



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-44-16-4
September 29, 2016

Encanto Village Planning Committee Meeting Date: October 5, 2016
Planning Commission Hearing Date: October 6, 2016
Request From: C-2 HRI TOD-1 (0.28 acre), P-1 TOD-1 (1.20 acre), P-2 TOD-1 (0.75 acre)
Request To: WU (Walkable Urban Code) T5:6 MT (Midtown Transit Oriented Development Policy District) (2.23 acres)
Proposed Use: Structured parking
Location: Approximately 127 feet east of the northeast corner of Central Avenue and Palm Lane
Owner: DOXA Central LLC
Applicant: Logos Builders Southwest LLC
Representative: Dan Wilhelm
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	Palm Lane	Local	41.3-foot north half
<p>CONNECT PEOPLE & PLACES CORE VALUE; CORES, CENTERS & CORRIDORS; DESIGN PRINCIPLE: Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible.</p> <p>The proposed development will provide a portion of the planned Art Walk identified in the Arts District Policy Plan. The Art Walk will be constructed along the east border of the site and will eventually connect through the University Club to Monte Vista Road. The Art Walk will be publicly accessible, shaded and separate from vehicular traffic.</p>			

CELEBRATE OUR DIVERSE COMMUNITY AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND 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 site is located east of Central Avenue adjacent to a single family residential historic district. The proposed parking structure is setback from the residential property line, thereby allowing construction of the planned Art Walk along its eastern edge. One of the adjacent properties is owned by the applicant.

CELEBRATE OUR DIVERSE COMMUNITY AND NEIGHBORHOODS CORE VALUE; DESIGN PRINCIPLE: Require appropriate transitions/buffers between neighborhoods and adjacent uses.

Implementation of the Walkable Urban Code at this location ensures a 25-foot setback along the eastern property line which is adjacent to historic single family homes. The setback area will be landscaped and will contain the Art Walk path to connect to the Heard Museum to the north and the Phoenix Art Museum to the south.

Applicable Plans and Principles

- Transit Oriented Development Strategic Policy Framework – see #3 below.
- Midtown Transit Oriented Development Policy Plan – see #s 4 and 5 below.
- Policy Plan for the Phoenix Arts District – see #s 7, 8, 9, 10 and 11 below.
- Complete Streets Guiding Principles – see #12 below.
- Tree and Shade Master Plan – see #s 13 and 15 below.
- Comprehensive Bicycle Master Plan – see #14 below.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Surface parking	P-1 TOD-1, P-2 TOD-1, C-2 HRI TOD-1
North	Midrise office, commercial	C-2 HRI TOD-1, P-2 TOD-1, R-5
South	Church, surface parking	R-4 HRI TOD-1, P-1 TOD-1
East	Single family residential	R1-10 HP
West	Office building, surface parking	C-1 HR TOD-1, C-2 HRI TOD-1

Walkable Urban Code T5:6		<i>*if variance required</i>
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Gross Acreage	N/A	2.23
Total Number of Units	N/A	0
Density	No maximum	0
Building Height	80-foot maximum	Met – ~50 feet
Building Setback from R1-6 HP (east property line)	Minimum 25 feet	Met – 25 feet
Parking Structure	Cannot exceed building height	Met - ~50 feet
Parking	1 space per 375 square feet	Met – specific amount cannot be determined
Bicycle Parking (1307.H.6.d.)	1 space per 25 vehicle spaces, maximum required 25 spaces	Cannot be determined
Streetscape Standards Palm Lane (Section 1312.C.1.)	Sidewalk width – minimum 5 feet Landscape width – minimum 5 feet	Cannot be determined
Section 1303.2 TRANSECT T5		
<i>Parking Setbacks</i>		
Secondary Frontage	20-foot minimum	Met – 20 feet
Side Lot Line	0-foot minimum	Met – 0 feet
Rear Lot Line	25-foot minimum	Met – 25 feet
<i>Lot Requirements</i>		
Lot Coverage	90% maximum	Met
Secondary Building Frontage	50% minimum	Met - >50%
<i>Frontage Types Allowed</i>		
Secondary Frontage	Alternative frontage per 1305.B.1.c.	Cannot be determined

