



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-52-23-8
November 7, 2023

Central City Village Planning Committee Hearing Date: November 13, 2023

Historic Preservation Commission Hearing Date: November 20, 2023

Planning Commission Hearing Date: December 7, 2023

Request From: [C-3 TOD-1](#) (General Commercial, Interim Transit-Oriented Zoning Overlay District One) (3.77 acres)
[R-5 RI TOD-1](#) (Multifamily Residence District, Residential Infill District, Interim Transit-Oriented Zoning Overlay District One) (0.95 acres)

Request To: [WU Code T5:7 EG](#) (Walkable Urban Code, Transect 5:7 District, Transit Eastlake-Garfield Character Area) (4.49 acres)
[WU Code T5:7 EG HP](#) (Walkable Urban Code, Transect 5:7 District, Transit Eastlake-Garfield Character Area, Historic Preservation Overlay) (0.23 acres)

Proposal: Mixed use including multifamily residential, hotel, and general retail; and a Historic Preservation (HP) zoning overlay for the Greenlee-Hammond House/Virgil J. Berry Real Estate & Insurance Agency (1321 East Washington Street)

Location: Southeast and southwest corners of 13th Street and Washington Street

Owner: 1301 East Washington, LLC, et. al.

Applicant/Representative: Virgil J. Berry Jr.

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commercial	
<u>Street Map Classification</u>	Washington Street	Arterial with Light Rail	50-foot south half street

<u>General Plan Conformity</u>			
	Jefferson Street	Arterial with Light Rail	Width varies from 53-foot to 58.5-foot north half street
	13th Street	Local Street	60-foot full street
<p>CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.</p> <p>The site is located within the Eastlake-Garfield Transit Oriented Development (TOD) Policy Plan area and is within 400 feet of the 12th Street / Washington Street / Jefferson Street light rail stations. The proposal for high-density housing and commercial retail and hotel uses is appropriate, given the proximity to high-capacity transit, and is consistent with the adopted TOD policy plan.</p>			
<p>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Encourage bicycle and pedestrian amenities in new major development projects in high-density, mixed-use areas or near transit stations or employment centers.</p> <p>The proposal will provide bicycle amenities on-site and will enhance the pedestrian experience on the adjacent streets with additional shade, detached sidewalks, and active ground floor uses with glazing.</p>			
<p>CREATE AN EVEN MORE VIBRANT DOWNTOWN; SURROUNDING NEIGHBORHOODS; DESIGN PRINCIPLE: Encourage the development of height transition and design standards that support new development while enhancing the integrity and livability of established neighborhoods.</p> <p>The proposal will redevelop a transit-adjacent site near downtown that will enhance the livability of the neighborhood with pedestrian-oriented design features and an appropriate height.</p>			
<p>BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.</p> <p>The proposed development provides trees and shade on Washington Street, Jefferson Street, and 13th Street which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.</p>			

Applicable Plans, Overlays and Initiatives
<u>Transit Oriented Development Strategic Policy Framework</u> – See Background Item No. 3.
<u>Eastlake-Garfield Transit Oriented Development Policy Plan</u> – See Background Item No. 4.
<u>Housing Phoenix Plan</u> – See Background Item No. 8.
<u>Comprehensive Bicycle Master Plan</u> – See Background Item No. 9.
<u>Complete Streets Guiding Principles</u> – See Background Item No. 10.
<u>Tree and Shade Master Plan</u> – See Background Item No. 11.
<u>Transportation Electrification Action Plan</u> – See Background Item No. 12.
<u>Zero Waste PHX</u> – See Background Item No. 13.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Commercial offices, single-family residential, and retail	C-3 TOD-1 and R-5 RI TOD-1
North (across Washington Street)	School and commercial offices	C-2 TOD-1 and C-3 TOD-1
South	Single-family residential and vacant land	R-5 RI TOD-1 and R-5 RI HP TOD-1
South (across Jefferson Street)	Commercial offices, surface parking, and vacant land	C-O HP TOD-1, C-3 TOD-1, and R-5 RI TOD-1
East	Theater and single-family residential	C-3 TOD-1 and R-5 RI TOD-1
West	Surface parking	C-3 TOD-1 and R-5 RI TOD-1
Excluded Area Surrounded by Rezoning	Wireless communication facility	C-3 TOD-1

Walkable Urban Code T5:7 EG		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	N/A	4.72
Total Number of Units	No maximum	200
Density	No maximum	42.37 dwelling units per acre

Walkable Urban Code T5:7 EG		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Hotel Rooms	No maximum	150
Building Height	100-foot maximum	100 feet (Met)
Parking	335 spaces minimum (residential: 225 spaces, lodging: 75 spaces, retail: 35 spaces)	456 spaces (Met)
Bicycle Parking – Per Section 1307.H.6.a <ul style="list-style-type: none"> • Residential: 0.25 bicycle parking spaces per residential unit • Commercial/hotel: 1 bicycle space per 25 vehicle parking spaces, with a maximum of 25 spaces. 	Residential: 50 spaces minimum Commercial/Hotel: 5 spaces minimum	Not specified
<i>Streetscape Standards (Section 1312.B)</i>		
Arterial Street (Washington Street)	8-foot sidewalk	8 feet (Met)
	5-foot landscape	5 feet (Met)
Arterial Street (Jefferson Street)	8-foot sidewalk	8 feet (Met)
	5-foot landscape	5 feet (Met)
Local Street (13th Street)	5-foot sidewalk	Not specified (13th Street proposed to be abandoned)
	5-foot landscape	
<i>Main Building Setbacks</i>		
Washington Street (Primary Frontage)	12-foot maximum	0 feet (Met)
Jefferson Street (Primary Frontage)	12-foot maximum	0 Feet (Met)
13th Street (Secondary Frontage)	10-foot maximum	Not specified (13th Street proposed to be abandoned)
Side/rear (West/East/South) Per Section 1303.A.3	0-foot minimum; 40-foot minimum adjacent to HP zoning (for 100-foot building height)	West: 60 feet (Met) East: 23 feet (Met) South: 48 feet (Met)

