



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-11-15-8
(Washington Enclave PUD)
September 9, 2015**

Central City Village Planning Committee Meeting Date September 14, 2015
Planning Commission Hearing Date October 13, 2015
Request From: C-1 TOD-1 (1.1 acres) & C-3 TOD-1 (.07 acre)
Request To: PUD (1.17 acres)
Proposed Use Planned Unit Development to allow a mix of uses including multifamily residential and retail.
Location Southwest corner of 12th Street and Washington Street
Owner 1145 Washington LLC
Representative Larry Lazarus, Lazarus, Silvyn & Bangs
Applicant Studio Y Design & Development LLC
Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	12th Street	Minor Collector	40-foot west half street
	Washington Street	Arterial (Transit Street)	Varies - ~50-foot south half street
<p>LAND USE ELEMENT, GOAL 1, NEIGHBORHOOD POLICY 3: Locate higher density housing in or near the core, and medium density housing near employment, shopping, and transportation facilities, to support and encourage pedestrian, bicycle, and transit trips.</p> <p>The proposed project will provide high density residential development within the Central City Village adjacent to a regional transportation facility and in close proximity to nearby employment centers.</p>			
<p>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.</p> <p>The proposal is planned for the most intense within this Minor Urban Center place type, at 8 stories and 100 feet. The Minor Urban Center Place Type for the 12th Street and Washington</p>			

Street/Jefferson Street stations, envisions the most building height to occur between the light rail tracks near the 12th Street light rail stations and in areas near 7th Street where there are not nearby residential impacts. The proposed development offers a midrise residential project that promotes a walkable environment with the building and entrances along the street frontages. An automated parking system is proposed to make efficient use of the small site. A development of this intensity is appropriate adjacent to a light rail station. See discussion in #s 4 through 6 below.

Area Plan

Eastlake-Garfield Transit Oriented Development Policy Plan. See discussion in #s 6.c., 6.d. and 7 through 10 below.

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 1.17 acre site, located at the southwest corner of 12th Street and Washington Street, from C-1 TOD-1 (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One) and C-3 TOD-1 (General Commercial, Interim Transit-Oriented Zoning Overlay District One) to PUD (Planned Unit Development) to allow for a mix of uses including multifamily residential and retail. The site is located directly adjacent to the 12th Street and Washington Street light rail station. The site has frontage on both 12th Street and Washington Street.
2. Currently, the subject site is improved with a one-story office building located on the northern portion of the site, adjacent to Washington Street with some surface parking to the south.
3. The General Plan Land Use Map designation for this property is Commercial. The PUD proposes to construct 90 multi-family ownership residential units. Although not 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.

TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK

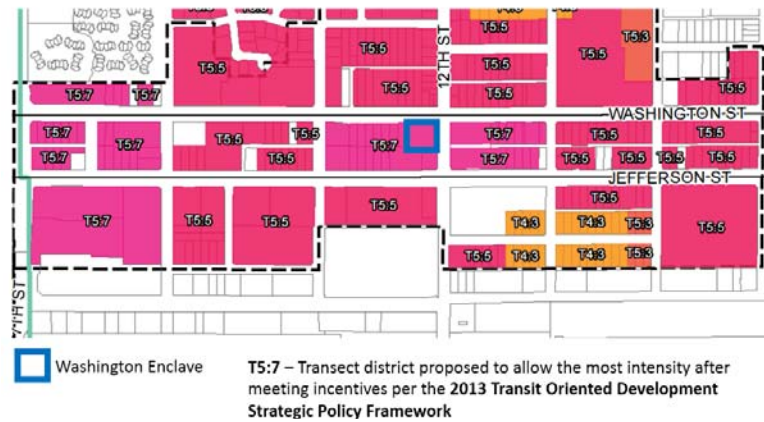
4. The Transit Oriented Development Strategic Policy Framework was adopted in 2013 as an amendment to the City of Phoenix General Plan. The policy framework is intended to improve the investment environment around key nodes in the Phoenix transit network and guide sustainable urban development to benefit 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 provide guidance for transit system planning by coordinating land use intensity with regional transit accessibility.
6. The place type policy established for the 12th 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. Policies offer guidance for incentives to increase building heights up to 7 stories.
 - a. Policy E.1: Increase heights and intensities on applicable properties within a $\frac{1}{4}$ mile radius of light rail stations within the parameters of the station's Place Type.

