



# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## Staff Report: Z-31-11-8 February 1, 2012

**Central City Village Planning Committee Meeting Date** February 13, 2012  
**Planning Commission Hearing Date** March 14, 2012  
**Request From:** C-2 TOD-1 (2.29 Acres)  
**Request To:** C-2 HR TOD-1 (2.29 Acres)  
**Proposed Use** Mixed-use: multi-family residential/commercial  
**Location** Northwest corner of 11th Street and Washington Street  
**Owner/Applicant/Representative** Michael J. Lafferty  
**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Commercial, Residential 3.5 to 5.0 dwellings per acre	
<b>Street Map Classification</b>	11th Street	Collector	33-foot west half
	Washington Street	Arterial	50-foot north half
<p><b>LAND USE ELEMENT, GOAL 3, POLICY 5: ENCOURAGE THE DEVELOPMENT OR REDEVELOPMENT OF VACANT OR UNDERUTILIZED PARCELS WITHIN THE URBANIZED AREA THAT IS CONSISTENT WITH THE CHARACTER OF THE AREA OR WITH THE AREA'S TRANSITIONAL OBJECTIVES.</b></p> <p>This proposal will redevelop an underutilized parcel into a mixed use facility, furthering the General Plan goal.</p>			
<p><b>LAND USE ELEMENT, GOAL 2 POLICY 14: LOCATE MULTI-FAMILY DEVELOPMENT NEAR SPECIALIZED PUBLIC FACILITIES, MAJOR TRANSPORTATION SERVICES, AND EMPLOYMENT CENTERS.</b></p> <p>This proposal will develop a mixed use, multi-family housing/commercial development on a site that is close to downtown, a major employment center. This site is also adjacent to the light rail, major bus routes and transportation arteries.</p>			
<p><b>LAND USE ELEMENT, GOAL 1 POLICY 1: INCLUDE A VARIETY OF LAND USES: OFFICE, RETAIL, SHOPPING, ENTERTAINMENT AND CULTURAL, HOUSING, HOTEL AND RESORT AND WHEN APPROPRIATE SOME TYPE OF INDUSTRY.</b></p> <p>The proposed provision of retail/commercial and housing adds to the variety of land uses in this area.</p>			

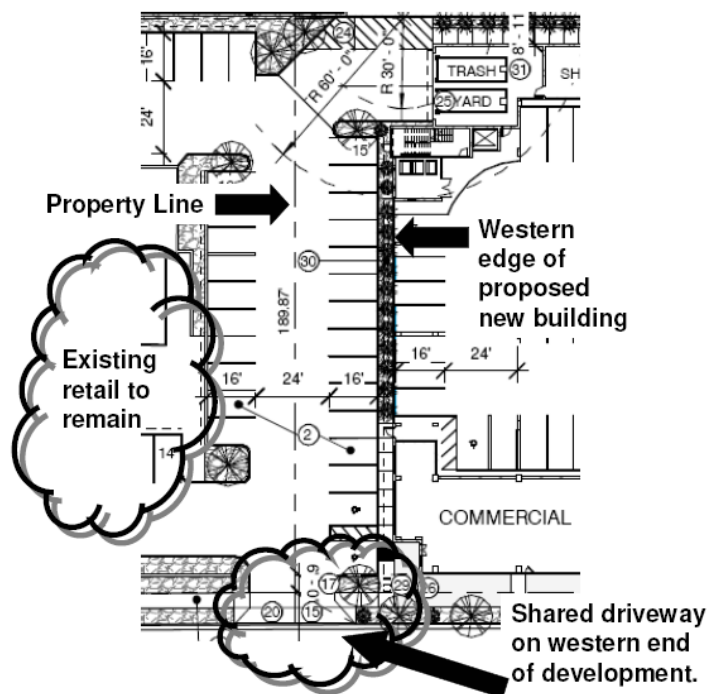
<b>Area Plan</b>
Booker T. Washington Neighborhood Development Program
This development program, adopted in 1973, designates the site as commercial or general residential, which is consistent with the General Plan designation. The proposed rezoning is consistent with the goals of the development program.

