



City of Phoenix

Planning Department

Staff Report: Z-78-08-6 (Jackson Street Entertainment District PUD) May 15, 2009

Central City Village Planning Committee Meeting Date June 8, 2009

Planning Commission Hearing Date June 10, 2009

Request From: Downtown Core Warehouse Overlay (5.15 Acres),
A-1 Warehouse Overlay (5.51 Acres),
A-1 HP Warehouse Overlay (0.57 Acres)

Request To: PUD (9.61 Acres), PUD HP-L (0.57 Acres),
PUD HP (1.05 Acres)

Proposed Use Planned Unit Development allowing Commercial/Retail, Office, Hotel, Multi-family uses, Historic Preservation and Historic Preservation Landmark designation over portions of the area.

Location Irregular shaped area at the southwest corner of 4th Street and Jackson Street

Owner 117-141 E Jackson St LLC (et. al.)

Applicant/Representative Jackson Street Entertainment District, LLC
Lazarus & Associates

Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Mixed Use	
Street Map Classification	Jackson Street	Local	40 feet south half
	2nd Street	Local	50 foot west and east halves
	3rd Street	Collector	40 foot east half
	4th Street	Local	40 foot west half
	Buchanan Street	Local	60 foot north and south halves
	Lincoln Street	Collector	40 foot north half

LAND USE ELEMENT, GOAL 1 – Core Policy 1 – LOCATE LAND USES WITH THE GREATEST HEIGHT AND MOST INTENSE USES WITHIN LIMITS BASED UPON VILLAGE CHARACTER, LAND USE NEEDS, AND TRANSPORTATION SYSTEM CAPACITY.

Half of the property falls within the Central City Village Core and the remainder is immediately adjacent to the Core. The key areas of height are within the character of the Village and the Core. Transportation system capacity is present in the form of the nearby light rail transit and freeway access points within minutes of the district.

Core Policy #3 – INCLUDE A VARIETY OF LAND USES: OFFICE, RETAIL, SHOPPING, ENTERTAINMENT AND CULTURAL, HOUSING, HOTEL AND RESORT, AND WHERE APPROPRIATE, SOME TYPES OF INDUSTRY.

The PUD contains all these uses with the exception of industry.

Core Policy #4 – PROVIDE A PEDESTRIAN ENVIRONMENT WITH PLAZAS, COMMON OPEN SPACE, SHADED WALKWAYS, SEPARATION OF PEDESTRIAN AND VEHICULAR TRAFFIC, BICYCLE PARKING, AND VEHICLE PARKING IN ARCHITECTURALLY DISGUISED STRUCTURES OR UNDERGROUND.

The pedestrian is the focus of this PUD proposal. Streetscape standards call for wide, shaded sidewalks, gathering places with amenities that encourage pedestrian interaction. The majority of parking in the district is located below grade, while above grade garages are required to be wrapped with habitable space or be architecturally screened.

LAND USE GOAL #3 – Infill – Policy #1 – IDENTIFY INFILL DEVELOPMENT INCENTIVE DISTRICTS IN WHICH FEES MAY BE WAIVED AND DEVELOPMENT STANDARDS MODIFIED BASED ON USE PERMIT PUBLIC HEARINGS AND AN ADOPTED PLAN FOR THE DISTRICT.

The entire proposed PUD is located within the City identified Infill Incentive District.

Policy #5 – ENCOURAGE THE DEVELOPMENT OR REDEVELOPMENT OF VACANT AND UNDERUTILIZED PARCELS WITHIN THE URBANIZED AREA THAT IS CONSISTENT WITH THE CHARACTER OF THE AREA OR THE AREA'S TRANSITIONAL OBJECTIVES.

The PUD satisfies these objectives through the conservation and reuse of historic properties, the infusion of new office, residential units and the development of new retail and entertainment venues.

LAND USE GOAL #4 – MIXED USE DEVELOPMENT – Policy #1 – SUPPORT HEALTHY URBAN VILLAGES, WITH A BALANCED MIX OF HOUSING, EMPLOYMENT OPPORTUNITIES AND SERVICES AS A PRINCIPAL MEANS TO REDUCE VEHICLE TRIP LENGTH AND ASSOCIATED EMISSIONS.

The conceptual proposal is a well-balanced mix of uses of a quality and scale not yet realized in this urban village. The proposed uses will promote walkability, reduce vehicle trips and foster a live/work/play lifestyle that minimizes automobile use, promotes light rail use and reduces polluting emissions.

LAND USE GOAL #7, TRANSIT ORIENTED DEVELOPMENT (TOD), Policy #1 – DEVELOP LAND USE AND DESIGN REGULATIONS GOVERNING LAND CLOSE TO TRANSIT CENTERS AND LIGHT RAIL STATIONS, TO MAXIMIZE THE POTENTIAL FOR RIDERSHIP.

The proposed uses will generate ridership for the nearby light rail transit line.

CONSERVATION, REHABILITATION & REDEVELOPMENT GOAL #1 – HISTORIC, CULTURAL AND CHARACTER PRESERVATION – POLICY #1, ENCOURAGE THE PROTECTION, PRESERVATION AND DESIGNATION OF HISTORIC RESOURCES.

Four historic properties will be preserved, two with Historic Preservation and two with Historic Preservation – Landmark designations.