The proposal is directly adjacent to a light rail station and is within the parameters of the station's Place Type (See General Plan Conformity discussion above).
 - b. 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 was submitted for consideration prior to adoption of the Walkable Urban Code and has been crafted to meet the standards of that code.
 - c. Policy E.3: Only permit the maximum height within the Place Type for properties that have the highest degree of neighborhood compatibility and station accessibility. Heights should generally step down with distance from the station and with the proximity to single family properties.

During the ReinventPHX process when the Eastlake-Garfield Transit Oriented Development Policy Plan was being crafted, the Eastlake-Garfield 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 is consistent with Policy E.3., providing for maximum heights between the light rail tracks near the 12th Street stations and in areas near 7th Street where there are not nearby residential impacts.

The proposal for a 100-foot multi-family residential mid-rise building directly adjacent to the light rail station is consistent with the language for height in the T5:7 transect in the Walkable Urban Code. Commercial buildings generally have taller floor plates and residential buildings generally have shorter floor plates. Therefore, for this proposed residential mid-rise, it is possible to achieve an additional floor within the height identified for the T5:7 transect. While this results in a building proposal for eight floors instead of seven, as the building height remains unchanged, it is consistent with this policy.

- d. Policy E.4: When located on highly neighborhood-compatible and station-accessible properties, mixed-use buildings that comply with the Phoenix Green Construction Code are eligible for increased entitlement up to the incentive in the Place Type when one of the following performance standards are met:

- A minimum of 30 percent of housing units are dedicated for long-term affordability for moderate income households (between 50% and 100% of the metro area median), as approved by the Housing Department.

This standard is not applicable to this proposal.

- A minimum of 30 percent of the gross site area is dedicated for public open space, as approved by the Parks Department.

This standard is not applicable to this proposal.

- A Deed of Conservation easement is dedicated for an eligible historic property, as approved by the Historic Preservation Officer.

This standard is not applicable to this proposal.

- A proportionate in-lieu fee is paid (if a program is available) for affordable housing, parks, public parking, or other infrastructure, as approved by the City.

The developer has committed to compliance with the Green Building Code and will provide \$150,000 to the City of Phoenix Housing Department for affordable housing to be used within the Eastlake-Garfield TOD District. The Housing Department proposes to utilize the funds in association with its Choice Neighborhoods application to the Department of Housing and Urban Development for redevelopment of public housing near St. Luke's Medical Center.

This provision is addressed in Stipulation #1.d.

- e. 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.

As noted in the discussion about Policy E.3, above, the increased height and intensity is in accordance with the adopted Eastlake-Garfield TOD Policy Plan.

- f. Policy E.6: Do not apply Place Types to single family zoned properties, historic or historic-eligible properties or properties determined to be incompatible due to size, adjacent land uses, a VPC Specifying Action or when not in conformance with an adopted District Plan.

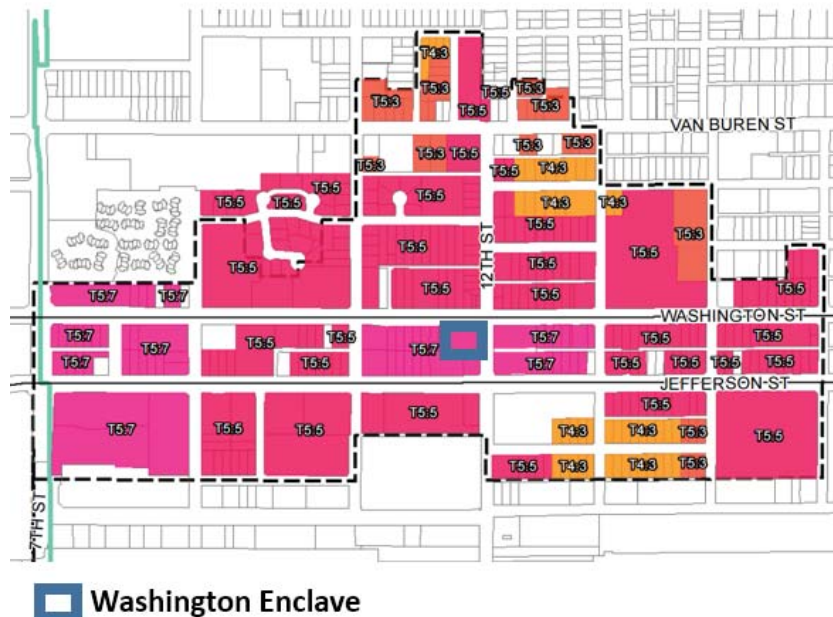
This standard is not applicable to this proposal.

