



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-7-19-8
May 3, 2019

Laveen [Village Planning Committee](#) May 13, 2019
Meeting Date:
[Planning Commission](#) Hearing Date: June 6, 2019

Request From: [S-1](#) (Ranch or Farm Residence) (13.24 acres), S-1 (Approved R-2) (Ranch or Farm Residence, Approved Multifamily Residence District) (0.72 acres)

Request To: [R-3](#) (Multifamily Residence District) (13.96 acres)

Proposed Use: Multifamily Residential

Location: Southeast corner of 59th Avenue and South Mountain Avenue

Owner: Rodney and Donnea Family Trust and DEKA Company, LLC; Phoenix Union High School District

Applicant Andy Jochums, AICP, Beus Gilbert, PLLC

Representative Paul Gilbert, Beus Gilbert, PLLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 15+ Dwelling Units Per Acre, Residential 2 to 3.5 Dwelling Units Per Acre	
<u>Street Map Classification</u>	59th Avenue	Arterial	55-foot east half street
	South Mountain Avenue	Local	30-foot south half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

The proposal provides a multifamily development in an area identified for such use on the General Plan Land Use Map. As stipulated, the development will be consistent in scale, design and appearance with the surrounding area.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setbacks and build-to lines, blank wall space, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

The proposal, as stipulated, will provide detached sidewalks and shade trees along 59th Avenue and South Mountain Avenue to encourage pedestrian activity in the area.

BUILD THE SUSTAINABLE DESERT CITY; TREE & SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout phoenix.

The proposal, as stipulated, will provide tree-shaded sidewalks which will help to increase pedestrian activity and reduce the urban heat island effect.

Applicable Plans, Overlays, and Initiatives
<p><u>Tree and Shade Master Plan</u> See Background Item No. 6 below.</p>
<p><u>Southwest Growth Study</u> See Background Item No. 7 below.</p>
<p><u>Reimagine Phoenix</u> See Background Item No. 8 below.</p>
<p><u>Complete Streets Guidelines</u> See Background Item No. 9 below.</p>

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant Land	S-1 (Approved R-2)
North	School Site	S-1 (Approved R-2)
South	Single-family residential	R1-8 PRD
East	Single-family residential	R1-8 PRD
West	Vacant Land	S-1 (Approved C-2-CP/GCP)

R-3 Multifamily (Planned Residential Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	-	13.96
Total Number of Units	243 maximum	147
Density (Units/Gross Acre)	15.23; 17.40 with bonus maximum	10.53
Perimeter Standards	20 feet adjacent to a public street; 15 feet adjacent to property line	20 feet adjacent to public street; 20 feet adjacent to property line
Maximum Height	2 stories or 30 feet for first 150 feet; 1 foot in 5 feet increase to 48 feet high, 4-story maximum	1 story
Lot Coverage	45% maximum	To be determined at time of final plans
Common Areas	5% of gross minimum	10% as stipulated

