



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-25-15-8
(Van Buren Classic PUD)
November 4, 2015**

Central City Village Planning Committee Meeting Date November 9, 2015
Planning Commission Hearing Date December 8, 2015
Request From: C-3 (2.68 acres), R-5 RI (.77 acre)
Request To: PUD (3.45 acres)
Proposed Use Planned Unit Development to allow a mix of uses including landscape contractor, multifamily residential and retail.
Location Approximately 135 feet east of the northeast corner of 21st Place and Van Buren Street
Owner Hendricks Commercial Properties
Representative/Applicant Jenifer Corey, Zoning Strategies
Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	Van Buren Street	Arterial	40-foot west half street
	Polk Street	Local	30-foot south half street
<p>CONNECT PEOPLE & PLACES CORE VALUE; INFILL; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</p> <p>The site is a short distance from the 24th Street light rail station and this PUD zoning allows an existing use to remain while positioning the site for redevelopment of a mix of uses including multifamily and retail.</p>			
<p>CONNECT PEOPLE & PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.</p> <p>The 24th Street light rail station is nearby to the southeast. This PUD zoning allows the site to be redeveloped with a mix of uses including multifamily and retail.</p>			

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL & SMALL BUSINESS; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

The existing land use on the site is a local landscape contractor. This PUD allows this local business to remain at this location while positioning the site for future redevelopment consistent with the mix of land uses found in areas near light rail stations.

TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK – MINOR URBAN CENTER: Balanced commercial and residential, retail, entertainment, some employment. Low-rise office, less than 40,000 square foot single tenant. Medium to low intensity, 2-5 stories and 7 stories with incentives.

The site is located at the outer edge of the area of influence for this place type. The PUD utilizes language from Chapter 13 of the Zoning Ordinance, the Walkable Urban (WU) Code. It allows buildings up to 56 feet in height with a mix of uses and promotes a walkable environment with the building and entrances along the street frontages. See discussion in points 4 through 6 below.

Area Plan

Gateway Transit Oriented Development Policy Plan. See discussion in points 3 and 7 through 10 below.

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 3.45 acre site, located approximately 135 feet east of the northeast corner of 21st Place and Van Buren Street, from C-3 (General Commercial) and R-5 RI (Multifamily Residence District Residential Infill) to PUD (Planned Unit Development) to allow for a mix of uses including a landscape contractor, multifamily residential and retail. The site is located within the ½ mile/10 minute walk radius of the 24th Street and Washington Street light rail station. The site has frontage on both Van Buren Street and Polk Street. Currently, the subject site is used as the corporate headquarters for Desert Classic landscaping. There are two buildings, the truck/equipment repair facility and an office building fronting Van Buren Street. Vehicle and equipment storage and a green waste holding area are on the site as well.



2. The General Plan Land Use Map designation for this property is Commercial. The PUD proposes to allow the existing landscape contractor to remain and to allow

future redevelopment of the site for a mix of uses including multifamily and retail consistent with the Walkable (WU) Urban Code (Chapter 13 of the Zoning Ordinance). Although not wholly consistent with the Commercial General Plan designation, multi-family residential units are allowed in commercially zoned districts and the small size of the site does not require an amendment to the General Plan Land Use Map.

3. The majority of the site is zoned C-3 (commercial) and a portion at the north end is zoned R-5 RI (multifamily residential). The site is presently operating under a Notice of Violation from the Neighborhood Services Department for locating the green waste on the northern residentially zoned portion of the property. Upon further research by Planning & Development Department staff, it was determined that the landscape contractor use requires A-1 (light industrial) zoning.

The recently adopted Gateway TOD Policy Plan provides policy guidance for land use decisions in the light rail corridor. The WU Code is designed to implement many of those policies. Section 1312.A.2. provides accommodation for land uses in C-3, A-1 and A-2 to continue to be allowed once the WU Code is adopted in the Gateway Character Area. This provision does not provide relief for this site since it does not have the A-1 zoning needed to permit the current land use. In keeping with the policies of the TOD Policy Plan, it is not recommended that the site be zoned to A-1 as that zoning district is not consistent with the goals of a transit oriented development pattern.



TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK

4. The Transit Oriented Development Strategic Policy Framework was adopted in 2013 as an amendment to the City of Phoenix General Plan. The policy framework is intended to improve the investment environment around key nodes in the Phoenix transit network and guide sustainable urban development to benefit all residents. Compact development, when focused near transit stations, helps increase public transit fare recovery and requires fewer roads, utility lines, parks, police stations and other infrastructure. Other benefits to compact development

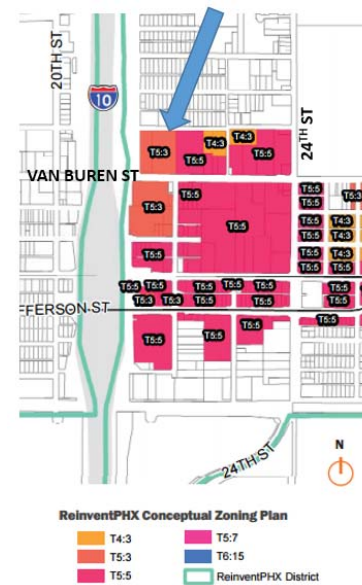
near transit include: improved public health and creating new markets for business formation.

5. The TOD policy framework mentioned in #4, established TOD place types for existing and planned light rail station areas to establish a city-wide framework to improve the linkage between land use and transportation. The place types help to describe urban environments by categorizing related characteristics to avoid a one-size-fits-all approach to planning. The place types are intended to accomplish these basic objectives: specify a general range of possibilities for new development near light rail stations; provide guidance for rezoning decisions; and guidance for transit system planning by coordinating land use intensity with regional transit accessibility.
6. The place type policy established for the 24th Street and Washington Street/ Jefferson Street stations is the Minor Urban Center. The Minor Urban Center envisions mid-rise development of apartments, town houses, row houses and live work units in the 2 to 5 story range.
 - a. Policy 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 is crafted to allow the landscape contractor use to remain on the site as well as to continue to allow C-3 uses. The document has been crafted so that the balance of the standards and land uses allowed is consistent with the Walkable Urban Code.

- b. Policy 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.

During the ReinventPHX process when the Gateway Transit Oriented Development Policy Plan was being crafted, the Gateway TOD District Steering Committee worked with staff to develop a conceptual transect-based zoning map for the TOD area around the light rail stations. The recommendation of the Policy Plan shows the site with a T5:3 designation, providing for maximum heights of 48 feet. The policy is designed for flexibility to accommodate different transects when properties are reviewed on a case-by-case basis. The PUD has been written to reference the T5:5 designation with a maximum height of 56 feet. This transect reference is appropriate at this location given its proximity to the elevated freeway to the west.



GATEWAY TRANSIT ORIENTED DEVELOPMENT POLICY PLAN

7. The Gateway Transit Oriented Development (TOD) Policy Plan is a community-based vision aimed at transforming the Gateway TOD District into a walkable community by taking advantage of its location along the light rail system. The plan identifies policies aimed at supporting the introduction of a pedestrian-oriented zoning code, mixed-income neighborhoods, neighborhood compatibility, and infrastructure investment.
8. The Gateway TOD Policy Plan includes a conceptual zoning plan for the Gateway Transit Oriented Development District that identifies desired transect zoning districts. The WU Code is intended to implement the vision and policy of the Plan by identifying the development standards for property along the light rail corridor based on the transect district assignment. The WU Code was adopted in July 2015 and work is being done with property owners to rezone properties in the district based on the recommendations of the conceptual zoning plan. The applicant proposes to utilize the PUD zoning to encompass many of the standards of the WU Code.
9. The proposal is generally consistent with the Gateway TOD Policy Plan. There are policies in the Economic Development Element that support the hiring of District residents as well as developing residents' skills. The existing landscape contractor pays above minimum wage, offers benefits and employs from 285 to 315 people depending on the season, many of whom live in the area. It is possible that in the future the site will be developed with a dense multifamily development which will help to address the anticipated housing shortage in the area. Eventual development of the site furthers many of the policies of the plan including pedestrian oriented and

active street frontages, parking area located internal to the site and incorporation of sustainability measures.

SURROUNDING USES & ZONING

10. **North**

The property to the north of the subject site is zoned R-4 RI (Multifamily Residence District Residential Infill) with one story multifamily residential uses.

West

Directly adjacent is a one story commercial building with surface parking. This property is zoned C-3 (General Commercial) and C-2 (Intermediate Commercial).

South

Properties to the south contain one story commercial buildings with surface parking and are zoned C-3 (General Commercial) and P-1 (Passenger Automobile Parking, Limited).

East

The property to the east of the subject site is vacant and zoned C-3 (General Commercial).

PROPOSAL

11. The proposal was developed utilizing the PUD zoning designation, which allows an applicant to propose uses, development standards and design guidelines for a site. One of the goals of this process is to allow the applicant to develop standards that respond to the surrounding environment more so than conventional zoning districts allow. The end result is property rezoned with standards crafted specifically for the site. Where the PUD narrative is silent on a requirement, the applicable Zoning ordinance provisions will be applied.
12. The PUD is proposed as a mechanism to allow a single use from the A-1 district, landscape contractor, to occur, in addition to allowed uses in C-3, while implementing the standards of the WU Code by reference. The site will then be positioned to transition to a transit supportive use when the site is ripe for such development.
13. The attached PUD Development Narrative date stamped received October 26, 2015 proposes development standards generally consistent with the WU Code.

Land Use

The narrative proposes allowing a landscape contractor use, uses allowed in the C-3 district as well as uses allowed associated with the T5:5 transect district of the WU Code.

Development Standards

The proposed development standards address the interim use or uses as well as future redevelopment of the site. These standards are consistent with promoting a walkable development. The standards allow the existing buildings to remain, provide for near term improvements to be made, and provides for using the WU Code for redevelopment. Stipulation #s 2 through 4 address the near term improvements.

Fence and Wall Standards

In order to properly screen the site from the adjacent residential uses, a solid screen wall is required along the Polk Street frontage. Stipulation #3 addresses this.

Vehicular Access

Vehicular access points are from Van Buren Street and Polk Street.

Signage

Signage standards will adhere to the standards specified in the WU Code.

Sustainability

The PUD intends, for future development, once the interim use of a landscape contractor has concluded, to incorporate sustainability measures into the design and development of the site. These measures include a greater ratio for bicycle parking, shade of walkways, electric vehicle charging stations and the achievement of a minimum of 20 sustainability bonus points per the sustainability matrix in Section 1223 of the Downtown Code.

MISCELLANEOUS

14. The Aviation Department has reviewed the rezoning application and requests that the property owner 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 to future owners or tenants of the property. Stipulation #6 addresses this request.

15. The Water Services Department has provided the following comments regarding water and sewer infrastructure. Water and sewer capacity for the proposed development will be assessed during the site plan review process.

Water There are 12-inch ACP and CIP mains located in Van Buren Street and a 6-inch CIP main located in Polk Street. In Van Buren Street, the city GIS map shows two 1.5-inch services, one 1-inch service and a 4-inch fire line connection.

Sewer There is a 15-inch VCP in Van Buren Street and an 8-inch VCP in Polk Street. In Van Buren Street the city GIS map shows one 6-inch sewer tap.

16. The Street Transportation Department has provided comments regarding redevelopment of the property. These conditions are covered in Stipulation #5.
 - a. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
 - b. The developer shall provide a 10 foot sidewalk easement along Van Buren Street.
 - c. The applicant shall submit a Traffic Statement to the City for this development. No preliminary approval of plans shall be granted until the Statement is reviewed and approved by the City. Contact Mr. Mani Kumar, (602) 495-7129, to set up a meeting to discuss the requirements of the Statement.
17. The Floodplain Management division of the Street Transportation Department determined that the 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.
18. 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 development is not consistent with the General Plan Land Use Map Designation of Commercial, however due to the size of the site a General Plan amendment is not required.
2. The request is consistent with the policies for the Minor Urban Center Place Type outlined in the Transit Oriented Development Strategic Policy Framework of the General Plan.
3. The proposal is generally consistent with and will further the goals of the Gateway TOD Policy Plan.
4. The development will allow a thriving employer of area residents to remain on site while positioning the site for a transition to development consistent with the WU Code in the future.

Stipulations

1. An updated Development Narrative for the Van Buren Classic 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 October 26, 2015, as modified by the following stipulations:
 - a. Page 7 – Change the first sentence to read: “...existing use and allow THE eventual ~~to~~-transition to a mixed use development.”
 - b. Page 10 – In the third paragraph, amend the sentence to read: “...neighborhood employer – Desert Classic Landscaping – WHILE ~~which~~ providing the framework for...”
 - c. Page 11 – In the fifth paragraph, replace “T5:5” with “T5:3”.
 - d. Page 13 – Amend the second sentence to read: “An aerial history reviews INDICATES that the R-5 RI portion of the property has never been used for residential uses.”
 - e. Page 16 – Amend number 1 as follows:
 1. ~~Landscape Contractor~~, Land Use Conditions, LANDSCAPE CONTRACTOR AND ALL C-3 USES PER SECTION 624.
 - f. Page 16 – Change 1.b.(3) to read: Green waste shall not be stored within seventy-five (75) feet of THE POLK STREET PROPERTY LINE ~~a residence district~~ and shall be removed from the site a minimum of one time per week.
 - g. Page 16: Change 1.b.(4) to read: Polk Street Standards ~~unless fully screened with a~~
2. The green waste storage area shall be relocated to comply with the provisions of this PUD within 30 days of the City Council approval of this change of zoning in accordance with Section 506.B.1. of the Phoenix Zoning Ordinance,.
3. A solid screen wall for the interim landscape contractor use shall be constructed along the Polk Street frontage within six (6) months of the City Council approval of this change of zoning in accordance with Section 506.B.1. of the Phoenix Zoning Ordinance.
4. Required landscaping for the Van Buren Street and Polk Street frontages, as outlined in Section F.1.d. shall be installed within six (6) months of the City Council approval of this change of zoning in accordance with Section 506.B.1. of the Phoenix Zoning Ordinance.
5. The following conditions of this approval shall be required upon redevelopment of the site:

- a. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
 - b. The developer shall provide a 10 foot sidewalk easement along Van Buren Street.
 - c. The applicant shall submit a Traffic Statement to the City for this development. No preliminary approval of plans shall be granted until the Statement is reviewed and approved by the City. Contact Mr. Mani Kumar, (602) 495-7129, to set up a meeting to discuss the requirements of the Statement.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International 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.

Writer

K. Coles

9/5/2015

Team Leader

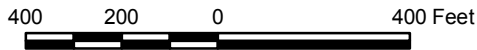
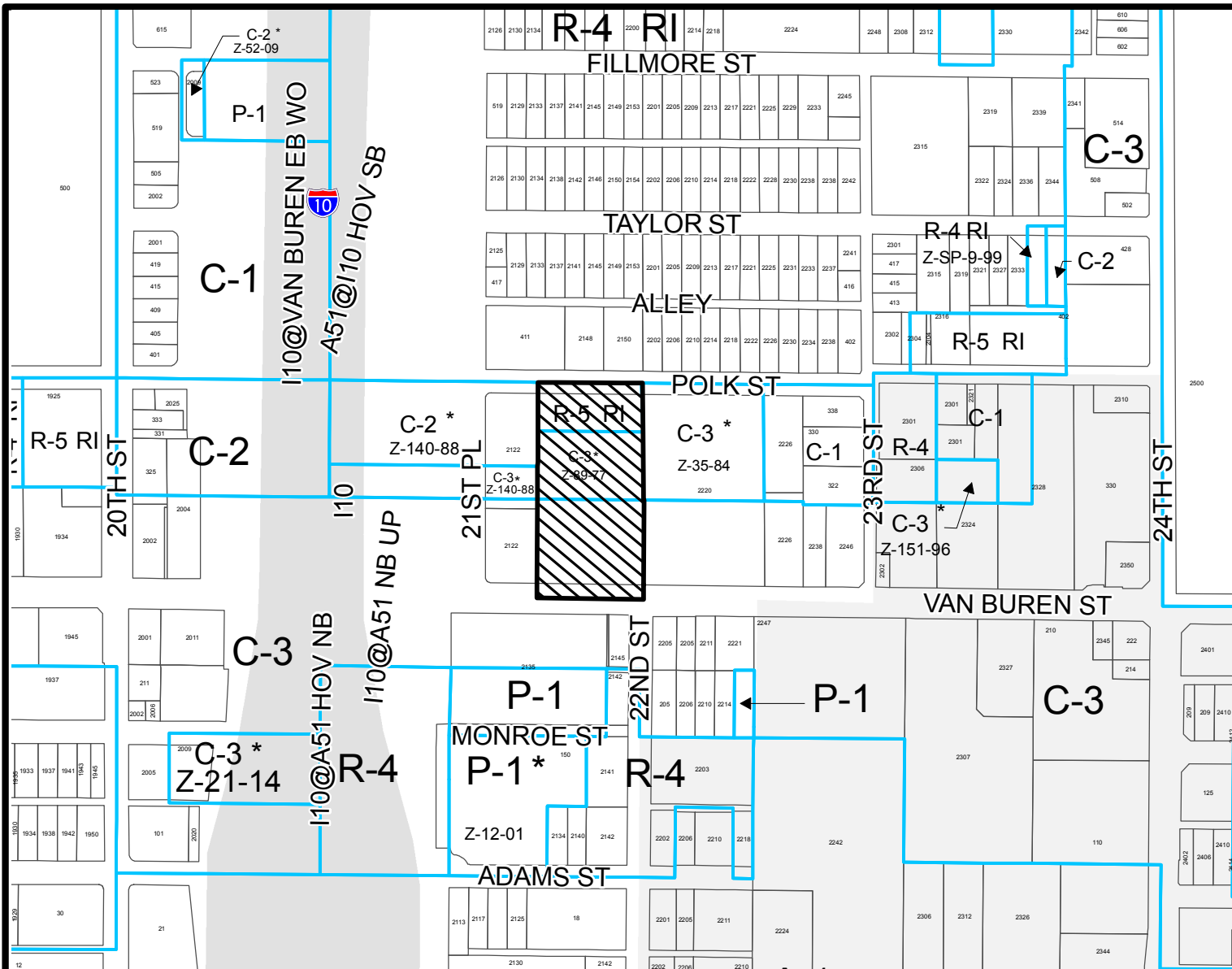
Joshua Bednarek

Attachments

Sketch Map

Aerial

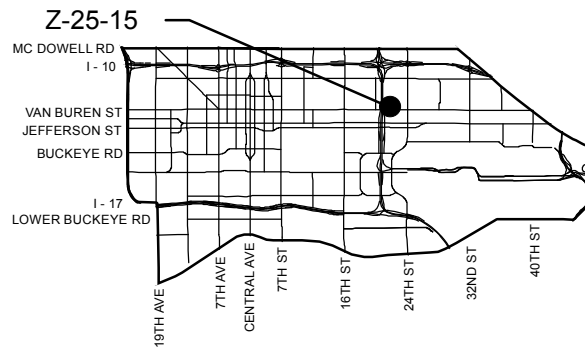
Desert Classic PUD Development Narrative date stamped October 26, 2015



CITY OF PHOENIX PLANNING DEPARTMENT

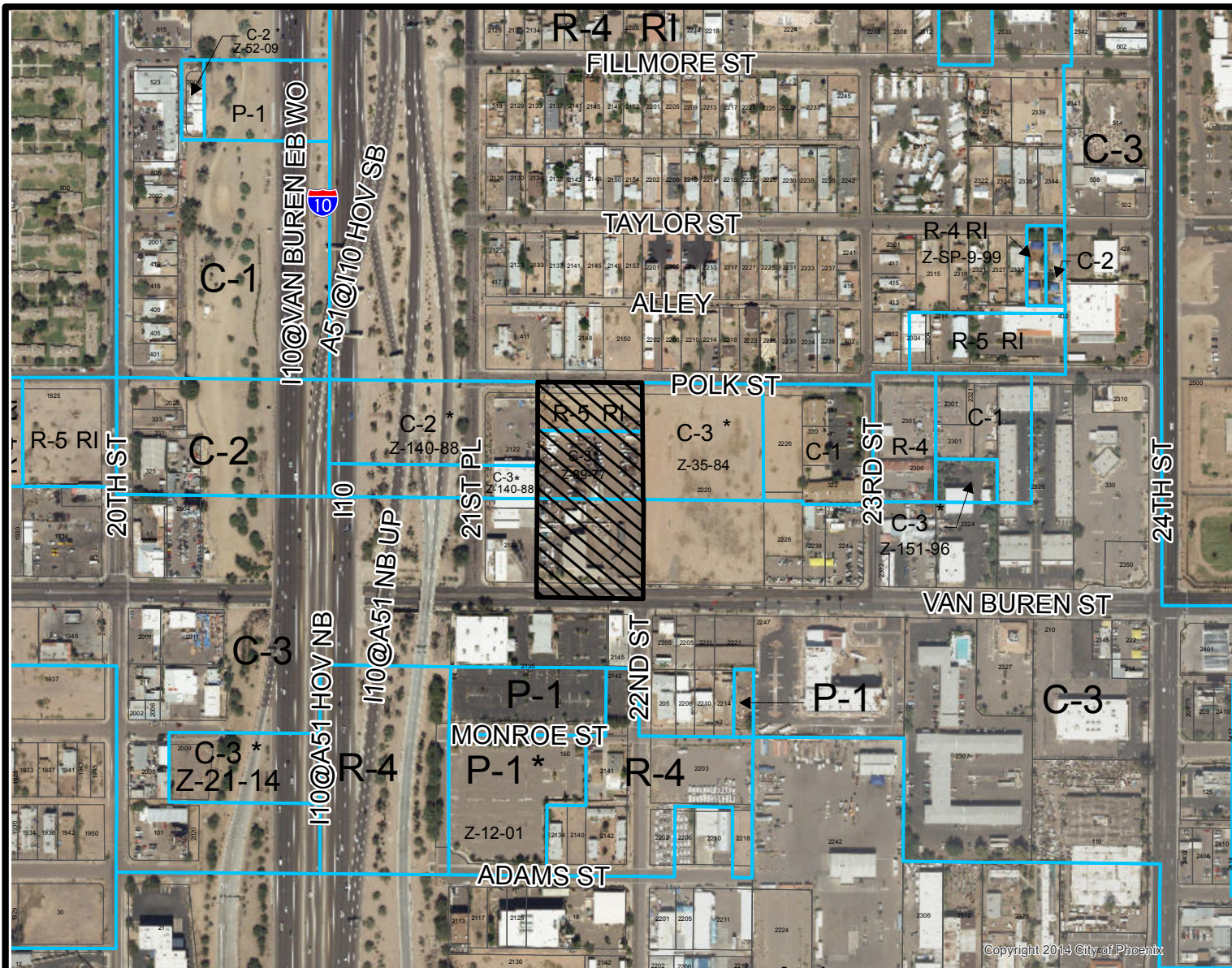
CENTRAL CITY VILLAGE

CITY COUNCIL DISTRICT: 8

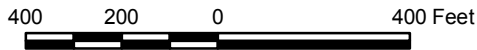


APPLICANT'S NAME: Zoning Strategies: Jenifer Corey		REQUESTED CHANGE: FROM: C-3, (2.68 a.c.) R-5 RI, (.77 a.c.) TO: PUD, (3.45 a.c.)	
APPLICATION NO. Z-25-15	DATE: 6/8/15	REVISION DATES: 10/21/15	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 3.45 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 11-32	ZONING MAP F-9	
MULTIPLES PERMITTED C-3, R5-RI PUD	CONVENTIONAL OPTION 39, 33 No Maximum		* UNITS P.R.D. OPTION 46, 40 No Maximum

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



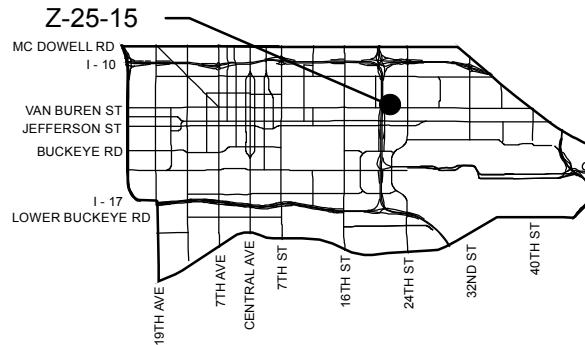
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CITY OF PHOENIX PLANNING DEPARTMENT

CENTRAL CITY VILLAGE

CITY COUNCIL DISTRICT: 8



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3.45 Acres			
AERIAL PHOTO & QUARTER SEC. NO.		ZONING MAP	
QS 11-32		F-9	
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
C-3, R5-RI		39, 33	
PUD		No Maximum	
		* UNITS P.R.D. OPTION	
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