EASTLAKE-GARFIELD TRANSIT ORIENTED DEVELOPMENT POLICY PLAN

7. The Eastlake-Garfield Transit Oriented Development (TOD) Policy Plan is a community-based vision aimed at transforming the Eastlake-Garfield 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, historic preservation, neighborhood compatibility, and infrastructure investment.
8. The Eastlake-Garfield TOD Policy Plan includes a conceptual zoning plan for the Eastlake-Garfield Transit Oriented Development District that identifies desired transect zoning districts. The Walkable Urban (WU) Code is intended to implement

the vision and policy of the Eastlake-Garfield TOD Policy 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 subject site is shown on the conceptual zoning plan with a transect designation of T5:7, which anticipates mixed use development between 30 and 56 feet and up to 100 feet in height with incentives (Transit Oriented Development Strategic Policy Framework).



10. The proposal is generally consistent with the Eastlake-Garfield TOD Policy Plan. The addition of a dense multifamily development helps to address the anticipated housing shortage in the area. In addition, the proposed project furthers many of the policies of the plan including pedestrian oriented and active street frontages, parking area located within the building, providing a minimum prescriptive amount of bicycle parking, and encouraging the installation of solar energy systems.

SURROUNDING USES & ZONING

11. **North**
The property to the north of the subject site is zoned C-1 TOD-1 (Neighborhood Commercial, Interim Transit-Oriented Zoning Overlay District One) with surface parking and a one story office building.

West

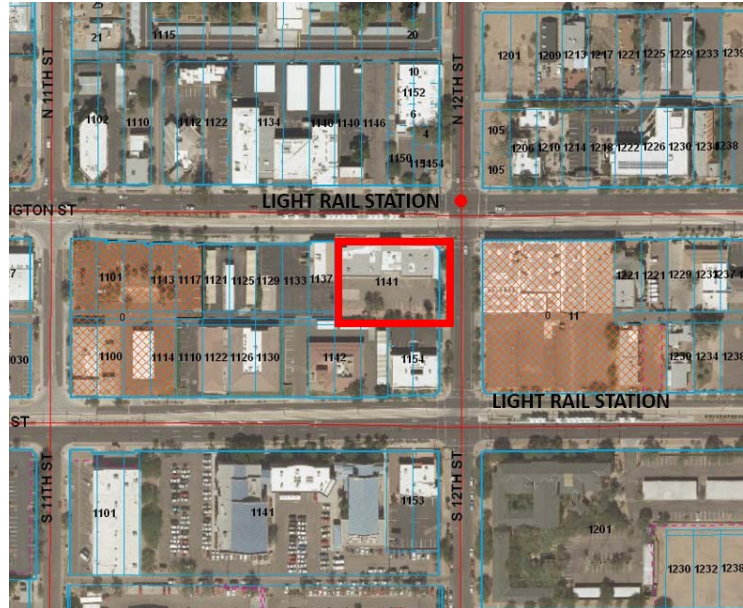
Directly adjacent is a one story office building with surface parking. This property is zoned C-3 TOD-1 (General Commercial, Interim Transit-Oriented Zoning Overlay District One).

South

Properties to the south contain one story office buildings with surface parking and are zoned C-3 TOD-1 (General Commercial, Interim Transit-Oriented Zoning Overlay District One).

East

The property to the east of the subject site is zoned C-2 HR TOD-1 (Intermediate Commercial, High Rise, Interim Transit-Oriented Zoning Overlay District One) and is being developed with a 5-story mixed use residential building.



Aerial view of subject site and surrounding properties.

