



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-13-22-8
August 5, 2022

[Central City Village Planning Committee Hearing Date](#) August 8, 2022
[Planning Commission Hearing Date](#) September 1, 2022

Request From: [R-4 RI HP](#) (Multifamily Residence District, Residential Infill District, Historic Preservation Overlay) (1.36 acres)
Request To: [WU Code T4:2 EG HP](#) (Walkable Urban Code, Transect 4:2 District, Transit Eastlake-Garfield Character Area, Historic Preservation Overlay) (1.36 acres)
Proposed Use: Multifamily residential
Location: Approximately 150 feet west of the northwest corner of 9th Street and Portland Street
Owner: RS4, LLC, Robert Severino
Applicant/Representative: RS Architecture, LLC, Rodney Sherrard
Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 10 to 15 dwelling units per acre	
<u>Street Map Classification</u>	Portland Street	Local Street	40-foot north half street
<p><i>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.</i></p> <p>The site is located within the Eastlake-Garfield Transit Oriented Development (TOD) District and is within 0.6 miles of the light rail station at Roosevelt Road and Central Avenue. The proposed multifamily development is appropriate at this location given the site's proximity to high capacity transit, the downtown area, and location within the Eastlake-Garfield TOD Policy Plan area.</p>			

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HISTORIC DISTRICTS; DESIGN PRINCIPLE: Ensure new development and infill that is responsive to the historic surroundings and is compatible in size scale, massing, proportion, and materials.

The subject site is located within the North Garfield Historic District. As stipulated, the proposed development will incorporate a height limit and setback standard that is designed to maintain compatibility of scale and massing to the surrounding historic neighborhood context.

CREATE AN EVEN MORE VIBRANT DOWNTOWN CORE VALUE; SURROUNDING NEIGHBORHOODS; DESIGN PRINCIPLES: Encourage new development to maintain the existing streetscape patterns to preserve the character of the area; Encourage the development of height transition and design standards that support new development while enhancing the integrity and livability of established neighborhoods.

The proposed development is located at an infill opportunity site one block east of the Downtown Code area within the Garfield neighborhood. The establishment of the Walkable Urban (WU) Code on the site will allow for new housing adjacent to downtown while creating design standards that enhance the integrity and livability of the neighborhood, and as stipulated, the proposed development will have height and streetscape requirements that further enhance compatibility with the existing historic neighborhood.

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.

As stipulated, the proposed development will maintain existing trees in the front yard, maintain the detached sidewalk, and replenish the streetscape to provide shade along Portland 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.

[Eastlake-Garfield Transit Oriented Development Policy Plan](#) – See Background Item No. 4.

[Housing Phoenix Plan](#) – See Background Item No. 8.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 9.

[Complete Streets Guiding Principles](#) – See Background Item No. 10.

[Tree and Shade Master Plan](#) – See Background Item No. 11.

[Zero Waste PHX](#) – See Background Item No. 12.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Multifamily residential	R-4 RI HP
North	Single-family and multifamily residential	R-3 RI HP
South (across Portland Street)	Single-family and multifamily residential	R-4 RI
East	Multifamily residential	R-4 RI HP
West	Single-family residential	R-4 RI HP

Walkable Urban Code T4:2 EG		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	N/A	1.36
Total Number of Units	No maximum	56
Density	No maximum	41.18 dwelling units per acre
Building Height	30-foot maximum	21 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 	52 spaces	54 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 	14 spaces	Not specified
<i>Streetscape Standards (Section 1312.A)</i>		
Local Street (Portland Street)	5-foot sidewalk (minimum) 5-foot landscape (minimum)	Not specified (existing condition)