BACKGROUND

1. This request is to rezone 11.23 acres from Downtown Core, Warehouse Overlay (5.15 Acres), A-1 Warehouse Overlay (5.51 Acres), A-1 HP and Warehouse Overlay (0.57 Acres) to PUD, Planned Unit Development allowing Commercial/Retail, Office, Hotel, Multi-family uses. Historic Preservation and Historic Preservation Landmark designation are proposed over portions of the area. The proposed development standards



and allowed uses will facilitate new development, revitalization and redevelopment and will establish the Jackson Street Entertainment District. The PUD is the best suited zoning category for this request given the complex formula requirements of the Warehouse Overlay District and the existing A-1 zoning, which could not achieve a residentially dense, mixed use environment. Further discussion of existing entitlements for building height and warehouse preservation is discussed in item 11 under Historic Preservation comments.

The entire proposal is within the Warehouse Overlay. The parcels along Jackson Street are zoned Downtown Core Warehouse (DC W) and the balance of the properties are zoned a combination of either A-1 W or with a historic preservation overlay, A-1 HP W. Although the application of the Warehouse Overlay to the A-1 restricts the more noxious uses, the industrial uses allowed may not be in keeping with the intent of the Warehouse District. The placement of the Warehouse Overlay in this area was to preserve the unique character, promote the mixed vitality and ensure a mix of land uses appropriate to a pedestrian environment.

December 2004 - the Downtown Strategic Vision and Blueprint was adopted and stated that “Phoenix will...create an entertainment district along Jackson Street east of Central Avenue and connect it to the core by the America West (US Airways) Paseo.”

March of 2007 - the City of Phoenix issues a request for proposals to develop a downtown entertainment district.

April 2007 – The Jackson Street Entertainment District (JSED), LLC responds to the request for proposals.

February 2008 – The City Council approves negotiations with JSED, LLC for development of a downtown entertainment district.

August 2008 – JSED, LLC submits PUD application to the city of Phoenix for establishment of the Jackson Street Planned Unit Development.

SUBJECT SITE

2. The site is located in the southern portion of the downtown. It is an L-shaped district north of the railroad tracks, along the south side of Jackson Street from 1st to 4th Streets and then south to Lincoln Street. The district is divided into five blocks: Block 6, Block 7, Block 8, Block 11 and Block 12. The US Airways Arena is across Jackson Street to the north and the Chase Field ballpark is to the northeast. Existing land uses in the area include: surface parking, sites which are underutilized and dilapidated/vacant structures. There is a retail use (Jackson’s on 3rd) and a residential use (The Summit) at Copper Square. Properties containing buildings that are being utilized are primarily used for storage or some light industrial work.



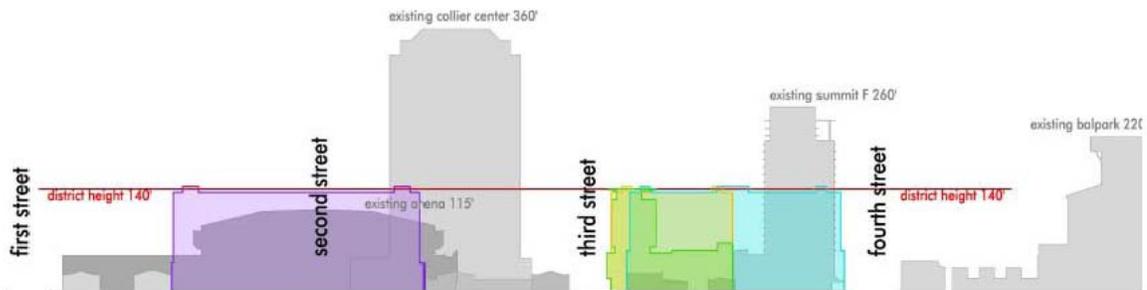
The Jackson Street Entertainment District consists of five distinct blocks.

PROPOSED DEVELOPMENT AND EXISTING ZONING

3. The PUD proposal was first submitted formally August 8, 2008 and has been refined by the applicant over the past nine months. The proposal was developed utilizing the PUD zoning category which allows an applicant to propose uses, development standards and design guidelines for a site. One of the benefits of this category 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 a parcel rezoned with standards specifically crafted and tailored for that site. The PUD zoning category specifically defines such things as height, uses, setbacks and boundaries. Any later deviation from the approved PUD standards determined to be a major amendment will follow the rezoning and public hearing approval process.

The application development narrative provides an overview of the existing conditions, existing and proposed land uses and character and the overall design concept. It outlines the proposed development standards, design guidelines, sign standards, a phasing plan and plans for historic preservation.

4. The development standards proposed by the PUD are similar to the existing zoning districts as illustrated in the comparative zoning table below. The original PUD submittal envisioned heights up to 220 feet. The maximum requested allowable height is now 140 feet. This image gives an idea of the scale of the proposed 140 foot buildings in comparison to existing buildings in the downtown area.



The red line depicts the 140 foot mark of the proposed PUD.

	Existing Zoning (various districts apply)	Proposed in PUD
Setbacks		
Front and side facing street	W: 5' build-to line from 0 to 80', 10 foot minimum setback required above 80'	5' build-to line from 0 to 40', Setbacks may occur above 40'
Side interior	W: Silent DC: If adjacent to a residential use, 20' setback. A-1: If adjacent to a residential district, 30' setback	5' build-to line for buildings up to 40'; setbacks may occur above 40'.

