



# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## Staff Report Z-44-18-6 (Hospice of the Valley Campus PUD) December 27, 2018

Camelback East [Village Planning Committee](#) Meeting Date January 8, 2019

Planning Commission Hearing Date February 7, 2019

Request From: [R1-10](#) (3.56 acres)

Request To: [PUD](#) (3.56 acres)

Proposed Use Planned Unit Development to allow a mix of uses including dementia care and education facility, adult day care and hospice.

Location Southeast corner of 44th Street and Indianola Avenue

Owner Hospice of the Valley

Applicant Dennis M. Newcombe, Beus Gilbert, PLLC

Representative Paul E. Gilbert, Beus Gilbert, PLLC

Staff Recommendation Approval, subject to stipulations

<b>General Plan Conformity</b>			
<a href="#">General Plan Land Use Map Designation</a>		Public / Quasi-Public	
<a href="#">Street Map Classification</a>	44th Street	Major Arterial	40-foot east half street
	Indianola Avenue	Local	47-foot Ingress-Egress Easement
<p><b>CONNECT PEOPLE &amp; PLACES; OPPORTUNITY SITES; LAND USE PRINCIPLE:</b>  <i>Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></p> <p>The subject site is adjacent to single-family residential zoned property to the south and west. The PUD contains enhanced design guidelines to mitigate the impact of building height and massing on adjacent residential properties to the south.</p>			
<p><b>CONNECT PEOPLE AND PLACES; COMPLETE STREETS; DESIGN PRINCIPLE:</b>  <i>Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian</i></p>			

**environment.**

The proposal includes development standards that require an underground parking garage, therefore minimizing the need for additional surface parking. This, in turn, promotes a greater pedestrian environment that is beneficial to the surrounding residential properties and residents of the facility.

**CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLES: Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.**

The PUD contains numerous design guidelines that provide enhanced architectural style including four-sided architecture, multiple building materials, colors, and other provisions. Further, staff has stipulated that the design standards be updated to prohibit second story windows adjacent to the single-family residences to the south.

**CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.**

The PUD includes enhanced open space and planting standards as well as more restrictive height requirements otherwise permitted on the majority of the site. These standards were crafted to mitigate the impact of building massing on adjacent properties.

**Area Plans, Overlay Districts, and Initiatives**

[44th Street Corridor Specific Plan](#) - See Background Item No. 13

[Tree and Shade Master Plan](#) - See Background Item No. 14

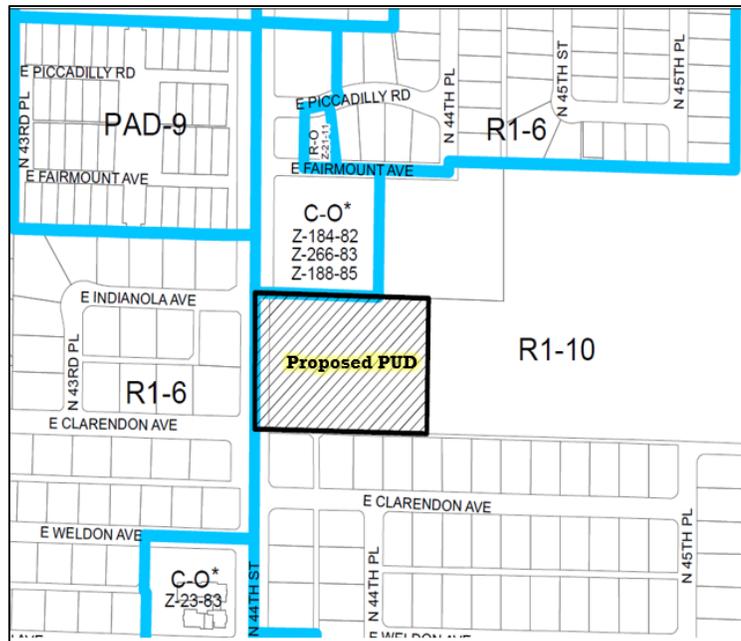
[Complete Streets Guiding Principles](#) - See Background Item No. 15

