



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-69-16-4
(The Local PUD)
 December 2, 2016

Encanto Village Planning Committee Meeting Date December 5, 2016
Planning Commission Hearing Date January 5, 2017
Request From: C-2 (5.25 acres) and P-1 (1.68 acres)
Request To: PUD (6.93 acres)
Proposed Use Planned Unit Development to allow a mix of uses including multifamily residential and retail.
Location Southwest corner of 7th Avenue and Osborn Road
Owner G.B. Investment Company / Bashas' Inc.
Applicant/Representative George Pasquel, Withey Morris, PLC
Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	7th Avenue	Arterial	Varies 40 to 53-foot west half street
	Osborn Road	Collector	Varies 40 to 54-foot south half street
	Flower Street	Local	25-foot north half street
<p>CONNECT PEOPLE & PLACES CORE VALUE; INFILL; LAND USE PRINCIPLE: <i>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></p> <p>The proposed project will provide compatible, high density residential and retail development near the Central Avenue employment corridor 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 approximately 1/2 mile west of the Central Avenue and Osborn Road light rail station. The proposal is consistent with the Midtown TOD Policy Plan.

TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK – REGIONAL CENTER: Office employment, industry cluster, high & midrise living, supportive retail.

The site is at the periphery of the Central Avenue and Osborn Road Regional Center. The conceptual site plan and the corresponding development standards reflect the desire for this site to provide high density housing just below a midrise classification as well as opportunities for supportive retail. This development is appropriate for the location and its proximity at about 1/2 mile from the light rail station at Central Avenue and Osborn Road.

Area Plan

Preserve HistoricPHX – See Items 6 through 9 Background/Issues/Analysis Section.

Transit Oriented Development Strategic Policy Framework and Midtown TOD Policy Plan – Adjacent to west boundary. See Items 10 through 13 in the Background/Issues/Analysis Section.

Tree and Shade Master Plan. See Items 14 and 15 in the Background/Issues/Analysis Section. The Walkable Urban Code has standards for the provision of trees and shade.

Background/Issues/Analysis

1. This request is to rezone a 6.93-acre site, located at the southwest corner of 7th Avenue and Osborn Road, from C-2 (Intermediate Commercial) and P-1 (Passenger Automobile Parking, Limited) to PUD (Planned Unit Development) for a Planned Unit Development to allow for a mix of uses including multifamily residential and retail. The multifamily residential component is planned to be a five-story, wood-framed building surrounding a concrete five-level parking structure. This structure is planned to occupy the southern portion of the site along Flower Street. The balance of the site is planned for multiple new uses such as retail and restaurants. The site is located just west of the 1/2-mile walk shed of the Central Avenue and Osborn Road light rail station and has frontage on 7th Avenue, Osborn Road and Flower Street.

2. The subject site is currently developed with a large retail building and a former restaurant. The south retail portion formerly housed an Osco/Skaggs Drug Store and is now vacant. A Bashas' grocery store occupies the middle portion of the structure and the north portion was the former location of the China Doll restaurant. The remainder of the site is used for surface parking. The northern two-thirds of the existing structure is eligible for historic preservation status and is featured in the city of Phoenix Historic Preservation Office's book, *Midcentury Marvels: Commercial Architecture of Phoenix, 1945 – 1975*. See Items 6 through 9 below for more historic preservation discussion.
3. The General Plan Land Use Map designation for this property is Commercial. The PUD proposes to construct residential units on the southern portion of the site and provide retail on the balance of the site, which is consistent with the General Plan Land Use Map designation for the site.

Site History and Historic Preservation

4. As Phoenix grew north from the downtown, the area around the 7th Avenue and Osborn Road intersection underwent quite a bit of change. The post-war boom brought residential subdivisions, places of worship, schools and room for commercial development. By the late-1940s much of the area was still being farmed but the transition to urban uses was well underway. The Phoenix College Campus was built at 13th Avenue and Thomas Road and extended north to Earll Drive. The Encanto grade school was built at the northeast corner of 15th Avenue and Osborn Road. In 1949, Congregation Beth Israel moved from its temple in downtown Phoenix to a new campus at the northeast corner of 11th Avenue and Flower Street. The Sportsman's Park harness racing facility and stables were at the northeast corner of 7th Avenue and Osborn Road.



1949 – area is transitioning from farmland to residential. Note the Sportsman's harness racing track on the northeast corner.



1959 – *Bashas'* grocery store and a commercial pad are on the site. The harness racing track is gone and that site is under development. Apartments line 7th Avenue to the southeast. The dome of the Jewish temple is visible a block to the west.

