



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-50-20-7**  
**December 10, 2020**

**Central City Village Planning Committee**      December 14, 2020  
**Meeting Date:**

**Planning Commission Hearing Date:**      January 7, 2021

**Request From:**      [C-3 SP CMOD](#) (General Commercial, Special Permit, Capitol Mall Overlay District) (1.12 acres)

**Request To:**      [C-3 CMOD](#) (General Commercial, Capitol Mall Overlay District) (1.12 acres)

**Proposed Use:**      Special Permit removal to allow C-3 CMOD permitted uses.

**Location:**      Northeast corner of 9th Avenue and Jefferson Street

**Owner:**      Arizona, LLC

**Applicant/Representative:**      Leodra Bowdell, Phoenix Permit Services

**Staff Recommendation:**      Approval

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Public/Quasi-Public	
<u>Street Map Classification</u>	9th Avenue	Local	45-foot east half street
	Jefferson Street	Arterial	50-foot north half street
<p><b><i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL AND SMALL BUSINESS; LAND USE PRINCIPLE: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.</i></b></p> <p>The proposal will repurpose an existing and underutilized property in the Capitol Mall Overlay District and will allow businesses to operate on site. The Capitol Mall Overlay District has a stated goal to prevent a concentration of certain uses which can</p>			

restrict businesses and residences from functioning normally. The proposal will remove a special permit which currently restricts businesses other than a bus line depot from operating on site.

**CONNECT PEOPLE AND PLACES CORE VALUE; CORES, CENTERS & CORRIDORS, DESIGN PRINCIPLE: Promote development in compact areas, centers and corridors that are connected by roads and transit, and are designed to encourage walking and bicycling.**

The proposal promotes development on a vacant site connected to transit along a planned light rail corridor.

**CREATE AN EVEN MORE VIBRANT DOWNTOWN CORE VALUE; EMPLOYERS; LAND USE PRINCIPLE: Establish distinctive urban shopping destinations in downtown and support the establishment of small retail businesses throughout all of downtown. Support and attract more retail, restaurants, that foster an active pedestrian environment in downtown. Cluster such uses in pedestrian centers so there is a critical mass of urban vitality.**

The proposal is near downtown and supports the downtown core to establish small retail businesses downtown and help foster an active pedestrian environment along a planned light rail corridor.

### Applicable Plans, Overlays, and Initiatives

[Transit Oriented Development Strategic Policy Framework](#): See Background Item No. 7 below.

[Complete Streets Guidelines](#): See Background Item No. 8 below.

[Tree and Shade Master Plan](#): See Background Item No. 9 below.

[Reimagine Phoenix](#): See Background Item No. 10 below.

### Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant buildings	C-3 SP CMOD
<b>North</b>	Vacant building and land	C-3 CMOD
<b>South (across Jefferson</b>	Vacant land and	C-3 CMOD

<b>Street)</b>	vehicle storage	
<b>East</b>	Vacant buildings	C-3 CMOD
<b>West (across 9th Avenue)</b>	Youth center and vehicle storage	C-3 CMOD, PUD (Capitol Mall Lofts)

**Background/Issues/Analysis**

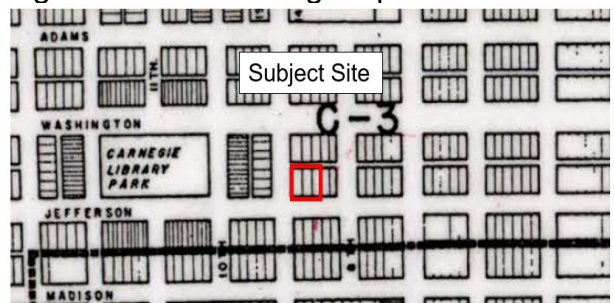
**PROPOSAL**

1. This request is to remove the Special Permit on an approximately 1.12-acre site located at the northeast corner of 9th Avenue and Jefferson Street. The existing Special Permit, Z-SP-31-82, only permits a bus line depot with repair, light maintenance and washing facilities on site. The request to remove the Special Permit would allow all underlying C-3 CMOD (General Commercial, Capitol Mall Overlay District) uses.