Walkable Urban Code T5:7 EG		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Parking Setbacks</i>		
Washington Street (Primary Frontage)	30-foot minimum or behind building	Behind building (Met)
Jefferson Street (Primary Frontage)	30-foot minimum or behind building	Behind building (Met)
13th Street (Secondary Frontage)	20-foot minimum	Behind building (Met)
Side/rear (West/East/South) Per Section 1307.F.2.a	0-foot minimum; 10-foot minimum landscape setback adjacent to HP zoning	West: Behind building (Met) East: 23 feet (Met) South: Not specified
<i>Lot Requirements</i>		
Lot Coverage	80 percent maximum	33 percent (Met)
Washington Street (Primary Frontage)	70 percent minimum	75 percent (Met)
Jefferson Street (Primary Frontage)	70 percent minimum	86 percent (Met)
13th Street (Secondary Frontage)	50 percent minimum	Not specified (13th Street proposed to be abandoned)
Open Space	5 percent minimum	5.4 percent (Met)
<i>Frontage Types Allowed</i>		
Washington Street (Primary Frontage)	All frontages or alternative frontages per Section 1305.B.1.c	Storefront
Jefferson Street (Primary Frontage)	All frontages or alternative frontages per Section 1305.B.1.c	Storefront
13th Street (Secondary Frontage)	All frontages or alternative frontages per Section 1305.B.1.c	Not specified

Background/Issues/Analysis

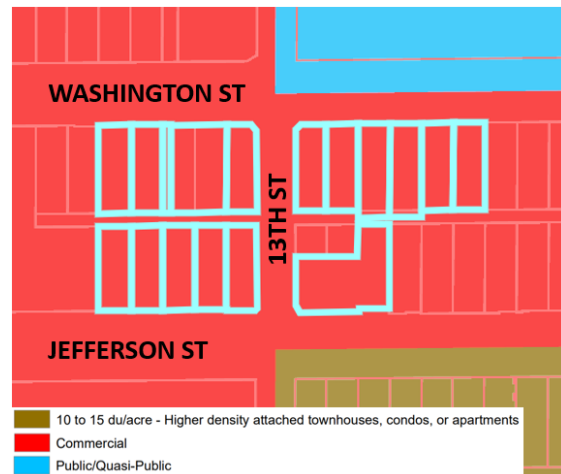
SUBJECT SITE

1. This request is to rezone a 4.72-acre site located at the southwest and southeast corners of 13th Street and Washington Street from 3.77 acres of C-3 TOD-1 (General Commercial, Interim Transit-Oriented Zoning Overlay District One) and

0.95-acres of R-5 RI TOD-1 (Multifamily Residence District, Residential Infill District, Interim Transit-Oriented Zoning Overlay District One) to 4.49 acres of WU Code T5:7 EG (Walkable Urban Code Transect 5:7 District, Transit Eastlake-Garfield Character Area) and 0.23-acres of WU Code T5:7 EG HP (Walkable Urban Code Transect 5:7 District, Transit Eastlake-Garfield Character Area, Historic Preservation) to allow mixed use including multifamily residential, hotel, and general retail; and a Historic Preservation (HP) zoning overlay for the Greenlee-Hammond House/Virgil J. Berry Real Estate & Insurance Agency (1321 East Washington Street).

The subject site was originally subdivided in 1887 as part of the Collin's Addition and annexed into the City of Phoenix in 1910. It was zoned C-3 and R-5 since 1961, and in 2003 the TOD-1 overlay district was mapped over the subject site and surrounding area. The site is within 400 feet of the 12th Street / Washington Street / Jefferson Street light rail stations and is within the Eastlake-Garfield Transit-Oriented Development (TOD) Policy Plan area.


2. The General Plan Land Use Map designation for this site is Commercial, which accommodates office, retail, service, and multifamily development. The proposed Walkable Urban Code mixed-use transect is consistent with the designation. The General Plan Land Use Map designations to the east and west are Commercial. The General Plan Land Use Map designation to the south is Commercial and Residential 10 to 15 dwelling units per acre and to the north is Commercial and Public/Quasi-Public.



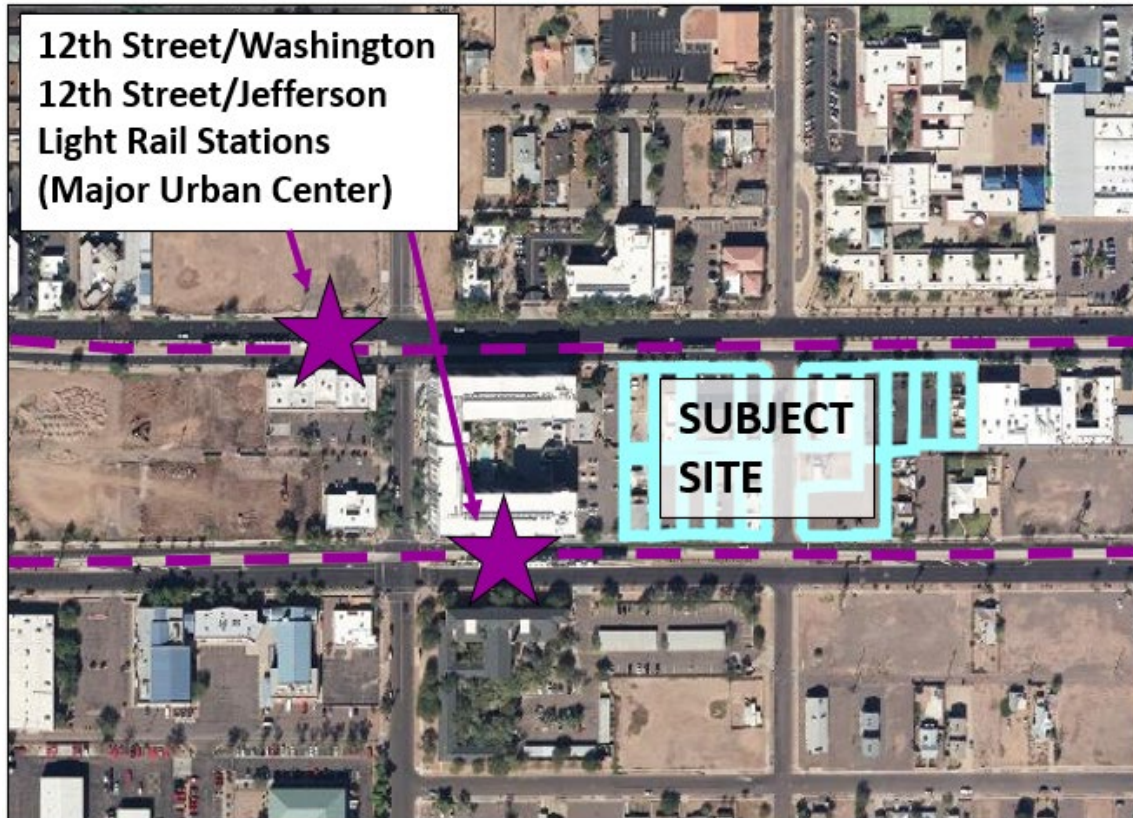
General Plan Land Use Map, Source: Planning and Development Department