Rear	<p>W: If fronting a public street, 5' build to line from 0' to 80', 10' minimum setback required above 80'.</p> <p>DC: If not fronting a public street and if adjacent to a residential use, 20' setback</p> <p>A-1: If not fronting a public street and if adjacent to a residential district, 30' setback</p>	None
Lot Coverage		
	<p>W: silent</p> <p>DC: 100%</p> <p>A-1: silent</p>	100%, with block by block standards restricting lot coverage above 80'
Density		
	<p>W: silent</p> <p>DC: silent</p> <p>A-1: Use Permit required for residential</p>	No maximum density
Height		
	<p>W: 80': 140" or up to Sky Harbor Airport allowable with HP easement and/or City Council approval</p>	140'. Height waiver required for greater height. No heights above the Sky Harbor Airport limits.
Lot Size		
	<p>W: silent</p> <p>DC: silent</p> <p>A-1: silent</p>	None
Parking		
	<p>W: silent</p> <p>DC: None</p> <p>A-1: Varies greatly by use</p>	None

OVERALL DESIGN CONCEPT

- The intent of the PUD is to create a lively, urban, mixed use development that promotes and sustains live/work and entertainment options while creating a sense of place presently lacking in the area. Conceptual uses include a boutique hotel, a mix of residential options, various entertainment venues, including an art house cinema, live music venues, restaurants and lounges, street level retail and office space. The PUD theme centers around: local commerce, sustainable

development, activation of the public realm, variety and authenticity and a creative class work environment.

Local Commerce – the focus will be on securing and fostering unique, high quality local businesses, restaurants and clubs, rather than the typically national chains available elsewhere.

Sustainable Development - the district's proximity to light rail, mix of land uses and commitment to sustainable design and construction practices and materials contribute to its sustainability.

Embrace and Activate and Public Realm – the district will have wide, shaded sidewalks, ground level retain, outdoor seating and dining and design and architecture that is visually stimulating. Parking guidelines ensure the priority of pedestrians. A portion of 2nd Street is proposed as a public plaza.

Variety and Authenticity - The preservation and adaptation of key historic properties, along with buildings designed to reflect our region, climate and culture, provide the variety and authenticity.

Creative Class Work Environment – the creation of boutique office space will result in a place that will attract employees, employers and entrepreneurs dedicated to creative pursuits such as design, media, entertainment and the arts.

CONCEPT PLAN

6. The proposed development will occur as end users are identified, as market conditions dictate and upon the availability of financing. As mentioned previously, in #2, above, the district is divided into five blocks.
 - a. *Block 6* – consists of the existing Beacon Building at its west edge. This parcel and structure will be designated with a historic preservation overlay. Plans call for it to be preserved and adaptively reused to house an art house cinema club and lounge. The building will also house a restaurant, a club/lounge and a bar at the balcony and mezzanine level. Subsequent screens may be constructed to the east under a new residential project with a minimum density of 50 units per acre. The residential project will have a base of street level retail and a level of creative office space. The residential portion will bridge over the 2nd Street courtyard onto Block 7. A two level, below grade parking garage is proposed beneath Blocks 6 and 7. Public parking will be available in this garage.
 - b. *Block 7* – Mirroring the residential on Block 6, the residential with a minimum density of 50 units per acre, will sit on a level of retail and a level of creative office space. The existing Jackson's on 3rd will remain on the corner for the time being.
 - c. *Block 8* – A boutique hotel is envisioned, at less than 100 rooms it is intended to serve a niche not found in the downtown. The street level includes retail, restaurants(s) and hotel accessories. The mid-level will house a residential parking garage wrapped by meeting rooms and ballroom space. The garage will have a roof top garden and pool area flanked on the west by the hotel tower and to the south by a condominium tower. Immediately to the east is The Summit Condos.

- d. *Block 11* – will accommodate a variety of uses including commercial, retail, hotel, office and residential uses. The southern portion of the block includes the preservation and adaptation of two structures with Historic Preservation – Landmark zoning – the El Fresnal Grocery Store and Gerardo’s Building.
- e. *Block 12* – this southernmost block is also planned to accommodate a variety of uses including commercial, retail, hotel, office and residential uses with a minimum density of 50 units per acre. Street level retail will be surrounded by a large covered courtyard space. Two office structures will be above the retail creating the greatest concentration of office and retail space in the PUD. The Graham Paper Company Warehouse at the southern portion of this block will be designated with Historic Preservation zoning.

DEVELOPMENT STANDARDS & DESIGN GUIDELINES

- 7. Below is a summary of the proposed standards for the subject site, as described in the third submittal of the PUD narrative date stamped March 25, 2009.

Land Use Standards –The purpose of this section is to define the proposed uses that are authorized within the Jackson Street Entertainment District: uses that are subject to performance standards, uses that are subject to temporary use permits, and accessory uses. The performance standards outline the purpose and intent of the proposed uses and define standards to ensure compatibility with the surrounding properties. Proposed uses include high density residential and public/civic uses such as cultural institutions and schools. Commercial/retail uses include a range of uses from art galleries to financial institutions to outdoor markets to offices to theaters and concert halls.

Concerts, civic events and outdoor showcase displays will require a Temporary Use Permit. Surface parking as a primary use requires a Use Permit with an initial time of 3 years and one possible extension (3 years maximum).

Parking Standards – No mandatory amount of parking is required for the PUD. Parking will be provided in the District, however. A two level, below grade garage is proposed under Blocks 6 and 7 and many projects within the development will have garages to satisfy the market demand for parking. The area also has underutilized garages, metered street parking and surface parking lots.

Lighting Standards – The lighting standards are designed with the intent to create both a sustainable and an interesting night time urban environment. Photometric plans are required concurrent with preliminary site plan approval and lighting shall comply with the current Dark Sky Ordinance. Lighting will be architecturally integrated and coordinated with other design components such as landscaping, graphics and signage.