Walkable Urban Code T4:2 EG		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Main Building Setbacks</i>		
Portland Street (Primary Frontage)	20-foot maximum	20 feet (Met)
Side (East)	0-foot minimum	7 feet (Met)
Side (West)	0-foot minimum	6 feet (Met)
Rear (North)	0-foot minimum	5 feet (Met)
<i>Parking Setbacks</i>		
Van Buren (Primary Frontage)	30-foot minimum or behind building	Behind building (Met)
Side (East/West) Per Section 1307.F.2.a	10-foot minimum landscape setback when adjacent to historic district, otherwise 0-foot minimum	Not specified
Rear (North) Per Section 1307.F.2.a	10-foot minimum landscape setback when adjacent to historic district, otherwise 0-foot minimum	5-foot landscape setback* (Not Met)
<i>Lot Requirements</i>		
Lot Coverage	70 percent maximum	41.4 percent (Met)
Primary Building Frontage (Portland Street)	60 percent minimum	Not specified
Open Space	5 percent minimum	5.5 percent (Met)
<i>Frontage Types Allowed</i>		
Primary Building Frontage (Portland Street)	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 a 1.36-acre site located approximately 150 feet west of the northwest corner of 9th Street and Portland Street from R-4 RI HP (Multifamily Residence District, Residential Infill, Historic Preservation Overlay) to WU Code T4:2 EG HP (Walkable Urban Code, Transect 4:2 District, Transit Eastlake-Garfield Character Area, Historic Preservation Overlay) to allow for multifamily residential uses. The subject site contains an existing multifamily residential development, and this request is to add an additional 24 units within three, two-story buildings. The subject site is located one block east of the

Downtown Code area within the Garfield Neighborhood, the North Garfield Historic District, and the Eastlake-Garfield TOD Policy Plan area. The Roosevelt / Central light rail station is approximately half mile to the west of the subject site.

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 immediate surrounding area contains a mix of residential designations, including Residential 3.5 to 5 dwelling units per acre to the north, south, and southeast, and Residential 10 to 15 dwelling units per acre to the east, west, and southwest. West of the subject site is a General Plan Land Use Map designation of Mixed Use along 7th Street.

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

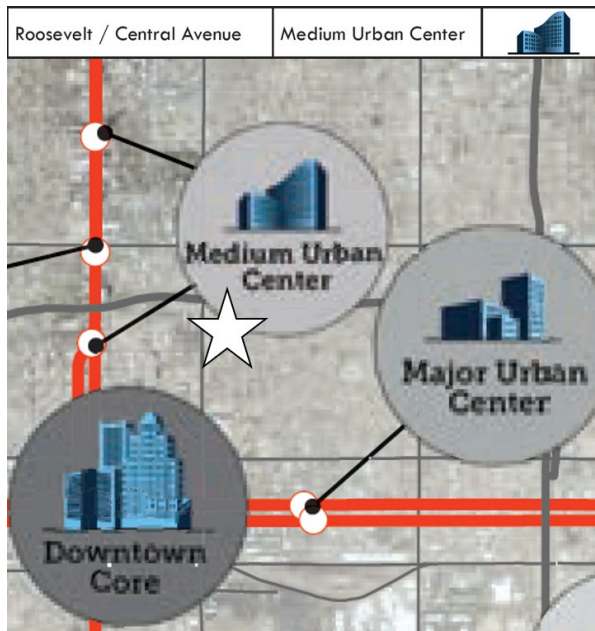


General Plan Land Use Map, Source: Planning and Development Department

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 0.6 miles of the Roosevelt / Central Avenue light rail station. The identified environment for the station is Medium Urban Center. Medium Urban Center is a place type characterized by medium intensity with building heights typically from three to six stories with incentive

heights of up to ten stories. Land uses may include supportive retail, mid-rise living and low-rise office employment. The proposed two-story residential development is consistent with the Medium Urban Center placetype, given the distance from the station and the neighborhood context.



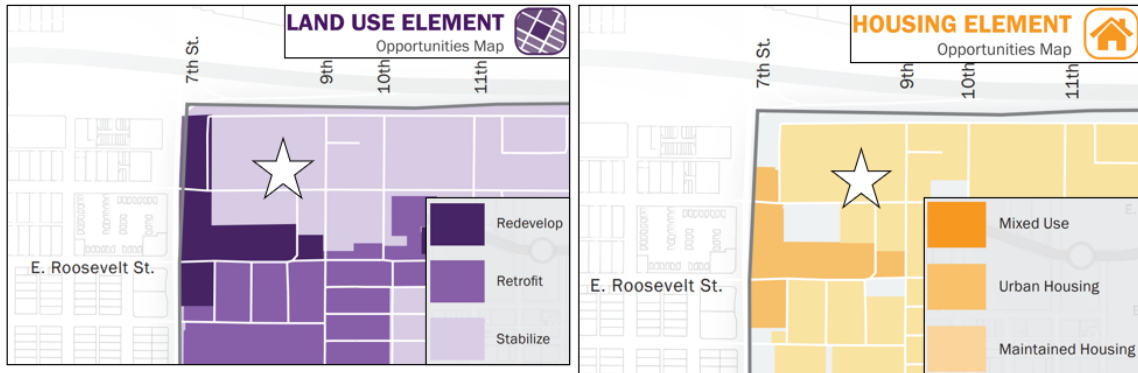
*TOD Strategic Policy Framework Placetypes,
Source: Planning and Development Department*