[Reimagine Phoenix](#) - See Background Item No. 16

**Background/Issues/Analysis**

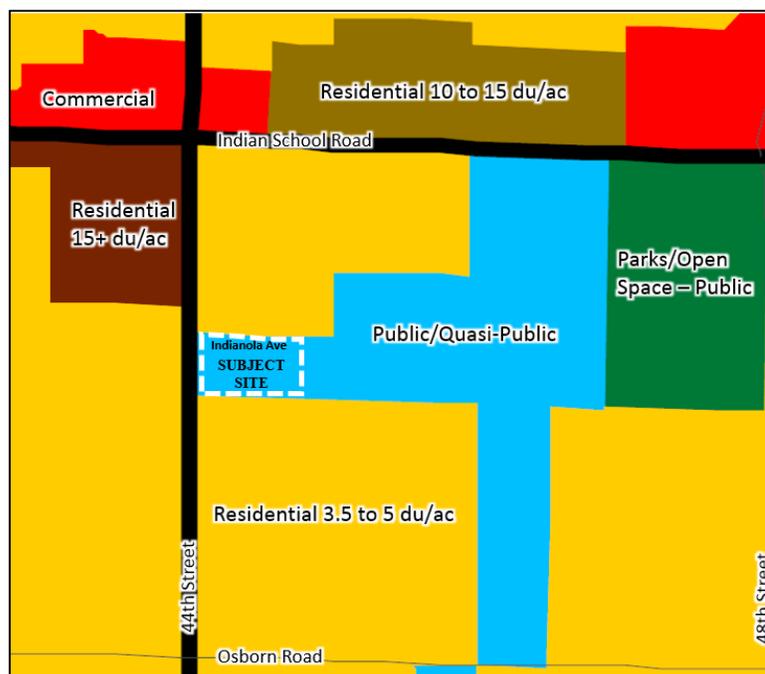
**SUBJECT SITE**

1. This request is to rezone an approximately 3.56-acre site located at the southeast corner of 44th Street and Indianola Avenue from R1-10 (Single-Family Residence District) to PUD (Planned Unit Development) to allow a mix of uses including dementia care and education facility, adult day care and hospice.



**Source: City of Phoenix Planning and Development Department**

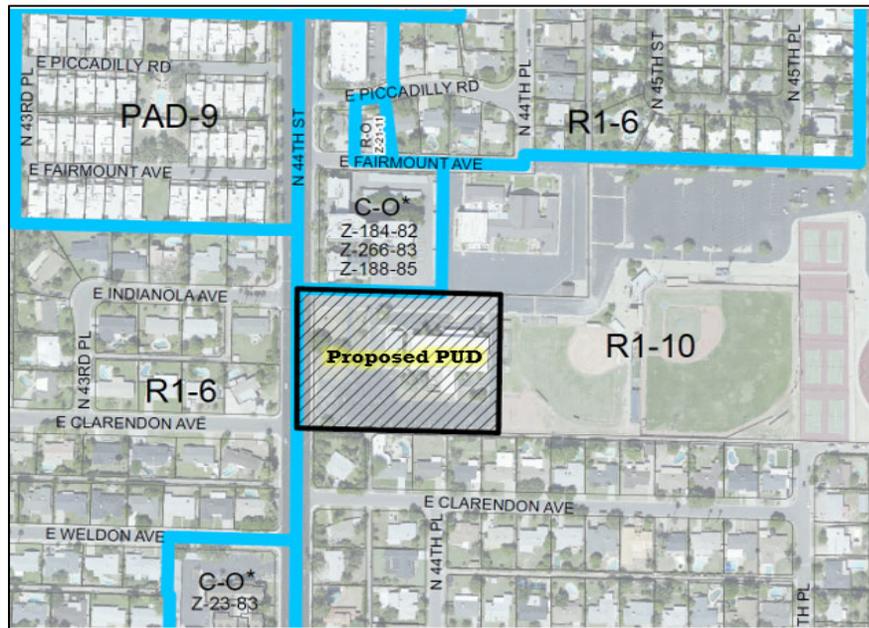
2. The General Plan Land Use Map designation for the property is Public / Quasi-Public. The proposed use is not consistent with this designation; however, an amendment is not required as the site is less than 10 acres.



**Source: City of Phoenix Planning and Development Department**

### EXISTING CONDITIONS & SURROUNDING ZONING

3. The subject site consists of one parcel that is 3.56 gross acres. The parcel is currently occupied by a vacant school building and is zoned R1-10 (Single-Family Residence District).



Source: City of Phoenix Planning and Development Department

#### **NORTH**

North of the subject site is a Church of Scientology zoned C-O (Commercial Office District) per Rezoning Case No. Z-188-85 and the Church of Jesus Christ of Latter-Day Saints zoned R1-10 (Single-Family Residence District).

#### **SOUTH**

South of the subject site are single-family residences zoned R1-10 (Single-Family Residence District).

#### **EAST**

East of the subject site is the Arcadia High School baseball fields zoned R1-10 (Single-Family Residence District).

#### **WEST**

West of the subject site, across 44th Street, are single-family residences zoned R1-6 (Single-Family Residence District).