Background/Issues/Analysis

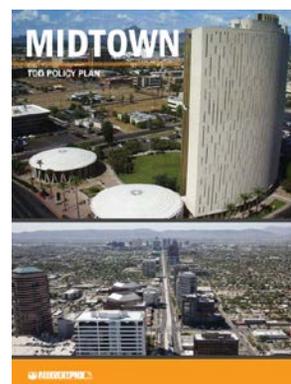
1. This request is to rezone a 2.23-acre site located east of the northeast corner of Central Avenue and Palm Lane from P-1 TOD-1 (approved P-2 TOD-1), P-2 TOD-1 and C-2 HRI TOD-1 to WU (Walkable Urban Code) T5:6 MT (Midtown Transit Oriented Development Policy District) to allow development of a five level

parking structure. The T5:6 transect district is a multiuse district which allows multifamily residential and a mix of commercial uses. The site is currently utilized for surface parking. A three story addition is planned for the adjacent office building to the west, however that portion of the site is not included in this request. Additional parking on this site will support the office use that is adjacent to Central Avenue. The structure will also be available for much needed overflow parking for events at nearby cultural facilities such as the Heard Museum, Arizona Opera, Phoenix Theater, and the Phoenix Art Museum. North of the proposed parking structure is additional surface parking presently secured and utilized by US Citizenship and Immigration Services. A church and surface parking exist to the south across Palm Lane.

2. The General Plan Land Use Map designation is Commercial and the proposal is consistent with the General Plan designation.

Transit Oriented Development Strategic Policy Framework and TOD Policy Plan

3. 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 Central Avenue and Encanto Boulevard light rail station area is Medium Urban Center. Medium Urban Center is a place type characterized by medium intensity with building heights typically from three to six stories with incentive heights of up to 10 stories. Land uses may include commercial, residential, retail, entertainment and office employment. The proposed project, at approximately 50 feet, falls within the parameters of the Medium Urban Center place type.
4. The site is located within the Midtown TOD (Transit Oriented Development) District, the boundaries for which are generally McDowell Road on the south, Indian School Road on the north, 7th Street on the east and 7th Avenue on the west. The policy plan adopted for the Midtown 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 Midtown TOD District, one key recommendation is the implementation of a form-based zoning code.



5. The Midtown TOD Policy Plan utilized the Medium Urban Center place type to identify a conceptual scale and character for the area around the Central Avenue and Encanto Boulevard light rail station. This scale and character was illustrated in both the conceptual master plan and the conceptual zoning plan. The subject site has a conceptual zoning designation of T6:22 with a maximum building height of 250 feet. This concept is commensurate with the High Rise zoning that exists for the portion of the property adjacent to Central Avenue. However, given the direct adjacency of the east portion of this site to the historic neighborhood to the east, a transect designation with a lower building height is more appropriate for the location. The applicant has chosen a transect of T5:6 which allows a maximum height of 80 feet, to allow the height of approximately 50 feet proposed for this development.



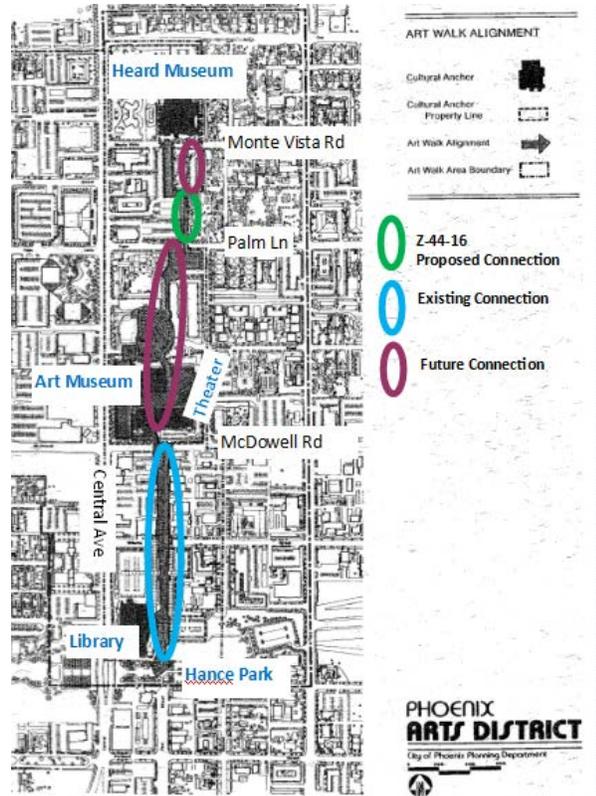
6. The adjacent Alvarado Historic District neighborhood is serviced by Salt River Project flood irrigation which has resulted in a visual character characterized by lush landscaping with mature tall trees. In addition to the building setback and required landscaping for the eastern edge of the subject site, the area's mature landscaping provides a visual buffer between the commercial uses on Central Avenue and the historic home and streetscape to the east on Palm Lane. It is recommended that the maximum height for the site be 60 feet. This is addressed in Stipulation 1.