PROPOSAL

12. 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.
13. The PUD proposes to develop a 100-foot, 8-story high multifamily residential building. The approval of this PUD will allow the site to develop as a transit oriented development of 90 ownership residential units. Floors two through seven will have unit sizes ranging from 1,100 to 1,350 square feet and the eighth floor penthouse level will have six three bedroom units ranging in size from 2,000 to 2,800 square feet. There will be 78 two bedroom units and 12 three bedroom units.

14. Parking for this 8-story development is proposed to be an automated storage and retrieval system, the first of its kind in Arizona. This type of system allows the actual parking process to proceed automatically after the driver and passengers exit the vehicle. Drivers deliver their vehicles in the entry space and sensors then verify that the space is empty of occupants. The vehicle is then moved and parked. The reverse occurs for retrieval of vehicles.



Example of an automated parking storage and retrieval system. Credit: Sumitomo Heavy Industries, Ltd.

Automatic retrieval systems can accommodate 30 to 50% more vehicles in the same volume of space and up to 40% less land is required compared to a conventional parking structure. There will be fewer toxic substances in the air and vehicle owners will realize some fuel savings.

15. The attached PUD Development Narrative date stamped July 24, 2015 proposes development standards generally consistent with the Walkable Urban Code. The narrative should be revised to reflect that standards and guidelines not identified within the PUD shall be subject to those of the Walkable Urban Code. This is addressed in Stipulation #1.b.

Land Use

The narrative proposes providing 90 multifamily residential ownership dwelling units. All T5:7 land uses specified in the Walkable Urban Code are permitted. Additionally, pet day care facility, pet grooming, appliance repair, business services, community garden and farmers market are permitted.

Development Standards

The proposed development standards are consistent with promoting a walkable development. The development standards would limit the building height to 100 feet and provide maximum building setbacks of 12 feet on Washington Street, 10 feet on 12th Street, zero feet on the side and three feet on the rear. The maximum lot coverage is 100%.

Fence and Wall Standards

In order to enhance the pedestrian experience along Washington Street, Stipulation #1.c. has been added to address fence and wall height on that frontage, limiting any fence to 40-inch view fencing.

Vehicular Access

One vehicular access point is proposed from 12th Street and an exit point will be on the west side of the building onto Washington Street.

Amenities

A pool, outdoor seating areas, outdoor grill, poolside restrooms and vegetable and herb gardens are proposed as roof top amenities for the buildings' occupants. The ground floor will house a business center.

Shade

A minimum of 75% of the sidewalk will be provided with shade along the entire right-of-way frontage with the exception of driveways. Trees and/or building mounted shade elements will provide the prescriptive shading requirement.

Signage

Signage standards will adhere to the standards specified in the Walkable Urban Code.

Sustainability

The development proposes several elements addressing sustainability principles including implementing strategies to reduce the Urban Heat Island effect, including reflective roofing; providing water efficient landscaping and utilizing a drip irrigation system to minimize water waste; recycling services for residents; providing electric vehicle charging stations; implementing a roof-top solar energy system to contribute to heating/cooling of the building with gas generators provided as back up; designing the building's HVAC systems to minimize/eliminate the usage of CFCs and CFC-based refrigerants; encouraging the use of water-based adhesives on all VCT and vinyl flooring to minimize VOC off gassing; and obtaining LEED certification for the building. Additionally, the parking strategy discussed in #14, above, is a sustainability measure.

The roof of the building is proposed to house a number of amenities and mechanical equipment. The applicant has provide information regarding turbines and chillers which might be used for this project. The information indicates that this equipment can typically occupy a space of 30 feet by 15 feet. If this equipment is provided in the roof area, along with the roof top solar energy system, in addition to the stated amenities of a pool, outdoor seating areas, outdoor grill, poolside restrooms and vegetable and herb gardens, it appears that the roof will be quite crowded. The applicant has been asked to provide a detail of the roof, showing how all the equipment and amenities will co-exist in that space.

MISCELLANEOUS

16. 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 #4 addresses this request.

17. 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 Per City Code 37-33, this project will require a water main extension along the street frontage of this development on 12th Street. The 6-inch main in Washington Street may not be the adequate size for the fire flow requirements. If the development requires connecting to a main larger than 6-inch, the nearest 12-inch main is located on the south side of Jefferson Street. There is also an 8-inch main located on the north side of Washington Street. Accessing these mains will impact the light rail and requires compliance with the Water Services Department's Design Standards for Light Rail. The design and construction of any facilities needed to connect to or increase the capacity of the existing infrastructure are the responsibility of the developer.