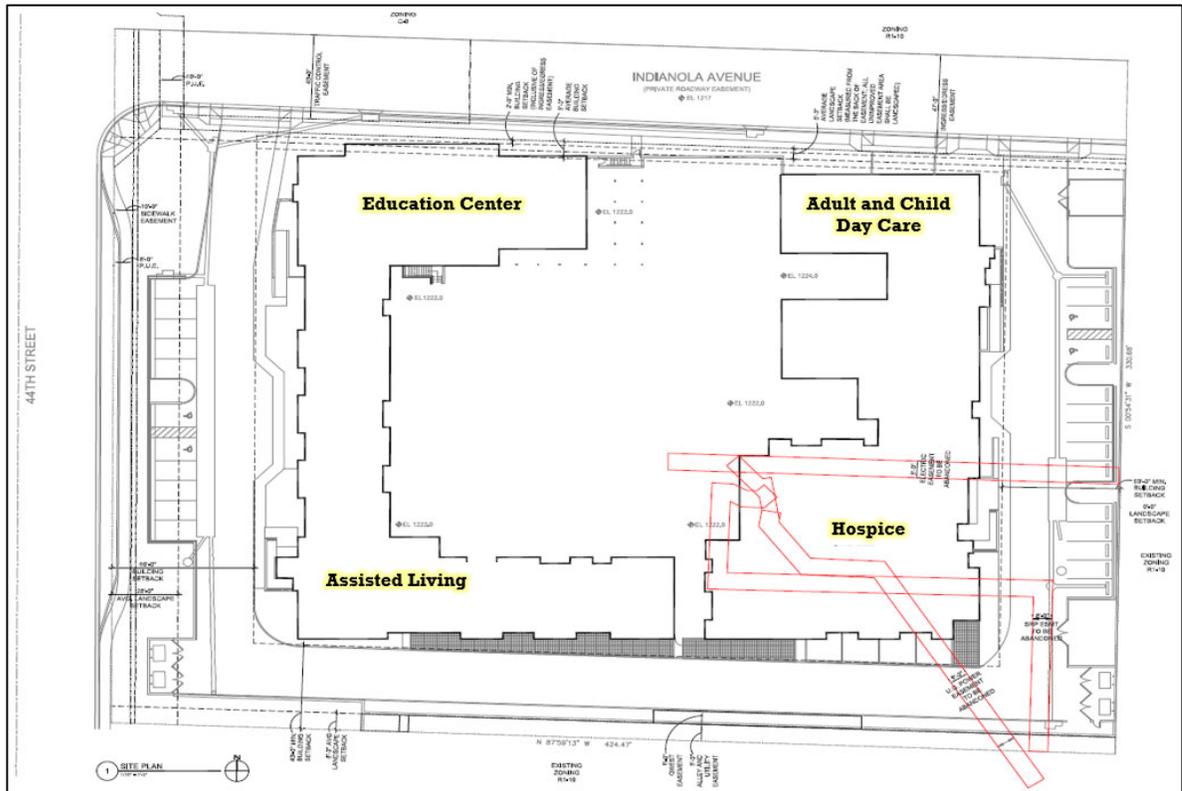
### PROPOSAL

4. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes

standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

- Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped December 18, 2018. The PUD would allow the development of a dementia care, education facility, adult and child day care, hospice and assisted living with accessory uses. The PUD proposes a development that is compatible with the character of the surrounding area and proposes development standards and design guidelines that mitigate potential impacts on existing residences to the south.

The comparative zoning districts utilized in this staff report and in the Development Narrative's Comparative Zoning Standards Table (Exhibit 8) is R1-10 (Single-Family Residence District) and the subdivision development option as well as C-1 (Neighborhood Retail District). The R1-10 zoning district was used because it communicates what the current zoning entitlements permit. The C-1 district was used because it is the most restrictive district in the Phoenix Zoning Ordinance that permits a hospice facility, subject to a use permit, adult day care and offices.



**Conceptual Site Plan**  
**Source: Ird architects**

## PERMITTED LAND USES

6. The PUD limits the permitted principal land uses to an assisted living center, hospice, office, nursing home, adult day care, unclassified health care institution and a conference and reception center.

The PUD limits the accessory land uses to a beauty shop, dependent care facility, massage therapy, teaching of fine arts and restaurant/kitchen, subject to limitations or conditions.

Temporary uses are permitted in conformance with existing Zoning Ordinance regulations as specified in Section 708 of the Phoenix Zoning Ordinance.

## DEVELOPMENT STANDARDS

7. **Building Height**

The PUD proposes a maximum building height of 33 feet at the northwest corner of the development where the education center is being proposed. The remainder of the site is proposed to be limited to 24 feet, 6-inches in height. Staff is recommending that the standard be modified to a maximum 25 feet to allow for flexibility during development review. This is addressed in Stipulation No. 1.I. This standard is compatible with the surrounding area as the maximum height of the property to the north, zoned C-O, is 56 feet. The height standards for the remainder of the site are more restrictive than the R1-10 and C-1 zoning districts which permits a maximum building height of 30 feet.