4. [Eastlake-Garfield Transit Oriented Development District Policy Plan](#)

The site is located within the Eastlake-Garfield Transit Oriented Development (TOD) District, the boundaries for which are Interstate 10 to the north and east, 7th Street to the west, and the Union Pacific Railroad to the south. The policy plan adopted for the Eastlake-Garfield 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 Eastlake-Garfield TOD District, one key recommendation is the implementation of a form-based zoning code. The proposal to Walkable Urban Code furthers that vision. The proposed T4:2 transect is consistent with the vision of low-intensity development on infill sites in established neighborhoods and historic districts.

The Eastlake-Garfield TOD policy plan indicates that the subject site is suitable for stabilized land use and maintained housing. These opportunity maps

emphasize the need for contextual development that respects the existing developed neighborhood.



Eastlake-Garfield TOD Policy Plan, Source: Planning and Development Department

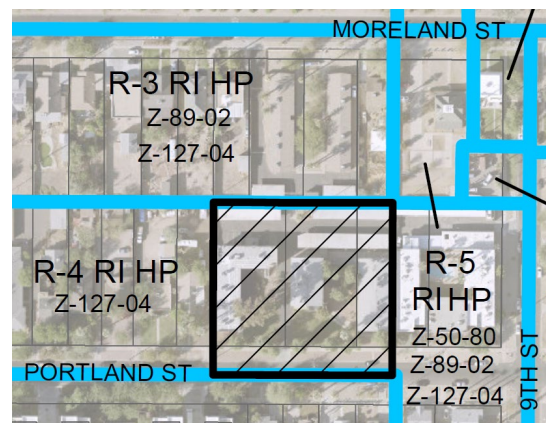
While the subject site is not identified as a specific redevelopment site in the Eastlake-Garfield TOD Policy Plan, the plan’s vision for the Garfield Neighborhood is historic preservation and continued reinvestment with appropriate multifamily residential development interior to the neighborhood. The context sensitive infill design element states that “any infill on vacant lots should be compatible in scale and character, and meet the requirements of the historic design guidelines and standards” (pg. 107). The plan provides several conceptual designs for infill development within the existing context of the Garfield Neighborhood. The proposed development is consistent with this vision, particularly with the “Infill Housing – Courtyard Units” design concept.



Eastlake-Garfield TOD Policy Plan, Source: Planning and Development Department

EXISTING CONDITIONS AND SURROUNDING ZONING

5. The subject site currently contains three two-story multifamily residential buildings with a total of 32 units. The surrounding area is residential with a mix of single-family and multifamily uses. The subject site and surrounding properties to the north, east, and west are within the North Garfield Historic District. All surrounding zoning allows for multifamily residential development with districts including R-3 RI HP, R-4 RI HP, R-4 RI, and R-5 RI HP.



Zoning Aerial Map, Source: Planning and Development Department

PROPOSAL

6. The proposed T4:2 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 is to add three new two-story multifamily apartment buildings with eight units each within the existing residential development for a total of 56 units on site. The height of the proposed buildings is 21 feet, matching the height of the existing buildings on the site, as addressed in Stipulation No. 3. To ensure compatibility with the surrounding historic neighborhood, Stipulation No. 1 requires the existing front 20-foot setback be maintained. To ensure the preservation of mature trees, Stipulation No. 2 requires preserving existing trees within the front setback. Stipulation No. 6 requires that the existing detached sidewalk remain and that landscaping be replenished in the area between the back of curb and sidewalk. Parking is located to the rear of the site and is accessed from the driveway on Portland Street. To enhance the quality of the open space, Stipulation No. 4 requires that a minimum of three amenities are provided within the required common open space.

The development is required to provide bicycle parking for residents pursuant to Section 1307.H of the Zoning Ordinance, at a rate of 0.25 spaces per unit with a maximum of 50 spaces. In addition, the development will provide 0.05 spaces for guest bicycle parking per unit and a bicycle repair station (Stipulation No. 5).

7. 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

8. [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.

