



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

March 6, 2020

Mr. Noel Griemsmann  
Snell & Wilmer L.L.P.  
One Arizona Center  
Phoenix, Arizona 85004

RE: MINOR AMENDMENT OF JACKSON STREET ENTERTAINMENT DISTRICT PUD  
(Z-78-08-8) IRREGULAR SHAPED AREA AT THE SOUTHWEST CORNER OF FOURTH  
STREET AND JACKSON STREET

Dear Mr. Griemsmann,

I have had the opportunity to review your request for a Minor Amendment to the Jackson Street Entertainment District PUD (Ord. G-5417) that you submitted on behalf of Anish Hotels. You have requested changes to several standards such as open space, occupiable rooftops, streetscapes, sidewalks, and design guidelines.

Section 671 Planned Unit Development of the Phoenix Zoning Ordinance, states that amendments not meeting the criteria for a major amendment shall be deemed to be a minor amendment and may be administratively approved by the Planning and Development Director.

Upon review of this material and through consultation with other Planning and Development staff, I have determined that this request is a reasonable modification to the existing PUD ordinance and I therefore approve the amendment described herein. An updated Development Narrative for the Jackson Street Entertainment District reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of the approval of this request.

This minor amendment shall be approved, subject to the following changes as indicated in red:

1. Replace the Block 6 and Block 7 sections within the Land Use Plan (Section B, pg. 3) with revised language.

Block 6

On the west edge of this block is the existing Beacon Building. Although not designated historic, plans call for this structure to be preserved and adaptively reused. *The remainder of Block 6 shall be developed with a hotel use that will provide a modern, urban-style hospitality product lacking in the downtown area. to-house-an-art-house cinema-club-and-lounge. Along-with-the-theater, the-building-will-house-a-full-service restaurant, a-basement-level-club/lounge, and-a-mezzanine-level-bar-and-balcony. As-an-alternative-to-the-typical-Cineplex, the-art-house-cinema-provides-a-needed-venue-for-independent-movies, private-or-first-release-viewing-parties, movie-festivals, cinematic-discussions, and-other-events.*

~~Along with the main screen in the Beacon Building, subsequent screens may be constructed immediately to the east, under what will be a new residential project. The residential project will sit on a base of street level retail and a level of creative office space. The residential component will bridge over the new proposed 2nd Street Courtyard onto Block 7.~~

#### 2nd Street Courtyard

~~The Developer is proposing that, between Jackson Street to the north, and the alleyway to the south, 2nd Street be closed to vehicular traffic and renovated into a public courtyard. At nearly 5000 square feet, the plaza will act as both a gateway from the south to the Jackson Street venues, as well as a casual gathering place for residents and visitors.~~

#### Block 7

~~The residential component of Block 6 will continue on to Block 7. Again,~~ The residential component sits upon ground level retail and will also be designed to accommodate a level of creative office space as well. For the time being, the existing Jackson's on 3rd venue will remain at the corner. Future intention is for this site to be re-developed into a larger live performance venue. This venue will provide a place for live music and entertainment seven nights a week as well as a place for marquee concert and performance events. A full service restaurant and private club is also envisioned. The proposer realizes that such a development would likely require a Major Amendment to the PUD in the future.

2. Replace Policy 2-16, Policy 3-38 and Policy 5-31 sections within The Downtown Plan (Section D, pg. 9-11) with revised language.

#### Policy 2-16 – Connected Oasis, Public Spaces

~~Locate enhanced public spaces where excess right-of-way is available on streets that do not carry large volumes of traffic.~~

~~The proposed 2nd Street Courtyard would create an enhanced public space on what is currently a vastly underutilized segment of public street. 2nd Street is not a major thoroughfare in this area. In fact, in this part of downtown, 2nd Street is only about two (2) city blocks in length; running from the arena to the north and to Lincoln Street on the south. Although the proposed plaza location is not technically considered right-of-way because of its location within the original townsite, the basic principle of this policy is the same – provide better public use out of underutilized or excess public property.~~

#### Policy 3-38 – Character Area, Warehouse Character Area

~~Develop shared parking that will serve the entire Warehouse Character Area.~~

Besides the parking provided for individual buildings, a major component of the PUD is a below grade parking garage beneath Blocks ~~6 and 7~~. ~~The garage spans from the east edge of the Beacon Building property, under the new 2nd Street Courtyard, all the way into Block 7.~~ The garage will be available for public parking to properly serve both daytime and nighttime parking needs of the area.