Sewer There is a 12-inch main on 12th Street and an 8-inch main on the property just south of the building within the property lines within a 12.5 foot easement adjacent to the south property line. No permanent structures are allowed to be constructed within the 12.5 foot easement, nor any landscaping shall be placed that will cause damage to the sewer main by tree roots. The sewer easement lies within the landscape setback. A list of acceptable landscaping vegetation in easements is available on the Water Services Department website. Refer to Section 3.2.4 (page 9) of the COP Water Services Department Design Standards Manual. The transformer shown on the site plan needs to be relocated outside of the easement. (<http://phoenix.gov/WATER/plantlistpue/pdf>).

18. 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 maps.
19. 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 location criteria identified in the policies for incentives for additional building height from 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 Eastlake-Garfield Transit Oriented Development Policy Plan.
4. The development will provide an additional housing choice for the area and will provide support for affordable housing, thereby addressing the anticipated housing shortage for the Eastlake-Garfield Transit Oriented Development District.

Stipulations

1. An updated Development Narrative for the Washington Enclave 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 July 24, 2015, as modified by the following stipulations:
 - a. Page 13 – Replace the “Justification” under the third bullet as follows: The Washington Enclave will comply with the Phoenix Green Construction Code. While the City does not currently have an in-lieu fee program available, the developers of the Washington Enclave shall meet the intent of this Policy by making a financial contribution of \$150,000 to the City of Phoenix Housing Department. Such funds shall be placed into an escrow account which the City will use to support the provision of affordable housing within the Eastlake-Garfield TOD District. The City shall establish an escrow account with the Housing Department for receipt and holding of funds specifically for the support of providing affordable housing within the Eastlake-Garfield TOD District. The developer shall place the financial contribution into the escrow account upon City Council approval of the PUD zoning.
 - b. Page 16: Amend first paragraph to read:
The intent of the Washington Enclave PUD is to develop utilizing the development standards of the T5:7 transect district and applicable provisions of the Walkable Urban Code (Chapter 13 of the Zoning Ordinance). Unless specifically modified by the development standards below, all **applicable T5:7 development standards and guidelines** in the Walkable Urban (WU) Code (~~Chapter 13 of the Zoning Ordinance~~) shall apply on the property.
 - c. Page 16: Fences – Washington Street - 40-inches maximum, constructed utilizing view fencing materials.

- d. Page 19, #4 - Replace with this text: Make a financial contribution of \$150,000 to the City of Phoenix Housing Department. Such funds shall be placed into an escrow account which the City will use to support the provision of affordable housing within the Eastlake-Garfield TOD District. The City shall establish an escrow account with the Housing Department for receipt and holding of funds specifically for the support of providing affordable housing within the Eastlake-Garfield TOD District. The developer shall place the financial contribution into the escrow account upon City Council approval of the PUD zoning.
2. 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