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. Per Section 1307.H of the Zoning Ordinance and as stipulated, the development will provide bicycle parking for residents and guests of both the new and existing units, 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. 5.

10. **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, as addressed in Stipulation No. 6. The proposal also includes bicycle parking and a repair station, as required in Stipulation No. 5.

11. **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. The proposal will maintain the existing detached sidewalk, replenish the landscaping behind the back of curb, and preserve existing mature trees on site as listed in Stipulation Nos. 2 and 6.

12. **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 incorporate recycling containers in the rear of the site.

COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff has received one letter in support of this request.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department commented that the developer shall maintain and replenish the existing landscape area within the right-of-way and that all street improvements be constructed to ADA accessibility standards. These are addressed in Stipulation Nos. 6 and 7.
15. 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.
16. The Office of Heat Response and Mitigation commented that the existing mature trees should be maintained. This is addressed in Stipulation No. 2.
17. 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 City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation No. 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.
19. The Historic Preservation Office commented that the height shall be limited to 21 feet and the minimum setback shall be 20 feet in order to match the existing context. These are addressed in Stipulation Nos. 1 and 3.

OTHER

20. 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. 9.
21. 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.
22. 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 provide infill development and new multifamily housing that is consistent with the Eastlake-Garfield TOD Policy Plan vision for this portion of the neighborhood.
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 Eastlake-Garfield TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations

1. A minimum setback of 20 feet shall be required along the Portland Street frontage.
2. Existing trees located within the setback along the Portland Street frontage, shall be preserved in place, as approved or modified by the Planning and Development Department.
3. The maximum building height shall be 21 feet.
4. A minimum of 3 amenities shall be provided within the required common open space, such as, but not limited to swimming pools, tot lots, barbecue and picnic areas, game courts, jogging/parcours, or lawn/turf, as approved by the Planning and Development Department.
5. 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.

6. The developer shall maintain the existing width of the historic landscape area within the right-of-way and replenish the landscaping per the landscape standards of Section 1309 of the Zoning Ordinance, 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.
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. 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.
9. 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.
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