Landscape Standards –

The landscape standards section addresses landscaping in the right-of-way, in courtyards and on occupiable rooftops. There is a great deal of emphasis on providing shade in all areas and there is visual emphasis on “precedent images” for the courtyards and occupiable rooftop spaces.



Sign Standards – The sign portion is a major component of this application. Consistent with entertainment districts in other cities, this District will be highly promotional for businesses and events and signs will be conspicuous. Signs will engage at street level and from a distance with various forms of lighting and visual devices consistent with the active nature of the District and its entertainment-based uses. This section also discusses signs projecting in the right-of-way and banners/signage on city owned street lights. There is some conflict in the language about obtaining easements for signage projecting into the right-of-way and this needs to be corrected/clarified. The applicant proposes a sponsorship program for signage and the details of that program must be worked out by the applicant and the Development Services Department.



Design Guidelines – The design guidelines are intended to guide the future development of the entertainment district. As portions of the blocks are slated for development, conceptual plans are required to be submitted to the Development Services Department for the entirety of the block. This ensures that block-wide standards can be met. The Design Guidelines section addresses building articulation, roofs and tops of buildings, sidewalks, entrances, materials for new construction, and windows for new construction; building form including standards for blank walls, ground floor development, right-of-way, courtyards, occupiable rooftops, building walls, roofs and paving materials/design.

AVIATION

8. The parcels within the PUD are located within Height Zone B of the Airport Height Zoning Ordinance and as such will be required to adhere to the maximum height of development, file a No Hazard Determination prior to issuance of building permits and notify future owners of the proximity of the airport. Additionally a Notice to Purchasers is required regarding the operational characteristics of the Phoenix Sky Harbor International Airport.

GENERAL COMMENTS

9. The Planned Unit Development zoning district allows applicants to create development standards and cannot alter city processes or modify regulations governed by the zoning ordinance. The Jackson Street PUD submittal follows City of Phoenix processes except for some provisions in the signs section and the listed land uses section. Stipulation 2 addresses these minor changes to ensure city processes and protocol are not altered.

The Water Services Department notes that this proposal is located in an area of the City where the existing water infrastructure is limited in fire flow and domestic capacity. All street frontages which have 6" waterlines or smaller or have no waterlines existing, will be required to have a new 12" water main constructed

within, in accordance with the City of Phoenix Water Services Department's Downtown Water Master plan. This includes all interior and bounding streets to the development. There are several existing 8" waterlines in the streets in this area. If these mains can provide the necessary fire flows needed for the proposed developments, then they will remain in place and will not be required to be replaced with new 12" mains.

In general, sewer capacity is available to serve proposed development in this area. There may be site specific sewer issues which will need to be evaluated at the time of site plan submittal, to include sewer main relocations.

Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

ARCHAEOLOGY

10. The northern portion of the project area is located within the Original Phoenix Townsite and the archaeological site of Pueblo Patricio, a multi-component site that contains pit houses, pits and human remains. Two historic buildings, Gerardo's Building and Arvizu's El Fresnal Store, are also located within this project area on the north side of Buchanan Street. According to records maintained by the City Archaeologist, no previous archaeological projects have been conducted within this project area. It is recommended that depending upon the extent of ground disturbance, there should be archaeological monitoring and/or testing within the Original Phoenix Townsite and within as within 250 feet of the Pueblo Patricio. If any archaeological materials are encountered during construction, all ground disturbing activities within 10 meters of the discovery must cease. The City of Phoenix Archaeology office will be notified and allowed time to assess the materials. The City of Phoenix Historic Preservation Office should be contacted as well.

HISTORIC PRESERVATION COMMENTS

11. This proposal would remove the warehouse district overlay from several blocks of property within the W overlay. The current "rule of thumb" under the 2007 warehouse amendments is to allow height up to 140 feet in height (80 feet height allowed by right) for each new development up to 30,000 square foot aggregate floor plate in exchange for preservation (via a dedicated conservation easement) of one designated historic warehouse. Using the existing warehouse district formula, the proposed new construction and heights proposed under the Jackson Street PUD would translate into conservation easements for an estimated seven (7) historically designated warehouses based on the amended March 25, 2009, revised application.

There are two city-designated historic properties located within the boundaries of the Jackson Street PUD application, Gerardo's Building at 421 S. 3rd Street and Arvizu's El Fresnal Grocery Store at 310 E. Buchanan Street. There are four additional warehouses located within the PUD application which are eligible but

not currently listed on the Phoenix Historic Property Register. Currently, these four properties could be demolished at any time since there are no historic protections currently afforded to them. This proposal is reflected on the attached revised PUD map. The applicants have now agreed to:

- HP zoning overlay for two of the four currently undesignated historic warehouses: Fuller Paint (Beacon Upholstery) Warehouse at 117 E. Jackson Street and Graham Paper Company Warehouse at 521 S. 3rd Street/310 E. Lincoln Street. These two buildings appear to be extremely intact and in good condition.
- Upgrade the current HP zoning overlay for Gerardo's Building at 421 S. 3rd Street and Arvizu's El Fresnal Grocery Store at 310 E. Buchanan Street to HP-L zoning. The HP-L zoning will afford the properties a three-year demolition delay instead of the one-year demolition delay provided with regular HP zoning overlay. The two latter properties are rare surviving historic properties associated with the city's Hispanic heritage.

