



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-19-17-8
April 27, 2017

Central City Village Planning Committee Meeting Date: May 8, 2017
Planning Commission Hearing Date: June 8, 2017
Request From: C-2 (Intermediate Commercial) TOD-1 (Transit-Oriented Zoning Overlay District One) (1.90 acres)
 C-3 (General Commercial) TOD-1 (Transit-Oriented Zoning Overlay District One) (0.24 acres)
Request To: WU (Walkable Urban Code) T5:6 EG (Eastlake-Garfield Transit Oriented Development District) (2.14 acres)
Proposed Use: Mixed-Use (Multi-Family, Office, Commercial/Retail)
Location: Northwest corner of 15th Street and Washington Street
Owner: Cesar Chavez Foundation
Applicant/Representative: Connie Jiang, Shepley Bulfinch
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial Residential 10 to 15 dwelling units per acre	
Street Map Classification	15th Street	Local	30-foot west half
	Washington Street	Major Arterial	50-foot north half
	Adams Street	Local	30-foot south half
CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable level of increased intensity, respectful of local conditions and surrounding neighborhood.			

The proposal is a mixed-use development comprised of office, commercial, and multifamily that is compatible with existing uses in the area and is respectful of the surrounding neighborhood.

CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.

The site is within the Eastlake-Garfield Transit Oriented Development (TOD) District and is within the 1/2 mile walkshed from a light rail station.

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

The multifamily portion of the development will be affordable housing, which will provide additional housing options that are accessible to the light rail and near Downtown Phoenix.

Applicable Plan and Principles

Transit Oriented Development Strategic Policy Framework – see #4, #5, #6 below.

Eastlake-Garfield Transit Oriented Development Policy Plan – see #7, #8, #9, #10, and #11 below.

Tree and Shade Master Plan – see #14 below.

Bicycle Master Plan – see #15 below.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Cesar Chavez Foundation, Vacant lots	C-2 TOD-1, C-3 TOD-1
North	Multifamily Residential, Vacant lot	R-5 RI
South	Metal Supply Store, Labor Union Office	C-3 TOD-1
East	Vacant Lot, Church	C-3, R-5 RI
West	Multifamily Residential Single-Family Residential	C-3 TOD-1, R-5 RI

Walkable Urban Code T5:6		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Gross Acreage	N/A	2.14 acres
Square Footage	N/A	Retail: 6,280 square feet Radio: 12,610 square feet Residential: 81, 975 square feet Community Amenity: 5,590 square feet Utilities: 17,900 square feet
Density	No cap required	N/A
Building Height	80-foot maximum	Met – 70 feet (See Stipulation #1 and #2)
Parking Structure	Cannot exceed building height	Met
Parking (1307.B.2)	Residential: 1.5 spaces per 1 and 2 bedroom units = 30 spaces 2 spaces per 3 bedroom units = 8 spaces 0.5 spaces per affordable housing units = 29 spaces Community Amenity: 1 space per 190 s.f. and 1 space per 3 employees = 30 spaces Retail: 1 space per 300 s.f. = 21 spaces	Met - 168 spaces provided which includes required parking and accessible parking spaces

<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Parking (1307.B.2) (continued)	Radio: 1 space per 300 s.f. = 42 spaces Total: 160 spaces required	
Bicycle Parking (1307.H.6.d.)	0.25 stalls per residential unit = 21 stalls	Met – 22 stalls provided
Public Open Space (Section 1310)	Minimum 50% of all accessible public and private open space should be shaded, of which 50% of the shade should be provided by trees or trellised vines.	Not yet determined
Section 1303.2 TRANSECT T5		
<i>Main Building Setbacks</i>		
Primary Frontage(s)	12-foot maximum	Met - Washington Street: 12 feet 15th Street: 8 feet
Secondary Frontage	10-foot maximum	Met – Adams Street: 7 feet
Side Lot Line	0-foot minimum	Met – 11 feet
<i>Parking Setbacks</i>		
Primary Frontage(s)	30-foot minimum or behind building	Met – Washington Street: 60 feet 15th Street: 51 feet
Secondary Frontage	20-foot minimum, 10- foot landscape setback from street right-of-way	Met – Adams Street: 26 feet
Side Lot Line	0-foot minimum	Met – 25 feet
<i>Lot Requirements</i>		
Lot Coverage	80% maximum	Met – 66%