### **Building Setbacks**

The proposed east building setback, along the ballfields of Arcadia High School is a minimum of 50 feet. This standard is more restrictive than the R1-10 zoning district which would permit a setback of 25 feet. In addition, the standard is comparable to the C-1 zoning district which would also require a 50-foot minimum setback.

The proposed north building setback is a minimum of 49 feet, inclusive of the ingress/egress easement. This standard is more restrictive than the R1-10 zoning district which would permit a setback of either 3 or 10 feet. This standard is also more restrictive than the C-1 standard which would require an average 25-foot, minimum 20-foot setback.

The proposed south building setback is a minimum of 40 feet. This standard is more restrictive than the R1-10 zoning district which would permit a setback of 3 or 10 feet. This standard is less restrictive than the C-1 district which would require a 50-foot minimum setback.

The proposed west building setback is a minimum of 60 feet. This standard is more restrictive than the R1-10 zoning district which would permit a setback of 25 feet.

This standard is also more restrictive than the C-1 district which allows 25 feet average, 20 feet minimum setback.

Additionally, the development narrative includes standards to address the locations of refuse enclosures, mechanical equipment and parking canopies. Standards are included restricting mechanical yards or refuse enclosures to be a minimum of 15 feet from the south and west property lines. Similarly, additional standards permitting parking canopies along the east property line at a 0-foot setback and a minimum of 50 feet from the south property line are included. Parking canopies are not counted against building setbacks in commercial zoning.

### **Density**

The proposed PUD does not have a density requirement as the subject site does not propose any dwelling units as defined by Section 202 of the Phoenix Zoning Ordinance. However, the PUD does not explicitly identify that dwelling units are not being proposed. To that end, staff is recommending that a statement be noted in the PUD, above the permitted uses list, that dwelling units shall not be permitted. This is addressed in Stipulation No. 1.h.

### **Lot Coverage**

The PUD proposes a maximum lot coverage of 40% for the primary structures, a maximum lot coverage of 3% for accessory structures and a maximum lot coverage of 47% for the underground parking garage. This standard is less restrictive than the R1-10 zoning district standards which permit a maximum lot coverage of 40% for both attached and detached structures. However, the standard is more restrictive than the C-1 zoning district standards which permits a maximum lot coverage of 50%. Although the lot coverage is slightly larger than the R1-10 district would permit, the development proposes increased open space standards to mitigate impacts of increased lot coverage.

The PUD provides a separate requirement for lot coverage for the underground parking garage. This requirement is included because it was found through a formal interpretation in 1984, Zoning Adjustment Case No. ZA-484-84 that underground parking shall be counted toward lot coverage when any building or any portion of a structure penetrates the preexisting natural grade of the property. The underground parking garage is proposed to be above the natural grade by 5-feet, 6-inches and therefore would be counted toward lot coverage. However, with the 47% maximum lot coverage for the underground parking garage standard, written within the PUD, the parking garage will not be counted towards the maximum 40% lot coverage for the primary structure.

### **Open Space**

The proposed open space standard is a minimum of 7% of gross area of the site. This standard is more restrictive than the R1-10 and C-1 zoning districts which do not have an open space requirement.

### **Landscape Standards**

The PUD proposes minimum 2-foot, 5-foot average landscape along the north, measured from the back of easement and requires that all unimproved areas of the easement be landscaped. The north landscape setback is more restrictive than the R1-10 zoning district which does not require landscape setbacks. However, is less restrictive than C-1 which requires a minimum 10-foot landscape setback.

Along the south property line, the proposed landscape setback is 6 feet minimum, located 121 feet from the west property line and 14 feet minimum for the remainder. The variation exists due to an existing alley. This standard is more restrictive than the R1-10 standard which does not require perimeter landscape setbacks. However, this standard is partially more restrictive along the eastern portion of the lot than the C-1 landscape standard which requires a 10-foot landscape setback.

Along the eastern property line the proposed landscape setback is 0 feet. This standard is the same as R1-10 which has no requirement for landscape setbacks, but is less restrictive than the C-1 standard which requires a 10-foot minimum landscape setback.

Along the west property line, adjacent to 44th Street, the proposed landscape setback is 14-foot minimum, 28-foot average. This requirement is more restrictive than the R1-10 zoning district which does not require landscape setbacks. In addition, the standard is comparable to the C-1 standard which requires 20-foot minimum for 50% of the building, 25-foot average for structures not exceeding two stories or 30 feet; and 20-foot minimum for 50% of the building, 30-foot average for structures exceeding 2 stories and 30 feet.