11. 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 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.

The *Fuller Paint (Beacon Upholstery) Warehouse*, 117 E. Jackson Street, was built in 1929 for W.P. Fuller & Company, a company that eventually included storage of glass, paint and oil products, as well as offices and a retail operation that encompassed not only the 117 E. Jackson Street property, but three additional parcels immediately to its east. The building later housed Beacon Upholstery. The 1929 brick building is a red brick partially painted building with raised parapet, steel trusses and full basement, with some changes to original openings such as an enclosed front loading bay on the north facade. The Fuller Paint (Beacon Upholstery) Warehouse is eligible under Criterion C as an important and increasingly rare example of a utilitarian brick warehouse located in Phoenix's industrial downtown hub adjacent to the railroad siding on Jackson Street.

The *Graham Paper Company Warehouse*, 521 S. 3rd Street/310 E. Lincoln Street, is a ca. 1949 brick warehouse building with unpainted exterior brick flat parapet, truck loading bays and original metal casement windows. The Graham Paper Company Warehouse is eligible under Criterion C as an excellent and characteristic example of a utilitarian brick post World War II warehouse located in Phoenix's industrial downtown hub.

Gerardo's Building at 421 S. 3rd Street and *Arvizu's El Fresnal Grocery Store* at 310 E. Buchanan Street currently have HP overlay zoning. The Gerardo's Building is a rare two-story 1928 commercial and residential brick building which once housed a café on the first floor and residential rentals on the upper level. Arvizu's El Fresnal Grocery Store, constructed ca. 1901, is the oldest intact neighborhood grocery store in Phoenix. Both buildings are extremely intact and unique examples of commercial non-warehouse brick buildings surviving in the warehouse area of downtown. Both buildings are the only survivors from a sub-area of the warehouse area of downtown which once encompassed both residential units and commercial uses predominantly for Hispanic workers. Because of the rarity of these two buildings, their early age, their overall excellent physical integrity and their association with Hispanic history, both buildings meet the HP-L zoning criterion of possessing "historic or architectural significance, integrity, distinctive visual character and quality that is a level of exceptional significance..."

Although not part of this zoning case, the owners have also indicated a willingness to pursue a federal charitable deduction for lost development rights associated with preservation of these buildings; the federal charitable deduction would require the owners to convey perpetual easements on these historic buildings to the city or a historic preservation-related non-profit organization. The Historic Preservation office strongly supports owners using all available financial incentives available to adaptively use and rehabilitate historic buildings. However, it should be noted that these easements would occur separately outside of the PUD zoning process, are no way guaranteed, and are not stipulated as part of the PUD zoning process.

The Historic Preservation Officer believes that the applicants have shown good faith to preserve and adaptively use existing warehouses within the boundaries of the proposed Jackson Street Entertainment District PUD boundaries, and as a result The Historic Preservation Office supports the revised application and preservation commitments delineated in the April 29, 2009, letter from Lazarus & Associates.

The only other historic preservation concern relates to the two undesignated historic warehouses which are not proposed to receive HP overlay zoning. These include Pioneer Fruit Co. Warehouse at 401 S. 3rd Street and Coe Sales Co. at 301-309 E. Buchanan Street. The Historic Preservation Office is concerned that these buildings might be preemptively demolished without any replacement project in place. Once these historic warehouses are removed, any future opportunity to

adaptively use them for new uses is also removed. As such, the Historic Preservation Office's support for the PUD application is subject to the additional stipulation that the two warehouses **not** be demolished (or receive city demolition permit approval) without city site plan and building permit approval for new permanent construction/development on these properties.

All HP properties must receive approval from the Historic Preservation Office prior to rehabilitation or modifications, and the Design Guidelines within the PUD apply only to non-HP designated properties.

12. 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 right-of-way abandonments may be required.

Findings

1. The request is consistent with the General Plan land use designation of Mixed Use and with multiple goals of the General Plan. The property's location in and adjacent to the downtown core makes it appropriate for PUD rezoning.
2. PUD zoning allows for unique guidelines that are customized to this entertainment district.
3. The proposal will preserve and revitalize four historic properties which will continue to be an amenity to the city and surrounding area.
4. The proposal will preserve the historic character of the Warehouse District by retaining Historic Preservation on some parcels and by designating others for Historic Landmark designation.

Stipulations

1. That an updated Development Narrative for the Jackson Street Entertainment District reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped March 25, 2009, as modified by the following stipulations.
2. That the PUD shall be modified as follows:
 - a. Page 23.F.1.C.7. Cultural Events – needs to be defined.
 - b. Page 23.F.1.C.20-22, Outdoor Events, Outdoor Markets and Public and Farmer's Market – clarify which development standards apply to these uses.
 - c. Page 26 Density – delete language "within these 3 blocks" and "within these 2 blocks".
 - d. Page 27 Building Height – add to note about height waiver possibility "Outside of the area covered by the Sky Harbor Airport Zoning Ordinance.
 - e. Page 28 Building Setbacks/Build to Lines – Amend text to read "Maximum 5' from property line for buildings up to 40' in height".