#### Policy 5-31 – Circulation and Parking Plan, On Site Parking

*Encourage parking be provided in the rear of the property, underground or wrapped with other uses.*

The parking standards of the PUD address both of the above policies. Currently, each Block envisions some measure of below grade parking, *except for Block 6*. For portions above ground, structures are required to be wrapped with habitable spaces (exclusive of ingress/egress), at the ground level, and the 2nd floor and above must be wrapped for a minimum of 60% of the street frontage.

3. Modify the Open Space entry of the Development Standards Table (Section G, pg. 19) with the following revised language.

DEVELOPMENT STANDARD	BLOCK 6	BLOCK 7	BLOCK 8	BLOCK 11	BLOCK 12
Open Space	<i>None required</i>	10% of lot area minimum	5% of lot area minimum	Open space and amenities outlined in the occupiable rooftop section of the development standards table.	
<p>Open Space may be provided via Courtyards, Occupiable Rooftops, and/or Balconies</p> <p>A minimum of 10% of the required Open Space must be provided via Courtyards accessed at ground level</p> <p>No portion of any area contributing to the required amount of Open Space may be smaller than two hundred square feet, or less than ten feet in width</p>					

4. Modify the Occupiable Rooftop entry of the Development Standards Table (Section G, pg. 21) with the following revised language.

DEVELOPMENT STANDARD	BLOCK 6	BLOCK 7	BLOCK 8	BLOCK 11	BLOCK 12
Occupiable Rooftops	<i>None Required</i>	There will be an open space pool area in both phases of the project. Northern courtyard amenities will include an open air ramada, firepit and/or outdoor fireplace, with seating areas, and two passive recreational areas. The north half will also accommodate a clubhouse with a social gathering area and a fitness center at the occupiable rooftop area. Southern courtyard podiums will feature an open ramada with barbeques, spa or a			

		small pool (spool), fire-pit, and/or outdoor fireplace and on-deck landscaping.
		Minimum 10% of new rooftop area per block shall be occupiable or "green". In developments consisting of multiple buildings, overall occupiable or "green" roof areas can be combined into only one building's rooftop area. This applies only to Blocks 11 & 12.

5. Modify the Courtyards entry in the Landscaping Standards Table (Section G, pg. 22) with the following revised language.

LANDSCAPING PLANS	
Courtyards	<p>See Exhibit 9 and Exhibit 11 for general locations (<i>Between Block-6 and Block-7, e</i> Centrally located within Block 11, and centrally located within Block 12)</p> <p>See Exhibit 16 for precedent images of the type of space sought after through the Courtyard Development Standards and Design Guidelines contained herein</p> <p>Courtyard plans shall be submitted to the Development Services Department concurrent with preliminary site plan submittal</p>

6. Modify the Shade Tree Frequency, Type of Tree, Shade, and Amenities entries in the Standards Right-Of-Way Table (Section G, pg. 22) with the following revised language.

STANDARDS RIGHT-OF-WAY	<b>Jackson St</b>  <i>(West of 2<sup>nd</sup> St)</i>	<b>Jackson St</b>  <i>(East of 2<sup>nd</sup> St)</i>	<b>Buchanan St</b>	<b>Lincoln St</b>	<b>Third St</b>	<b>Fourth St</b>
Shade Tree Frequency	<i>Shade trees shall be placed at regular intervals of 30 feet on center, or less.</i>	Shade trees shall be spaced at regular intervals of 25 feet on center, or less. Except for Buchanan Street where shade trees may be spaced at regular intervals of 66 feet on center or less. See Exhibit 12 for thematic street cross sections				

