2 (Approved C-2 SP) (2.08 a.c.) C-2 SP (0.27 a.c.) R1-6 (1.06 a.c.) R1-6 (Approved PAD-13) (0.65 a.c.)	TO: WU T4:3 GW (11.46 a.c.)
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 11.46 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 12-32	ZONING MAP G-9	
MULTIPLES PERMITTED C-2, C-2 (Approved C-2 SP), C-2 SP, R1-6, R1-6 (Approved PAD-13) WU T4:3 GW	CONVENTIONAL OPTION 107, 30 (30), 4, 5, 3 (N/A) No Maximum	* UNITS P.R.D. OPTION 129, 36 (36), 4, 7, 4 (N/A) N/A	
* Maximum Units Allowed with P.R.D. Bonus			



SOUTH ELEVATION



BREEZEWAY SECTION

EAST / WEST ELEVATION

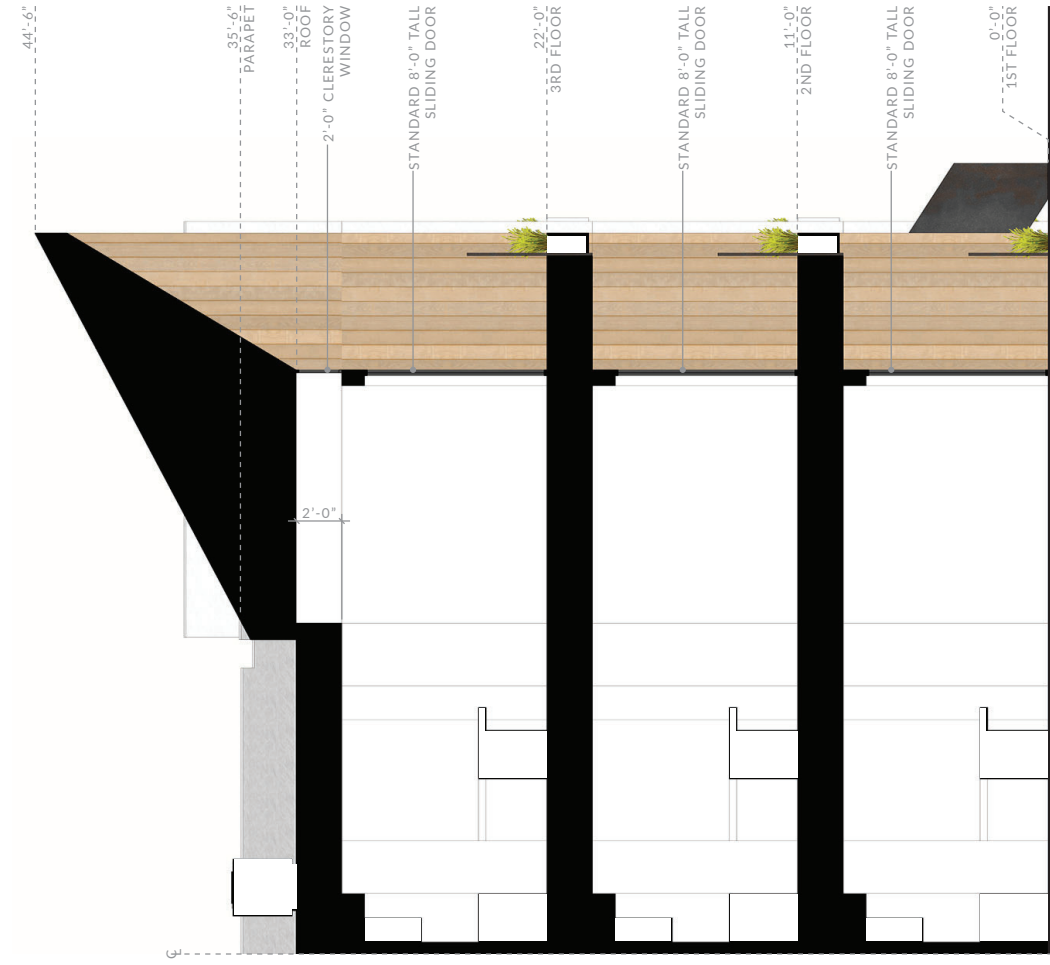
CASA DEL REY



BUILDING A
EXTERIOR ELEVATIONS
 21172A.000 - 02/14/2022

CITY OF PHOENIX
 MAR 21 2022
 Planning & Development
 Department

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BUILDING SECTION A



CITY OF PHOENIX
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BUILDING A
 ENLARGED ELEVATION + SECTION
 21172A.000 - 02/14/2022



ENLARGED SOUTH ELEVATION

CASA DEL REY

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