Anthony Grande

August 5, 2022

Team Leader

Racelle Escolar

Exhibits

Sketch Map

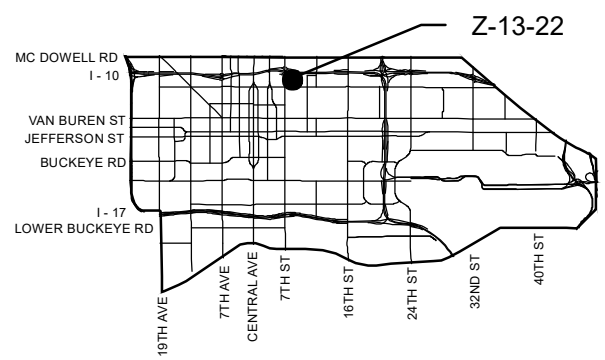
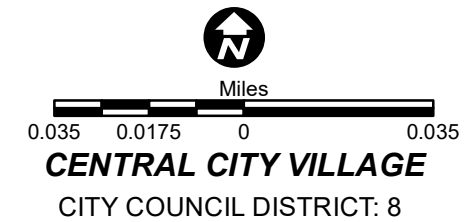
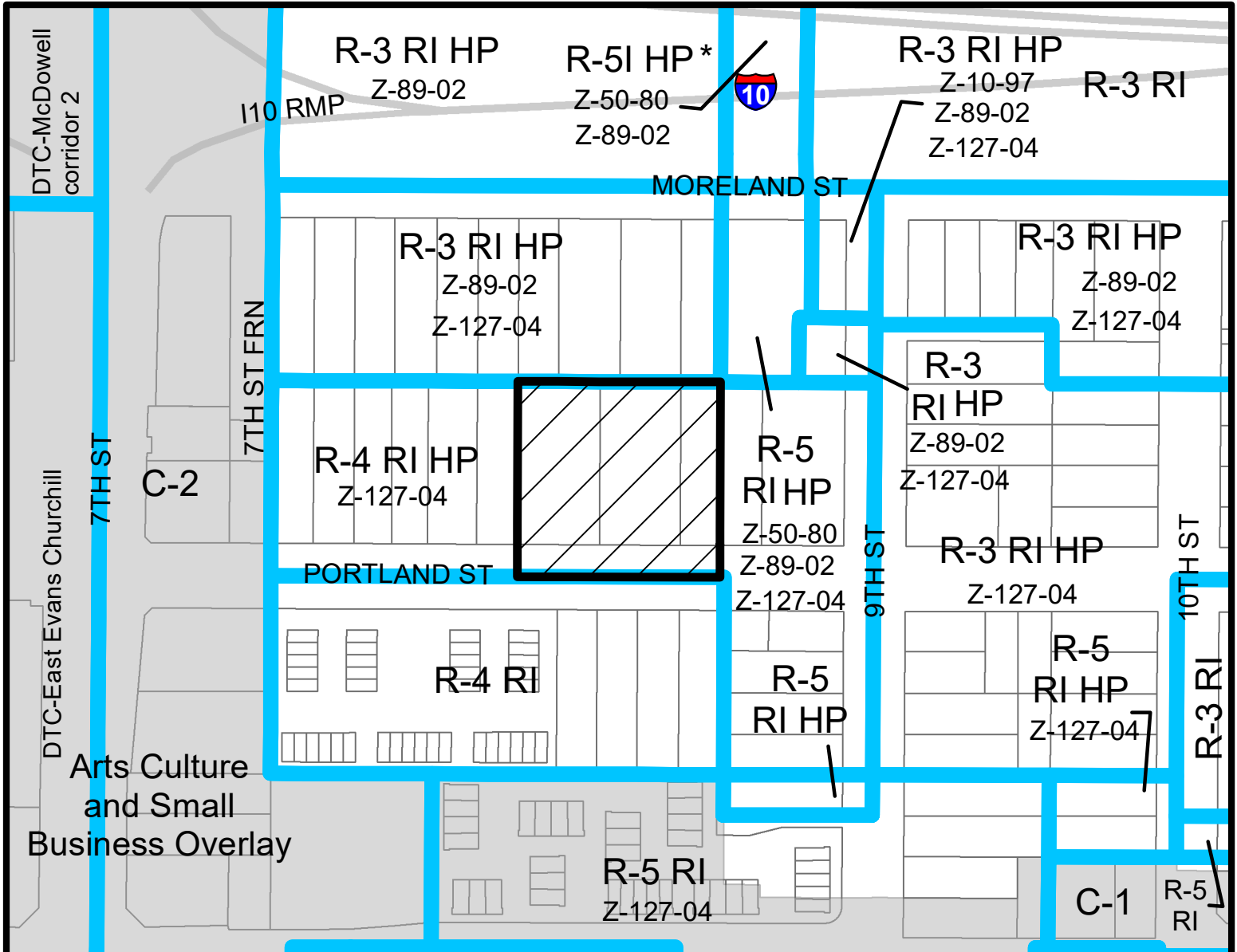
Aerial Map