Palm Lane looking west. Blue arrow indicates the subject site's east property line. Landscape character supported by flood irrigation contributes to the buffer between the subject property and the adjacent historic neighborhood.

Arts District Plan

7. In 1992 the City Council adopted The Phoenix Arts District Plan. The plan was developed by city staff through a series of public workshops, under the guidance of the Arts District Coordinating Committee. It reflects an effort to integrate Phoenix' major arts and cultural institutions into a defined arts-related district providing a variety of arts-related activities. This policy plan is intended to be used as a guide for future investments and land use decisions. A key component of the plan was the envisioning of an Art Walk linking the Heard Museum, the Phoenix Art Museum, the Phoenix Theater and the Burton Barr Library. The Art Walk exists from the Margaret T. Hance Deck Park, through the library's parking lot, and through the Cancer Survivors Park on 1st Street, connecting to McDowell Road.



8. The Phoenix Art Museum and the Phoenix Theater are designed to facilitate the cross movement of patrons on an Art Walk. However, at present, a protected pedestrian crossing for McDowell Road is not in place, and the Art Museum has a gate erected across the area that would be used to gain entrance to the interior courtyard.



Art Walk - McDowell Road (looking west)



McDowell Road facing north toward Art Museum

Curb cut for future Art Walk Connection

Gate blocking the Art Walk route



9.



Full realization of the Art Walk has always been dependent upon the future development of privately owned parcels between the Phoenix Art Museum and the Heard Museum. The property owner for the subject zoning case (DOXA Central) owns or has agreements to control the private property between the Phoenix Art Museum/Phoenix Theater and the Heard Museum. The University Club south of the Heard Museum has been purchased by DOXA Central and leased back to the Club, and the Central United Methodist Church, at the southeast corner of Central Avenue and Palm Lane, has a long standing agreement for the use of the property with DOXA Central. The owner envisions an assemblage of spiritual, cultural, residential and commercial properties for the

enlightenment of people, called the Greater Phoenix International Center. As part of this vision, DOXA Central desires to realize the Art Walk corridor (shown above in yellow) across all these properties. A condition of this approval for rezoning is the designation of space for the Art Walk on the east side of the parking structure in the required setback from the adjacent historic residential property. Landscaping required per the Walkable Urban Code should be placed so as to not conflict with subsequent construction of the Art Walk, and will be installed concurrent with the parking structure's construction. The applicant will record a Multi-Use Trail Easement (MUTE), a minimum of 15 feet wide, along the east end of the parking structure. This is addressed in Stipulations 2 and 3.