<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Primary Building Frontage(s)	70% minimum	Met – Washington Street: 91% 15th Street: 94%
Secondary Building Frontage	50% minimum	To be determined
<i>Frontage Types Allowed</i>		
Primary Frontage(s)	Common entry, storefront, arcade, gallery or alternative frontages	Washington Street: Not yet determined 15th Street: Not yet determined
Secondary Frontage	Common entry, storefront, arcade, gallery or alternative frontages	Adams Street: Alternative frontage
Entry Requirements	One per 50 feet of primary building frontage and one per 80 feet of secondary frontage	Met
<i>Glazing Standards (per T5)</i>		
Ground Floor	75%	Not yet determined
Second Floor	45%, 25% east and west	Not yet determined

Background/Issues/Analysis

1. This request is to rezone a 2.14 acre site located at the northwest corner of 15th Street and Washington Street from C-2 (Intermediate Commercial) TOD-1 (Transit-Oriented Zoning Overlay District One) and C-3 (General Commercial) TOD-1 (Transit-Oriented Zoning Overlay District One) to WU (Walkable Urban Code) T5:6 EG (Eastlake-Garfield Transit Oriented Development Policy District) to allow mixed-use, including multifamily, office, commercial/retail. The site is currently used as an office for the Cesar Chavez Foundation and a surface parking lot for the office use. A vacant lot and multifamily residential is located to the north of the site across Adams Street. To the east, across 15th Street, is a vacant lot and a church, and multifamily and single-family residential uses are

located to the west. To the south, across Washington Street, is a metal supply store and office.

- In a previous rezoning case (Z-19-92-8), the subject site, not including the southwestern vacant lot (currently zoned C-3), were rezoned from R-5 RI and C-3 to C-2 to allow an office and parking lot.



Source: City of Phoenix Planning & Development Department, 2017

- The General Plan Land Use Map designation is Commercial and Residential 10 to 15 dwelling units per acre. The proposal is consistent with these land use designations.
- The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The identified environment for the 12th Street and Washington Street, and 12th Street and Jefferson Street light rail station area is Minor Urban Center. Minor Urban Center is a place type characterized by medium intensity with building heights typically from two to five stories with incentive heights of up to seven stories. Land uses may include entertainment, retail, balanced commercial and residential uses, and some employment.
- The request is for a six-story mixed use development. While this request is consistent with the envisioned scale and intensity of the Minor Urban Center place type (2-5 stories and incentive heights up to 7 stories), the applicant must demonstrate how they are addressing the incentives outlined in the Transit Oriented Development Strategic Policy Framework. The following table summarizes how the proposal addresses the policies for additional building height.

TOD Strategic Policy Framework

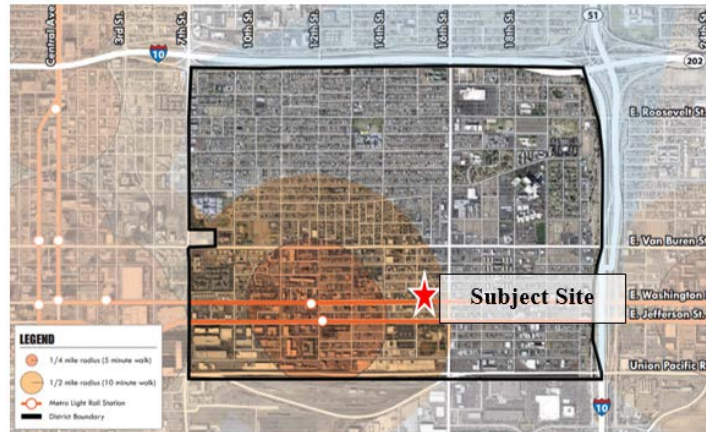
Policy	Proposal	Met/Not Met
E.1. Increase heights and intensities on applicable properties within a ¼ mile radius of light rail stations within the parameters of the station's Place Type.	The site is located just beyond the ¼ mile radius of the light rail station; however, it is within the parameters of the station's Place Type and it is consistent with the adopted Eastlake-	Met

