



Village Planning Committee Meeting Summary

Z-TA-10-23-7

Date of VPC Meeting	May 13, 2024
Request	Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street
Location	Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street
VPC Recommendation	Approval, per the staff recommendation with modifications
VPC Vote	13-1

VPC DISCUSSION:

Six members of the public registered to speak on this item, in opposition.

Committee Member Olivas declared a conflict of interest and left the meeting, bringing quorum to 13 members.

Committee Member Nervis joined the meeting during this item, bringing quorum to 14 members.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment, reviewing the Downtown Code context, existing maximum heights in the area, the proposed text, and the staff recommendation.

APPLICANT PRESENTATION

Tom Chinnock, representing the applicant with Shepley Bulfinch, provided a presentation describing the proposed development, the proposed use of sustainability bonus points for the project, and the surrounding context.

Kell Duncan, representing the applicant with Mainstreet Capital, described the proposed program, including the proposed greenhouse and use of local produce in the market and restaurant component of the project.

QUESTIONS FROM COMMITTEE

Committee Member Burton asked about the levels of parking above the commercial space and the items being saved from the original structure. **Mr. Chinnock** replied with a description of the proposed parking and the history of the building components.

Committee Member Greenman asked for clarification on the amendment area. **Mr. Grande** provided clarification that the east and west boundaries are coterminous with the character area boundaries.

Vice Chair Gaughan asked for clarification on the amendment area in relation to the character area. **Mr. Grande** replied that the amendment area matches the character area boundaries on the east and west but has defined boundaries of Portland Street on the north and McKinley Street on the south.

Committee Member Sonoskey asked if the amendment area boundary could be modified. **Mr. Grande** replied that it could.

Committee Member Martinez asked about the inclusion of bicycle infrastructure in the proposed project. **Mr. Chinnock** noted that some bicycle infrastructure is included in the bonus points program, but they are limited in the improvements they can do on the street.

Committee Member Burns asked about the rationale for the amendment area boundaries recommended by staff. **Mr. Grande** replied with a description of the rationale, highlighting the incorporation of the area around the light rail station.

Committee Member Panetta asked if the proposed development could be accomplished without the text amendment. **Mr. Grande** replied that the text currently does not allow the height.

Committee Member Starks asked if affordable or workforce housing would be provided in the residential component. **Mr. Chinnock** replied that they are not proposing affordable housing at this time, but they are considering it.

Committee Member Rachel Frazier Johnson asked whether variances for similar projects have been granted before and asked where the overflow parking would go. **Mr. Grande** replied that staff could research variances to find other examples. **Mr. Chinnock** replied that the proposal will provide 142 parking spaces, and they were expecting users of the site to take advantage of the downtown location and proximity to transit.

Committee Member Burton asked if the amendment area boundary could be revisited. **Mr. Grande** replied that the boundary could be modified by the committee.

PUBLIC COMMENTS

Joan Kelchner introduced herself as the President of Roosevelt Action Association, and spoke in opposition to the proposal, stating that the organization was not notified of the proposal and that there are sites included in the amendment area that will not take advantage of the height bonus or are historic properties that need to be protected, concluding that this proposal could be a red light to developers in the area.

Andie Abkarian introduced herself as Chair of the Downtown Voices Coalition and spoke in opposition to the proposal, stating that the committee should separate this project from the text amendment being requested, the City needs to be on the ground in the location to understand what's going on, and staff is rewriting the Downtown Code at this time.

Caroline Van Slyke introduced herself as a member of Roosevelt Action Association and spoke in opposition to the proposal, noting that the proposed development is a good project, but the boundary for the text amendment should be changed.

Kate Kunberger spoke in opposition to the proposal, highlighting that other projects have attained height changes specific to their site.

Dorina Bustamante spoke in opposition to the proposal, stating that the proposed project should be left alone with its own text amendment, asking the committee not to make the text change for the other blocks under discussion.

Anna Flaaten spoke in opposition to the proposal, stating that the committee should think about the future of Phoenix and whether it should have more cars or more walkability.

APPLICANT RESPONSE

Mr. Duncan stated that the applicant team doesn't have any issues with the boundary of the text amendment being reduced.

COMMITTEE DISCUSSION

Vice Chair Gaughan stated a concern that there are historic buildings within the boundary.

Committee Member Nervis asked about the mechanics of amending the boundary. **Mr. Grande** replied that the bounding streets could be changed in the proposed text.

Chair O'Grady stated that the project looks like a project in a thriving downtown.

Committee Member Sonoskey stated that the boundary could be revised to be east of Central Avenue, south of Roosevelt Street, and north of Garfield Street in order to accommodate the concerns from the community about the larger amendment area while allowing the proposed project.

Committee Member Burton suggested the boundary could be revised to east of 1st Avenue and south of Roosevelt Street.

Committee Member Burns asked about having a boundary less than a full block. **Mr. Grande** replied with context about existing height bonus areas in the Downtown Code.

MOTION

Ali Nervis made a motion to recommend approval of Z-TA-10-23-7, per the staff recommendation with the modifications that the text be revised to “None, except north of Garfield Street, south of Roosevelt Street, and east of Central Avenue: 30% Maximum.” **Nate Sonoskey** seconded the motion.

Vice Chair Gaughan noted that this was a thoughtful way to proceed.

VOTE

13-1; Motion to recommend approval of Z-TA-10-23-7, per the staff recommendation with modifications, passed; Committee Members Ban, Burns, Burton, Greenman, Johnson, R. Johnson, Martinez, Nervis, Panetta, Sonoskey, Vargas, Gaughan, and O’Grady in favor; Committee Member Starks opposed.

VPC RECOMMENDED TEXT:

B. Development Standards.

1. Maximum height.

a. *Main building*: governed by the height map, Section 1202.C.

(1) *Height bonus*: None-, **EXCEPT NORTH OF MCKINLEY GARFIELD STREET, AND SOUTH OF PORTLAND ROOSEVELT STREET, AND EAST OF CENTRAL AVENUE: 30% MAXIMUM**

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

The modified text recommended by the Village Planning Committee would limit the amendment area to less than one city block, incorporating the applicant’s development site and one additional site directly to the north. The amendment area recommended by staff incorporates portions of six city blocks, including the light rail station and both sides

of the light rail corridor, and is intended to meet the goals of the Downtown Phoenix Plan by providing a height transition away from the downtown core and promote additional intensity directly adjacent to the transit station. Staff does not recommend the VPC modification, as the modified boundaries do not provide a height transition and do not incorporate the light rail station and therefore do not align with the goals of the Downtown Phoenix Plan.



Village Planning Committee Meeting Summary
Z-TA-10-23-7
INFORMATION ONLY

Date of VPC Meeting	February 12, 2024
Request	Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street
Location	Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street

VPC DISCUSSION:

No quorum.