10. The Policy Plan called for an Arts Walk Design Charrette to be conducted in order to establish a physical design plan, easement requirements and development guidelines. The owner has expressed the desire to contact stakeholders from the nearby cultural institutions and to ask the City to revisit the Art Walk concept and establish a physical design plan, easement requirements and development requirements for the Art Walk. Upon establishment of defined parameters for the location and construction of the Art Walk, the owner is committed to its construction adjacent to the subject site. Such construction would be conditioned upon being able to make the full Art Walk connection between Palm Lane and Monte Vista Road, the land along which DOXA Central has control. Construction of the Art Walk at the east portion of the subject site should occur concurrent with construction of a building on the site and at a point when the full connection between Palm Lane and Monte Vista Road can be made. If the arts community design process has not concluded by that time, this portion of the Art Walk should be constructed within five years of receipt of a Certificate of Occupancy for the building. This is addressed in Stipulation 4.
11. The proposed parking structure is envisioned to assist in providing a parking solution for activities in the area at the Heard Museum to the north, the Arizona Opera across Central Avenue and the Phoenix Theater and Phoenix Art Museum to the south. The owner is encouraged to work with these cultural institutions to define the conditions under which this sharing of parking could occur. The conditions could include signage, reference to the site in promotional literature, etc. Additionally, the structure should be designed so that direct pedestrian access to/from the garage is provided to the adjacent Art Walk. This is addressed in Stipulation 5.

Walkable Urban Code

12. The Walkable Urban Code has a provision to allow development of a site where the frontage type is designed by the developer. Staff may consider a frontage design alternative when the design meets the intent of pedestrian and transit oriented frontages and façades. The developer will be required to propose an alternative frontage to staff for the parking structure façade. It is recommended

that the alternative frontage type be applicable to both the south and east façades of the parking structure. This alternative frontage type should be artistic in nature and complementary to the intent and goals of the Arts District Policy Plan. The applicant should work with the Office of Arts and Culture for guidance regarding achieving an artistic design for the façades. Additionally, the applicant is encouraged to identify an artist to assist with this design and include the artist on the applicant's design team for the parking structure. This is addressed in Stipulation 6.

13. The conceptual proposal shows a parking structure with no architectural embellishments, visible from the public right-of-way of Palm Lane. Per Section 1307.G., the parking structure is required to be "finished with architectural embellishments and detailing that will create visual interest for adjoining properties and enhance the public right-of-way". The applicant is aware that this requirement must be met. The existing driveway on Palm Lane is planned to remain. The existing sidewalks will remain detached from the curb, and the historic palm trees will remain in place. Trees will be planted between the historic



Streetscape character to be retained.

providing a more comfortable environment for pedestrians, consistent with the goals of the City's Tree and Shade Master Plan. This design is consistent with the Council adopted Guiding Principles for Complete Streets, one tenet of which is to make Phoenix more walkable. The provision of shade trees is a requirement of the Walkable Urban Code. The retention of the streetscape character with detached sidewalks is addressed in Stipulation 7.

14. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The provision of bicycle parking is a requirement of the Walkable Urban Code for commercial and multifamily uses. The conceptual plan does not show bicycle parking however it is anticipated to be located in the garage structure. It is recommended that two types of parking be provided on the property: secured parking for employees, and short-term rack parking for



Inverted-U bicycle rack, where both ends of the "U" reach the ground.

guests located near entrances to the property. The property is near a light rail transit station and several major bus routes. Providing secure bicycle parking for employees and parking for guests of the development is supportive of multimodal travel options. Secured bicycle parking can be provided in bicycle

lockers or in locked bicycle rooms. The applicant will work with Planning and Development staff through the site review process to determine locations for both types of bicycle parking as well as for the manner in which the secured parking will be provided. The short-term bicycle racks should be an inverted-U design where both ends of the "U" are affixed to the ground and installed per the requirements of Walkable Urban Code. These provisions are addressed in Stipulations 8 and 9.

Miscellaneous

15. 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 right-of-way. Further, the sidewalks will continue to be detached from the curb, allowing trees to be planted to shade and separate pedestrians from vehicles on the street. These provisions are addressed in Stipulation 7.
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 Water Services Department has commented that there is a 20-foot alley public utility easement for sewer with manholes which runs through the site. The sewer would have to be relocated and the easement abandoned. The code does not allow buildings to be built within an easement. The property to the east of the site, at 44 East Palm Lane, has its sewer service connected to this 8-inch main. A new tap and service will need to be completed before any abandonment or relocation of the sewer main would be allowed.
18. The Water Services Department further commented that there is a 6-inch ACP water main in Palm Lane. In addition to the 8-inch sewer main in the former 20-foot alley, there is an 8-inch sewer main in Palm Lane that runs from manhole #204 and heads east along Palm Lane.
19. 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.
20. The City of Phoenix Historic Preservation Office should be consulted regarding any project effects to historic properties. No archaeological work is necessary for this project. However, if any archaeological materials are encountered during construction, all ground-disturbing activities will need to cease within 10 meters of the discovery and the City of Phoenix Archaeology Office will need to be

notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation 10.