<b>Surrounding Land Uses/Zoning</b>		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Commercial	C-2 TOD-1
<b>North</b>	Vacant	R1-6, C-2 and C-3
<b>South</b>	Commercial	C-2, C-3, C-3 HP
<b>East</b>	Multi-family residential	R-5
<b>West</b>	Single-family residential	R1-6

<b>C-2 HR TOD-1 (Intermediate Commercial High Rise Transit Oriented Development - 1)</b>		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed*</u>
<i>Building Setbacks</i>		
Street (ground level Retail)	Up to 12 feet maximum	Met - Varies – less than 6 feet
Street	6 feet maximum	Met - Varies – less than 6 feet
Interior – adjacent to residential	75 feet	Not Met - Approximately 40 feet
Interior – adjacent to commercial	0 feet	Met - Approximately 35 feet
<i>% Building Frontage</i>		
Transit Street	75%	Met - Approximately 90%
Non-transit street	50%	Met - Approximately 75%
Lot Coverage	No maximum	Met - 75.85%
Building Height	250 foot maximum	Met - 62 feet
Density		Met - 50.1 dwellings per acre
Open Space	5% - 3,651 square feet	Met - 13,576 square feet
Parking – Vehicles	162 spaces	Met - 189 spaces
Parking – Bicycles	32 spaces	Met - 48 spaces

**Background/Issues/Analysis**

1. The property is located at the northwest corner of 11th Street and Washington Street. The request to rezone the property from C-2 TOD-1 to C-2 HR TOD-1 will allow a multi-story mixed-use development consisting of ground floor parking partially wrapped by commercial/retail. The project is proposed to have 116 rental dwelling units and about 6,200 square feet of commercial space. The building is five stories, 62 feet. The apartment design is configured into a horseshoe shape with units and balconies all around. All units will have a view of the streetscape, the surrounding area and the open space area above the parking deck in the middle of the building. The deck park will support recreational amenities for the residents, such as a pool and spa, jogging track, barbecue and recreational game areas.



Parking will be provided at ground level and on a surface lot along the northeastern portion of the site. As shown in the illustration, utility yard and building delivery and services areas will be accessed from Washington Street through a shared driveway entrance at the western end of the property.

2. The site is currently developed as a retail business that faces Washington Street. The proposal will replace the structures east of the western driveway on Washington Street with a mixed use development. Although this development will share a driveway with the western retail site, those buildings and uses will remain and are not a part of this rezoning proposal.

3. The site is located near the westbound Light Rail Transit (LRT) station at 12th Street and Washington Street and the eastbound LRT station at 12th Street and Jefferson Street. It falls within the Transit Oriented Development (TOD-1) Overlay District. The TOD-1 district requires build-to lines, rather than minimum setbacks, to position buildings near the streets and make the streets pedestrian friendly. The proposed development is consistent with the objectives of the TOD-1 district. The proposed design and its close interface with the street will encourage the residents of the building to access the light rail transit stations. To develop the project as proposed, variances will be needed. The applicant will be seeking variance relief to:
  - reduce the required setback on the northwest portion of the parcel where the property abuts R1-6 (single family) zoning. The TOD requires a 75-foot setback for buildings over 60 feet adjacent to single family residential.
  - eliminate the requirement for a minimum of 60% of the building façade along 11th Street to have clear windows.
  - eliminate the requirement for structured shading or a double row of trees on the 11th Street frontage

The 11th Street frontage is not proposed to have active uses at the ground floor except for a small portion of the corner that will wrap from Washington Street to 11th Street. The building façade on 11th Street will be primarily comprised of a green screen to screen the ground floor parking.

4. Current zoning on the site of C-2 limits the building height to 30 feet and residential density to 14.5 dwellings per acre. The request to allow the High Rise designation for the site will permit additional height and density. The proposed project is near the two light rail stations for 12th Street. Residents, guests and employees of this project will be able to walk to the stations. Given the site's location in the TOD-1 overlay and proximity to the LRT stations, additional height and higher residential density is appropriate at this location. The applicant proposes a building height of 62 feet and a residential density of approximately 50.1 units per acre. Maximum height in the High Rise district could be 250 feet and the maximum density in that district is approximately 98 units per acre. Approval of this request will specify the development plan submitted.
5. The Street Transportation Department requires that all existing off-site street improvements (sidewalks, curb ramps and driveways) that do not meet current ADA guidelines be updated.
6. Construction on pedestrian enhancements to 11th Street by the Street Transportation Department is slated to begin in the Summer of 2012. The enhancements will include: widening of sidewalks, addition of landscape and irrigation, street and pedestrian lights, updating the bus stops, adding benches, bike racks and trash cans. Additionally, a bicycle lane will be added to 11th Street to connect the transit street/arterial (Washington Street) with the collector street (11th Street).