The planting requirements for the north, south and east perimeter property lines exceed the landscaping requirements for assisted living, hospice, office and like uses in the C-1 zoning district. The planting standards along the west property line are identical to the C-1 zoning district standards.

### **Detached Sidewalks**

The PUD includes a requirement for a detached sidewalk along 44th Street with a minimum width of 5 feet. In addition, a minimum 5-foot side landscape strip located between the sidewalk and back of curb is required with minimum 2-inch caliper trees planted 20-feet on center or in equivalent grouping in addition to the landscape planting standards.

## DESIGN GUIDELINES

### 8. **Architecture**

The PUD contains a variety of design guidelines addressing building facades, which are intended to enhance the visual interest of the structures, mitigate the impact of building massing and height, and provide a high-quality design that is compatible with the surrounding residential uses. Guidelines include a requirement for four-sided architecture and diversity in the use of building materials. Overall,

the facades shall include, but are not limited to, the following accent materials: stacked stone, stucco, glass and painted wood shutters. In addition, the west facing elevation shall contain a minimum 15% stacked stone, 15% glass and 70% stucco.

Design guidelines require offsets and recesses at intervals of no less than 60 lineal feet. In addition, architectural embellishments in the façade shall occur at intervals of no less than 40 lineal feet. The building design shall incorporate features of the surrounding neighborhood by including chimneys, aluminum-clad wood windows with divided lites, shutters and roof lines that change at intervals of no less than 90 lineal feet.

The development also requires the use of green screens and trellises to be used within the development along with pedestrian scale lighting features to distinguish pedestrian walkways, building entrances and to enhance the landscape areas.



**Conceptual Rendering - Northeast**  
**Source: Ird architects**



**Conceptual Elevations – South and West**  
**Source: Ird architects**

#### PARKING

9. The PUD will conform with existing Zoning Ordinance parking standards. A minimum of 85% of required parking is to be located in the underground parking garage.

#### SIGNAGE

10. The PUD proposes conformance with the requirements for non-residential activity in a residential area standard in Section 705 of the Phoenix Zoning Ordinance.

#### SHADING

11. The PUD includes a requirement that a minimum of 50% of public sidewalks, pedestrian pathways, and common amenities areas shall be shaded by landscaping, architectural features or projections, or other stand-alone structural shading devices.

#### SUSTAINABILITY

12. The Development Narrative proposes a variety of sustainability features to be enforced by the City including the provision of low “e” double pane windows, permeable paving, and drought tolerant plants.

#### AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

13. **44th Street Corridor Specific Plan**  
The property is located within the boundaries of the 44th Street Corridor Specific Plan. The Specific Plan is a policy plan adopted in 1991 that established a framework so that development projected in the corridor would occur in a manner compatible with the many residential neighborhoods within the corridor. The Specific Plan calls for Public/Quasi Public. Although the PUD does not propose uses that are public in nature, it offers a use that is needed for the aging population. In addition, the specific plan identifies creation of landscape buffers along 44th Street. The PUD offers development standards that provide a landscape setback along 44th Street with a row of trees to improve the esthetic of the public-right-of-way and enhance the pedestrian experience. The PUD requires enhanced landscape setbacks along the west and the addition of a detached sidewalk.
14. **Tree and Shade Master Plan**  
The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city’s planning and development process. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes enhanced landscape planting standards and shade trees along 44th Street. Trees help to reduce the urban heat island effect and will provide thermal comfort for residents and guests.
15. **Complete Streets Guiding Principles**  
In 2014, the 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 enhanced landscaping requirements and a detached sidewalk along 44th Street and minimum 50% shade along public sidewalks. Internal to the project, the proposal includes enhanced open space standards and enhanced pedestrian pathways.

16. **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. 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 PUD does not address recycling as part of the proposal. Staff is recommending that recycling services be provided on the site. This is addressed in Stipulation No. 1. p.

STIPULATED REVISIONS FOR THE PUD HEARING DRAFT

17. Stipulations not otherwise addressed in the staff report were formulated to address formatting and technical corrections to text and exhibits within the Hospice of the Valley Campus PUD hearing draft dated December 18, 2018. Major changes to the text include updating exhibits, rewording or adding text to provide clarity regarding the development proposal, and reorganizing some of the sections. These corrections and modifications must be applied within 30 days of City Council final approval of the request.

COMMUNITY INPUT SUMMARY

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

INTERDEPARTMENTAL COMMENTS

19. The Aviation Department noted that the site is within PHX traffic pattern airspace and requested that the developer record a Notice to Prospective Purchasers of Proximity to Airport to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX). This is addressed in Stipulation No. 4.
20. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
21. The City of Phoenix Floodplain Management division of the Street Transportation 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 2230 L of the Flood Insurance Rate Maps (FIRM) dated December 05, 2014.

