



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-7-19-8
April 9, 2020

Application No. Z-TA-7-19-8: Amend Section 1202 (Regulating Maps) of the Phoenix Zoning Ordinance to replace the Downtown Code maps to amend density provisions and buffer alleys in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road and amend Section 1220 (Townsend Park) to allow for a height bonus.

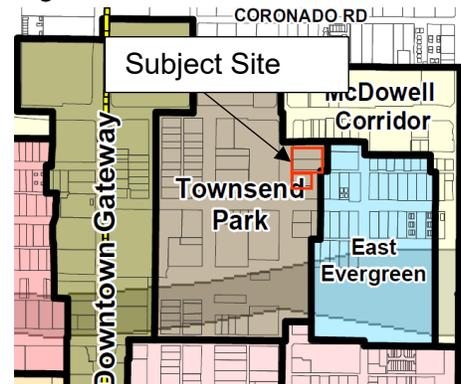
Staff Recommendation: Staff recommends approval of Z-TA-7-19-8 as shown in the recommended text in Exhibit A.

Background

This request is to amend the allowable density to 125 dwelling units per acre on the site, remove two buffer alley designations adjacent to the site and allow for a height increase of up to 30 percent in the Townsend Park Character Area using the sustainability bonus provisions listed in Section 1223 of the Zoning Ordinance. The proposed development is located approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road in the Townsend Park Character Area. The Townsend Park Character Area is primarily intended to transition between the McDowell Corridor Character Area to the north, the Downtown Gateway Character Area to the west, and the East Evergreen Character Area to the east. The vision of the Townsend Park Character Area is to connect adjacent areas by incorporating mixed-use/mid-rise developments with a focus on office and cultural facilities. The Townsend Park Character Area is near the light rail corridor and the City's largest public library.

The buildings on the site are currently used as offices and previously housed single and multifamily residences.

Figure A: Character Areas



Source: City of Phoenix Planning and Development Department

Figure B: Site Context



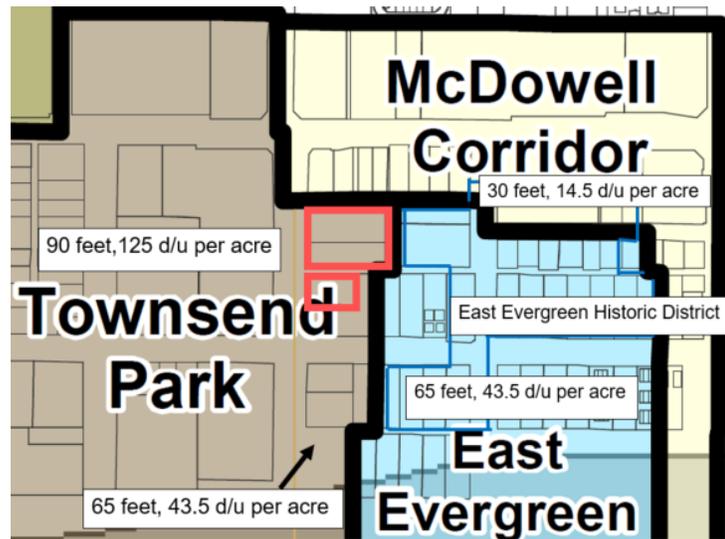
Source: City of Phoenix Planning and Development Department

The current regulating maps of the Downtown Code permit a maximum density of 43.5 dwelling units per acre and a maximum height of 65 feet on the proposed development site. The current maximum density and height was determined by the previous zoning, R-5 RI (Multifamily Residence District, Residential Infill District), prior to the adoption of the Downtown Code in 2010. One buffer alley runs along the north side of the proposed development and the other runs in between the two parcels on the site from 3rd

Street to 5th Street, connecting to the adjacent East Evergreen Historic District. Buffer alleys are intended to mitigate impacts on single-family residences from more intense uses by requiring additional setback, screening and lighting requirements.