Conceptual Site Plan Date Stamped July 14, 2022

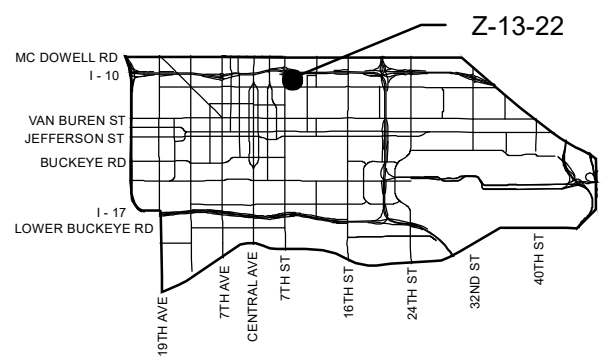
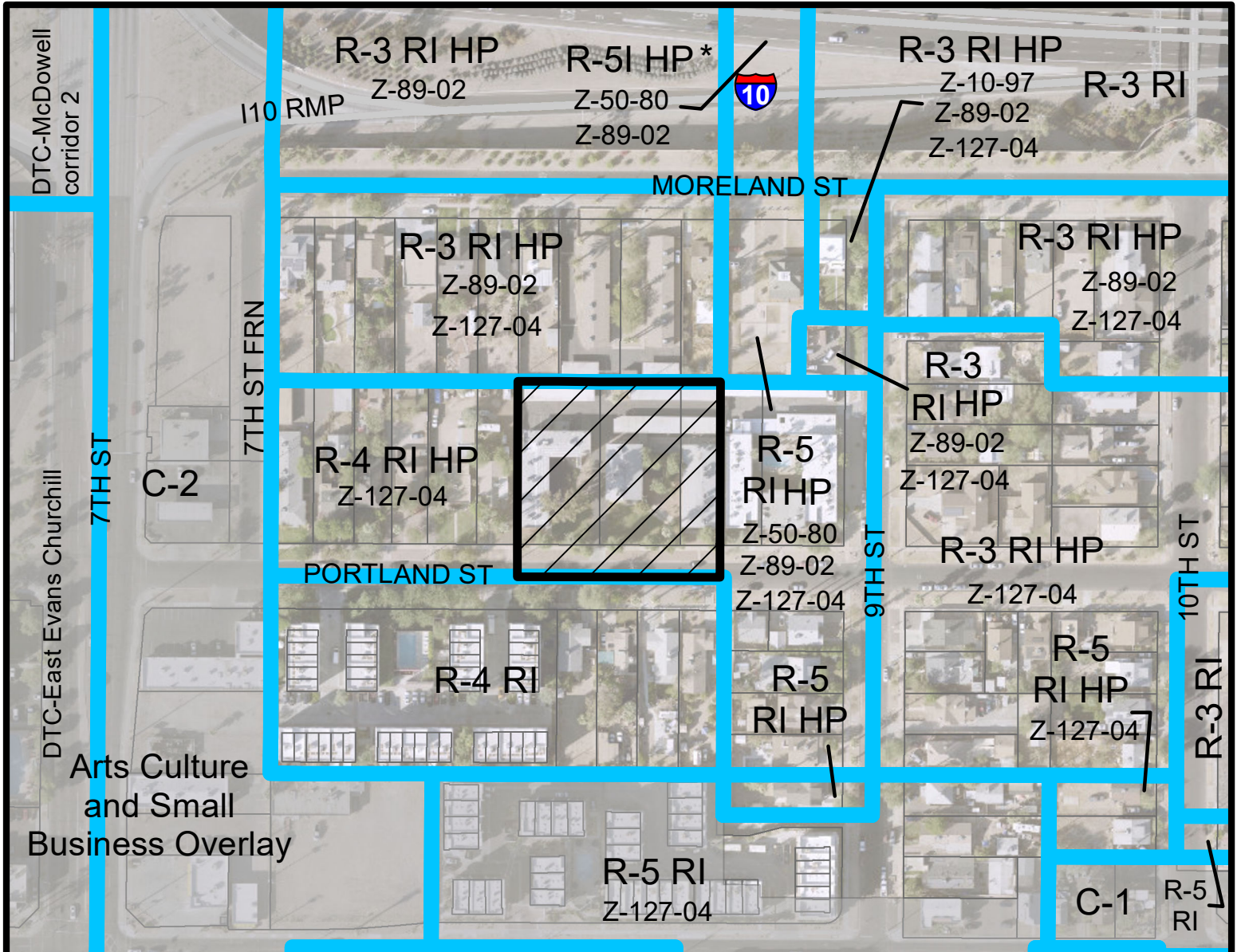
Conceptual Elevations Date Stamped July 14, 2022


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August 5, 2022
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Community Correspondence



APPLICANT'S NAME: Rodney Sherrard, RS Architecture LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-13-22		FROM: R-4 RI HP (1.36 a.c.)	
DATE: 4/27/2022 <small>REVISION DATES:</small>		TO: WU Code T4:2 EG HP (1.36 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 1.36 Acres			
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 12-29		<small>ZONING MAP</small> G-8	
MULTIPLES PERMITTED R-4 RI HP WU Code T4:2 EG HP		* UNITS P.R.D. OPTION 47 N/A	
CONVENTIONAL OPTION 47 No Maximum			
* Maximum Units Allowed with P.R.D. Bonus			