**SUBJECT SITE AND HISTORY**

2. The subject site has been zoned C-3 since 1961, per the Zoning Map adopted by the Phoenix City Council (Ordinance G-449). In 1982, Special Permit Z-SP-31-82 was approved to allow a bus line depot with repair, light maintenance and washing facilities. The request was approved without stipulations.

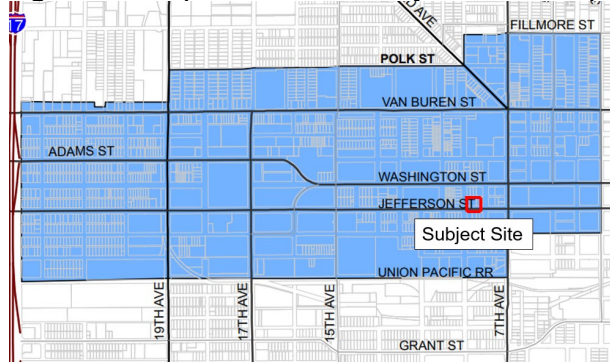
Figure A: 1961 Zoning Map



Source: City of Phoenix Planning and Development Department

3. The subject site is also within the Capitol Mall Overlay District. The Capitol Mall Overlay District acknowledges the varied uses of the area including governmental offices, industrial and commercial businesses, and historic residences. The purpose of this district is to prevent a concentration of certain uses which can restrict businesses and residences from functioning normally and contributes to the deterioration of the business and living environment, the downgrading of property values, and the diminishment of health, safety and general welfare conditions in the area. Further, pursuant to ARS 34-225 and ARS 41-1362, the Department of Administration approved of this request on August 17, 2020. A copy of the approval letter is included as an exhibit to this report.

Figure B: Capitol Mall Overlay District Map

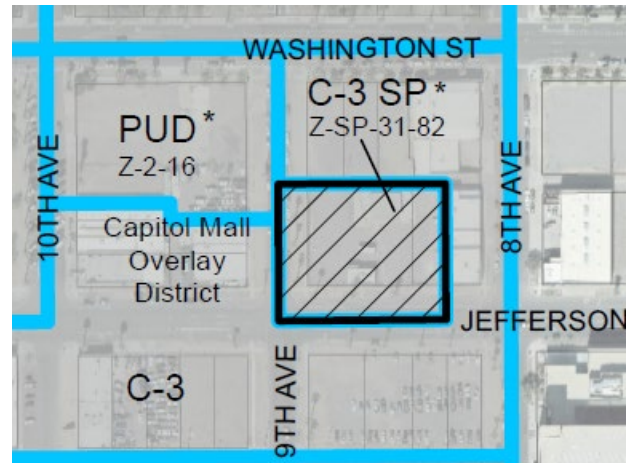


Source: City of Phoenix Planning and Development Department

#### SURROUNDING LAND USES AND ZONING

4. There is an existing office building and bus bay on site that is currently vacant. To the north and east, zoned C-3 CMOD, are vacant buildings and vacant land. To the south, across Jefferson Street, is vacant land used for vehicle storage zoned C-3 CMOD. To the west is a youth center zoned C-3 CMOD and a vacant lot zoned Planned Unit Development.