To the west, across 3rd Street, is the Arizona School for the Arts. The Downtown Code designates 125 dwelling units per acre and 90 feet in height allowed on the site. To the north is a Taco Bell fast food restaurant with allowable density of 14.5 dwelling units per acre and 30 feet of allowable height. To the east are two low-rise multifamily developments and a single-family residence used as an office. One of the multifamily developments and the single-family home are part of the East Evergreen Historic District. The allowable density is 43.5 dwelling units per acre and the allowable height to the east is 65 feet. To the south is a two to three-story multifamily development with 65 feet of allowable height and 43.5 dwelling units per acre in allowable density.

Figure C: Height and Density Designations



Source: City of Phoenix Planning and Development Department

Background: Urban Form Project and the Downtown Code

The Downtown Urban Form Project was initiated in 2006. The Downtown Phoenix Plan is a product of the Downtown Phoenix Urban Form Project and was prepared to provide direction for implementation of the community vision for an active, pedestrian-oriented and sustainable Downtown. The Downtown Phoenix Plan was adopted by City Council in 2008 and served as a precursor to the Downtown Code, adopted in 2010, which is now Chapter 12 of the Zoning Ordinance.

Figure D: Downtown Phoenix Plan Character Area



Source: City of Phoenix Planning and Development Department

The vision for how the Townsend Park Character area will develop as listed in the Downtown Phoenix Plan is that “The Townsend Park Character Area will be predominantly a residential neighborhood incorporating a historic district and a new mixed-use/mid-rise area” (pg. 3-25) and lists three policies that address specific issues or opportunities unique to the planning area. The three policies for the Townsend Park Character Area are:

Policy 3-21: Develop height transition strategies to protect and enhance the quality of East Evergreen Historic District

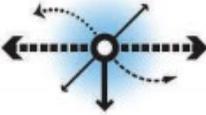
Policy 3-22: Increase building height west of 3rd Street to provide a transition between the Light Rail Corridor and the historic district of East Evergreen

Policy 3-23: New development should maintain the existing streetscape patterns to preserve the character of the area.

Background: Transit Oriented Development Strategic Policy Framework

The Transit Oriented Development Strategic Policy Framework, originally adopted in 2013, identifies policies and place types that are designed to shape walkable and mixed-use environments and focus redevelopment within a half-mile of high capacity transit stations. The site is located a quarter mile from the McDowell Road and Central Avenue light rail station. The identified environment for the McDowell Road and Central Avenue light rail station area is Major Urban Center. Major Urban Center is a place type characterized by medium to high intensity with building heights typically from four to eight stories, with incentive heights of up to fifteen stories.

Figure E: TOD Strategic Policy Framework Place Type

<p>Major Urban Center</p> 	<ul style="list-style-type: none"> • Entertainment Destination • Retail Destination • Mid Rise Living • Office Employment 	<ul style="list-style-type: none"> • Mid Rise • Apartment • Town house • Row house
<ul style="list-style-type: none"> • Mid-Rise Office & Hotel • Under 40,000 sq. ft. single tenant retail footprint Incentive: 60,000 sq. ft. 	<ul style="list-style-type: none"> • Regional Destination • High Regional Accessibility 	<ul style="list-style-type: none"> • Medium-High Intensity • 4-8 Stories • Incentive: 15 Stories 

Source: City of Phoenix Planning and Development Department

Staff Analysis

Density

The proposal to increase the allowable density to 125 dwelling units per acre is consistent and sensitive to the nature of the Townsend Park Character Area. The majority of the properties within the Townsend Park Character Area are allowed a density of 125 dwelling units per acre. The proposal to increase the allowable density is consistent with the density designation to the west of the proposed development, across 3rd Street, and is consistent with the transitional nature of the Character Area from the higher density allowances of the Downtown Gateway Character Area to the west and the lower density allowances of the McDowell Corridor to the north and the East Evergreen Character Area to the east.