3. **[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 within 400 feet of the 12th Street / Washington Street / Jefferson light rail stations. The identified environment for the station is Major Urban Center applicable to an area within one quarter mile of the station and along arterial streets. 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 15 stories. Land uses may include destination retail and entertainment, mid rise living, and office employment. Commercial development is characterized by mid-rise offices and hotels. The proposed mix of uses -- multifamily residential, retail, and hotel -- in eight-story buildings is consistent with the Major Urban Center placetype.

12th Street / Washington 12th Street / Jefferson	Major Urban Center *	
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TOD Strategic Policy Framework, Source: Planning and Development Department



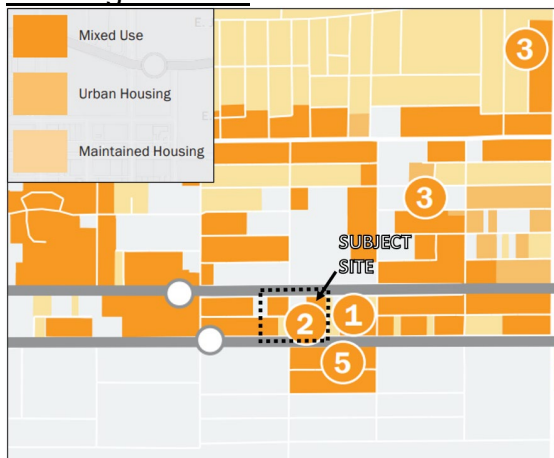
Aerial Map, Source: Planning and Development Department

4. **[Eastlake-Garfield Transit Oriented Development Policy Plan](#)**

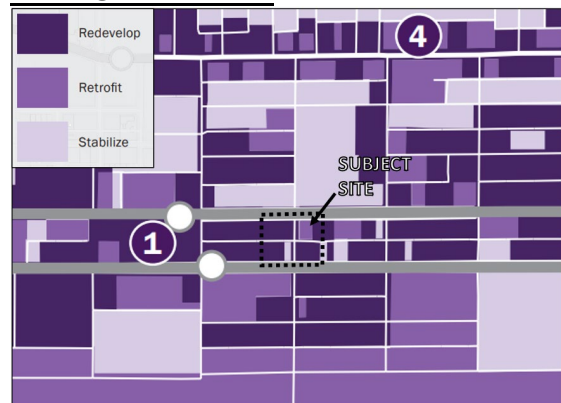
The site is located within the Eastlake-Garfield TOD Policy Plan area, the boundaries for which are State Route 143 or the Hohokam Expressway to the east, Interstate 10 to the north and east, 7th Street to the west, and the Union Pacific Railroad to the south. The policy plan adopted for the Eastlake-Garfield 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 Eastlake-Garfield TOD District, one key recommendation is the implementation of a form-based zoning code.

The proposal to Walkable Urban Code furthers that vision. The proposed T5:7 transect allows mixed-use development, including multifamily residential, retail and services, office uses, and hotels. The mix of uses is consistent with the opportunities identified in the plan for mixed-use development and walkable urban mid rise housing (housing element). The land use element identifies most of the subject site for redevelopment, and the master plan land use map identifies the portion west of 13th Street as mixed-use residential (office, residential, retail) and the portion east of 13th Street as single-family residential because of the smaller developable lots. However, the applicant is proposing demolition (except for one structure) and assemblage of properties sufficient for mid-rise mixed-use development to match the rest of the Washington Street/Jefferson Street corridor in this area. On the conceptual zoning plan, the area west of 13th Street is identified with the T5:7 transect while the area east of 13th Street is identified as T5:5. Since the approval of the Eastlake-Garfield TOD Policy Plan, the 12th Street / Washington Street / Jefferson Street light rail stations have been revised from a Minor Urban Center to a Major Urban Center. Therefore, the additional intensity east of 13th Street is appropriate at this opportunity site, one block from the light rail station. Overall, this proposal furthers the vision of the Eastlake-Garfield TOD Policy Plan.