- f. Page 28 Note: at the bottom of the page – the language for Notice to Purchasers regarding the concentration of activities in the area is included as a stipulation and can be removed from this section as it is not a development standard.
 - g. Page 29 Right-of-Way – delete language “Improvements which fall outside...to be performed by others.”
 - h. Page 29 Occupiable Rooftops – Change the Exhibit reference to the correct number.
 - i. Page 30 Gathering Areas – add language noting that all amenities proposed for gathering areas in the right-of-way are subject to review and approval by the Street Transportation Department.
 - j. Page 33 Planting – Amend first sentence to read: “All occupiable roof areas shall be a minimum of 500 square feet and shall be planted...”
 - k. Page 37 Off Street Loading, 2nd sentence “Loading spaces shall be screened from view from Jackson Street – define what constitutes screening
 - l. Page 39 d) – clarify the 4 foot minimum
 - m. Page 39 e) – Refer to urban form design guidelines for clarification. A mural (artwork) does not count as articulation.
 - n. Page 40 Materials: New Construction – change language to: “An eclectic and varied palette of materials shall be employed for new construction.
 - o. Page 42 Building Form Blank Wall Standards – clarify meaning of the percentage in these sentences: “Blank walls shall be limited to a maximum of 40% of total ground floor street frontage.” And “Maximum 40% of total ground floor street frontage shall apply.”
 - p. Page 50 Sponsorship Program signs – the applicant shall submit for review and approval a detailed outline of the administration of the sponsorship program to the Development Services Department.
3. That two undesignated historic warehouses: the Pioneer Fruit Co. Warehouse at 401 S. 3rd Street and Coe Sales Co. at 301-309 E. Buchanan Street, shall not receive demolition permit approval unless one or both of the sites have received site plan approval and building permits from the Development Services Department for new permanent construction/development.
 4. That depending on the amount of ground disturbance, the following shall apply:
 - a. That areas within the Original Phoenix Townsite and Pueblo Patricio shall be monitored and/or tested
 - b. That areas within 250 feet of Pueblo Patricio shall be monitored and/or tested.
 - c. That if archaeological materials are encountered during construction, all ground-disturbing activities shall cease within 10 meters of the discovery
 - d. That upon discovery of archaeological materials, the City of Phoenix Archaeology Office shall be notified immediately and allowed time to properly assess the materials.
 - e. That upon discovery of archaeological materials, the City of Phoenix Historic Preservation Officer shall be contacted.

5. That a Notice to Purchasers shall be required for all purchasers of residential property within the PUD boundaries alerting them to the concentration of activities in the area and the noise generating nature of the area.
6. That parcels in the PUD that are located within Height Zone B shall adhere to the Airport Height Zoning Ordinance G-4784.
7. That prior to issuance of building permits, the developer shall file an FAA Form 7460-1 and receive a "No Hazard Determination" and provide proof of a "No Hazard Determination".
8. That the property owner shall record documents that disclose the existence, and operational characteristics of the 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.
9. That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.
10. That the below language shall be added as a preamble statement on a blank page prior to the Table of Contents within the Development Narrative. This additional language and any modifications to the narrative made through the public hearing process shall be completed and a final written PUD Development Narrative and electronic PUD Development Narrative shall be submitted within 30 days of final City Council approval.
 - a. A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as but not limited to right-of-way abandonments.

Writer

Katherine Coles

5/14/09

JH

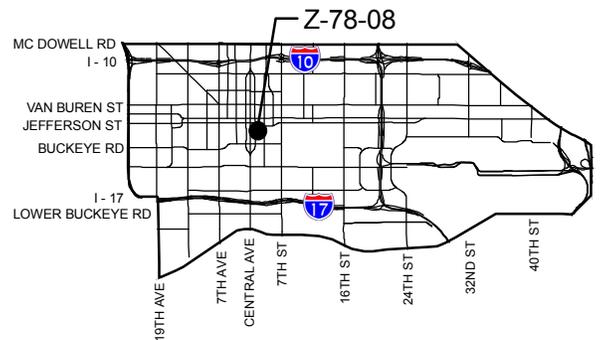
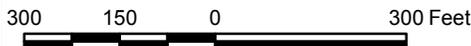
Attachments