The Walkable Urban Code is a zoning option applicable to properties outside of the Downtown Code that are within the Transit Oriented Development Policy Plan Districts located along the light rail corridor. As mentioned previously, the site is located a quarter mile from the McDowell Road and Central Avenue light rail station. If the project was not within the Downtown Code zoning district, the Walkable Urban Code would allow the physical form, building design, and lot standards to dictate the allowable density on the site without the need to specify a maximum allowable density. The site is also located within walking distance of the Margaret T. Hance Park and the Burton Barr Central Library. Increasing the scale and intensity for projects near cultural amenities is also consistent with the City's transit-oriented development policy and goals.

Figure F: Maximum Density Existing and Proposed



Source: City of Phoenix Planning and Development Department

There was a previous request within the Townsend Park Character Area to increase the allowable density on a site. North of the proposed development at the northwest corner of 3rd Street and McDowell Road, is a parcel that previously housed the Los Olivos Car Wash. In 2017, case Z-TA-1-17-4 changed the allowable density from 14.5 dwelling units per acre to 89 dwelling units per acre.

Height

The request does not increase the height allowed in the Townsend Park Character Area by right, rather it creates the opportunity for projects to achieve more height by providing community benefits through sustainability bonus points. The proposal to increase the allowable height by a sustainability bonus provision is consistent with the Major Urban Center TOD Strategic Policy Framework place type, the Downtown Phoenix Plan policies, and provides for a public benefit that is sensitive to the surrounding area.

Major Urban Center is a place type characterized by medium to high intensity with building heights typically from four to eight stories, with incentive heights of up to fifteen stories. The proposal to increase the allowable height up to 30 percent using a sustainability bonus, which would allow up to eight stories in height for the proposed development, is consistent with the place type of the Central Avenue/McDowell Road light rail station area.

The proposed amendment meets the policies in the Downtown Phoenix Plan for the Townsend Park Character Area.

Policy 3-21: Develop height transition strategies to protect and enhance the quality of East Evergreen Historic District

The sustainability bonus point category with the most possible credits calls for structures with HP or HPL zoning within the Downtown Code to be rehabilitated. The height transition strategy incentivizes the preservation of historic structures in exchange for an increase in allowable height, which could protect and enhance the quality of East Evergreen Historic District.

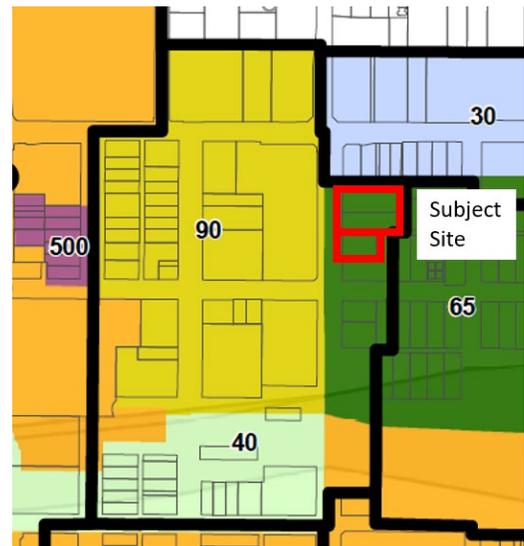
Policy 3-22: Increase building height west of 3rd Street to provide a transition between the Light Rail Corridor and the historic district of East Evergreen

The proposal maintains the existing height transition in the Character Area which calls for higher building heights west of 3rd Street to lower heights east of 3rd Street by not amending the height map, but rather by allowing the opportunity for more height by sustainability bonus points that is sensitive to the existing height allocations. With the proposed text amendment, properties originally designated for 65 feet in height could increase the allowable height up to 84.5 feet, which is shorter than the maximum height designation of 90 feet allowed by right in the Character Area west of 3rd Street. The height transition and integrity of the Character Area is maintained by the proposed text amendment.