	Garfield TOD Policy Plan.	
E.2. Increase heights and intensities only for proposals that meet or exceed the standards of the Walkable Urban (WU) zoning district or the Interim TOD Zoning Overlay if proposed prior to the adoption of the WU zoning district.	The proposal complies with this policy through this request for the T5:6 transect in the Walkable Urban Code.	Met
E.3. When located on highly neighborhood-compatible and station-accessible properties, mixed-use buildings that comply with the Phoenix Green Construction Code are eligible for increased entitlement up to the incentive in the Place Type when one of the following performance standards are met:	<p>The site is located on a highly neighborhood-compatible and station-accessible property.</p> <p>The site is planned for a mix of uses and will comply with the Phoenix Green Construction Code.</p> <p>The site meets the affordable housing criteria noted below.</p>	Met
<ul style="list-style-type: none"> A minimum of 30 percent of housing units are dedicated for long-term affordability for moderate income households (between 50% and 100% of the metro area median), as approved by the Housing Department. 	All of the housing units proposed within this development will be dedicated to long-term affordability for moderate income households.	Met
<ul style="list-style-type: none"> A minimum of 30 percent of the gross site area is dedicated for public open space, as approved by the Parks Department. 	Not applicable.	N/A
<ul style="list-style-type: none"> A Deed of Conservation easement is dedicated for an eligible historic property, as approved by the Historic Preservation Officer. 	Not applicable.	N/A
<ul style="list-style-type: none"> A proportionate in-lieu fee is paid (if a program is available) for affordable housing, parks, public parking, or other infrastructure, as approved by the City. 	Not applicable.	N/A
E.5. Increase heights and intensities in accordance with adopted District Plans. If there is a conflict between the District Plan and the Place Type, the District Plan prevails.	The adopted Eastlake-Garfield TOD Policy Plan addresses conceptual rezoning locations and intensity levels through transect subdistricts that	Met

	<p>are consistent with the Vision and Master Plan. This provides policy guidance. The Policy Plan notes that additional outreach and research on underlying entitlements and appropriateness of specific properties will be conducted through the rezoning process.</p>	
<p>E.6. Do not apply Place Types to single family zoned properties, historic or historic-eligible properties, or properties determined to be incompatible due to size, adjacent land uses, a VPC Specifying Action, or when not in conformance with an adopted District Plan.</p>	<p>The property is not zoned for single family residential.</p> <p>The property is not historic or historic-eligible.</p> <p>The property has been determined to be compatible due to size and adjacent land uses.</p> <p>The property is in conformance with the adopted District Plan:</p> <ul style="list-style-type: none"> • Land Use Element Opportunities Map – the site is designated for retrofit and redevelopment. • Housing Element Opportunities Map – the site is designated for mixed use 	<p style="text-align: center;">Met</p>

6. As outlined in the table, the proposed development meets the policies and incentives regarding the place types and intensity near light rail stations. Stipulation #1 limits the building height to 48 feet and outlines the conditions that must be met in order for the maximum building height of 72 feet to be utilized.
7. The site is located within the Eastlake-Garfield TOD (Transit Oriented Development) District, the boundaries for which are the Union Pacific Railroad on the south, Interstate 10 on the north and east, and 7th Street on the west. 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 proposed development meets the intent and policies outlined in the plan.



Source: Eastlake-Garfield TOD Policy Plan, page 2

8. The Community Vision in the Eastlake-Garfield TOD Policy Plan envisions a community with a variety of quality affordable housing options, local businesses, and jobs within convenient walking distance. The development will provide affordable housing, offices for the Cesar Chavez Foundation, and a community amenity space to serve the surrounding neighborhoods. The proposed development upholds the community's vision in the Policy Plan.

9. The Eastlake-Garfield TOD Policy Plan utilized the Minor Urban Center place type to determine the recommended scale and character of the area around the 12th Street and Washington Street, and 12th Street and Jefferson Street light rail stations, and this scale and



Source: Eastlake-Garfield TOD Policy Plan, page 90

character was illustrated in both the conceptual master plan and the conceptual zoning plan. The location of the subject site within the Eastlake-Garfield TOD District makes it eligible to request zoning to a transect district within the Walkable Urban Code. Located west of 15th Street and north of Washington Street, the site is just beyond the 1/4 mile walkshed used to compose the conceptual zoning map. However, it is within the 1/2 mile walkshed, which formed the basis for the Eastlake-Garfield TOD District boundaries, and generally falls within the Minor Urban Center place type area.

The subject site has a suggested zoning designation of T5:5 with a maximum building height of 56 feet. While the applicant is pursuing a transect district of T5:6, staff has stipulated that unless incentives are met per the Transit Oriented Development Strategic Policy Framework, then the maximum height of the development shall be 48 feet. This height is consistent with the maximum heights allowed for single-family attached developments in C-2 and C-3 zoning, which is the current zoning on the subject site.

10. The Eastlake-Garfield TOD Policy Plan includes a conceptual land use map for the area. The subject site is marked as mixed-use residential (office, residential and retail) in addition to open space identified at the corner of 15th Street and Washington Street.



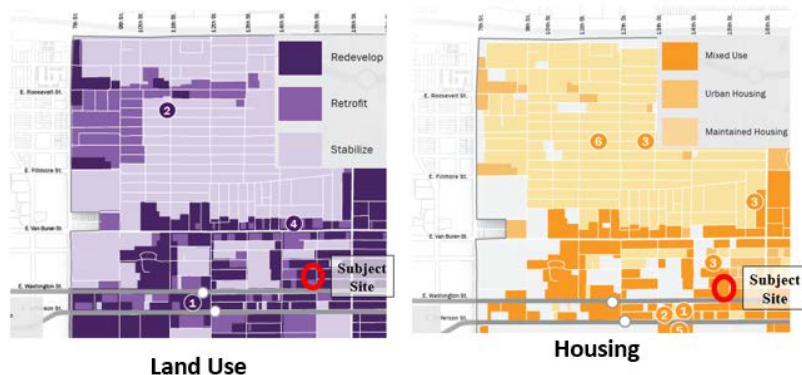
Source: Eastlake-Garfield TOD Policy Plan, page 80

The proposed development is a mixed use development that includes office, residential and retail uses, which is consistent with the designated use. The Walkable Urban Code requires open space for a minimum of 5% of the gross lot area, as outlined in Section 1310. The developer is encouraged to meet this requirement by having public open space at the corner of 15th Street and Washington Street.

11. The proposed development is consistent with the opportunities maps in the Land Use and Housing Elements of the Eastlake-Garfield TOD Policy Plan. The Land Use Opportunities map shows the site as being appropriate for retrofit and redevelopment.

Although the applicant proposes an entirely new development on the site, the radio station that exists on the site is planned to be housed within the new development. The Housing Element Opportunities map shows the site

Opportunities Maps



Source: Eastlake-Garfield TOD Policy Plan, pages 46 and 50

as being appropriate for mixed use development. This is consistent with the proposed affordable housing, some retail and community amenity space.

12. The Walkable Urban Code requires that all street frontages utilize a frontage type as outlined in Section 1305. Planning and Development Department staff, during the site development process, may consider a frontage design alternative when the design meets the intent of pedestrian and transit oriented frontages and façades. The applicant is proposing an alternative frontage along Adams Street for the parking structure façade. While there are currently no conceptual designs for this alternative frontage, the applicant will work with Planning and Development Department staff during the site development process to evaluate the alternative frontage design.
13. Single-family homes are located to the west of the subject site. In order to provide a buffer from the development, staff has included a stipulation to provide a height step back from the western property line that is adjacent to single-family residential uses. The step back helps to scale the building appropriately to make it more compatible with the surrounding neighborhood. This is addressed in Stipulation #2.
14. 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. Toward that end, development of this site will contribute to the urban forest infrastructure through the provision of trees along the rights-of way. The sidewalks on the subject site are already detached from the curb, which allows trees to be planted to shade and separate pedestrians from vehicles on the street.
15. Bicycle parking is a requirement of the Walkable Urban Code and is supported by the City of Phoenix Comprehensive Bicycle Master Plan. However, the Walkable Urban Code is silent on secured bicycle parking requirements. The development should provide a minimum of 0.25 secured parking spaces per residential units. The amount is a standard established in Section 1307.H of the Walkable Urban Code. Additionally, there should be accommodation for cyclists who are guests. These requirements are addressed in Stipulation #3 requiring both secured parking for residents, as well as rack parking for guests, located near entrances to the property. The guest parking should be an inverted U-bicycle rack design. In addition, the property is near a light rail station and several major bus routes. Providing secure bicycle parking for residents and guests of the development is supportive of multimodal travel options.
16. Fire prevention does not anticipate any issues with this request. But the site or/and building(s) shall comply with the Phoenix Fire Code. The water supply (gpm and psi) to this site is unknown. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
17. The City of Phoenix Water Services Department has noted that there are no water or sewer infrastructure concerns.

18. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2210 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
19. No known archaeological work is necessary for this project. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 10-meters 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 #4.
20. The Aviation Department has provided the following comments regarding this request.
 - a. The property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation #5.
 - b. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the Federal Aviation Administration (FAA). This is addressed in Stipulation #6.
 - c. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval. This is addressed in Stipulation #7.
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 is consistent with the General Plan map designations of Commercial and Residential 10 to 15 dwelling units per acre.
2. The proposed development is adjacent to the light rail corridor and is consistent with the Minor Urban Center place type in the Transit Oriented Development Strategic Policy Framework.

3. The proposed redevelopment of the site contributes to the enhancement of the area by providing the opportunity for an existing business to expand operations, by facilitating improvements to the site, and through the provision of affordable housing.

Stipulations

1. The building height shall be a maximum of 48 feet. If the following conditions are met, the maximum height shall be 72 feet. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
 - a. A minimum of 50 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.
 - b. The applicant shall submit a copy of the draft Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.
 - c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.
 - d. The applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department.
2. All buildings or portions of buildings within 80 feet of the western property line that are adjacent to single-family residential use, shall be a maximum height of 40 feet, as approved by the Planning and Development Department.
3. The development shall provide a minimum of 0.25 secured bicycle parking spaces per residential units, and a minimum of four inverted U-bicycle racks for guests located near entrances to the property, installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.
4. 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.
5. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
6. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the

development received a "No Hazard Determination" from the Federal Aviation Administration (FAA). The Form should disclose any proposed radio transmission equipment. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.

7. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

Writer

Hannah Oliver

April 27, 2017

Team Leader

Joshua Bednarek

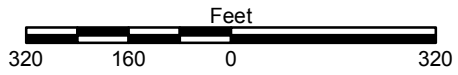
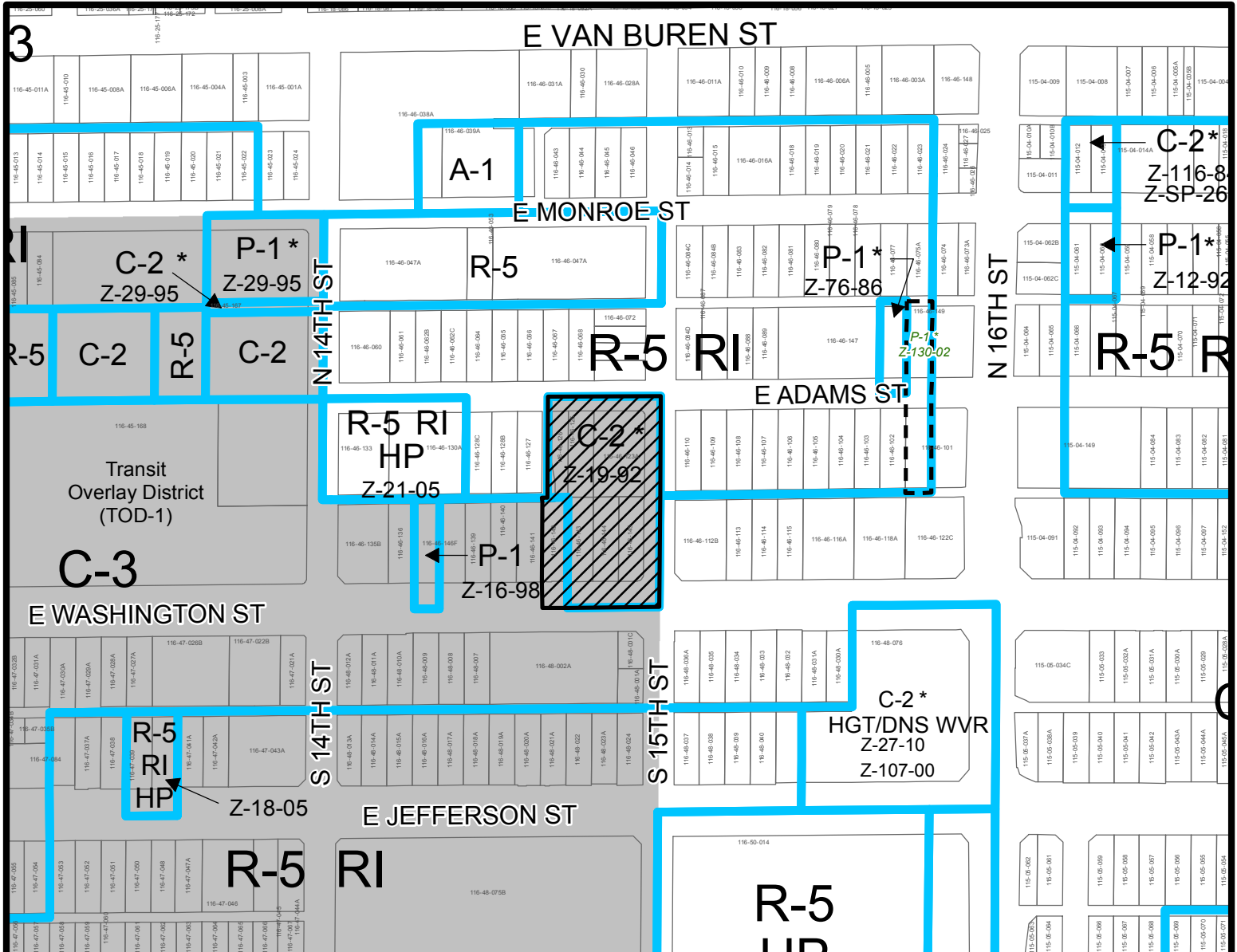
Attachments