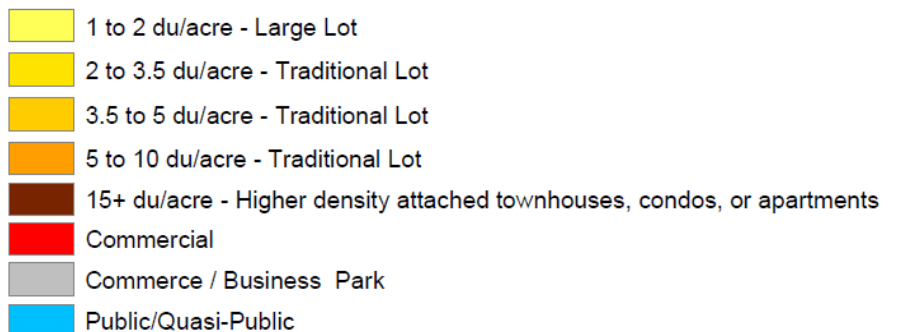
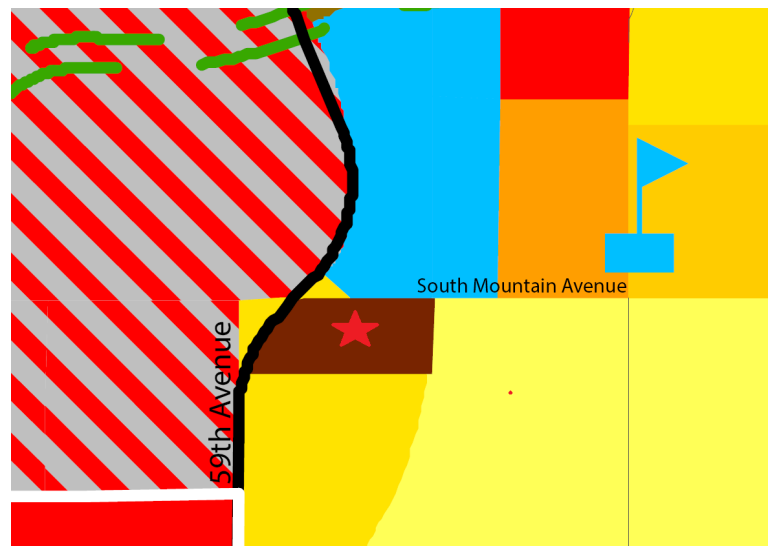
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone approximately 13.96 acres located at the southwest corner of 59th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) and S-1 (Approved R-2) (Ranch or Farm Residence, Approved Multifamily Residence District) to R-3 (Multifamily Residence District).
2. The subject site is designated Residential 15+ dwelling units per acre, and Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map.

The proposal is consistent with the 15+ dwelling units per acre designation on the majority of the site. The property to the north is designated Public/Quasi-public.

The property to the east is designated Residential 1 to 2 dwelling units per acre. The Property to the south is designated Residential 2 to 3.5 dwelling units per acre. The property to the west is designated Mixed Use (Commerce Park/Business Park).



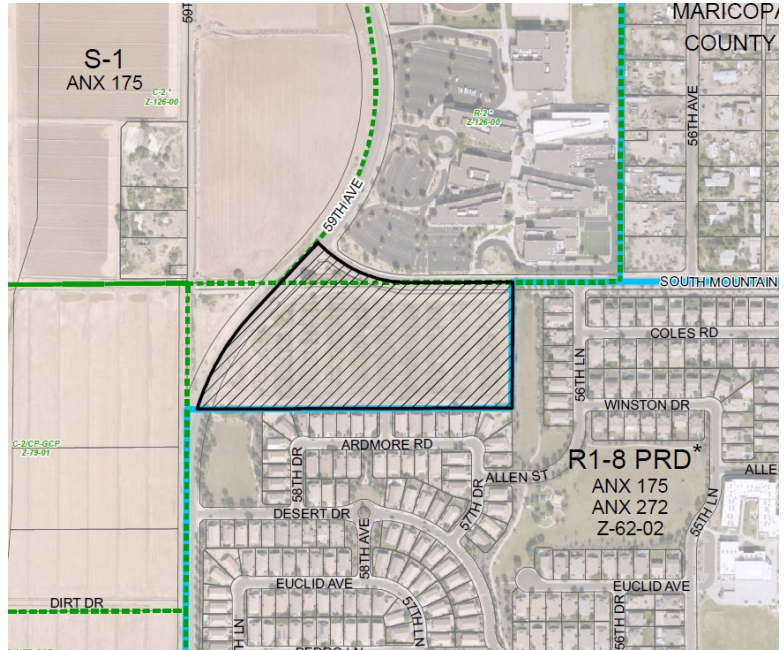
General Plan Land Use Map – Source: City of Phoenix
Planning and Development Department

SURROUNDING USES AND ZONING

3. The subject site is vacant land and currently zoned S-1 (Approved R-2) (Ranch or Farm Residence, Approved Multifamily Residence District) and R-2 (Multifamily Residence District).

North of the subject site is Betty H. Fairfax High School, zoned S-1 (Ranch or Farm Residence), with approved R-2 (Multifamily Residence District) zoning.

South and east of the subject site is an existing single-family residential subdivision zoned R1-8 PRD (Single family Residence District, Planned Residential Development).



West of the subject site is vacant, undeveloped land zoned S-1 (Ranch or Farm Residence), and S-1 with approved C-2 / CP/GCP (Intermediate Commercial/Commerce Park or General Commerce Park) zoning and C-2 (Intermediate Commercial).