Type of Tree	<i>As listed in Sections 1207.H and 1207.I.2.a of the Zoning Ordinance (Downtown Code).</i>	Evergreen Elm Tree (minimum 2-inch caliper)	Sissoo or Oak (minimum 2-inch caliper)
Shade (see Exhibit 23)	<i>Compliance with Section 1207.E of the Zoning Ordinance (Downtown Code).</i>	<p>Sidewalks up to 8 feet wide shall be shaded a minimum of 75%</p> <p>Sidewalks greater than 8 feet wide shall be shaded a minimum 75% of an 8 foot wide sidewalk area</p> <p>Shade calculations shall be measured at summer solstice at 12:00pm</p> <p>Shade provided by means of arcades, projections, awnings, trees or vegetation (as measured at maturity), shade fabric, and buildings shall count towards shade calculations</p> <p>Palm trees do not count towards shade calculations</p> <p>A shade study shall be submitted to the Development Services Department concurrent with a preliminary site plan submittal</p>	
Amenities	<p><i>At Gathering Areas a Minimum of two (2) of the following amenities shall be provided:</i></p> <p><i>Bench or other seating option</i></p> <p><i>Bicycle Rack</i></p> <p><i>Decorative Paving</i></p> <p><i>Enhanced landscaping</i></p>	<p>At Gathering Areas a minimum of three (3) of the following amenities shall be provided: (See Exhibit 12.11 for a sample layout of a typical Gathering Area)</p> <p>Bench or other seating options</p> <p>Water features</p> <p>Artwork</p> <p>Landscaping above the required minimum</p> <p>Informational Kiosk</p> <p>Bicycle racks</p>	
		<p>Other amenities may be substituted as approved by the Development Services Department</p> <p>Amenities proposed for gathering areas located within the right-of-way are subject to review and approval by the Street Transportation Department</p>	

7. Modify the Ground Floor entry of the Parking Garage Screening Table (Section G, pg. 31) the following revised language.

<b>PARKING GARAGE SCREENING</b>	
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Ground Floor	<i>Except for Block 6, garage ground floors shall be</i> 100% wrapped with occupiable space, exclusive of ingress/egress and emergency exits. Within Blocks 11 and Block 12 only, parking garage screening can also include an exterior wall or façade matching those of occupiable space above, so as to appear contiguous.
2nd Floor and Above	Minimum 60% of street frontage shall be wrapped with habitable space. Sloped floors shall be screened from public view by architectural façade. Vehicles shall be screened from view by a minimum of a three (3) foot wall, or vine covered scrim

8. Modify the Off Street Loading table (Section G, pg. 31) with the following revised language.

OFF STREET LOADING	
Block #	Minimum Number of Spaces
<i>6</i>	<i>4-None Required</i>
<i>7</i>	4
8	2
11	1
12	1

9. Modify the Building Articulation, Sidewalks, and Entrances entries in the Building Form General Table of the Design Guidelines (Section H pg.34-35) with the following revised language.

Building Form General	Block 6	All other Blocks
Building Articulation (up to 48 feet in height)  (See Exhibits Figure 21 for images of prohibited and encouraged wall articulation)	<i>Building articulation shall be complementary to the existing historic structure on the site and in compliance with Section 1222.C.4 of the Zoning Ordinance (Downtown Code).</i>	Building articulation shall be used on all sides of buildings  Maximum wall length without articulation / modulation shall be 20 linear feet  Facades > 20 feet long shall be articulated or treated with any of the following methods, or methods otherwise approved by the Development Services Department:  a) Changes in vertical wall plane (2 feet minimum)

		<p>b) Changes in horizontal wall plane (5 feet minimum)</p> <p>c) Projecting or recessed architectural elements, minimum 6 inches (not including windows and doors)</p> <p>d) Varying rooflines – either through projecting or recessed architectural elements (6 inches minimum) or through change in height or horizontal location (4 feet minimum) of the roof line.</p> <p>e) Display windows, graphics, signage, architectural features, landscaping</p>
Sidewalks	<p>Along Jackson Street, new construction shall provide a minimum fifteen (15) foot wide sidewalk and a minimum eight (8) foot unobstructed sidewalk when including streetscape amenities, <i>except for the length of Block 6, where the sidewalk shall be permitted to remain at its historically established width.</i></p> <p>Along other streets, new construction shall provide a minimum eight (8) foot wide sidewalk with a minimum four (4) foot unobstructed sidewalk when including streetscape amenities.</p>	
Entrances	<p>Single entrances to buildings should be avoided, <i>except for hotel uses on Block 6.</i></p> <p>Additional entrances to existing structures should be considered at the time of reuse or remodeling</p> <p>Courtyards may be extended through the building to provide access or passage from the rear parking areas</p>	

10. Modify the Street facing, Ground Floor entry in the Building Form Blank Wall Standards Table of the Design Guidelines (Section H pg. 37) with the following revised language.