Buffer Alleys

Buffer alleys are intended to mitigate impacts on single-family residences from more intense uses by requiring additional setback, screening and lighting requirements. There are no single-family residences abutting the alleys in between McDowell Road and Willetta Street from 3rd Street to 5th Street. Several sites were once used as single-family residences but have been converted to commercial spaces. The request to remove the buffer alley designation is consistent with the existing uses and character of

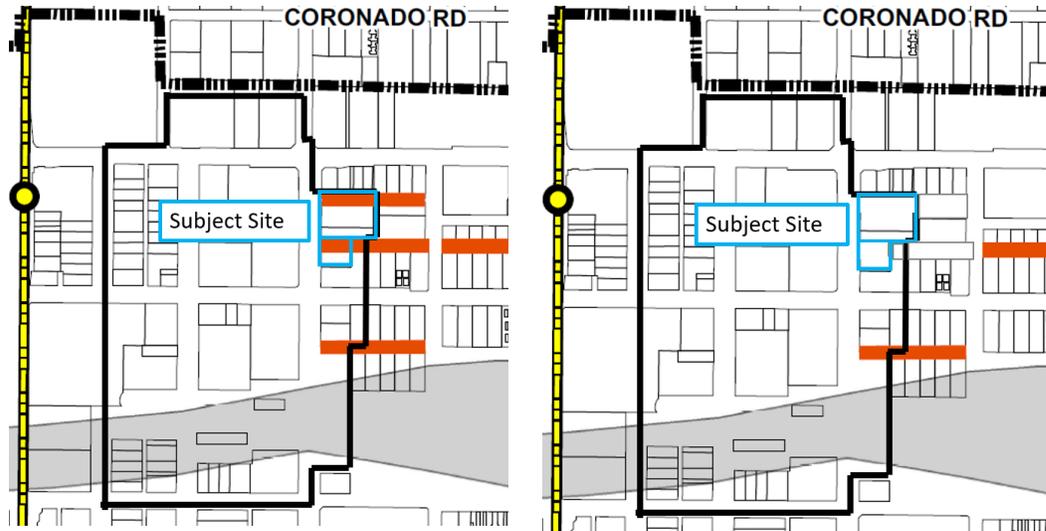
Figure G: Maximum Height



Source: City of Phoenix Planning and Development Department

the area and could provide more opportunities for sites along McDowell Road to redevelop.

Figure H: Existing and Proposed Buffer Alleys



Source: City of Phoenix Planning and Development Department

Conclusion

Staff recommends approval of Z-TA-7-19-8 to amend the density map, buffer alley map, and Townsend Park Character Area text as shown in Exhibit A of the staff report.

The proposal maintains the transitional nature of the Townsend Park Character Area, situated between the Downtown Gateway, McDowell Corridor and East Evergreen Character Areas. Additional density and option for more height is warranted given the proposed development's proximity to the McDowell Road and Central Avenue light rail station. The proposal is in line with the adopted Major Urban Center place type of the TOD Strategic Policy Framework and the policies of the Downtown Phoenix Plan. The sustainability bonus option maintains the existing height transition in the Townsend Park Character Area and offers community benefits in exchange for the option for additional height. The buffer alley removal is consistent with the existing uses and character of the area.

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Writer

Sarah Stockham

April 9, 2020

Team Leader

Samantha Keating

Exhibits

A. Proposed Language and Maps

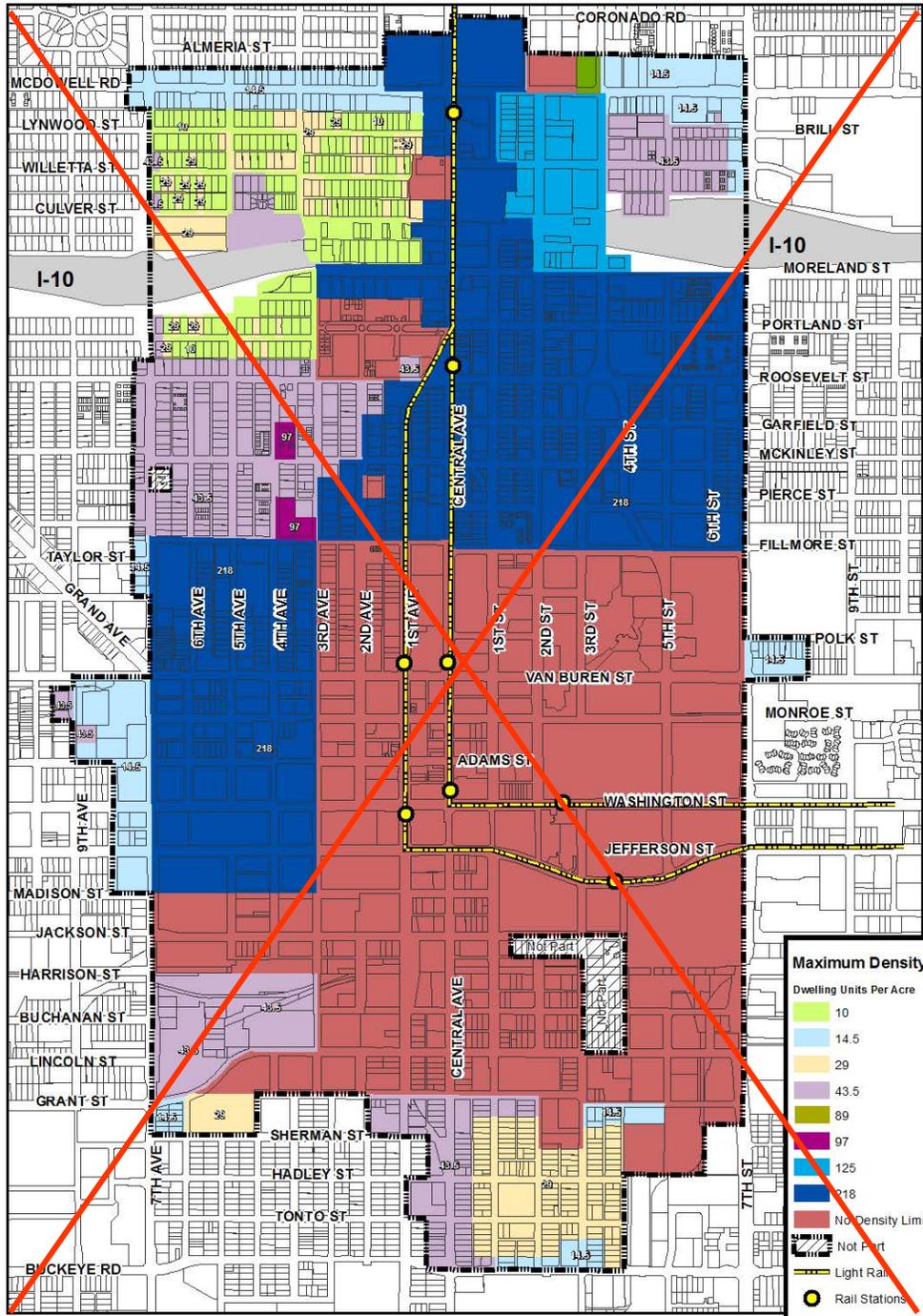
EXHIBIT A

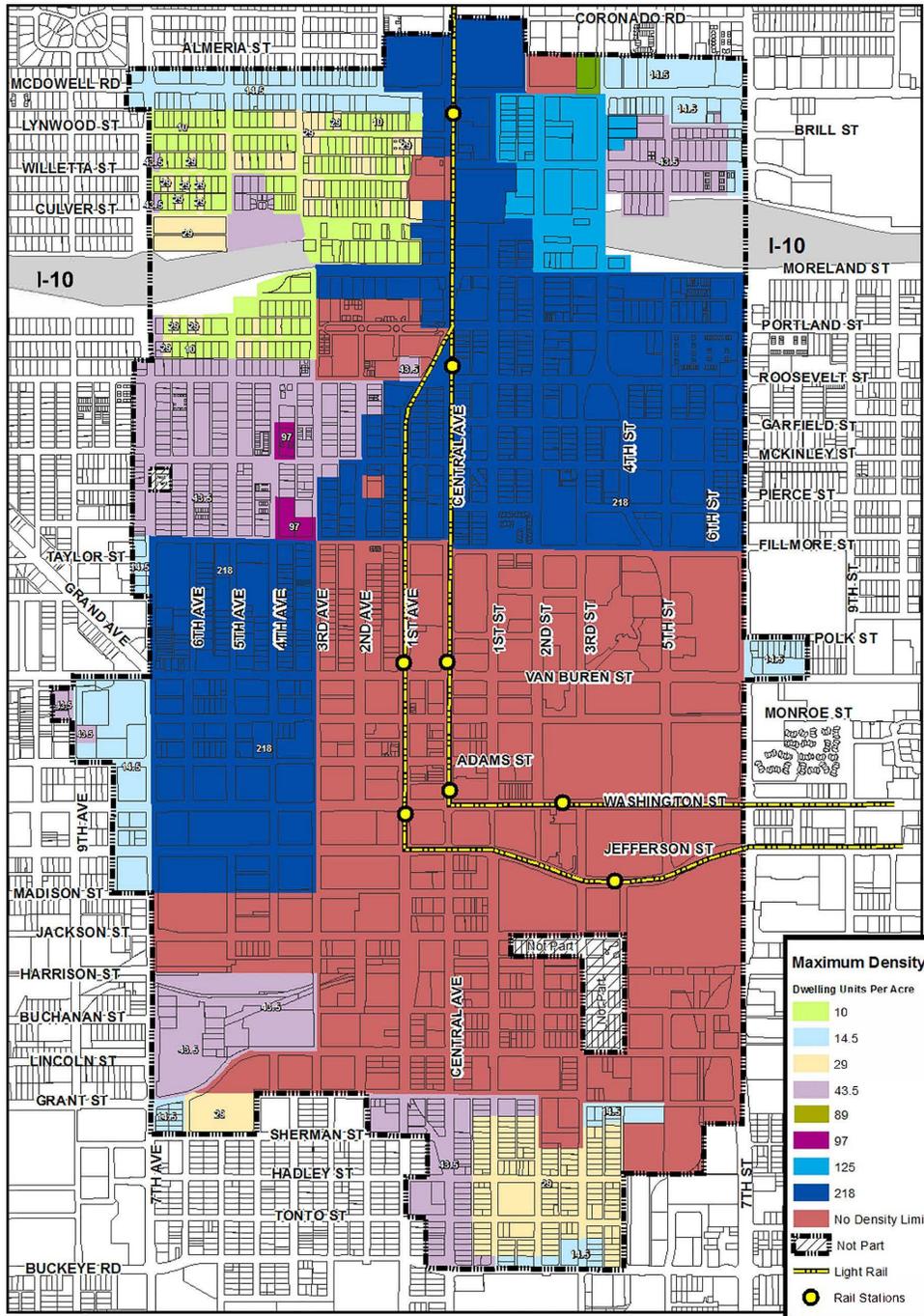
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Staff Proposed Language That May Be Modified During the Public Hearing Process is as follows:

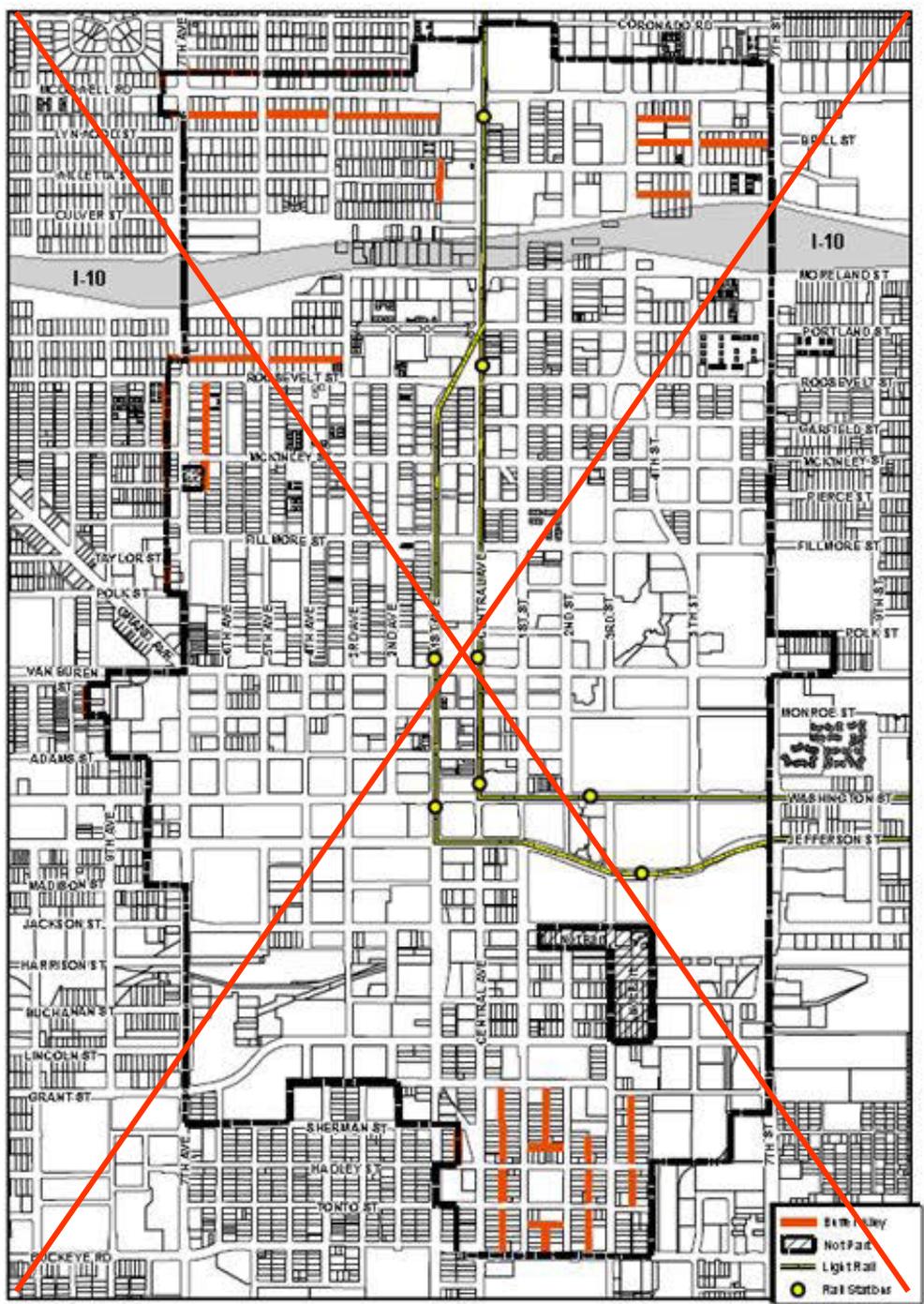
Amend Chapter 12, Section 1202 (Regulating Maps) by removing the old maps, and inserting new maps as follows:

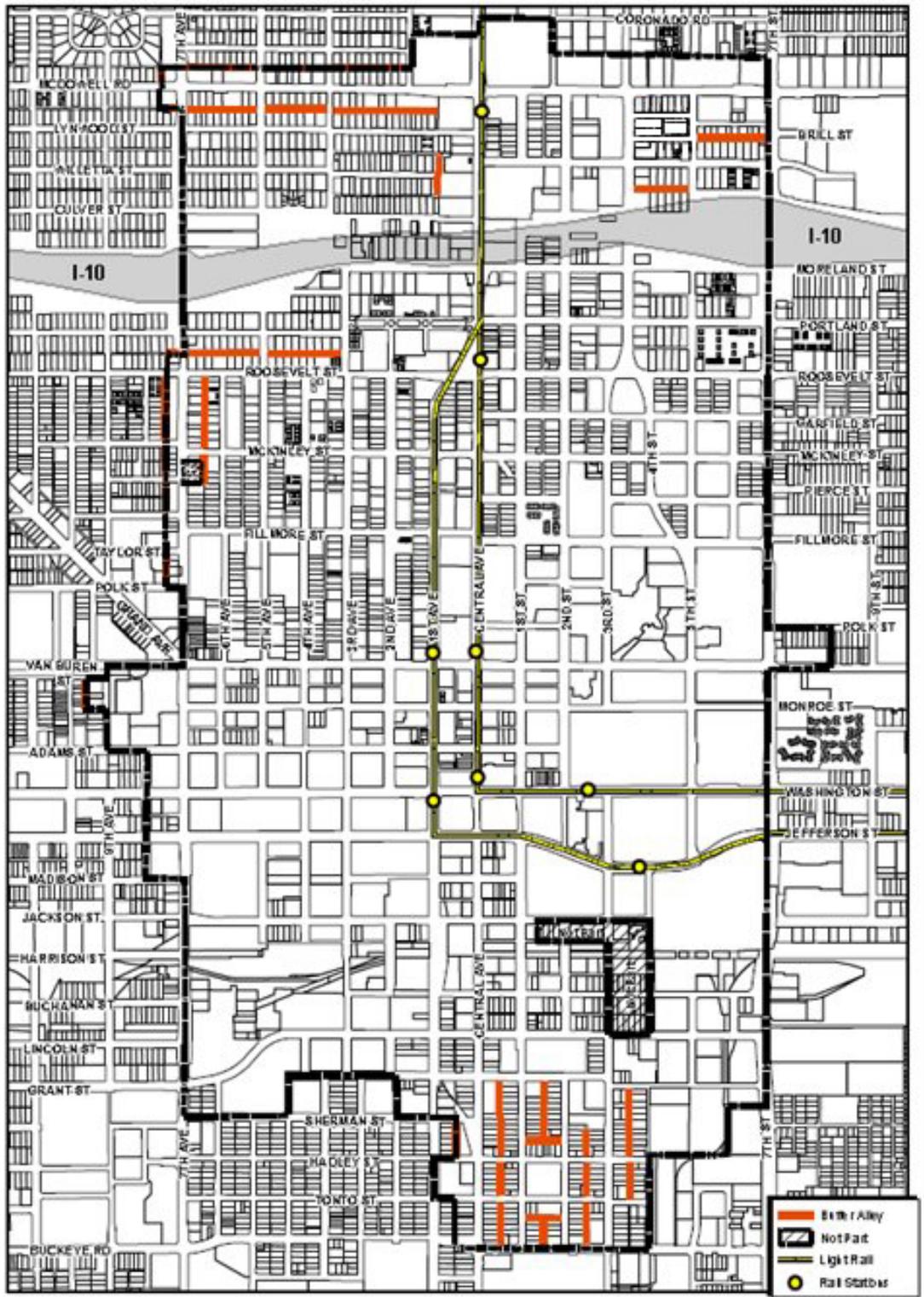
- D. The density for any parcel in the Downtown Area shall not exceed the following unless a density bonus is allowed by the Character Area and approved by the Planning and Development Department staff or an appeal is approved by the Design Review Committee (DRC) pursuant to Section [1223](#) requirements:





- F. This map designates Buffer Alleys for which abutting properties must conform to the standards and guidelines outlined in Sections 1207.O and P:





Amend Chapter 12, Section 1220 (Townsend Park) to read as follows:

B. Development Standards

1. Maximum Height

a. *Main building:* Governed by the height map, Section 1202.C.

(1) Height bonus: ~~None.~~ **MAXIMUM 30% INCREASE.**