Attachment A: Sketch Map

Attachment B: Aerial – Adjacent Developments

Attachment C: Conceptual Site Plan

Attachment D: Building Heights

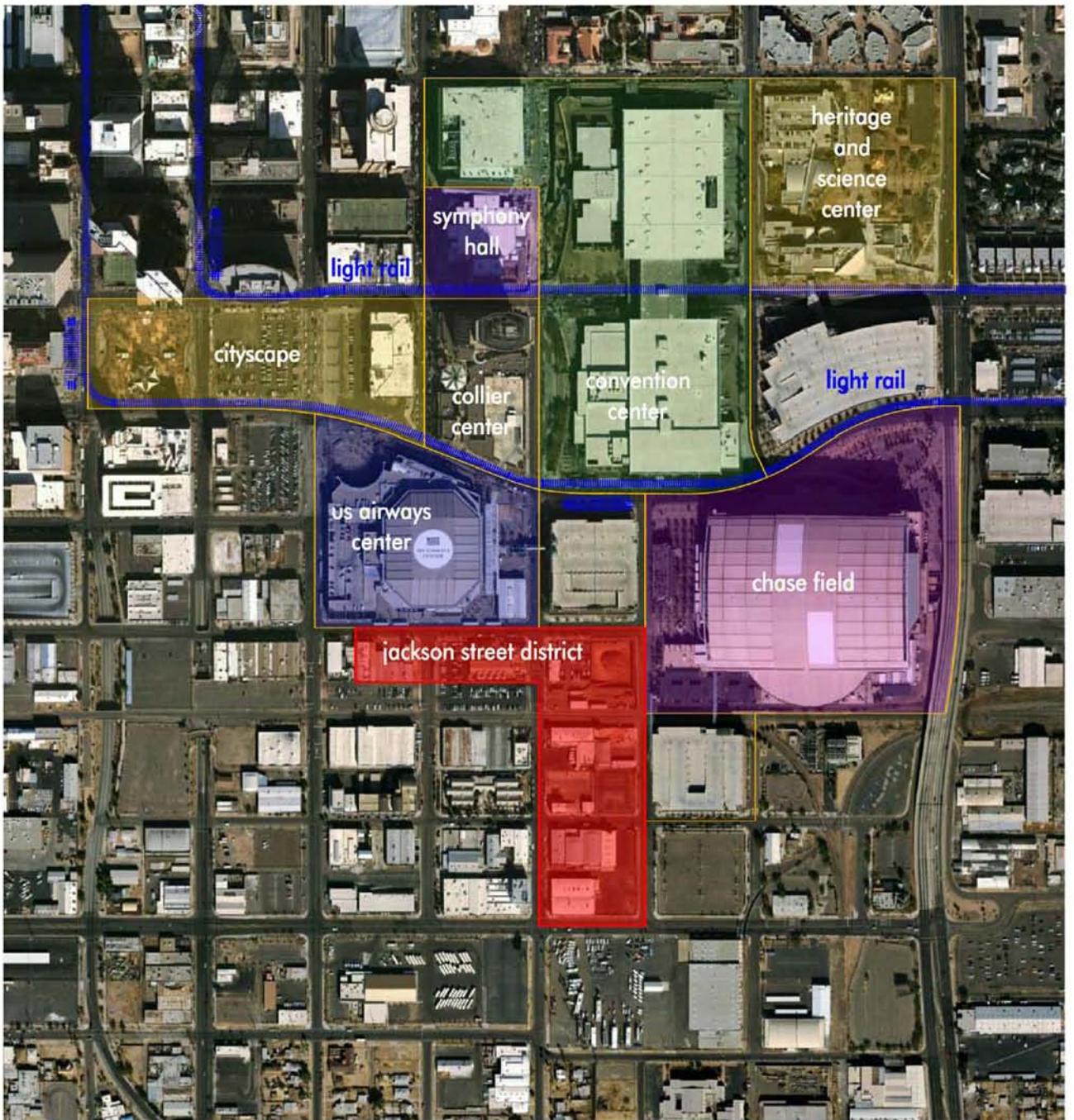


CITY OF PHOENIX PLANNING DEPARTMENT
CENTRAL CITY VILLAGE
 CITY COUNCIL DISTRICT: 8

APPLICANT'S NAME: JACKSON STREET ENTERTAINMENT DISTRICT LLC		REQUESTED CHANGE: FROM: DC W, (5.15 a.c.) A-1 W, (5.51 a.c.) A-1 HP W, (0.57 a.c.) TO: PUD, (9.61 a.c.) PUD HP, (1.05 a.c.) PUD HP L, (0.57 a.c.)	
APPLICATION NO. Z-78-08	DATE: 08-18-2008	REVISION DATES: 04-29-09	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 11.23 Acres	AERIAL PHOTO & QUARTER SEC. NO. Q10-28	ZONING MAP F-8	[Legend: PUD, PUD HP, PUD HP L symbols]
MULTIPLES PERMITTED DC, A-1, A-1 PUD, PUD HP, PUD HP L	CONVENTIONAL OPTION N/A, N/A, N/A PER PROJECT NARRATIVE, PAGE 31		* UNITS P.R.D. OPTION N/A, N/A, N/A

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

ATTACHMENT A: AERIAL



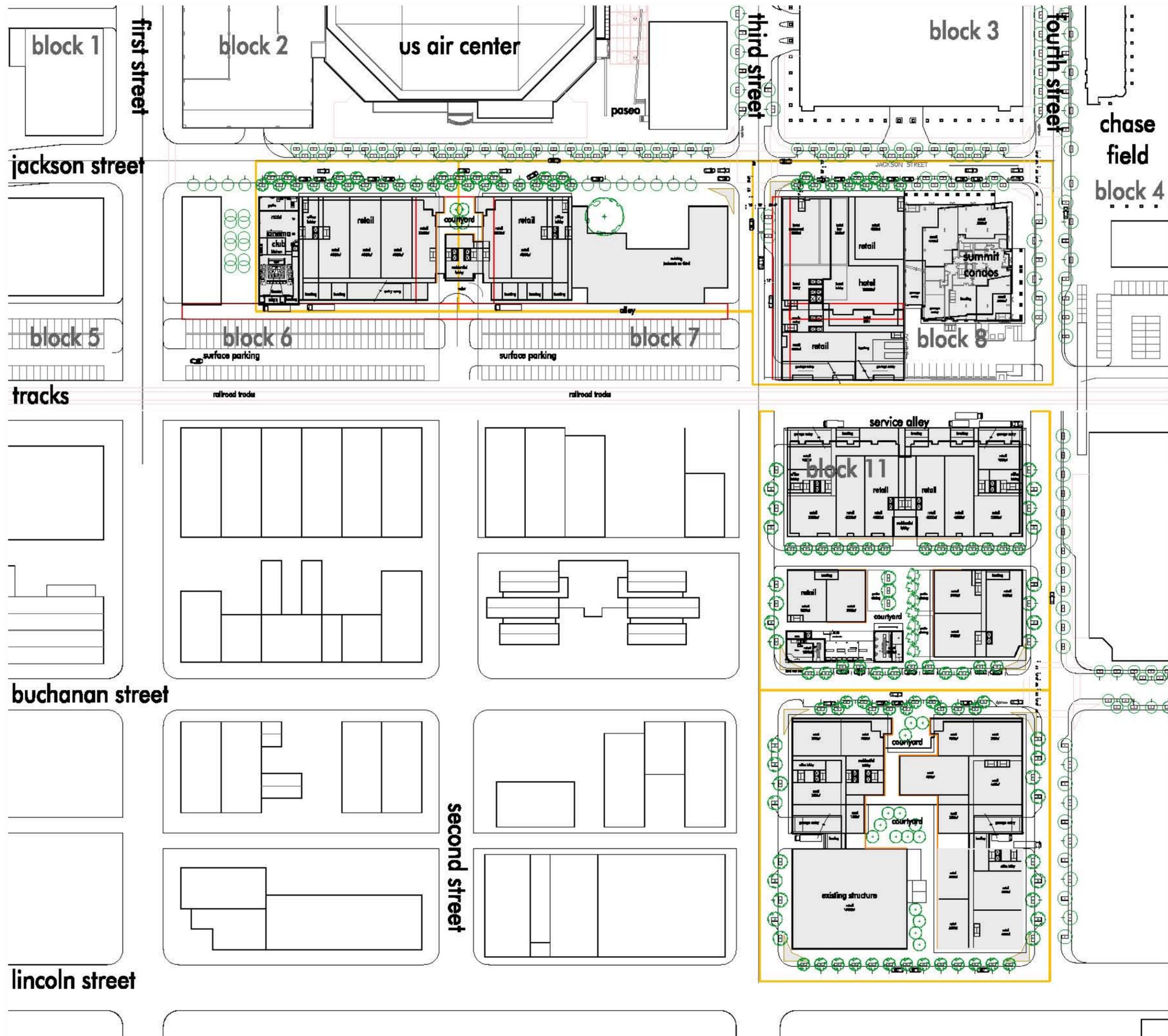
Jackson Street Entertainment District
sojac

10 december 2008



ATTACHMENT B

conceptual site plan



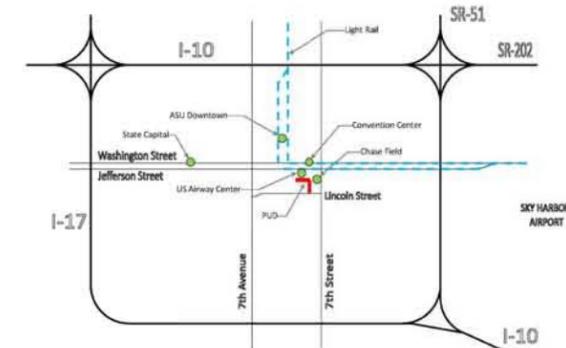
block 6 (COP block 46)
 lots 1,2,5,7, abandoned 2nd street
 lot size 230'x137.5' 34,373sf
 gross building area 200,283sf
 lot coverage 90%
 FAR 8.2
 residential units 220
 height varies 1 stories 17 to 12 stories 140'
 building setback 5' build to line
 landscape setback 0
 parking spaces 140
 no parking required in downtown core

block 11 (COP block 4)
 lots 1,2,3,4,5,6,7,8,9,10,11,12
 lot size 300'x277' 83,154sf
 gross building area 493,100sf
 lot coverage 78%
 FAR 8.8
 residential units 320
 height varies 1 stories 18' to 12 stories 140'
 building setback 5' build to line
 landscape setback 0
 parking spaces 180
 required parking varies per use

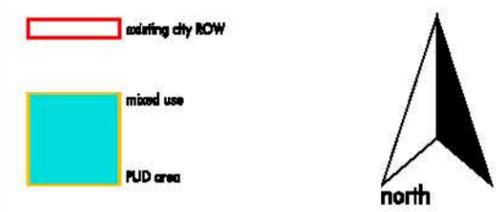
block 7 (COP block 47)
 lots 1,9,11, abandoned 2nd street
 lot size 390'x137.5' 48,125sf
 gross building area 389,722sf
 lot coverage 72%
 FAR 3.3
 residential units 148
 height varies 1 stories 22' to 12 stories 140'
 building setback 5' build to line
 landscape setback 0
 parking spaces 130
 no parking required in downtown core

block 12 (COP block 11)
 lots 1,2,3,4,5,6,7,8,9,10,11,12
 lot size 300'x300.4' 90,117sf
 gross building area 471,700sf
 lot coverage 76%
 FAR 3.9
 residential units 300
 height varies 1 stories 18' to 12 stories 140'
 building setback 0
 parking spaces 110
 required parking varies per use

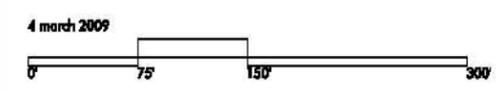
block 8 (COP block 44)
 lots 1,2,7,9,11, abandoned 3rd street
 abandoned alley
 lot size 320'x217' 75,450sf
 gross building area 700,200sf (325,000sf add)
 lot coverage 74%
 FAR 8.3
 residential units 232 (165 existing)
 height varies 3 stories 62' to 12 stories 140'
 (254' existing)
 building setback 5' build to line
 landscape setback 0
 parking spaces 365 (185 existing)
 no parking required in downtown core



vicinity plan



Jackson Street Entertainment District
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east west building elevations

along jackson street

building heights



- proposed building area up to 140 feet
- proposed building area up to 80 feet
- existing building area

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