Sketch Map

Aerial

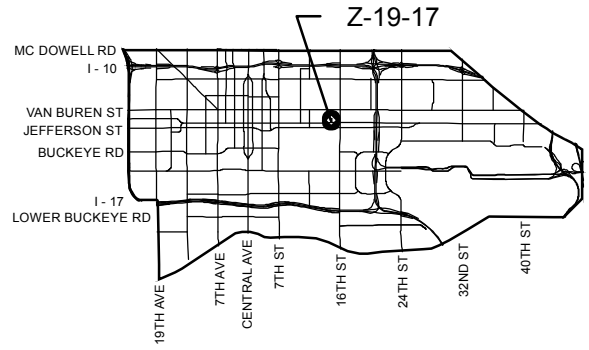
Site Plan date stamped April 20, 2017 (1 page)

Elevations date stamped April 20, 2017 (1 page)



CENTRAL CITY VILLAGE

CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Connie Jiang, Shepley Bulfinch

APPLICATION NO. Z-19-17

DATE: 03/21/2017

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

2.14 Acres

REVISION DATES:

AERIAL PHOTO & QUARTER SEC. NO.	ZONING MAP
QS 10-30	F-9

REQUESTED CHANGE:

FROM: C-2 TOD-1, (1.90 a.c.)
C-3 TOD-1, (0.24 a.c.)

TO: WU T5:6 EG, (2.14 a.c.)