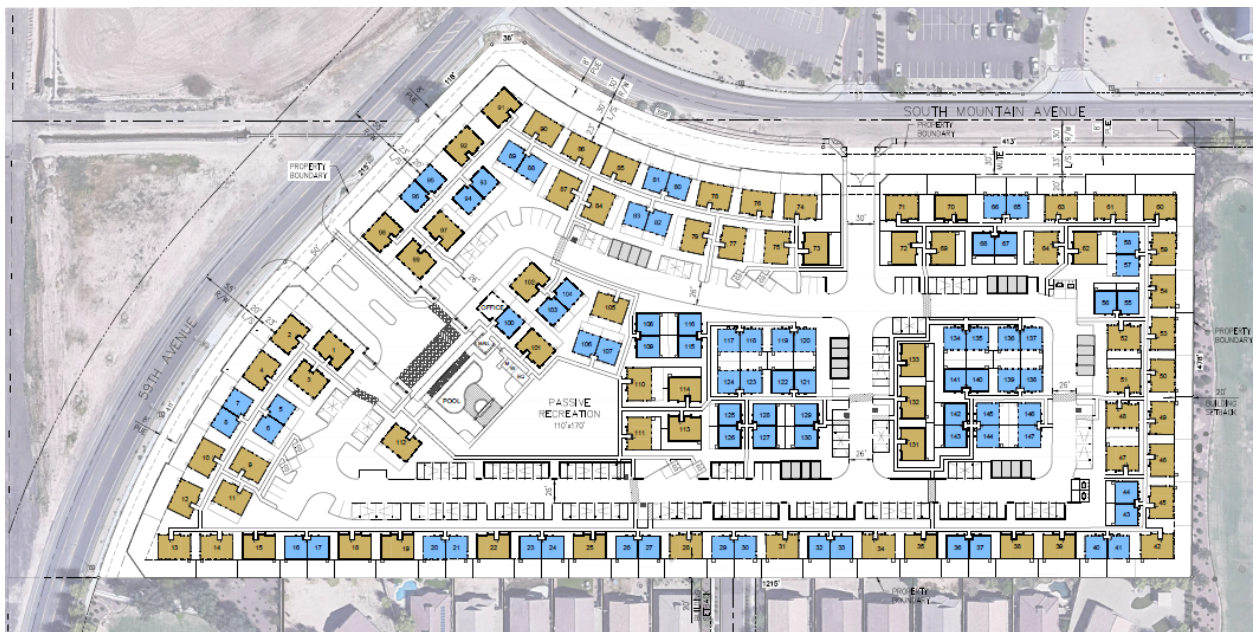
PROPOSAL

4. **Conceptual Site Plan**

The subject site consists of two parcels which will be combined to create one multifamily development. The conceptual site plan proposes 147 multifamily dwelling units. There are entrances to the development from 59th Avenue, an arterial street, and from South Mountain Avenue.

The proposed multifamily complex will contain single-story buildings, grouped together in duplexes and stand-alone units to resemble single-family homes. There is a centralized open space amenity area. Each unit will have a private fenced backyard.

The conceptual site plan depicts open space areas in the center of the property but does not provide a square footage open space total. The Laveen Village has prioritized increased open space in all residential development. In response, staff has stipulated that at least 10% common area open space be provided. This item is addressed in Stipulation No. 1.



Proposed Site Plan – Source: Bowman Consulting & Hancock Communities

5. **Elevations**

Elevations were submitted as part of this rezoning request. In keeping with the design guidelines contained within the Southwest Growth Study, staff is requesting that all roof materials be clay or concrete tile, and that all exterior walls shall utilize stucco, stone or masonry. This item is addressed in Stipulation No. 2. For additional information regarding the Southwest Growth Study, see Background Item No. 7.



Proposed Elevations – Source: Barduson Architects & Hancock Communities

STUDIES AND POLICIES

6. **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. In accordance with this, staff has stipulated that all sidewalks along 59th Avenue and South Mountain Avenue be detached, with a minimum five foot wide landscape strip located between the sidewalk and back of curb and minimum two-inch caliper shade trees planted a minimum of 20-feet on center, or equivalent groupings. This is addressed in Stipulation No. 3.