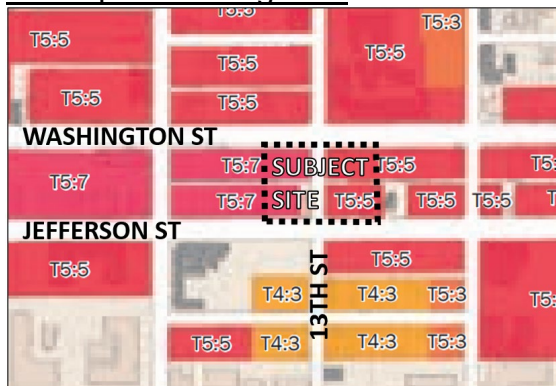
Housing Element



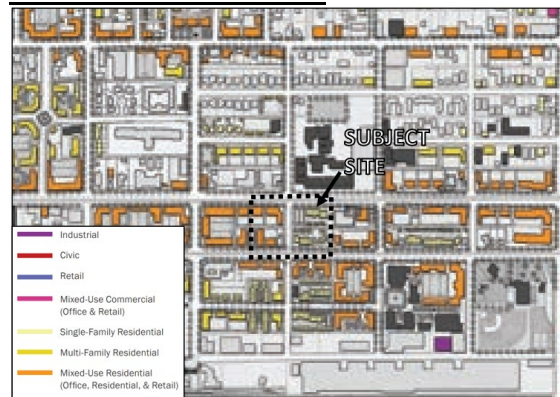
Land Use Element



Conceptual Zoning Plan



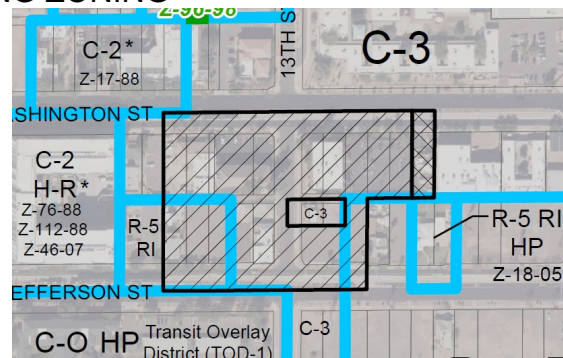
Master Plan Land Use



Eastlake-Garfield TOD Policy Plan, Source: Planning and Development Department

EXISTING CONDITIONS AND SURROUNDING ZONING

- The subject site is zoned C-3 TOD-1 and R-5 RI TOD-1 and contains office buildings, surface parking lots, retail uses, and a single-family home. To the north, across Washington Street, are a school and offices zoned C-3 TOD-1 and C-2 TOD-1. To the south, across Jefferson Street, are offices, surface parking, and vacant land zoned C-O TOD-1 HP, C-3 TOD-1, and R-5 RI TOD-1. To the west is surface parking zoned C-3 TOD-1 and R-5 RI TOD-1. Adjacent to the east and south interior property lines are a theater, single-family homes, and vacant land zoned C-3 TOD-1, R-5 RI TOD-1, and R-5 RI TOD-1 HP. The excluded area surrounded by the rezoning site is a wireless communication facility zoned C-3 TOD-1.



Zoning Aerial Map, Source: Planning and Development Department

PROPOSAL

- The proposed T5:7 District is described as a medium-high-intensity urban mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work, and residential units adjacent to the light rail corridor, up to 100 feet in height. As shown on the conceptual site plan attached as an exhibit, the proposed development will be two eight-story mixed-use buildings. West of 13th Street will be an eight-story mixed-use building with 10,000 square feet of ground floor retail space and 200 residential units above, fronting on Washington Street, 13th Street, and Jefferson Street. East of 13th Street will be an eight-story, 150-room hotel with 3,000 square feet of ground floor retail space, fronting on Washington Street and 13th Street. The buildings are oriented toward the sidewalks with frontage types, as required by the WU Code standards, and parking, totaling 456 spaces, located behind the buildings. The conceptual

elevations, attached as an exhibit, demonstrate the facades of the proposed eight-story hotel with a variety of colors and materials providing visual interest.

A historic structure is proposed to remain and rezoned with an HP overlay. See Background Item No. 7 for additional information.

In order to fulfil the mixed-use vision of this location, as described in the Eastlake-Garfield TOD Policy Plan, and activate Washington Street and Jefferson Street, which are commercial light rail corridors, staff recommends Stipulation No. 1 to require a minimum of 10,000 square feet of ground floor non-residential uses fronting on Washington Street and Jefferson Street for the multifamily, mixed-use building, consistent with the applicant's conceptual site plan.

The applicant intends to pursue abandonment of 13th Street and the east/west alleys through the site. The applicant will need to apply for the abandonment through a separate process, and approval of this rezoning case does not indicate approval of the proposed abandonment. However, in the event that 13th Street is abandoned, staff recommends Stipulation No. 2 requiring the development to maintain north/south pedestrian access between Washington Street and Jefferson Street, either by maintaining public access through a private drive or constructing a pedestrian paseo, per the WU Code standards.

HISTORIC PRESERVATION ZONING

7. Eligibility Criteria

The eligibility criteria for HP overlay zoning and listing on the Phoenix Historic Property Register are set forth in Section 807.D of the City of Phoenix Zoning Ordinance. To qualify, a property must demonstrate significance in local, regional, state, or national history, architecture, archaeology, engineering, or culture, according to one or more of the following criteria:

- A. The property is associated with the events that have made a significant contribution to the broad pattern of our history;
- B. The property is associated with the lives of persons significant in our past;
- C. The property embodies the distinctive characteristics of a type, period, or method of construction, represents the work of a master, possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- D. The property has yielded or may likely yield information integral to the understanding of our prehistory or history.

In addition to the significance requirement, the property must also be at least 50 years old or have achieved significance within the past 50 years if it is of exceptional importance. The property must also possess sufficient integrity of

location, design, setting, materials, workmanship, feeling, and association to convey its significance.

Evaluation

The property at 1321 East Washington Street meets the eligibility criteria for HP overlay zoning. It meets the age requirement, having been built in 1926. It has very good historic integrity, with few alterations, despite having converted from a residence to an office. The property is significant under Criteria A, B, and C as outlined below.

Its significance under Criterion A is due to its association with African American history in Phoenix, 1868-1970. The house was built ca. 1926 for Nello Birtpath Greenlee, a prominent Black doctor and surgeon in Phoenix. Born in Asheville, North Carolina, Greenlee earned his medical degree from the University of West Tennessee College of Medicine in 1914. He served in the 367th Infantry Regiment of the Army Office Reserve Corps, a segregated unit in the 92th Division. His group served in France during World War I. Greenlee was discharged in 1919 and would work as a house surgeon at the Fort Dearborn Hospital in Chicago, Illinois, then later as a narcotics inspector for the United States government. Shortly after the opening of W. C. Hackett's Booker T. Washington Memorial Hospital (1921), the doctor arrived in Phoenix from Los Angeles, California, and worked as a clinician at the hospital.

The construction of his new house was announced in a 1926 article. The two-story house had a living room, dining room, breakfast room, office, kitchen, bedroom, and a bathroom on the first floor. The second floor consisted of two large bedrooms, a bathroom, and a roof garden. The size and high style of the house serves as an early indicator of the rising economic and social status of African Americans in Phoenix. However, despite Greenlee's relative affluence, housing restrictions in place at the time required that he live in one of the established Black neighborhoods, rather than in the new subdivisions north of Van Buren Street that were exclusively for white residents.