21. The Aviation Department has provided comments regarding this request. 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 11.
22. Development of the parcel will require that all improvements are required to comply with all Americans with Disabilities Act (ADA) standards. This is addressed in Stipulation 12.
23. 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 designation for Commercial.
2. The proposal is consistent with the Medium Urban Center Place Type in the TOD Strategic Policy Framework.
3. The proposal accommodates development of a segment of the Art Walk identified in the Policy Plan for the Arts District.

Stipulations

1. The building constructed on the site shall be limited to a height no greater than 60 feet.
2. The owner shall record a 15-foot wide Multi-Use Trail Easement (MUTE) within the required 25-foot building setback at the east end of the property. This MUTE shall commence at the property line on Palm Lane and extend to the north property line. The MUTE width of 15 feet shall be measured from the western edge of the 25-foot building setback toward the east property line.

3. Landscaping required by the Walkable Urban Code shall be installed in the easternmost 10 feet of the eastern 25-foot setback, so as to not be in conflict with the required MUTE.
4. Concurrent with construction of a building on the site, the developer shall construct the Art Walk in the MUTE per design standards established in coordination with the Office of Arts and Culture. If the design standards have not been established, the developer shall construct the Art Walk within five years of receipt of a Certificate of Occupancy for the structure.
5. The property owner shall work with nearby cultural institutions (e.g. Heard Museum, Arizona Opera, Phoenix Theater and the Phoenix Art Museum) to establish the parameters by which the parking garage could be available for parking in support of those uses.
6. The property owner shall work with the Office of Arts and Culture for guidance regarding incorporation of an artistic design into the southern and eastern façades of the parking structure.
7. The existing streetscape character along Palm Lane, consisting of mature palm trees, turf and sidewalks detached from the curb, shall be retained.
8. A minimum of four inverted-U bicycle racks for guests shall be provided on site, located near an entrance to the business, and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance, as approved by the Planning and Development Department.
9. A minimum of 16 secured bicycle parking spaces shall be provided on site, as approved by the Planning and Development Department.
10. 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.
11. 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.
12. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

Staff Report: Z-44-16-4
September 29, 2016
Page 13 of 13

Writer

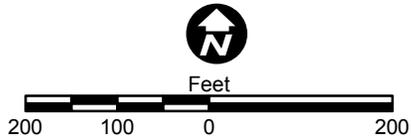
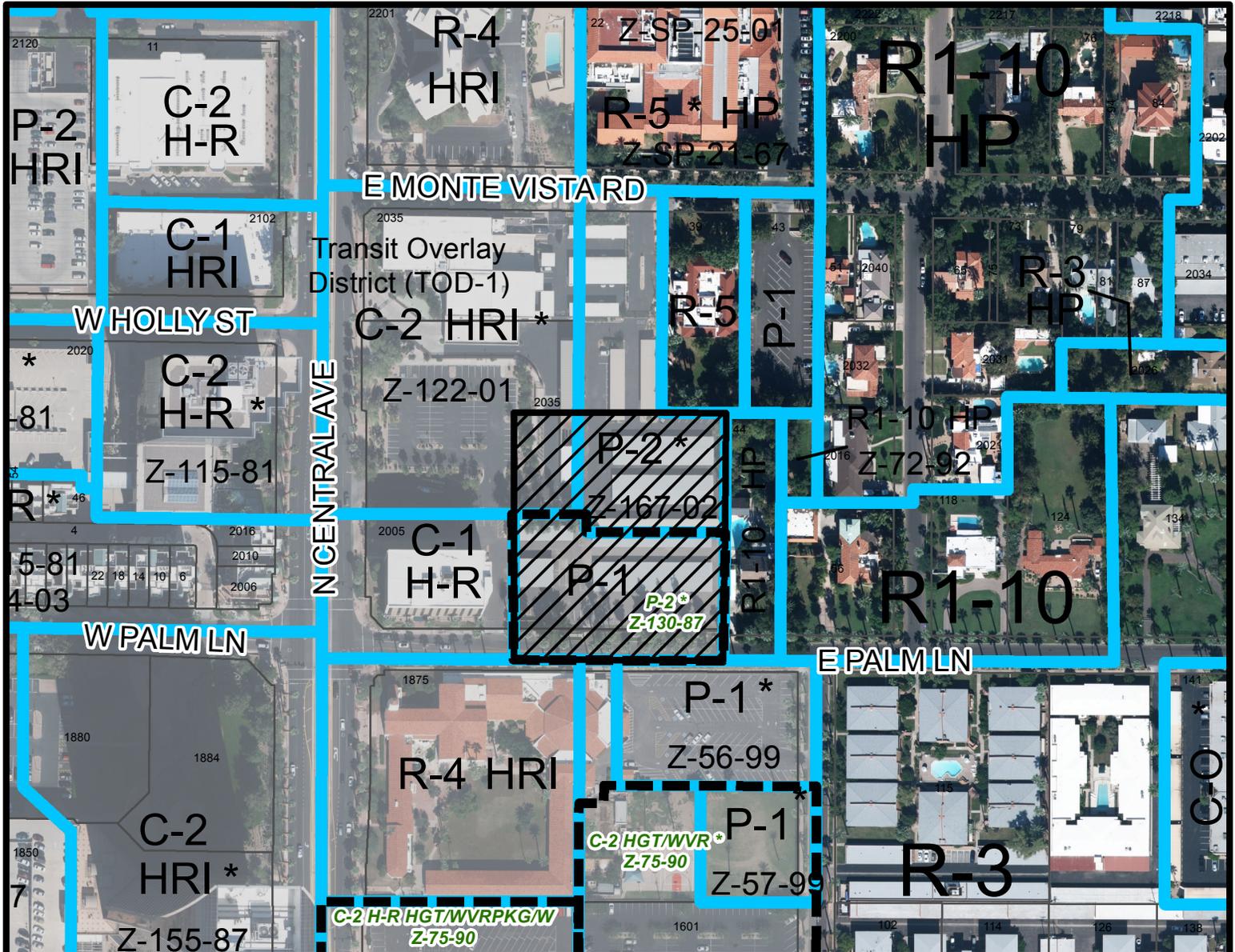
K. Coles
September 26, 2016

Team Leader

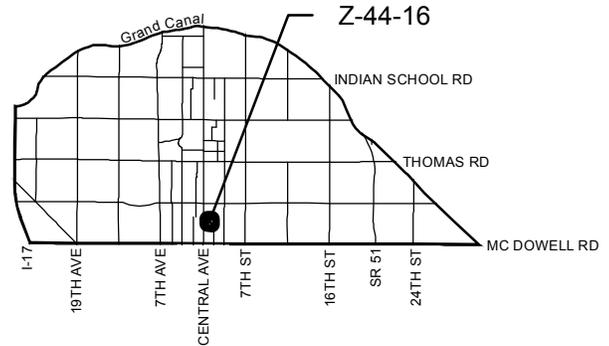
Joshua Bednarek

Attachments

Sketch Map
Aerial
Site Plan date stamped July 15, 2016 (1 page)



ENCANTO VILLAGE
CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Logos Builders Southwest LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-44-16		FROM:	
DATE: 8/17/16		P-1 TOD-1 (Approved P-2 TOD-1), (1.20 a.c.) P-2 TOD-1, (0.75 a.c.) C-2 HRI TOD-1, (0.28 a.c.)	
REVISION DATES:		TO: WU T5:6 MT, (2.23 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		AERIAL PHOTO & QUARTER SEC. NO.	
2.23 Acres		QS13-28	
ZONING MAP		G-8	
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
P-1 (App. P-2), P-2, C-2 HRI WU T5:6 MT		N/A,(N/A), N/A, 27 No Maximum	
* UNITS P.R.D. OPTION		* UNITS P.R.D. OPTION	
N/A,(N/A), N/A, 27 No Maximum		N/A,(N/A), N/A, 27 No Maximum	

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