7. **Southwest Growth Study**

The Southwest Growth Study was created as a tool to guide development in Laveen after the area was annexed into the City of Phoenix in 1995. Laveen is known

throughout the region for its rural heritage and character. Through the Southwest Growth Study, policies were created that would preserve and build upon the unique character of the area. The document provides a number of design policies and standards regarding the look and feel of development in the area, with particular regard to building materials and elevations. Notably, the Southwest Growth Study calls for native materials and colors, and discourages the use of vinyl siding, high contrast colors and monolithic building mass. These items are addressed in Stipulation No. 2, which requires that building materials consist of stucco, masonry or stone and that roof tiles made of clay or concrete are utilized.

8. **Reimagine Phoenix**

As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The provision of recycling containers was not addressed in the applicant's submittals; however, per City Code, the City provides recycling containers and services to all single-family residences.

9. **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. To support these principles, staff has stipulated that sidewalks along 59th Avenue and South Mountain Avenue be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings. This is addressed in Stipulation No. 4. Additionally, staff has stipulated that the developer provide a minimum of five inverted-U bicycle racks. This is addressed in Stipulation No. 8.

COMMUNITY INPUT SUMMARY

10. As of the writing of this report, staff has not received any correspondence regarding this proposed rezoning application.

INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department recommends stipulations requiring the developer to construct and update all improvements to City and ADA standards, and to complete a Developer Project Information Form for the MAG Transportation Improvement Program. These items are addressed in Stipulation Nos. 4 and 5.
12. The Public Transit Department has reviewed the proposed rezoning request and has requested dedication of right-of-way and construction of a bus stop pad along 59th Avenue. This is addressed in Stipulation No. 6.

13. The Water Services Department indicated that the site has existing water and sewer mains within 59th Avenue and South Mountain Avenue that can potentially serve the development.
14. The Fire Prevention division of the Fire Department does not anticipate any problems associated with this rezone case, but shall require the site and/or buildings to comply with the Phoenix Fire Code. The water supply (GPM and PSI) is not known at this location, and additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
15. The Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2660 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
16. The Parks and Recreation Department has reviewed the proposed site plan and rezoning request and has requested that the developer dedicate a 30-foot wide Multi-Use Trail Easement and construct a 10-foot wide Multi-Use Trail along the south side of South Mountain Avenue. This is addressed in Stipulation No. 7.
17. 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, 10 and 11.

OTHER

18. The site is located within the Laveen West Impact Fee Area and development is subject to impact fees. Impact fee calculations are set so that each type of land use pays a fair share of the infrastructure required to support development in the city's growth areas. In addition, different areas have unique infrastructure requirements, so the cost of providing the same level of service in each area may vary. This results in different fees for different uses, as well as different fees for different impact fee areas.
19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions

such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The request is consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre that exists on the majority of the site.
2. The proposed development is appropriate located adjacent to an arterial street and is consistent with the scale of development in the surrounding area.
3. As stipulated, the proposal is consistent with the character of existing development in the surrounding area by providing for enhanced building design and pedestrian amenities.

Stipulations

1. The developer shall provide a minimum of 10% common area open space.
2. Building elevations shall meet the following design criteria, as approved by the Planning and Development Department:
 - a. All roof materials shall be flat clay or concrete tile or other similar materials. No asphalt shingles, shakes or metal shingles are allowed.
 - b. All exterior walls of the dwelling units shall utilize stucco, stone and/or masonry. No wood or aluminum sidings are allowed.
3. The sidewalks along 59th Avenue and South Mountain Avenue shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
4. 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.
5. The developer shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department prior to preliminary site plan approval.

6. The right of way shall be dedicated and a bus bay (P1262) shall be constructed along northbound 59th Avenue, north of the main project entry, as approved by the Planning and Development Department.
7. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along South Mountain Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail and as approved by the Parks and Recreation and Planning and Development Departments.
8. The developer shall provide a minimum of 5 inverted-u bicycle racks installed near the common area open space, as approved by the Planning and Development Department.
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.

Writer

Cody White

May 3, 2019

Team Leader

Samantha Keating

Exhibits

Zoning sketch

Aerial

Site plan date stamped January 24, 2019

Building Elevations date stamped January 24, 2019