<b>Building Form Blank Wall Standards</b>	<b><i>Block 6</i></b>	<b><i>All Other Blocks</i></b>
Street facing, Ground floor	<i>No continuous length of blank wall shall exceed 30 linear feet</i>	No continuous length of blank wall shall exceed 20 linear feet
	Blank walls shall be limited to a maximum of 40% of total ground floor street frontage	

11. Replace the Building Form Ground Floor Table of the Design Guidelines (Section H, pg. 38) with the following revised language.

<b>Building Form Ground Floor</b>	<b><i>Block 6</i></b>	<b><i>All Other Blocks</i></b>
Ground floor Commercial Floor Depth	Minimum 30 feet	
Ground floor Street Front Transparency		In lieu of 50% of the ground floor street front facade being developed as transparent, residential street fronts will have private patios with metal railings, and individual sidewalk connections where possible. The patios will have fenestration directed toward the street front, consistent with the remaining façade fenestration.
Ground floor Street Front Transparency Exceptions	Entertainment Venues, (as defined in Signage Section I.4.B.2.a), which by their nature required greater control of visual access  Historic Properties or existing storage buildings which, by their nature have a greater amount of non-transparent facades	

12. Modify the Planting entry in the Right-Of-Way Table of the Design Guidelines (Section H pg. 39) with the following revised language.

<b>RIGHT-OF-WAY</b>	
Planting	Trees and vegetation shall not interfere with the required visibility triangle Trees planted in the right-of-way shall use a minimum 16 square feet tree holes with no side smaller than a four (4) foot dimension, <i>except for Block 6.</i> Tree holes must be covered with flush-to-grade tree grates (which can be counted as walking area), <i>except for Block 6.</i> The planting of palm trees within the right-of-way is prohibited

13. Modify the Below 90 feet entry in the Building Walls Table of the Design Guidelines (Section H pg. 40) with the following revised language

<b>Building Walls</b>	
Below 90 feet	Minimum 50% light colored, smooth, high mass materials with a minimum reflective index of 0.4, <i>except for Block 6.</i>

14. Replace the Paving Materials/ Design Table in the Design Guidelines (Section H, pg. 41) with the following revised .

<b>PAVING MATERIALS / DESIGN</b>	<b><i>Block 6</i></b>	<b><i>All Other Blocks</i></b>



Parking Areas and Access Drives		Shall be paved with permeable concrete or interlocking pavers with a minimum open area of 12% and a minimum SRI of 35  Alleys used for parking ingress and egress only, not as a public access lane, will be exempt from this requirement.
Public Spaces and Plazas		Shall be paved with permeable concrete or interlocking pavers with a minimum open area of 12% and a minimum SRI of 35 or sand set, per-cast concrete pavers or brick (2-inch thick, 5,000 psi) with a minimum SRI of 35
Design		Sidewalks shall be simple scored concrete

15. Modify the "Practices enforceable by the City" list in the Practices and Techniques Section (Section J, pg. 50) with the following revised language.

A. Practices enforceable by the City:

1. No new parking shall be required for rehabilitation projects.
2. No minimum parking levels shall be required for new developments.
3. A minimum of 70% of new parking spaces shall be provided underground or within structured parking, *except for Block 6.*
4. Shading shall be required for 75% of public sidewalks.
5. Permeable paving or interlocking pavers shall be required for ground level parking areas, access drives, and public courtyards.
6. Minimum 10% of new rooftop area per block shall be occupiable or "green," *except for Block 6.*

The changes described are minor and add clarification on how the site will be developed to accommodate a hotel use. The changes to the design guidelines provide a more accurate depiction of how the site will be developed and how the existing warehouse will be adapted to the new use.

If you have any questions or need further assistance, I can be reached at 602-262-6656 or [alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov).

Sincerely,



Alan Stephenson  
Planning and Development Director

Attachments:

Proposed Changes to PUD narrative, date stamped March 5, 2020

Conceptual Site Plan, date stamped March 5, 2020

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Conceptual Elevations, date stamped March 5, 2020

c: Z-78-08-8 file