Figure C. Site Context and Surrounding Land Uses

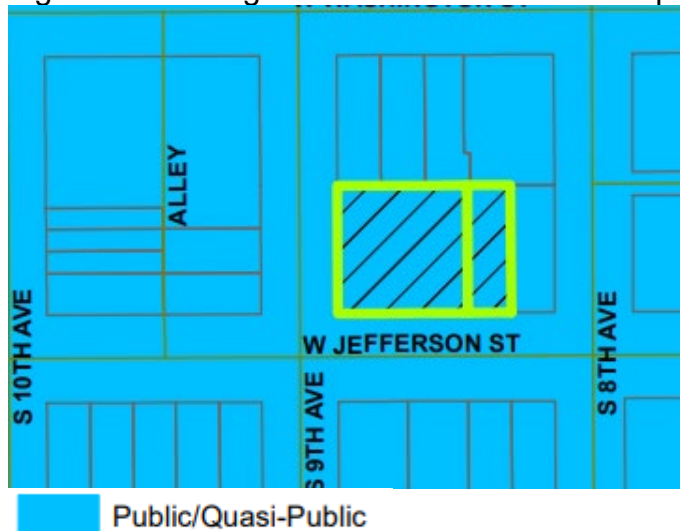


Source: City of Phoenix Planning and Development Department

#### GENERAL PLAN LAND USE MAP DESIGNATIONS

5. The General Plan Land Use Map designation for the site and surrounding properties is Public/Quasi-Public. The Public/Quasi-Public land use category identifies areas where institutional, cemetery, governmental, utility and airport uses are appropriate. The proposal to remove the Special Permit and allow all underlying C-3 CMOD uses is not consistent with the General Plan Land Use Map designation, however a General Plan Amendment is not required for this request as the site is under 10 acres.

Figure D. Existing General Plan Land Use Map Designation



Source: City of Phoenix Planning and Development Department

#### PROPOSAL

6. The proposal is to remove the Special Permit and renovate the existing buildings on site for commercial tenants. Stipulations are not added to Special Permit removal requests, therefore there are no stipulations listed for this proposal.

#### STUDIES AND POLICIES

7. [Transit Oriented Development Strategic Policy Framework](#)

The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The subject site is approximately 500 feet from the proposed 7th Avenue and Jefferson Street light rail station as part of the approved Capitol/I-10 West Light Rail Extension. The identified environment for the 7th Avenue and Jefferson Street 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. Land uses may include balanced commercial and residential, retail destination, entertainment destination, and some employment. The proposal to allow commercial uses on site by removing the special permit is consistent with the uses listed in the Medium Urban Center place type.

8. [Complete Streets Guidelines](#)

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The existing sidewalks around the site are detached with trees and landscaping within the area between the back of curb and sidewalk. The applicant is not proposing any changes to the existing streetscape.

Further, the addition of commercial uses along a planned light rail corridor will promote the use of alternative transit modes.

9. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. The subject site has existing, mature trees in the streetscape area and there are no proposed changes to the site to remove them.

10. **Reimagine Phoenix**

As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The applicant stated in their submittal documents that recycling will be encouraged on site, however the types of items recycled will be determined by the commercial tenants who will occupy the buildings.

COMMUNITY INPUT SUMMARY

11. The applicant has completed the Citizen Participation requirements as outlined in the Rezoning Process Packet. At the time this staff report was written, staff has not received any community correspondence in support or opposition

INTERDEPARTMENTAL COMMENTS

12. The Floodplain Division of the Public Works Department determined the site is not in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 2205 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013
13. The City of Phoenix Water Services Department noted the property has existing water and sewer mains that can serve the site. However, the requirements and assurances for water and sewer service are determined during the site plan application review.
14. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the Phoenix Fire Code. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
15. The Pedestrian Safety Coordinator with the Street Transportation Department commented on attractive view fencing and single-trunk trees with other thick vegetation along the streetscape area between the back of curb and sidewalks along Jefferson Street and 9th Avenue. While stipulations cannot be added to the case, the general development standards in the Zoning Ordinance for fencing and landscaping will apply to this site.
16. The Public Transit Department commented on clearly defined, accessible pathways

constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisles surfaces, connecting all building entrances, exits and sidewalks using the minimum possible distance and 75 percent shade coverage on all pedestrian paths and sidewalks. While stipulations cannot be added to the case, the general development standards in the Zoning Ordinance for landscaping and paving will apply to this site.

#### OTHER

17. The Arizona Department of Administration approved of this request on August 17, 2020 pursuant to ARS 34-225 and ARS 41-1362. A copy of the approval letter is included as an exhibit to this report.
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 request is compatible with the Capitol Mall Overlay District and the Transit Oriented Development Strategic Policy Framework policies and goals.
2. The proposal will allow for commercial uses on an underutilized property along a planned light rail corridor.
3. The proposal will support the establishment of small retail businesses near downtown.

#### **Writer**

Sarah Stockham  
December 10, 2020

#### **Team Leader**

Samantha Keating

#### **Exhibits**

Aerial Sketch Map  
Zoning Sketch Map  
ADOA Approval Letter  
Conceptual Site Plan date stamped September 21, 2020.