After Greenlee's untimely death in 1934, the house would eventually be owned by other prominent Black leaders, including Roy A. Lee, the first principal of Phoenix Union Colored High School (later known as George Washington Carver High School). Wade H. Hammond, a frequent guest of the Lee household, purchased the property ca. 1942, following his retirement from the U.S. Army as chief warrant officer. Hammond began his career as a music instructor at Alabama A&M College in the early 1900s. He also served on the faculty of Western University in Quindaro, Kansas. In 1908, President Theodore Roosevelt signed an executive order making Hammond one of the first African Americans appointed Chief Musician (Bandmaster) in the U.S. Army. He served as the Bandmaster for the 9th U.S. Cavalry, and later the 10th Cavalry and 25th

Infantry, which were segregated regiments, at Fort Huachuca in Arizona from 1921 until his retirement in 1942. Hammond moved to Phoenix that same year, where he was actively involved in civic affairs in the Black community. In 1943 he served as President of the Colored Professional and Business Club of Phoenix. Hammond also served as a member of the Phoenix Housing Authority for 10 years and was often delegated to attend meetings for the National Housing Authority and the National Association of Housing Officials. He would go on to organize and become the first President of the Phoenix Urban League. Hammond died at his home on January 15, 1957.

In 1964, prominent local Phoenix businessman Virgil “Jackie” Berry acquired the property to use as an office for his Virgil J. Berry Real Estate and Insurance Agency. Born in Slidell, Texas, and an army veteran of the Korean War, Berry moved to Phoenix in 1950. He graduated from both Phoenix College and Arizona State University (then known as Arizona State College), earning his Bachelor of Science in Business Administration from the latter in 1954. Berry worked for Lincoln Ragsdale, Sr.—a successful Phoenix businessman who established the Ragsdale Mortuary, Ragsdale Realty and Insurance Agency, and Valley Life Insurance Company. Berry would work for Ragsdale’s enterprises for several years, from burial plot sales to insurance, eventually becoming vice president at Valley Life Insurance Company. In 1953, Berry created a new real estate corporation with Clyde Webb and Travis Williams to form the Webb, Williams, and Berry Real Estate Brokers and Insurance Agency, Inc. They sold homes in the East Broadway Addition, Park South, and Sheraton Park subdivisions in South Phoenix. Berry and Webb dealt with real estate sales while Williams handled development. They also offered insurance services. The trio worked together until 1963, when Berry opened his own real estate and insurance company with the help of his wife, Doris, and brother Luther. The Virgil J. Berry Real Estate & Insurance Agency moved into the former residence at 1321 East Washington Street in 1964.

Berry continued his successful business, which was important to the African American community. During his early career as a salesman, Berry was not able to sell property north of McDowell due to being Black. Berry would quit the real estate business in late 1967, to work as a training supervisor for the city’s Concentrated Employment Program, citing discrimination in the field. Although a member of the Phoenix Real Estate Board, he was told the Phoenix Multiple Listing Service would disband if he joined it. Eventually, his son, Virgil Berry, Jr., and daughter Judy would carry on the success of the family real estate business. Virgil J. Berry, Sr. passed away on June 18, 1995.

The property is significant under Criterion B for its association with the important individuals mentioned above, including prominent physician N. B. Greenlee, community leader and musician Wade H. Hammond, and notable real estate and insurance businessman Virgil J. Berry.

The building is also significant under Criterion C for its architecture, as a fine example of the Southwest style (a local combination of the Spanish Colonial Revival and Pueblo Revival styles). The two-story, frame-and-stucco building has a flat roof with shaped parapets, a low walled enclosure at the entry, *vigas* (exposed wood beams) and *canales* (water scuppers) below the roofline, a porch with tiled roof, and tiled trim at the cornice. While this architectural style is prevalent in Phoenix, this is a rare example of its use in the African American community.

The property was designed by architect C. Louis Kelley, who was responsible for many of the finest residences in Phoenix built during the 1920s. In addition to homes for wealthy residents, Kelley also designed apartment buildings and a mortuary. He was also the architect for the Primera Iglesia Metodista Unida at 701 South 1st Street and Lucy Phillips Memorial C.M.E. Church at 1415 East Adams Street. The building was constructed by T.L. Weatherford.



View of 1321 E Washington Street, taken from Google Street View imagery, June 2023



A photo of a 1960s photograph of the house at 1321 E. Washington Street after it was converted to a real estate office

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. [Housing Phoenix Plan](#)

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by providing 200 units of new multifamily housing in a

transit-oriented location, contributing to the mix of housing types in the area and helping address the housing shortage in Phoenix.

9. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. 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 proposed development incorporates bicycle parking, per the WU Code, and additional requirements for multifamily residential bicycle infrastructure, pursuant to Stipulation No. 3. Additionally, electric bicycle charging capabilities will be incorporated into the development, per Stipulation No. 4.
10. **Complete Streets Guiding Principles**
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 proposed WU Code transect requires urban street frontages that enhance the pedestrian environment in the vicinity of the development. The proposal includes shaded detached sidewalks along all street frontages, per the WU Code requirements.
11. **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. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. WU Code standards require that the development provide shaded detached sidewalks on all street frontages, and Stipulation No. 3.d requires that bicycle infrastructure be shaded.
12. **Transportation Electrification Action Plan**
In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public

adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Stipulation No. 5 provides requirements for electric vehicle parking, charging and infrastructure, and Stipulation No. 4 requires electrical bicycle charging capabilities.

13. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposed development will incorporate recycling services.

COMMUNITY INPUT SUMMARY

14. At the time this staff report was written, staff has not received any community correspondence on this proposal.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department requested a stipulation that all streets be constructed with the required improvements and comply with ADA accessibility standards. This is addressed in Stipulation No. 6.
16. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property, obtain a No Hazard Determination from the FAA, and grant and record an aviation easement to the City of Phoenix. These are addressed in Stipulation Nos. 7 through 9.
17. The Historic Preservation Office commented that there will be a 30-day demolition hold for demolition of the building at 1246 East Jefferson Street and provided information regarding the historic designation eligibility of the building at 1321 East Washington Street, as noted in Background Item No. 7 above.

OTHER

18. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must

make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulations Nos. 10 through 12.

19. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 13.
20. 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 Land Use Map designation and the Eastlake-Garfield TOD Policy Plan vision for the site.
2. The proposal will redevelop an underutilized site with a mixed-use development, including multifamily housing, retail, and a hotel that will contribute to the mix of uses in the area.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Eastlake-Garfield TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.
4. The property at 1321 East Washington Street meets the significance, age, and integrity requirements for HP overlay zoning set forth in Section 807.D of the Zoning Ordinance.

Stipulations

1. For any multifamily residential use, the ground floor area of the development shall include a minimum of 10,000 square feet of non-residential uses and shall have frontage on both the Washington Street and Jefferson Street rights-of-way. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents.

2. If 13th Street is abandoned, public cross block pedestrian access shall be maintained between Washington Street and Jefferson Street through either a private drive or a paseo meeting the standards of Section 1304.H of the Zoning Ordinance.
3. For any multifamily residential use, the following additional standards for bicycle parking shall apply, as approved by the Planning and Development Department.
 - a. All required bicycle parking, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - c. A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. All bicycle infrastructure shall be shaded by a structure, landscaping or a combination of the two to provide minimum 75% shade.
4. A minimum of 10 percent of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
5. A minimum of 5 percent of the required on-site parking shall be EV Capable.
6. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, 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.
7. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA’s Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
8. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.

9. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
12. 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.
13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writers

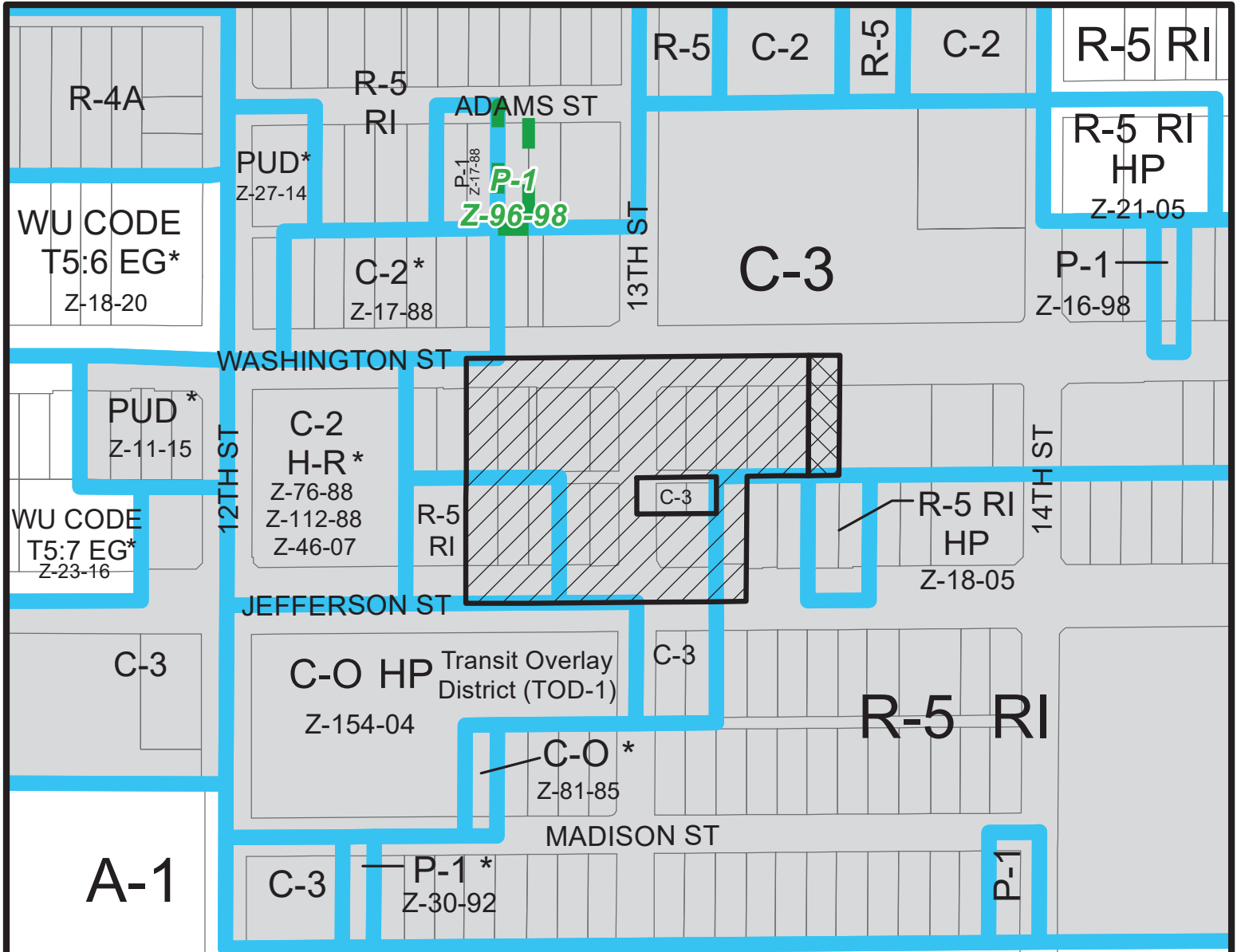
Anthony Grande
Crystal Carrancho
November 7, 2023