MULTIPLES PERMITTED

C-2, C-3
WU T5:6 EG

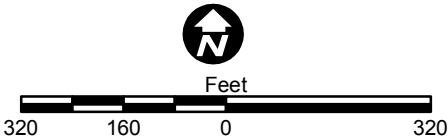
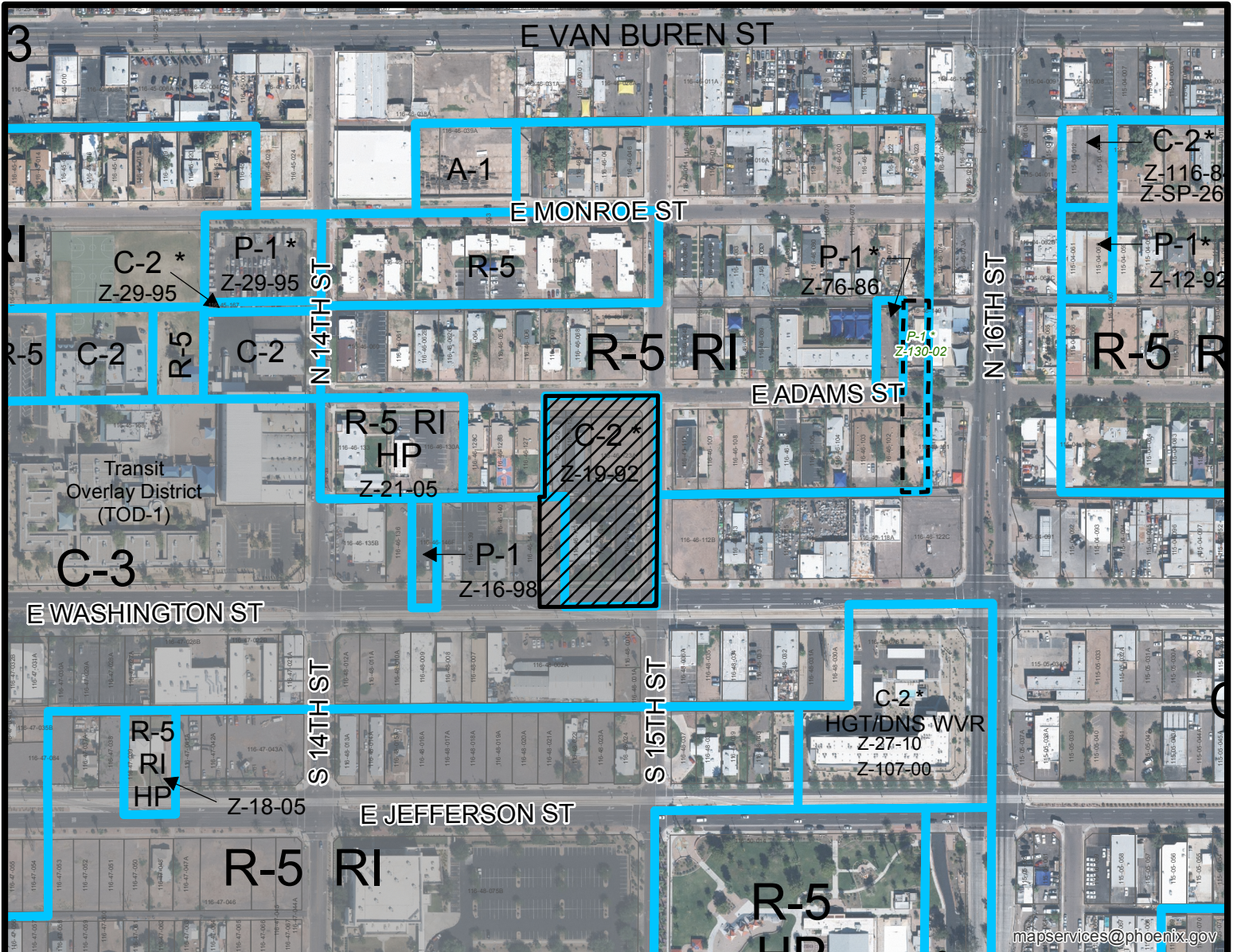
CONVENTIONAL OPTION

26, 3
N/A

*** UNITS P.R.D. OPTION**

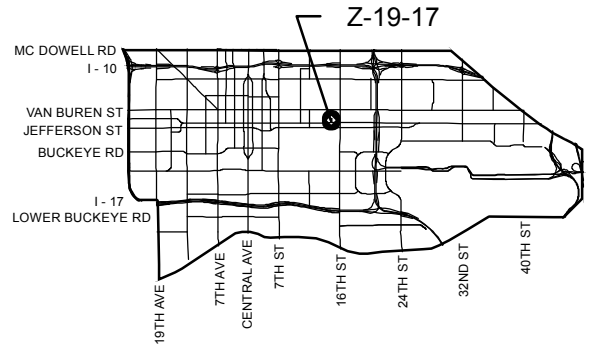
33, 4
N/A

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



CENTRAL CITY VILLAGE

CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Connie Jiang, Shepley Bulfinch		REQUESTED CHANGE: FROM: C-2 TOD-1, (1.90 a.c.) C-3 TOD-1, (0.24 a.c.) TO: WU T5:6 EG, (2.14 a.c.)	
APPLICATION NO. Z-19-17	DATE: 03/21/2017	REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 2.14 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 10-30	ZONING MAP F-9	
MULTIPLES PERMITTED C-2, C-3 WU T5:6 EG	CONVENTIONAL OPTION 27, 3 No maximum		* UNITS P.R.D. OPTION 33, 4 No maximum

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

