



**City of Phoenix**  
 PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-43-16-8  
 (Sherman Place PUD)  
 October 7, 2016**

**Central City Village Planning Committee Meeting Date**                      October 10, 2016  
**Planning Commission Hearing Date**        November 3, 2016  
**Request From:**                                      R-4 CCSIOD (Approved C-1 CCSIOD) (0.81 acre)  
**Request To:**                                         PUD CCSIOD (0.81 acre)  
**Proposed Use**                                        Planned Unit Development to allow a mix of uses including multifamily residential and retail.  
**Location**    Southwest corner of 2nd Avenue and Sherman Street  
**Owner**     Earl and Mary Rose Wilcox  
**Representative**                                      Nick Wood – Snell & Wilmer  
**Applicant**    DCBE  
**Staff Recommendation**                              Approval, subject to stipulations

<b>General Plan Conformity</b>			
<b>General Plan Land Use Designation</b>		Mixed Use	
<b>Street Map Classification</b>	2nd Avenue	Local	30-foot west half street
	Sherman Street	Local	47-foot south half street
<p><b><i>CONNECT PEOPLE &amp; PLACES CORE VALUE; INFILL; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</i></b></p> <p>The proposed project will provide compatible, high density residential development near the downtown employment center and access to transit and other transportation alternatives.</p>			

**CONNECT PEOPLE & 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.**

The proposal will provide a high density of multifamily residential development within 1,000 feet of the planned light rail station at Lincoln Street and Central Avenue. The intensity of the proposal is consistent with the Transit Oriented Development Strategic Policy Framework.

**TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK – DOWNTOWN CORE: Central Business District, entertainment destination, destination retail, high and midrise living, industry cluster, civic & college campuses.**

The adoption of the Downtown Core place type for this station area is an acknowledgement of the work done through the Urban Form Plan that in turn made recommendations for intensity and density in the downtown area. It is meant to respect the Downtown Code zoning and the existing zoning of the area. The conceptual site plan and the corresponding development standards reflect the intent of this policy. The proposed development offers a five level residential project that promotes a walkable environment with the building and entrances near the street frontages as well as parking that is not visible to the right-of-way. This development is appropriate within 1,000 feet of the planned light rail station at Central Avenue and Lincoln Street.

**Area Plan**

Downtown Phoenix Plan (Downtown Urban Form Project). See items 6 through 9 in the Background/Issues/Analysis Section.

Tree and Shade Master Plan. Item 8 in the Background/Issues/Analysis Section indicates that the provisions of the Walkable Urban Code are the basis for this request. The Walkable Urban Code has standards for the provision of trees and shade.

**Background/Issues/Analysis**

1. This request is to rezone a 0.81 acre site, located at the southwest corner of 2nd Avenue and Sherman Street, from R-4 CCSIOD (Multifamily Residence District, Central City South Interim Overlay District) (Approved C-1 CCIOD [Neighborhood Commercial, Central City South Interim Overlay District]) to PUD (Planned Unit Development) CCSIOD (Central City South Interim Overlay District) for a Planned Unit Development to allow for a mix of uses including multifamily residential and retail. The site is located within 1,000 feet of the planned Lincoln Street/Central Avenue light rail station. The site has frontage on both 2nd Avenue and Sherman Street.

2. The subject site is predominantly vacant although a building exists at the westernmost end. The existing building dates from 1926 and was at one time a small neighborhood market. A multitude of alterations to the building over the several decades has rendered it no longer eligible for historic preservation status.
3. The General Plan Land Use Map designation for this property is Mixed Use. The PUD proposes to construct 28 residential units and provide approximately 3,800 square feet of ground floor retail, which is consistent with the General Plan Land Use Map designation for the site.

4. The site is located in the flight path for the Phoenix Sky Harbor International Airport which is approximately two miles to the east. Interior noise levels will be controlled by a combination of building code requirements (such as dual pane windows); roof overhangs to limit direct noise onto window surfaces, and the use of additional roof insulation. The Aviation Department has reviewed the rezoning application and requests the following:

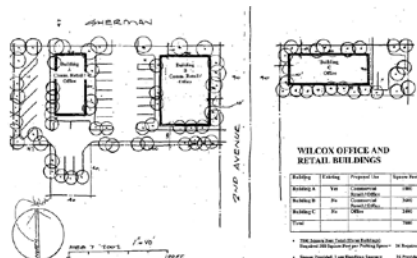
- a) that the property owner grant and record an avigation easement to the City of Phoenix Aviation Department;
- b) provide documentation that Form 7460-1 has been filed for the development and that it has received a "No Hazard Determination" from the FAA, and
- c) in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property, that a Notice to Prospective Purchasers of Proximity to Airport is recorded.



*Incoming flight to the Phoenix Sky Harbor International Airport. View looking west from 2nd Avenue.*

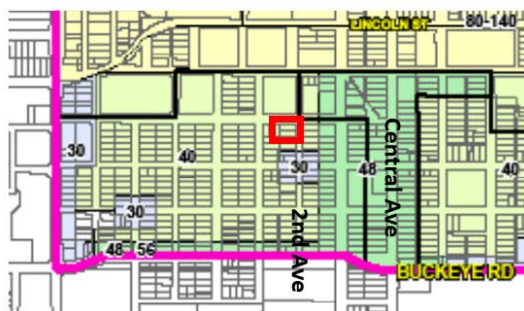
Stipulations 2, 3 and 4 address this request.

5. The subject site was approved for C-1 (Neighborhood Commercial) zoning (Z-23-02) in 2002 as part of a larger rezoning case which included a parcel across the street to the east. That proposal envisioned two buildings on the subject site and one building at the southeast corner of 2nd Avenue and Sherman Street. The building on the east side of the street was constructed and the zoning was vested onto the zoning map as C-1.



## DOWNTOWN PHOENIX PLAN

6. The Downtown Phoenix Plan is the implementation strategy of a community-based vision for the downtown, aimed at transforming the downtown area into an active, pedestrian-oriented and sustainable area. The plan identified an area from McDowell Road to Buckeye Road and 7<sup>th</sup> Street to 7<sup>th</sup> Avenue. It provided the foundation for the development of and adoption of the Downtown Code. Although the Grant Park neighborhood declined to be included in the rezoning to the Downtown Code, policy recommendations aimed at supporting the introduction of a pedestrian-oriented zoning code, mixed-income neighborhoods, historic preservation, neighborhood compatibility, and infrastructure investment are still in place.
7. The Downtown Plan includes a conceptual zoning plan which served as the basis for the application of the Downtown Code zoning district. The Downtown Code is a form based code with standards designed for specific character areas, as well as standards applicable to the form of the entire Downtown Code zoning district area.



*Downtown Plan proposed building height map*

 **Subject Site**



*Downtown Plan proposed dwelling unit density map*

 **29 dwellings per acre**

The subject site is depicted in the Downtown Plan with a density of 29 dwellings per acre and a maximum building height of 40 feet, consistent with the existing R-4 zoning.

8. The Walkable Urban (WU) Code is also a form based code with its applicability presently limited to adopted TOD districts along the existing light rail. Although part of the Downtown Urban Form Plan, the Grant Park neighborhood opted to not be included in the Downtown Code when it was adopted in 2010. The neighborhood retained the zoning established decades ago. Rather than attempt to identify appropriate character area standards applicable to the site, consistent with the Downtown Code zoning district, the applicant has chosen to follow most standards of the other form based code, the WU Code. However, as the site is not in a WU Code applicable area, the PUD zoning is being utilized, incorporating most of the T5:5 transect and applicable standards of the WU Code.

9. The proposal is generally consistent with the Downtown Plan. The addition of a dense multifamily development helps to address the desire for new housing in the downtown. The density is consistent with the area and is appropriate given the site's proximity to the planned Lincoln Street light rail station. The proposed project furthers many of the policies of the plan including pedestrian oriented and active street frontages, parking areas not visible from street frontages, a sensitive height transition from the nearby low-scale residences to the south, providing bicycle parking, and encouraging the use of the Green Building Code, Energy Star appliances and low flow plumbing fixtures.

#### SURROUNDING USES & ZONING

10. **North**

The property to the north of the subject site is the City of Phoenix Grant Park property. It is zoned R-4 HP CCSIOD (Multifamily Residence District, Historic Preservation District, Central City South Interim Overlay District) and contains a one story structure, a swimming pool, play area and a basketball court.

**West**

There is a one story residence on the property, which is zoned R-4 CCSIOD (Multifamily Residence District, Central City South Interim Overlay District).

**South**

A one story residence zoned R-4 CCSIOD (Multifamily Residence District, Central City South Interim Overlay District) exists to the south.

**East**

The property to the east of the subject site is zoned C-1 CCIOD (Intermediate Commercial, Central City South Interim Overlay District) and is developed with a one story office building.

#### PROPOSAL

11. The proposal was developed utilizing the PUD zoning designation, which allows an applicant to propose uses, development standards and design guidelines for a site. One of the goals of this process is to allow the applicant to develop standards that respond to the surrounding environment more so than conventional zoning districts allow. The end result is property rezoned with standards crafted specifically for the site. Where the PUD narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

12. The PUD proposes to develop a five-story, 60-foot high, mixed use (multifamily residential and retail) building. The approval of this PUD will allow the site to develop as a transit oriented development of 28 residential units. The ground floor facing Sherman Street is proposed to contain approximately 3,800 square feet of retail. Parking will be on the ground level behind the retail use with access from 2nd Avenue. Design features are proposed to respect the pedestrian environment at the periphery of the building as vehicles enter/exit the parking area. Most units are proposed to have balconies to capture city views and cross breezes, as well as Energy Star appliances and low flow plumbing fixtures. This is addressed in Stipulation 1.a.
13. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped October 4, 2016.

**Land Use**

The narrative proposes providing 28 multifamily residential dwelling units and approximately 3,800 square feet of ground floor retail. All T5:5 land uses specified in the Walkable Urban Code will be allowed.

**Development Standards (based on WU Code)**

SECTION	TITLE	APPLICABILITY
1301	Code Administration	No Changes - Fully Applicable
1302	Transect Districts	No Changes - Site to Utilize T5:5 (Except as Modified Herein)
1303	Transect Lot Standards	Fully Applicable Except For: TABLE 1303.2 Transect T5 1303.2.a: Above 1st Floor, Setback from 1st Floor Façade Line of 2 Foot Minimum 1303.2.d: Above 1st Floor, Setback from Property Line of 3 Feet Required for 50% of Façade; Balance of Façade Shall Be Setback at Least 25 Feet Building Height: 60-Foot Maximum Rooftop Deck(s) Permitted - If Provided, Associated Elevator Access, Stairwell, Railings and Shading Elements May Exceed Height Limit By No More Than 15 Feet. Rooftop Deck Must Be Setback from South & West Roof Edges by No Less Than 10 Feet. Shading Elements are Limited to No More Than 25% of the Total Roof Area. Lot Coverage: 95% Maximum Entry Requirements, Common Entry: One (1) Required on North Façade, Zero (0) for the East Façade
1304	General Site Development Standards	No Changes - Fully Applicable
1305	Frontage Standards	1305.C.2: An Eight (8) Foot Solid Fence is Required Along South and West Property Lines
1306	Land Use Matrix	No Changes - Fully Applicable

**Parking**

The narrative proposes a minimum of 1.25 parking spaces per residential unit. No parking is required for commercial uses. Per the WU Code, a minimum of four bicycle parking spaces are required for the commercial business and .25 parking spaces per residential unit.

<b>1307</b>	Parking Standards	Fully Applicable Except For:
		TABLE 1307.1 Minimum Required Vehicular Parking
		No Less Than 1.25 Parking Spaces Per Dwelling Unit
		No Parking Spaces Required For Commercial/Retail Uses
		1307.E.1 - If All Parking Is Enclosed Within the Building Then Setbacks Are Not Applicable
		1307.E.3.b - Parking Garage Shall Have One (1) Entrance Per Street Frontage
		To Protect the Pedestrian at Driveways, a Speed Table, Speed Hump or Other Physical Feature(s) Shall Be Provided To Define the Transition from the Parking Area to the Sidewalk
		1307.F.4 - Only One (1) Pedestrian Access Point is Required
		1307.G.6 - Does Not Apply

**Vehicular and Pedestrian Access**

The vehicle parking area will be accessed by driveways on 2nd Avenue and Sherman Street. The conceptual site plan shows these access points accommodating two-way traffic. It is recommended that if the site develops with two access points for vehicles, that the configuration be one-way in and one-way out. Such a configuration, combined with design features to be included at the ingress/egress points, will respect the pedestrian environment at the building’s periphery.

**Amenities**

An amenity deck is planned at the second level above the parking area. The building is proposed to form a “U” around the deck. This portion of the site is adjacent to existing residences built at a lower scale. The development standards require a minimum setback of 25 feet above the first floor for at least 50% of the width of the building. This standard will assist in minimizing the impact of the massing of the proposed building. The standards allow a rooftop deck with a minimum setback of 10 feet from the south and west roof edges.

**Design Guidelines and Sustainability**

The narrative proposes several elements to promote a pedestrian-friendly development design. These include:

- Incorporation of ground-story activation elements such as windows to permit visual observation of the street.
- At least three different materials will be utilized in the ground floor elevation.
- Shade will be provided for any patio space on the street frontage.
- The development proposes several elements addressing sustainability principles including installation of Energy Star appliances and low flow plumbing fixtures.

CHAPTER	TITLE	PUD ENHANCED REQUIREMENTS
H	Design Guidelines	See Section H, Guidelines A - H
J	Sustainability	See Section J, Standards 1.A - E (City Enforced)
		See Section J, Standards 2.A - F (Developer Documents With Submittal)

**Landscape, Open Space, Design Development, Character Areas**

1309	Landscape Standards	No Changes - Fully Applicable
1310	Open Space Standards	No Changes - Fully Applicable
1311	Design Development Considerations	No Changes - Fully Applicable
1312	Character Areas	No Changes - Fully Applicable

**Design and Standards Alternatives**

1313	Design and Standards Alternatives	No Changes - Fully Applicable
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**Signage**

The development is required to review the signage plan in conjunction with the landscape plan to ensure there are no conflicts between shade canopy and views to signage. The signage standards will adhere to the standards specified in the WU Code for the T5:5 transect.

1308	Signage Standards	Fully Applicable Except For: Sign Plans Shall Be Reviewed With a Landscape Plan to Avoid Visual Conflict Between Signs and Vegetation
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**Phasing**

The project will be completed in one phase.

**MISCELLANEOUS**

14. The Water Services Department has noted that the site is surrounded with existing sewer mains that can potentially serve this development. A new water main will need to be constructed between 2nd and 3rd Avenue.
15. The Archaeology Section of the City of Phoenix has commented that there are no known archaeological sites located in this project area. However, if any archaeological materials are encountered during construction, all ground-disturbing activities must cease within 33 feet of the discovery and the City of Phoenix Archaeology Office must be notified and allowed time to properly assess the materials. This is addressed in Stipulation 5.
16. Cox Communications has commented that they have one aerial span that will be affected and that it can be removed before development of the site begins.



17. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

### **Findings**

1. The development conforms to the General Plan Land Use Map Designation of Mixed Use.
2. The request is consistent with the Downtown Code Place Type assignment from the Transit Oriented Development Strategic Policy Framework of the General Plan.
3. The proposal is generally consistent with and will further the goals of the Downtown Plan.

### **Stipulations**

1. An updated Development Narrative for the Sherman Place PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 4, 2016, as modified by the following stipulations:
  - a. Amend the Development Standards Table G.1., Section 1307 Parking Standards to add:

If more than one access point is provided to the parking area, the access shall be one way in from one frontage and one way out from the second frontage. The driveway and entrance to the parking area shall be no greater than 15 feet wide. If there is a singular access point, the driveway and entrance to the parking area shall be no greater than 24 feet wide.
2. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
3. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA.
4. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

5. 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.
6. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

**Writer**

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10/2/2016

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Joshua Bednarek

**Attachments**

Sketch Map

Aerial

Sherman Place PUD Development Narrative date stamped October 4, 2016