Team Leaders

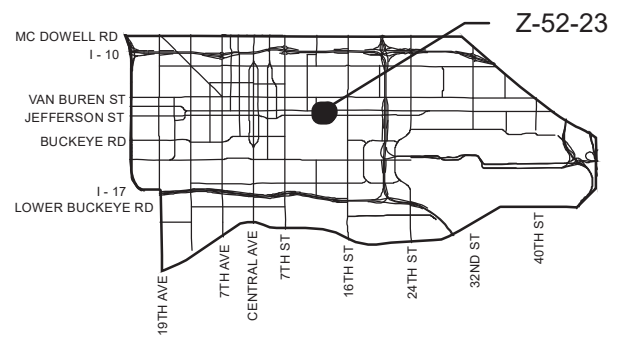
Racelle Escolar
Kevin Weight



Exhibits

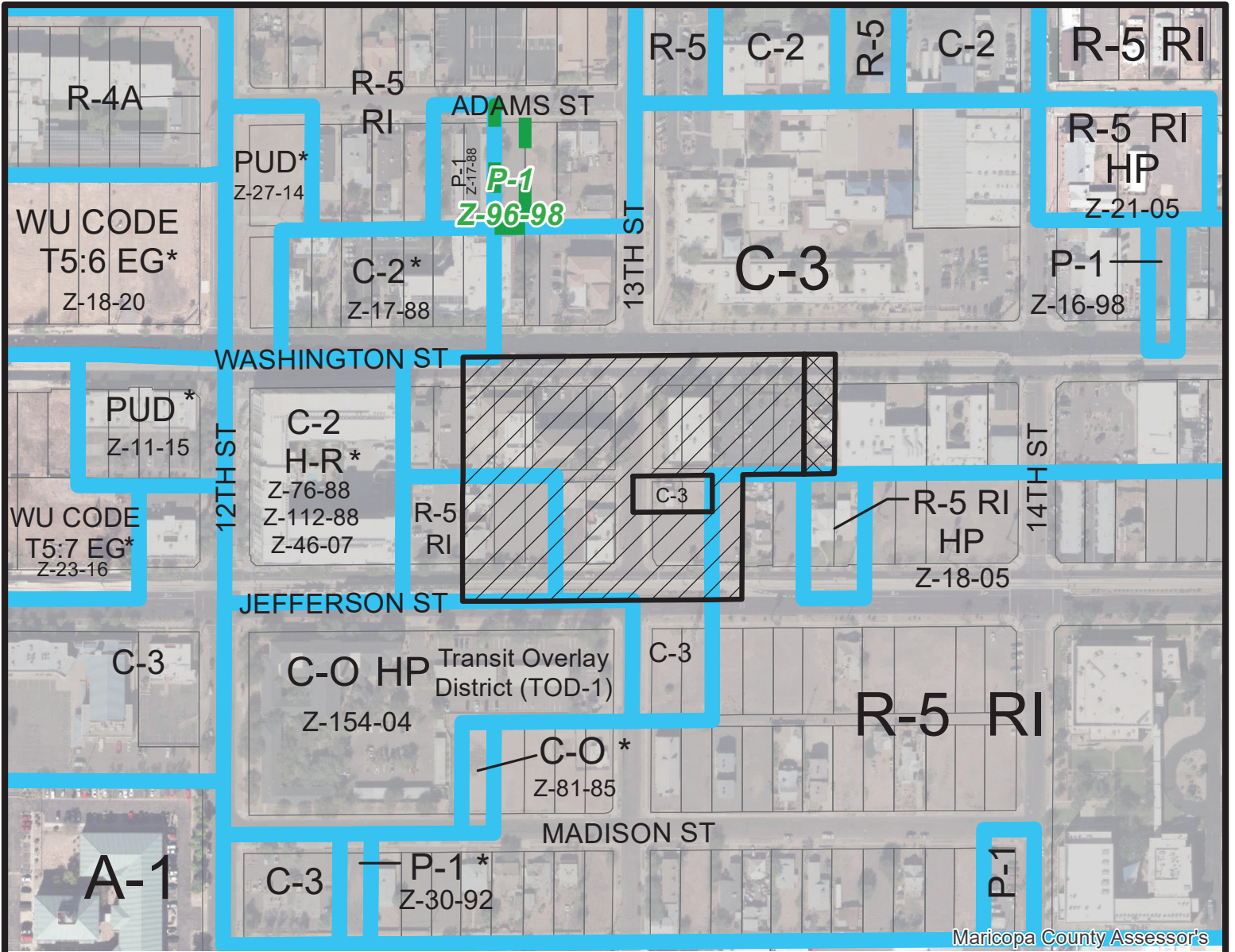
Sketch Map
Aerial Map
Conceptual Site Plan Date Stamped October 19, 2023
Conceptual Elevations Date Stamped October 23, 2023
Historic Preservation Eligibility Background Exhibits (2 pages)



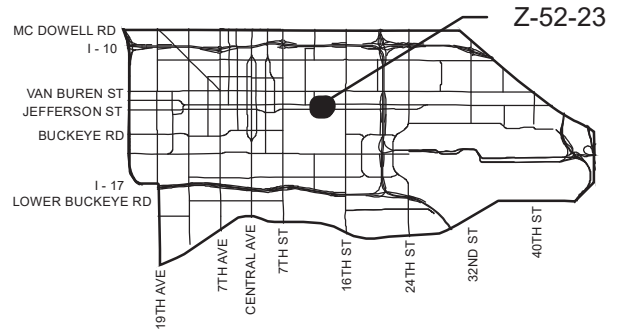
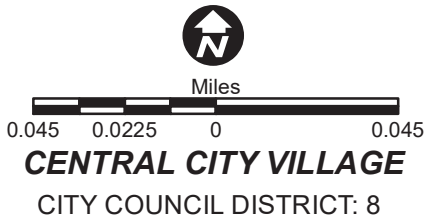
CENTRAL CITY VILLAGE
CITY COUNCIL DISTRICT: 8





APPLICANT'S NAME: Virgil J. Berry Jr.		REQUESTED CHANGE: FROM: R-5 RI TOD-1 (0.95 a.c.) C-3 TOD-1 (3.77 a.c.)	
APPLICATION NO. Z-52-23	DATE: 9/29/2023 REVISION DATES: 10/20/2023	WU Code T5:7 EG (4.49 a.c.)  TO: WU Code T5:7 EG HP (0.23 a.c.) 	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 4.72 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 10-30 ZONING MAP F-9		
MULTIPLES PERMITTED R-5 RI TOD-1, C-3 TOD-1 WU Code T5:7 EG, WU Code T5:7 EG HP	CONVENTIONAL OPTION 41, 54 No Maximum, No Maximum	* UNITS P.R.D. OPTION 49, 65 N/A, N/A	
* Maximum Units Allowed with P.R.D. Bonus			



Maricopa County Assessor's



APPLICANT'S NAME: Virgil J. Berry Jr.		REQUESTED CHANGE:	
APPLICATION NO. Z-52-23	DATE: 9/29/2023 REVISION DATES:	FROM: R-5 RI TOD-1 (0.95 a.c.) C-3 TOD-1 (3.77 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 4.72 Acres	10/20/2023	TO: WU Code T5:7 EG (4.49 a.c.)  WU Code T5:7 EG HP (0.23 a.c.) 	
MULTIPLES PERMITTED R-5 RI TOD-1, C-3 TOD-1 WU Code T5:7 EG, WU Code T5:7 EG HP	CONVENTIONAL OPTION 41, 54 No Maximum, No Maximum	* UNITS P.R.D. OPTION 49, 65 N/A, N/A	