 Miles
 0.035 0.0175 0 0.035
CENTRAL CITY VILLAGE
 CITY COUNCIL DISTRICT: 8

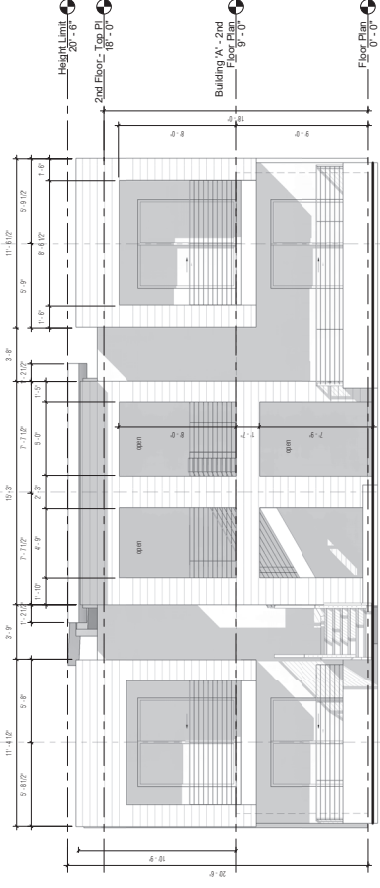


APPLICANT'S NAME: Rodney Sherrard, RS Architecture LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-13-22		FROM: R-4 RI HP (1.36 a.c.)	
DATE: 4/27/2022 <small>REVISION DATES:</small>		TO: WU Code T4:2 EG HP (1.36 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 1.36 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 12-29	<small>ZONING MAP</small> G-8
MULTIPLES PERMITTED R-4 RI HP WU Code T4:2 EG HP		CONVENTIONAL OPTION 47 No Maximum	
		* UNITS P.R.D. OPTION 47 N/A	

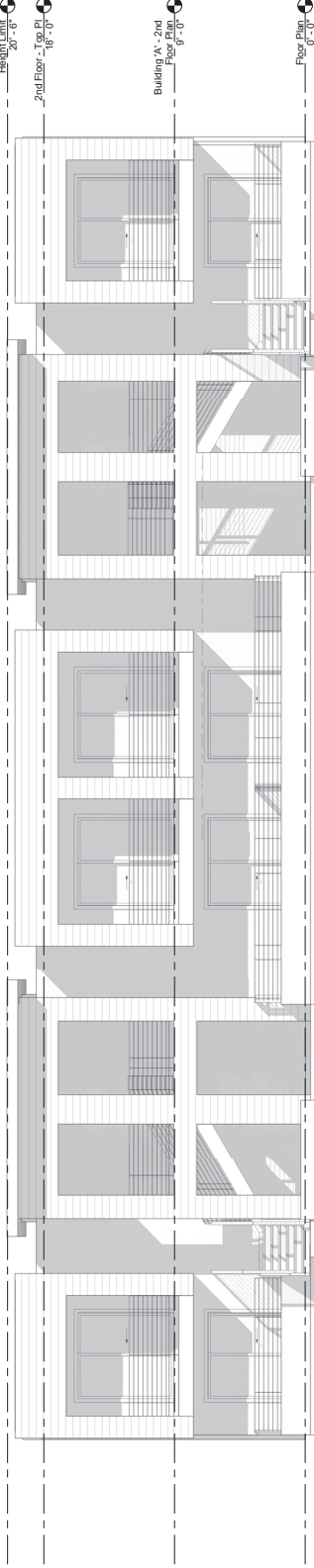
* Maximum Units Allowed with P.R.D. Bonus



○ Building A - Street Elevation
1/4" = 1'-0"



○ Building A - South Elevation
1/4" = 1'-0"



○ Building B - South Elevation
1/4" = 1'-0"



○ Building B - Street Elevation
1/4" = 1'-0"



CITY OF PHOENIX
JUL 14 2022
Planning & Development
Department

RS4 LLC
Urban Gardens Apartments
- Expansion
744, 748, 756 E Portland St.
Phoenix, AZ 85006



Project Name	Project Number
Date	Author
Drawn By	Checker
Scale	1/4" = 1'-0"

A103.2

Buildings A' & B' - South (Streetside) Elevations



a neighborhood alliance

1204 E. Roosevelt St.
Phoenix, AZ 85006
garfieldneighborhood.org

July 2, 2022

RE: Z-13-22-8

744-748 & 756 E. Portland St. – Urban Gardens Apartments

To whom it may concern:

On behalf of Garfield Organization, I would like to express our support for this rezoning to apply the **WU Transect 4-2** code onto this property.

The project architect and property owners presented about their project at both our May and June monthly neighborhood meetings. At the meeting on June 28, 2022 they went into further detail to explain the use of the WU Code for this project. Residents had lot of discussion reviewing the site plan and elevations.

We did an immediate poll of the residents and found that 86% of residents attending the meeting support this zoning request.

Therefore, we respectfully request approval of this rezoning application.

Thank you for your consideration,

Dana Johnson
President

Working for a
safe, clean and friendly
neighborhood since 1989