22. The Parks and Recreation Department had no comments regarding trails or easements.
23. The Street Transportation Department requires that the developer provide a minimum of three 30-foot wide driveways along Indianola Avenue. They also noted that all street improvements shall comply with ADA standards. These are addressed in Stipulation Nos. 2 and 3.
24. The Public Transit Department had no comments regarding the request.
25. The Water Services Department indicated that the subject site has access to existing water and sewer mains that can potentially serve the development.

#### MISCELLANEOUS

26. 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. 5.
27. 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 proposal is consistent with several General Plan policies and allows for the development of a currently underutilized parcel.
2. The proposal includes certain development standards and design guidelines that exceed conventional Zoning Ordinance standards, are compatible with the character of the surrounding area, and promote the vision of the 44th Street Corridor Specific Plan.
3. The proposed development standards will ensure consistency in scale and character with the surrounding land use pattern.

#### **Stipulations**

1. An updated Development Narrative for the Hospice of the Valley Campus PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the

Development Narrative date stamped December 18, 2018, as modified by the following stipulations:

- a. Front Cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [Add adoption date]
- b. Page 4, Table of Contents: Update page numbers to match the PUD sections.
- c. Page 4, Exhibits: Modify Exhibit 10 to “Cross-Section along Indianola Avenue” and Exhibit 11 to “Proposed Building Height and Building and Landscape Setback Exhibit”.
- d. Page 11, 1st sentence, Revise as follows: “Clearly, even the proposed height is consistent and compatible with the single-family residential zoning districts....”.
- e. Page 16, Building Height, 2nd Paragraph, 2nd Sentence, Revise as follows: The result of this compatible lot coverage is the creation of greater openness...”.
- f. Page 16, Building Height, 2nd Paragraph, 4th Sentence: Delete.
- g. Page 17, The Landscape Design, 4th Paragraph, 1st Sentence: Modify as follows: An average 28-foot landscape setback...”.
- h. Page 18, List of Uses: Add the following below 1.a): b) No residential dwelling units, as defined by Section 202 of the City of Phoenix Zoning Ordinance shall be permitted.
- i. Page 21, Development Standards, Building Setbacks: Modify to Exhibit K-11.
- j. Page 22, Add: Development Standards header at the top of the table.
- k. Page 22, Landscape Setbacks/Area and Building Height: Modify to Exhibit K-11.
- l. Page 22, Second Building Height Standard, Add “Maximum” in front of Building Height and change the maximum building height to 25-feet.
- m. Page 22, Lot Coverage, Delete: “Note: Calculations assume gross site area including Indianola Avenue”.

- n. Page 26, Design Guidelines, 2.c, Modify as follows: “Building facades shall not exceed 40 linear feet without architectural embellishments...”
  - o. Page 26, Design Guidelines, Façade articulation standards, Add the following: “g. Second story windows shall be prohibited along the southern property line.
  - p. Page 29, Sustainability, Add the following requirement: “6. Recycling collection areas shall be identified on the site plan at the time of the site plan review process. A minimum of two recycle containers to service the development shall be provided, as approved by the Planning and Development Department”.
  - q. Exhibit 8: Modify the North and South Building Setbacks for the R1-10 Subdivision column to the following: “3 or 10 feet”.
  - r. Exhibit 11: Add “Proposed Building Height and Building and Landscape Setback Exhibit” above the legend and increase the legend font size.
  - s. Add a lot coverage exhibit exhibiting the following:
    - 1. The primary building and the accessory structures square footage divided by the net lot area; provide calculation at the bottom of exhibit.
    - 2. Portions of the parking garage that are above 4 feet 6 inches from the natural grade square footage divided by the net lot area; provide calculations at the bottom of exhibit.Make a reference to the exhibit in the development standards table for lot coverage in the following manner: “\* See Exhibit K-13 for lot coverage calculation standards”
2. Three 30-foot wide driveways shall be constructed along Indianola Avenue, as approved by the Planning and Development Department.
  3. 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.
  4. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor International Airport (PHX) 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.

5. 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**

Maja Brkovic

December 26, 2018

**Team Leader**

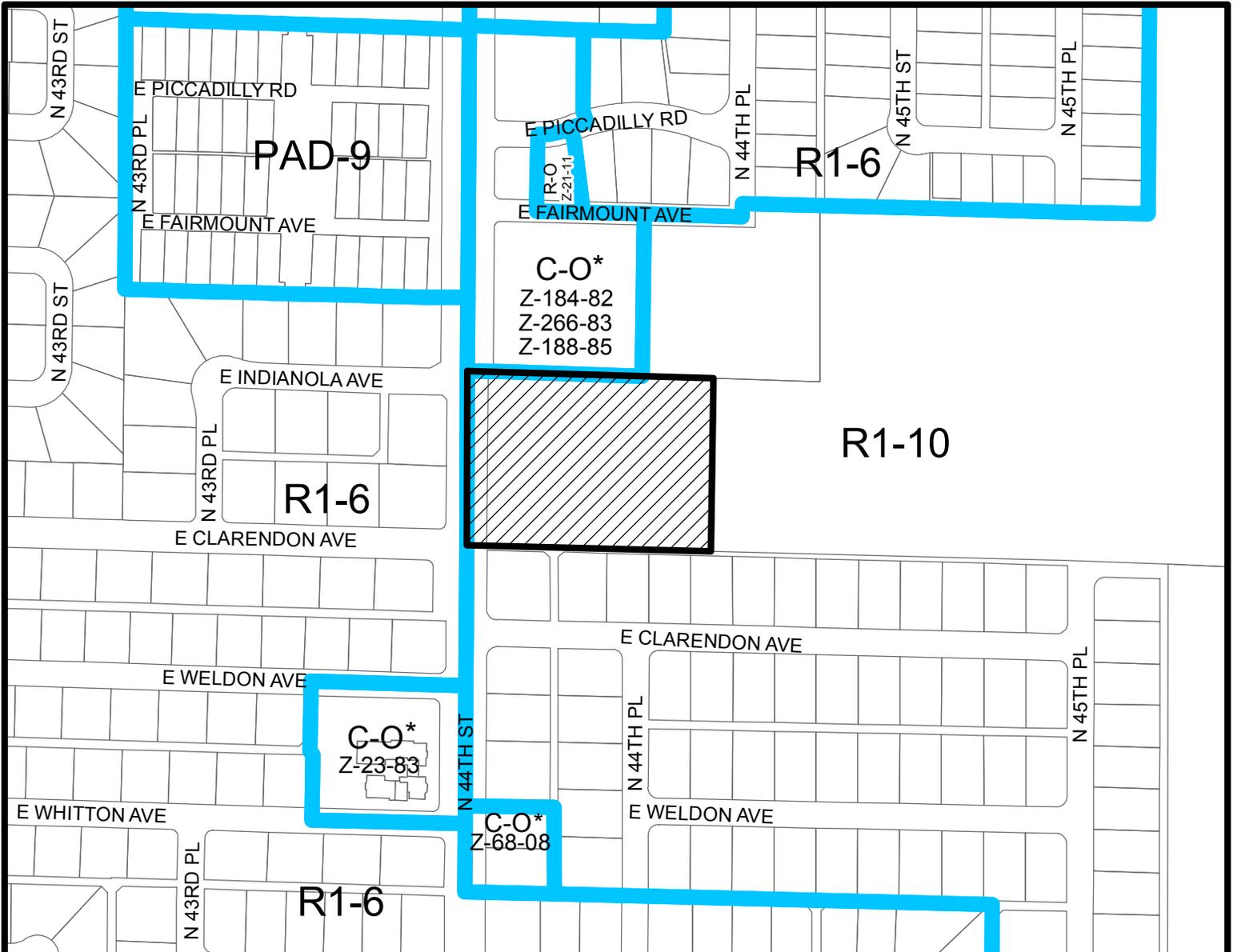
Samantha Keating

**Exhibits**

Sketch Map

Aerial

[Hospice of the Valley Campus PUD](#) date stamped December 18, 2018

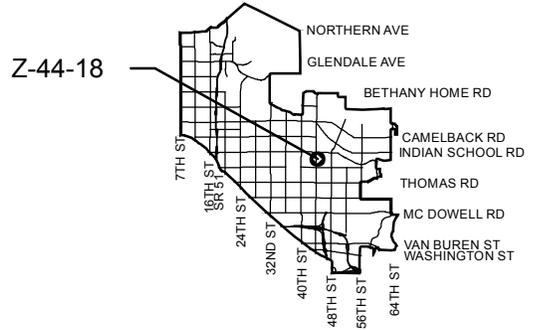


Feet



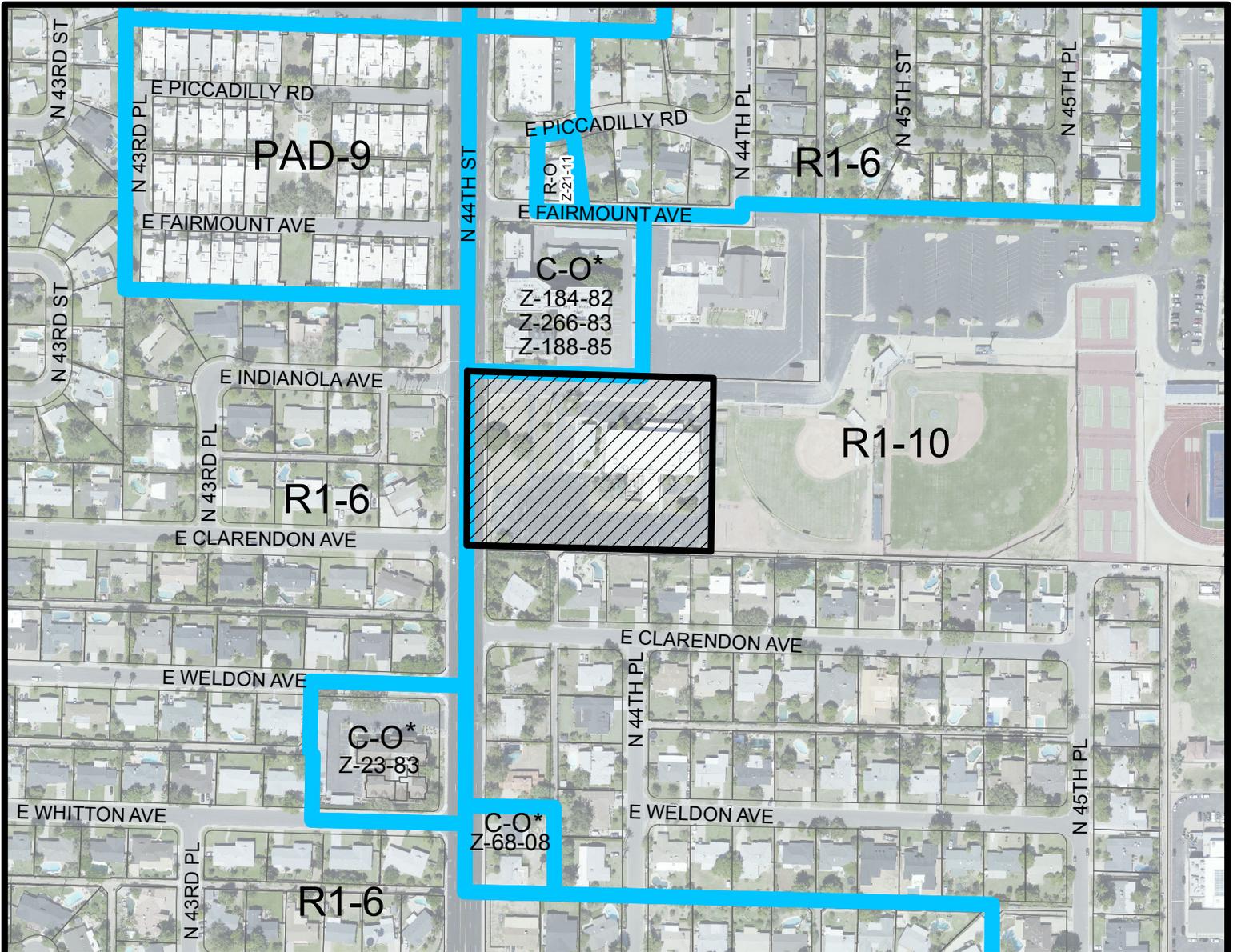
**CAMELBACK EAST VILLAGE**

CITY COUNCIL DISTRICT: 6



<b>APPLICANT'S NAME:</b> Dennis M. Newcombe, Beus Gilbert PLLC		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-44-18		<b>FROM:</b> R1-10 (3.56 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>3.56 Acres</b>		<small>DATE:</small> 6/27/2018 <small>REVISION DATES:</small>	
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 16-38</b>		<small>ZONING MAP</small> <b>H-11</b>	
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
R1-10		16	
PUD		N/A	
<b>TO:</b> PUD (3.56 a.c.)			

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



Feet

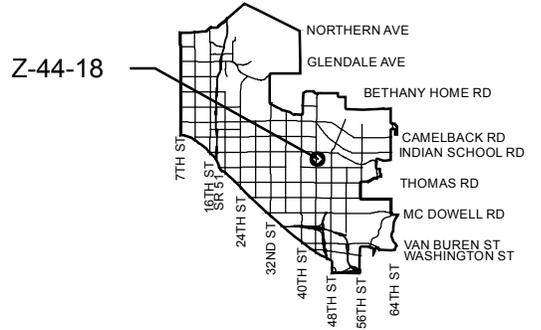


**CAMELBACK EAST VILLAGE**

CITY COUNCIL DISTRICT: 6



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



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<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 16-38</b>		<small>ZONING MAP</small> <b>H-11</b>	
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
R1-10		16	
PUD		N/A	

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