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

OWNER:
 Berry Holdings
 10000 N. 19th Avenue, Suite 201
 Phoenix, AZ 85024

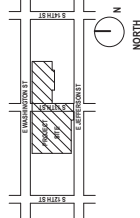
APPLICANT:

APPLICANT/ARCHITECT:
**AYERS
 SAINT
 GROSS**
 60 East Rio Salado Parkway
 Suite 701
 Tempe, AZ 85281
 480.221.1313
 480.221.1313
 CONTACT:
 Eric Zorn
 eric@ayersaintgross.com

**PHOENIX
 EASTLAKE PARK**

**PROJECT
 PHOENIX, ARIZONA**

REVISIONS	DESCRIPTION	DATE

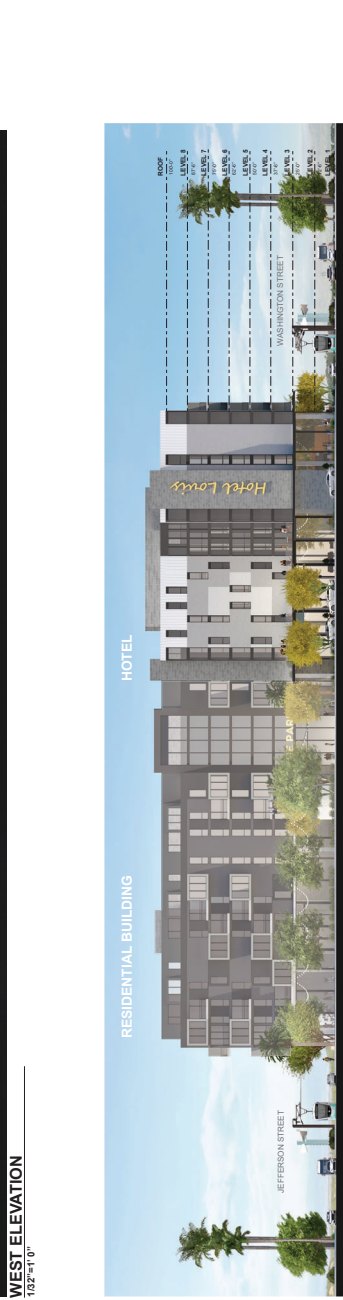
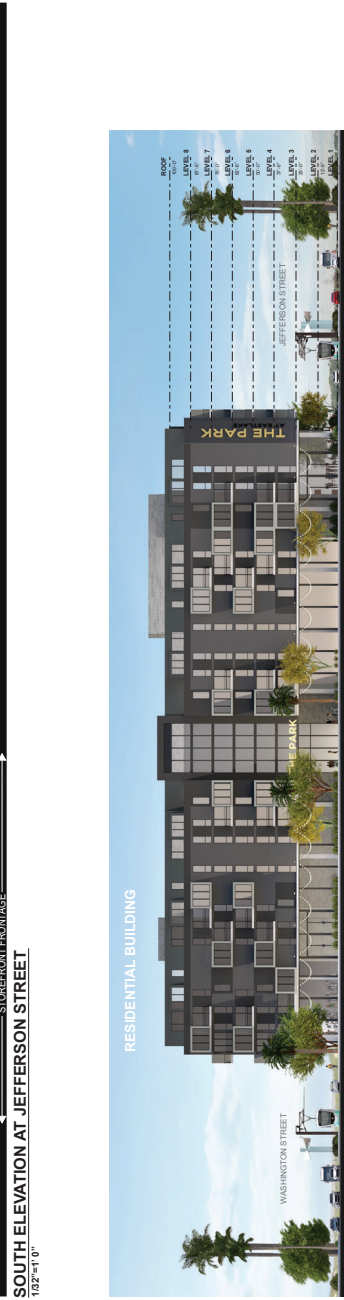


**BUILDING CONCEPTUAL
 ELEVATIONS
 REZONING SUBMITTAL**

REVISED: OCTOBER 9, 2023
 DATE: JULY 7th, 2023
 PROJECT NO. (ASG) 220052.00

A-102
Days in 2023 (1 = weekend)

A B C D E F G H J



CITY OF PHOENIX
 OCT 23 2023
 Planning & Development
 Department

7 6 5 4 3 2 1

BEAUTIFUL TWO STORY SPANISH HOUSE PLANNED

Construction of a modern and attractive two story dwelling costing \$8,000 has been started by Dr. N. B. Greenlee and his wife at 1321 East Washington street. Dr. Greenlee is a colored physician with offices at 35 East Washington. He came to Phoenix from the middle west where he had a reputation as one of the leading medical men of his race.

His new home has been designed by C. Louis Kelley, home artist, and construction is in charge of T. L. Weatherford, contractor.

The dwelling follows a Spanish style of architecture. It has two large patio porches and other attractive features which add to its beauty.

On the lower floor will be a living room, dining room, breakfast room, office, kitchen, bedroom and bath. The upper floor will contain two large bedrooms and bath and a roof garden. The bath rooms are built of tile and a heating plant will be installed.

Article announcing the 1321 East Washington Street house's construction, from the *Arizona Republican*, Sunday, July 4, 1926.

Enters Race For Elementary School Post



WADE HAMMOND

A retired army bandmaster and civic leader, Wade H. Hammond, 76, of 1321 E. Washington, recently announced his candidacy for membership on the board of Phoenix Elementary School District 1.

Three vacancies on the board will be filled at an election Oct. 4.

President emeritus of the Phoenix Urban League, he was the first Negro to be appointed leader of an army band. He is a veteran of three wars.

At the request of Booker T. Washington, President Theodore Roosevelt took action which resulted in appointment of Hammond

(Continued on Page 8)

Article excerpt about Wade Hammond's run for Phoenix Elementary School District 1 board membership, taken from the *Arizona Republic*, Friday, September 9, 1955.