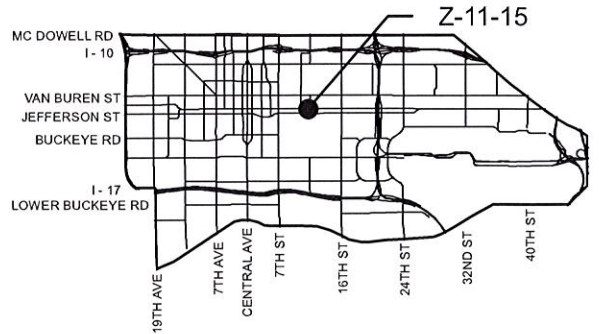
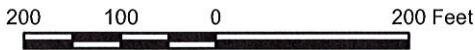
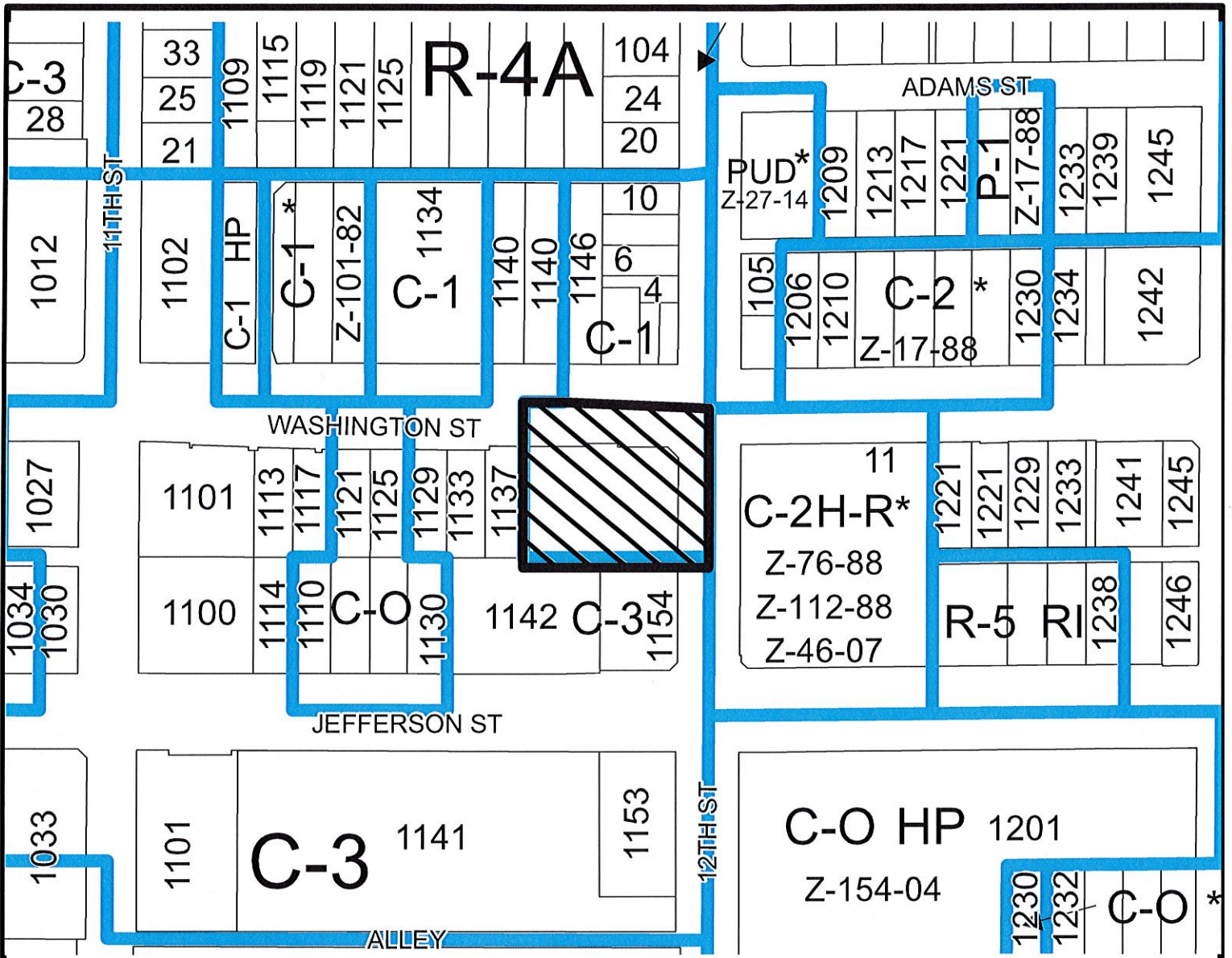
Joshua Bednarek

Attachments

Sketch Map

Aerial

Washington Enclave PUD Development Narrative date stamped July 24, 2015



CITY OF PHOENIX PLANNING DEPARTMENT

CENTRAL CITY VILLAGE

CITY COUNCIL DISTRICT: 8

APPLICANT'S NAME: Studio Design & Development LLC

REQUESTED CHANGE:

FROM: C-1 TOD-1, (1.10 a.c.)
C-3 TOD-1, (.07 a.c.)

TO: PUD, (1.17 a.c.)