Goal 2.C. of the Circulation Element of the city's General Plan supports the addition of the bicycle lane by stating that *collector streets should be designed or retrofitted so they facilitate travel from local streets to parks, schools and arterial streets while maintaining a safe and attractive neighborhood environment.*

It is anticipated that street parking along the 11th Street frontage of this property will continue to be allowed, however the hours for parking will be restricted to facilitate use of the bicycle lane.

7. There is an existing waterline in the right-of-way along the west side of 11th Street. The presence of this waterline precludes the planting of trees on this frontage. The landscape plans for the pedestrian streetscape project call for a combination of shrubs and accent plants, Arizona Yellow Bells (*Tecoma stans*) and Dallas Red Lantana. If the site and civil review of the proposed project requires that the waterline in 11th Street be upgraded, the developer should relocate the waterline to allow the landscape area in the right-of-way at the back of curb to be planted with shade trees.
8. The proposed site plan shows that the driveway entrance to the site on 11th Street will be relocated slightly to the north and crossing what is now a retention area of gravel at the northeastern portion of the property. The applicant is encouraged to work with the City of Phoenix Street Transportation Department to facilitate construction of the proposed driveway in the desired location in conjunction with the streetscape improvement project that begins construction in the Summer of 2012. It is desirable that the streetscape improvements match the proposed development if at all possible to minimize the need for removing recently installed improvements when the proposed project begins construction.
9. As this area experiences redevelopment in response to the presence of the light rail station at 12th Street, it is possible that the adjoining parcel to the west will transition to another use. If the adjoining parcel is joined with some of the residential parcels to the north for a larger development plan, it is desired that a pedestrian connection from Washington Street to the north be made along the western edge of this proposed development and in conjunction with the adjacent parcel. The applicant is encouraged to work with the adjoining property owner to agree to this in concept for future development.
10. Washington Street is a transit street and 11th Street is slated for enhanced pedestrian improvements. The submitted site plan shows vehicular access on both streets. In order to address the conflicts between vehicles and pedestrians, the development will be required to provide enhancements at the pedestrian crossings of vehicle access points. These enhancements may include, but are not limited to: alternate paving materials, slightly raised crossing, bollards, etc. The developer will design the crossings and provide a drawing to the Planning Hearing Officer for administrative review prior to preliminary site plan approval.

11. The Aviation Department has provided comments regarding this request. The property is in the Public Airport Disclosure area and is located within the 60 decibel day night level noise contour lines. 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. In addition, if temporary equipment used during construction exceeds the height of the permanent structure, a separate Form 7460-1 shall be submitted to the Federal Aviation Administration (FAA) and a "No Hazard Determination" obtained prior to the construction start date.
12. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in both Shaded Zone X on panel 2135 F of the Flood Insurance Rate Maps (FIRM) dated September 30, 2005.
13. 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 site has been used for commercial and retail for many years.
2. The proposal for commercial zoning with a high rise designation on this parcel is appropriate given the proximity to the light rail station.
3. The proposed rezoning with conditions is compatible with surrounding zoning patterns and land use within the area.

### **Stipulations**

1. The development shall be in general conformance to the site plan and elevations date stamped January 27, 2012, as approved by the Planning and Development Department.
2. The development shall have a maximum building height of 65 feet.
3. The vehicular ingress and egress points to the property shall be constructed of decorative pavers, stamped or colored concrete, or another material other than those used to pave the parking surfaces and drive aisles, and that the design of these improvements shall be administratively approved by the Planning Hearing Officer prior to Planning and Development Department preliminary site plan approval, with specific regard to the inclusion of the aforementioned elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

4. The applicant shall provide a recorded cross-access, cross-parking and common driveway agreement between the subject site and the parcel to the west. The agreement shall be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
5. 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.
6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, street lights, 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.

**Writer**

Katherine Coles  
1/24/2012

**Team Leader**

Kelly Kvetko

**Attachments**

Zoning sketch

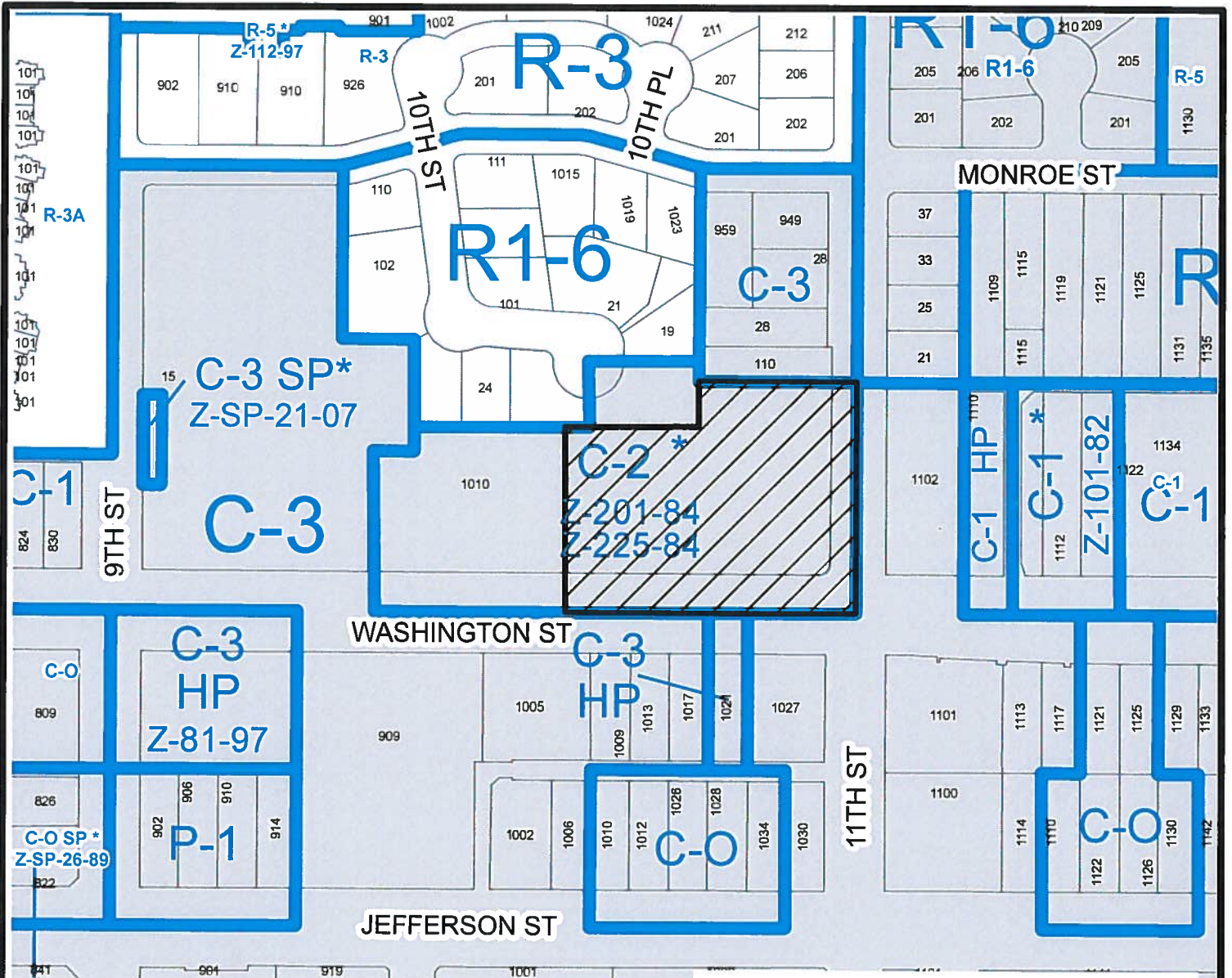
Aerial

Site plan dated January 27, 2012

Elevations dated January 27, 2012





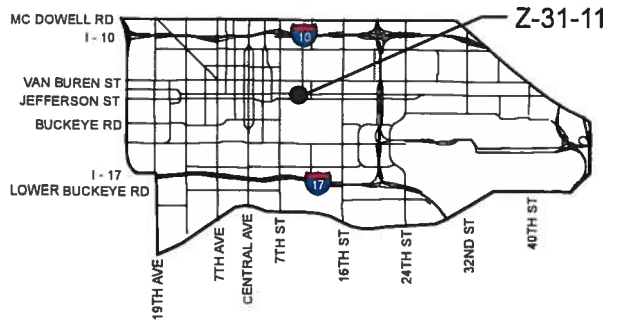


200 100 0 200 Feet

CITY OF PHOENIX PLANNING DEPARTMENT

**CENTRAL CITY VILLAGE**

CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME:

**Michael J. Lafferty**

REQUESTED CHANGE:

FROM: C-2 TOD-1, (2.29 a. c.)

TO: C-2 HR TOD-1, (2.29 a. c.)

APPLICATION NO.

Z-31-11

DATE

01/19/12

REVISION DATES:

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

2.29 Acres

AERIAL PHOTO & QUARTER SEC. NO.

Q10-29

ZONING MAP

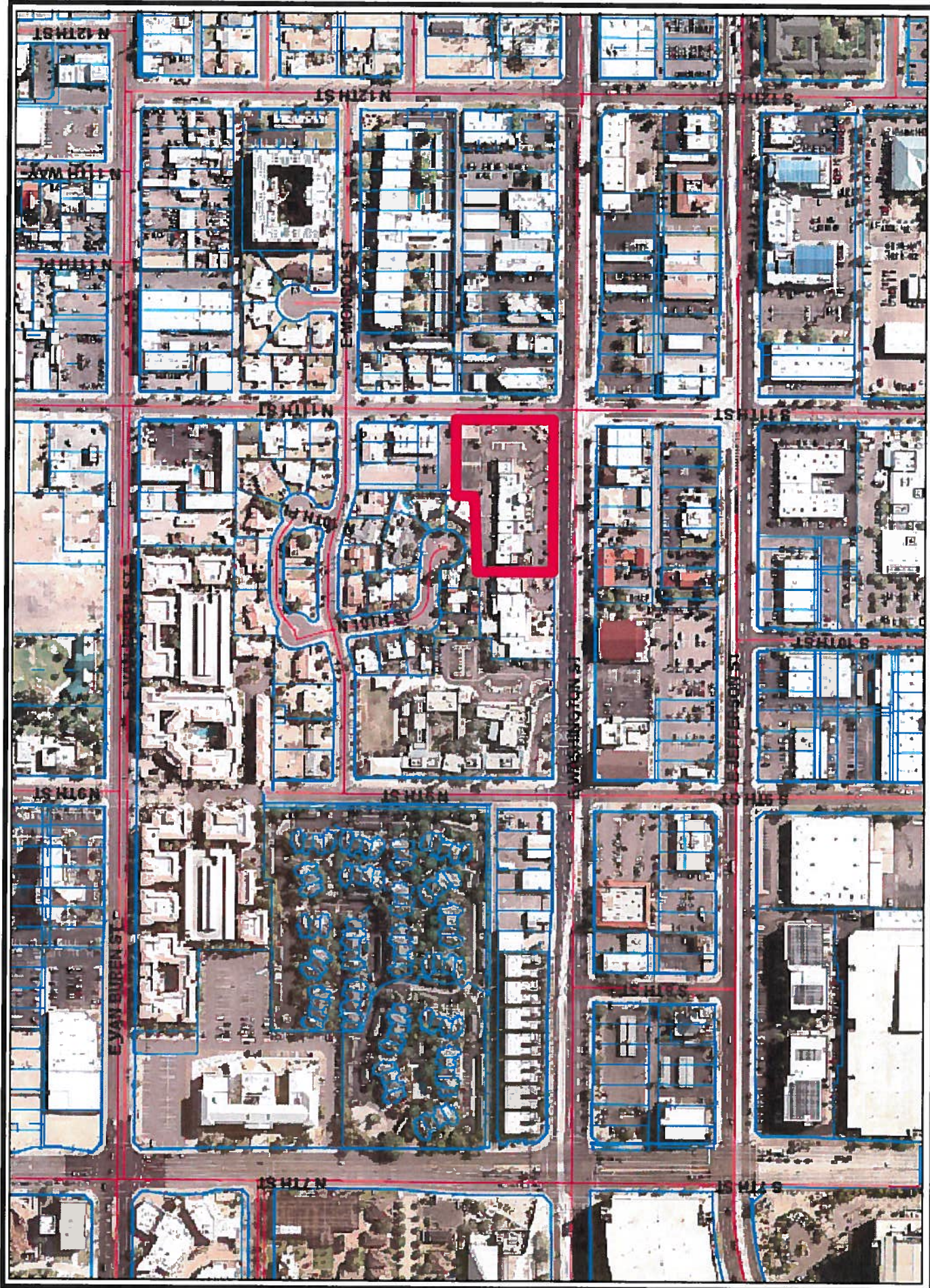
F-8

MULTIPLES PERMITTED

CONVENTIONAL OPTION

\* UNITS P.R.D. OPTION

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



The information provided on this map is based on recent drawings submitted by owners. Owners of this information are cautioned that independent verification of actual conditions may be necessary.

# Development Services

1 inch = 304.407 ft  
 0 60 120 240 480 Feet