Source: Maricopa County Historical Aerial Photography

- By the 1970s a building had been added to the south side of the grocery store to house the Skaggs Drug Store and there was a gas station on the corner of the site. The apartments to the west had yet to be built. The residential subdivisions are complete and commercial development has occurred on all corners at the 7th Avenue and Osborn Road intersection. A former field to the southwest has been paved for surface parking at Phoenix College. Today, the former drug store on the site has been closed for several years, and the existing grocery store's clientele has diminished thus weakening its viability. A four story multifamily development exists to the west.



1976 – An addition for the drug store has been built on the south end of the *Bashas'* building and a gas station is on the northeast corner of the site. A Safeway grocery store is at the northeast corner.



2016 – The gas station on the northeast corner of the site is now gone and apartments have developed to the west. Unlike the images in previous decades, the parking area of the site is virtually empty. To the west, the former Jewish Temple is now part of the Phoenix College campus.

Sources: Maricopa County Historical Aerial Photography; Google Maps

- PreserveHistoricPHX is a comprehensive plan, adopted in 2015, intended to protect and promote the historic and archaeological resources of the city. Alteration or removal of the historic-eligible building on the subject property is not consistent with the stated goals of this plan.

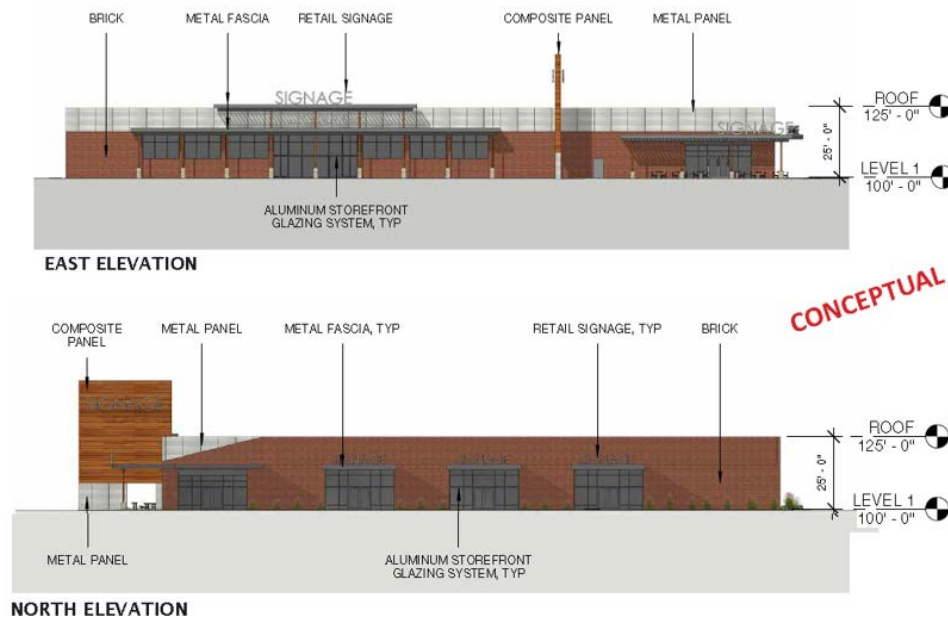
- The Historic Preservation Office recommends that the original Bashas' building receive Historic Preservation (HP) zoning as part of the PUD application. It is significant for its Midcentury Modern design, and as the first Bashas' store in Phoenix, advertised as "state's largest complete food store" when it opened in 1956. The property is featured in the book *Midcentury Marvels: Commercial Architecture of Phoenix 1945-1975*, which was published in 2011. Mayor Stanton and the Historic Preservation Commission have made it a priority to designate as many of these properties as possible with historic preservation status since 11 of the 80



Source: Arizona Republic, November 15, 1956

properties featured in the book have already been lost. In other requests for zoning where PUD approval has been granted and historic properties were affected, HP zoning has been included as a mitigative measure. Examples include the Arizona Biltmore Hotel (Z-71-08) and the Jackson Street Entertainment District (Z-78-08). Staff also recommended HP zoning for the Celebrity City PUD [although in that case the HP zoning was approved (Z-8-13) independent of the PUD].

8. The Historic Preservation Office has no objection to the removal of the south addition to the Bashas' building, which was apparently built in 1970 when Skaggs Drug Center relocated from the north end of the building. However, it appears from the site plan that more than just the addition is being removed. The conceptual site plan shows 130 feet of the original Bashas' store remaining after the demolition (not including the original Skaggs space at the north end). Using the measure tool on the aerial, it appears that the existing store actually measures approximately 160 feet in width. It appears that approximately 30 feet of the original building may be removed along with the later addition. The conceptual site plan also notes that at the south end of the building there will be a "New wall – portion of existing building demolished." The Historic Preservation Office does not support demolition of any portion of the original building, as it will likely make the property ineligible for historic designation.
9. The conceptual elevations show changes to the façade of the existing building, including new metal panels across the roof and composite panels at the sign fin. These changes to the original design, materials and workmanship of the building will likely make the property ineligible for historic designation.



Source: Trammell Crow Company ESG

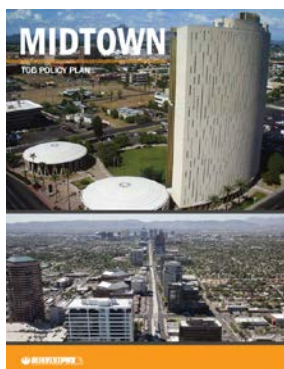
Transit Oriented Development Strategic Policy Framework and TOD Policy Plan

10. The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The project is located slightly west of the one-half mile walk shed of the Central Avenue and Osborn Road light rail station. The identified environment for this station area is Regional Center. Regional Center is a place type characterized by high intensity development with building heights typically from five to 10 stories with incentive heights of up to 20 stories. Land uses may include office employment, high and midrise living and supportive retail. The proposal to utilize the site for multifamily residential and retail uses through a Planned Unit Development, consistent with the T5:5 transect of the Walkable Urban (WU) Code, falls within the parameters of the Regional Center place type and complements the adjacent R-5 multifamily zoning.



Subject site is just west of the 1/2-mile walk shed from the Osborn light rail station.
Source: Midtown TOD Policy Plan

11. The site is located directly adjacent to the Midtown TOD (Transit Oriented Development) District, the boundaries for which are McDowell Road on the south, Indian School Road on the north 7th Street on the east and 7th Avenue on the west. The policy plan adopted for the Midtown 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 Midtown TOD District, one key recommendation is the implementation of a form-based zoning code.



Source: Midtown TOD Policy Plan

12. The Walkable Urban (WU) Code is a form based code with its applicability presently limited to adopted TOD districts (such as the Midtown TOD District) along the existing light rail. The Planned Unit Development (PUD) option that incorporates standards of the WU Code is appropriate at this location based on several factors. The subject site is directly adjacent to the Midtown TOD District which is across 7th Avenue to the east. A four story multifamily development utilizing R-5 zoning exists

along the site's entire west property line. Commercial and multifamily zoning exist across streets on the north, east and south. The PUD is written to follow most standards of the WU Code.

13. Although not a part of the Midtown TOD Policy Plan, given its adjacency to the TOD district, it is appropriate to measure this proposal against the TOD Policy Plan. The addition of a dense multifamily development and the repurposing of the long-time grocery store building helps to address the desire for new housing and retail in the Midtown TOD District. The density is consistent with the area and is appropriate given the site's proximity to the Central Avenue and Osborn Road light rail station.

Strategy 10: Economic Development – Revitalize Unique and Historic Commercial Buildings

The developer has not committed to retaining and revitalizing the historic-eligible Bashas' building. The developer has expressed an interest in retaining as much of the building as is feasible if an appropriate tenant and/or tenants can be identified to occupy the space.

Tree and Shade Master Plan

14. The site as it is developed today is completely devoid of trees and the only shade is cast by the building itself. The site was developed prior to the adoption of any landscape standards and no landscaping has been added in the intervening years. The redevelopment of the site, along with the potential adaptive reuse of the existing grocery store, provide the opportunity to add trees and shade to the site.
15. A policy recommendation of the Tree and Shade Master Plan is to develop regulations and incentives for the preservation, protection and increase of the urban forest and shade resources. The regulations outlined in The Local PUD, including the planting of trees in strategic locations and the detaching of the Flower Street sidewalk, are consistent with this policy. Additionally, the requirement that the signage for the site be coordinated with the landscape plan in order to ensure the maintenance and preservation of shade trees, is also consistent with the policy. This is addressed in Stipulation 1.a.

Surrounding Uses & Zoning

16. **North**
There are three properties to the north of the subject site. The one to the west is a single story multifamily apartment complex zoned R-4 (Multifamily Residence District). The remaining parcels are zoned C-1 (Neighborhood Commercial). Directly across the street the parcel was a small strip commercial center, which recently burned so the site is vacant. A proposal for a child day care facility has been submitted for that site. The property on the corner is a former gas station that has been repurposed as a burger restaurant.

West

There are several four story multifamily buildings on the property, which is zoned R-5 (Multifamily Residence District).

South

A two-story office is developed on the south side of Flower Street. The site is zoned R-5 (Multifamily Residence District). The property to the southwest across Flower Street is zoned R1-6 (Single-Family Residence District) and is developed with a church.

East

East across 7th Avenue is zoned C-2 (Intermediate Commercial) with a restaurant and a strip commercial center, C-1 (Neighborhood Commercial) with a two story office building; P-1 (Passenger Automobile Parking, Limited), and R-5 (Multifamily Residence District) developed with a two story apartment complex.

Proposal

17. 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.
18. The PUD is based on the Walkable Urban Code and the T5:5 transect. It will allow development of a five-story, 60-foot high, mixed use (multifamily residential and retail) building in the southern portion of the site. The ground floor facing Flower Street is proposed with residential units with patios/porches. The sidewalk on Flower Street will be detached from the curb so shade trees can be planted. There will be a dedicated public pedestrian accessway between the west property line and 7th Avenue which will allow pedestrians to access the full site from Flower Street without having to travel to the major street. The 7th Avenue frontage is proposed to have the lobby entrance as well as a vehicular drop off area and entrance to the structured parking.
19. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped December 2, 2016.

Land Use

The narrative proposes allowing multifamily residential dwelling units and retail. All T5:5 land uses specified in the Walkable Urban Code will be allowed.

Development Standards (based on WU Code)

The development standards proposed for the site are predominantly based on the T5:5 transect of the WU Code. Examples of exceptions to the WU Code are:

- Building height of 60 feet
- Adjustments to building frontages to accommodate the existing development
- Enhancement of required bicycle parking for the multifamily residential development
- Slight adjustments to the parking setbacks to accommodate constraints of the infill site
- Standards for signage are based on Section 705 of the Zoning Ordinance.
- The sidewalk on Flower Street will be detached to allow shade trees to be planted between the curb and the sidewalk.
- The sidewalks on the 7th Avenue and Osborn Road frontages will have shade trees planted on the west and south sides respectively.
- All sidewalks on street frontages will be widened to ADA standards.

Parking

The narrative proposes a minimum of 1.2 parking spaces per residential unit and a maximum of 1.7 parking spaces per residential unit. Retail uses require one space per 300 square feet. Bicycle parking spaces will adhere to the standards of the WU Code. Additionally, there will be guest bicycle parking for the multifamily residential use.

Vehicular and Pedestrian Access

The vehicle parking area will be accessed by driveways on 7th Avenue and Osborn Road. The conceptual site plan shows these access points accommodating two-way traffic. The pedestrian accessway from Flower Street to the interior of the site will be constructed according to standards identified in the Walkable Urban Code, including: hours of access, minimum width, lighting and paving materials.

Amenities

An amenity deck is planned at the second level. This area may include amenities such as: a pool, spa, BBQ, patio, or pet exercise area.

Design Guidelines and Sustainability

The residential portion of the development plans to follow most of the standards of the Walkable Urban Code, which provide for shade and connectivity. The design guidelines emphasize the ability to use several materials on the street facing façades and the amount of stucco allowed on these façades is minimized. The development will offer recycling for the residential and the commercial uses on the site; roofing materials will be a light color, and 40% of the required residential parking will be in a structure. The site is located across the street from a large grocery store which, when combined with retail and/or restaurant uses which may

be located on the greater site, will reduce the number of vehicle trips from the development.

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 are based on standards found in Section 705. There is accommodation made to continue to allow signage on the architectural fin of the main structure.

Phasing

The project will be completed as the market conditions warrant.

Miscellaneous

20. The Archaeology Section of the City of Phoenix has commented that the Bashas' Store #3 is an individual property eligible for listing on the National Register of Historic Places and that no known archaeological sites are 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 3.
21. The Aviation Department has provided comments regarding this request. The property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation 2.
22. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2205 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
23. Fire prevention does not anticipate any issues with this request. But the site or/and building(s) shall comply with the Phoenix Fire Code. The water supply (gpm and psi) to this site is unknown. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
24. The Water Services Department has commented that capacity is a dynamic condition that can change over time due to a variety of factors. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.

25. Development of the parcel will require that all improvements are required to comply with all Americans with Disabilities Act (ADA) standards. This is addressed in Stipulation 4.
26. 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 Commercial.
2. The request is consistent with the Regional Center 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 Midtown TOD Policy Plan.

Stipulations

1. An updated Development Narrative for The Local 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 December 2, 2016, as modified by the following stipulations:
 - a. Amend the Development Standards G.1., Section 1309 Landscape Standards to add:

The sidewalk on Flower Street shall be detached from the curb by a minimum of five (5) feet and landscaping, and trees to provide shade, shall be planted between the curb and the sidewalk.

Trees to provide shade planted along the Osborn Road frontage shall be in a minimum five (5) foot landscape area south of the sidewalk.

Trees to provide shade planted along the 7th Avenue frontage shall be in a minimum five (5) foot landscape area west of the sidewalk.
2. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

3. 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.
4. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

Writer

K. Coles

11/30/2016

Team Leader

Joshua Bednarek

Attachments

Sketch Map

Aerial

The Local PUD Development Narrative date stamped December 2, 2016