APPLICATION NO. Z-11-15

DATE: 3/25/15
REVISION DATES:

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

1.17 Acres

AERIAL PHOTO &
QUARTER SEC. NO.
QS 10-29

ZONING MAP
F-8

MULTIPLES PERMITTED

C-1, C-3
PUD

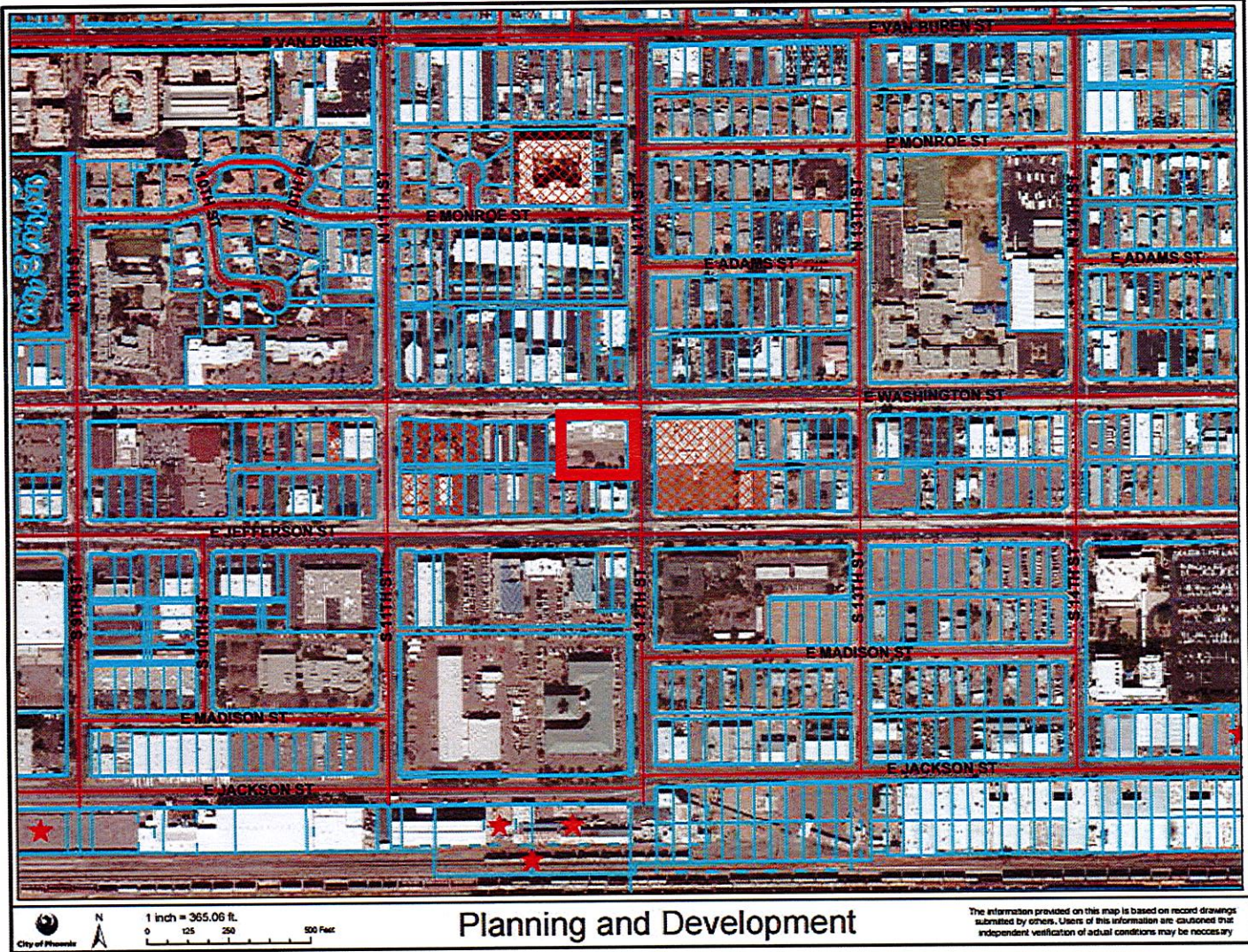
CONVENTIONAL OPTION

16, 1
NO MAXIMUM

* UNITS P.R.D. OPTION

19, 1
NO MAXIMUM

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



1 inch = 365.06 ft.
 0 125 250 500 Feet

Planning and Development

The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary.