

## Attachment B



### City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

#### Staff Report Z-SP-4-21-3 October 28, 2021

Paradise Valley [Village Planning Committee](#) Meeting Date: November 1, 2021

[Planning Commission](#) Hearing Date: December 2, 2021

Request From: C-2 (4.83 acres)

Request To: C-2 SP (4.83 acres)

Proposed Use: Auto sales and all underlying C-2 uses

Location: Southwest corner of 20th Street and Bell Road

Owner: 20th St & Bell Multi-Family, LLC

Applicant: CJ Auto, Inc. David Doherty

Representative: Withey Morris, PLC, William F. Allision

Staff Recommendation: Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Commercial	
<a href="#">Street Map Classification</a>	20th Street	Minor Collector	30-foot west half street
	Bell Road	Major Arterial	55-foot south half street
<p><b>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized, and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.</b></p> <p>The subject site has never been developed. The proposed development would contribute to a clean and vibrant neighborhood with its proposed enhanced landscaping and streetscape enhancements.</p>			

***STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS & EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.***

The development proposes auto sales and all underlying C-2 uses on an underutilized site in close proximity to auto-oriented uses. The development will allow the expansion of an existing car dealership in an appropriate location.

***CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

The development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions and surrounding neighborhoods. The proposal includes treatments to mitigate potential impacts on the nearby single-family residential neighborhood including enhanced landscape setbacks, plantings, and detached sidewalks that improve safety and connectivity in the area.

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The development, as stipulated, will incorporate trees and shade which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

#### **Applicable Plans, Overlays, and Initiatives**

[Tree and Shade Master Plan](#) – See Background Item No. 5.

[Complete Streets Guiding Principles](#) – See Background Item No. 6.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 7.

[Zero Waste PHX](#) – See Background Item No. 8.

<b>Surrounding Land Uses/Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Vacant	C-2
<b>North (across Bell Road)</b>	Self-service storage and multifamily residential	C-2 SP and C-2 HGT/WVR DNS/WVR
<b>South</b>	Single-family residential	R1-6
<b>East (across 20th Street)</b>	Auto dealership and mechanic shop	C-2 SP and C-2
<b>West</b>	Auto dealership	C-2 SP

<b>C-2 (Intermediate Commercial)</b>		
<b><u>Standards</u></b>	<b><u>Requirements of C-2 District</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
<b><i>Building Setbacks</i></b>		
South (Adjacent to R1-6)	25 feet (For structures not exceeding 1 story or 15 feet)  50 feet (For structures not exceeding 2 stories or 30 feet)	No buildings proposed at this time
West (Adjacent to C-2 SP)	Minimum 0 feet	No buildings proposed at this time
East (Adjacent to 20th Street)	Minimum 20 feet for up to 50% of the structure, average 25 feet	No buildings proposed at this time
North (Adjacent to Bell Road)	Minimum 20 feet for up to 50% of the structure, average 25 feet	No buildings proposed at this time
<b><i>Landscaped Setbacks</i></b>		
South (Adjacent to R1-6)	Minimum 10 feet	Minimum 10 feet (Met)
West (Adjacent to C-2 SP)	Minimum 0 feet	Minimum 10 feet (Met)
East (Adjacent to 20th Street)	Minimum 20 feet, Average 25 feet	Minimum 10 feet (Not Met)*
North (Adjacent to Bell Road)	Minimum 20 feet, Average 25 feet	Minimum 15 feet *(Not Met)

Lot Coverage	Not to exceed 50%	Not provided
Building Height	Maximum 2 stories, 30 feet	Building not proposed at this time

\*Variance or site plan modification required

### **Background/Issues/Analysis**

#### **SUBJECT SITE**

1. This request is to rezone a site from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow auto sales and all underlying C-2 uses. The subject site is a total of 4.83 acres located on the southwest corner of 20th Street and Bell Road. The subject site is currently zoned C-2 (Intermediate Commercial) through Rezoning Case No. Z-27-13-3, which removed a previous Special Permit for auto sales to allow a restaurant on the site. This project was never developed and the land has remained vacant since.

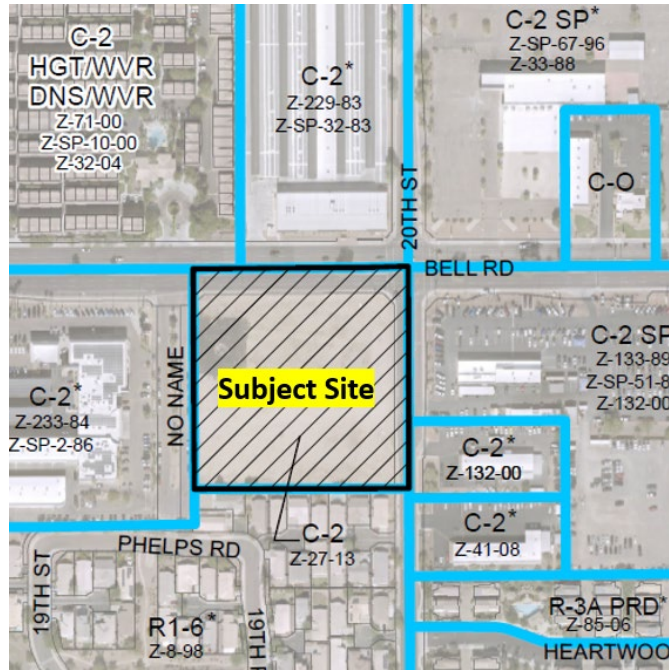
Additionally, all auto retail sales lots in C-2 shall comply with the following provisions:

- Body repair and painting done on the lot shall be confined to a closed building.
- The area used for parking, display, storage or circulation shall be dust-free.
- Lots shall be properly enclosed with a wall, fence, hedge, plantings, or combinations thereof having a minimum height of ten inches above the grade at which the cars are to be displayed unless a hedge, planting or combinations thereof are approved in lieu of the ten-inch wall and/or the lot is depressed below the elevation of adjacent lots in which case appropriate landscaping may be approved.
- Any artificial light used for such lot or area shall be so arranged as to reflect light away from the adjoining premises, lot and/or streets and shall be so located as not to be a nuisance to adjacent property and streets.

#### **SURROUNDING LAND USES AND ZONING**

2. The request for C-2 SP (Intermediate Commercial, Special Permit) zoning is generally consistent with the surrounding entitlements and land uses to the west and east of the subject site.

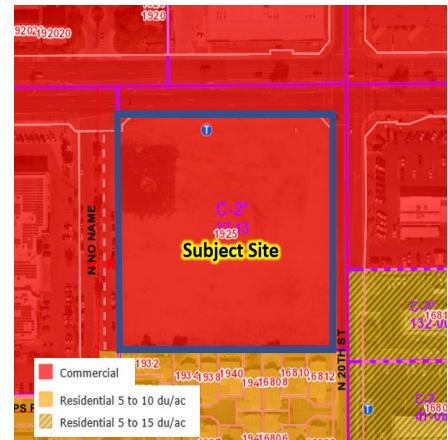
The land use and zoning entitlement to the northwest is multifamily and zoned C-2 DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver). The land use to the north is self-service storage warehouse zoned C-2 SP. The land use to the south is single-family residential and zoned R1-6 (Single-Family Residential). To the west of the site is an existing car dealership zoned C-2 SP. The land use to the east, across 20th Street, is a car dealership zoned C-2 SP and mechanic shop zoned C-2. The proposed stipulations will apply to the proposed car dealership and to any C-2 uses developed across the entire site. Several stipulations are recommended by staff to provide an appropriate buffer from the subject site and adjacent residential uses along the south.



*Surrounding Aerial Map, Source: Planning and Development Department*

### GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site and properties to the west, north (across Bell Road), and partially along the east (across 20th Street) is Commercial. The proposed use is consistent with the Commercial designation. The properties to the southeast are designated Residential 5 to 15 dwelling units per acre. The residential subdivision to the south is designated Residential 5 to 10 dwelling units per acre.



*General Plan Land Use Map, Source: Planning and Development Department*

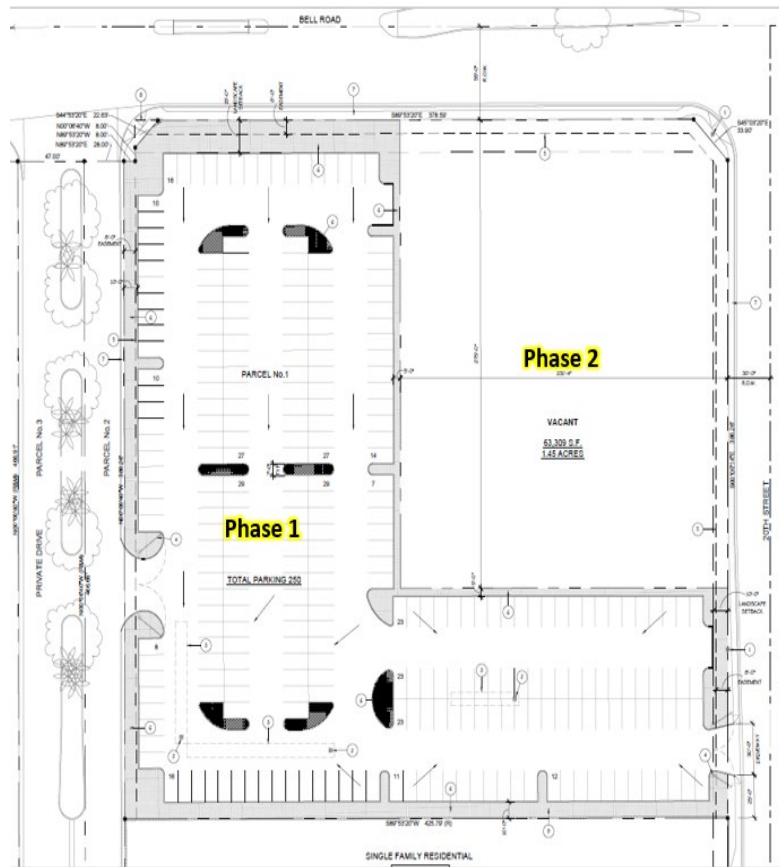
## PROPOSAL

4. The site will serve as an inventory lot for the existing dealership to the west, no employees will be working on the subject site. No buildings are currently proposed for the site. However, future development is anticipated for Phase 2 depicted on the site plan to the right.

The proposed zoning would allow auto sales and underlying C-2 uses. The site is proposed to develop in two phases, with the first phase involving an expansion of the existing auto dealership to the west. Land uses within the second phase of the site have not been

determined. The first phase of the project will be accessed from 20th Street and along the western property line via a private access drive. Stipulation No. 1 requires two-inch caliper trees to be planted along the south property line to screen the site from adjacent residential uses. The proposed site plan also depicts a detached sidewalk along Bell Road. Staff is recommending Stipulation No. 2 requiring a detached sidewalk per the adopted street Cross Section along Bell Road with a landscape area between the sidewalk and back of curb to accommodate trees. This will help to mitigate the urban heat island effect and provide a pedestrian friendly environment.

Since the first phase of the project consists of an automobile display and parking area, staff recommends Stipulation No. 3 to require enhanced shading of uncovered customer and employee parking areas to help mitigate the heat island effect.



*Conceptual Site Plan, Source: Barry R. Barcus Architect, Inc.*

## STUDIES AND POLICIES

### 5. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for shaded and detached sidewalks along Bell Road in addition to landscape enhancements along the south property lines and within parking lots. These are addressed in Stipulation Nos. 1, 2, and 3.

### 6. [Complete Streets Guidelines](#)

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

Detached and shaded sidewalks are addressed in Stipulation No. 2, while Stipulation No. 4 addresses bicycle infrastructure. These two stipulations will promote alternative transportation to and from the site.

Stipulation Nos. 8 and 9 address pedestrian pathway connections and enhance pedestrian safety, to promote walking and connectivity within the subject site.

### 7. [Comprehensive Bicycle Master Plan](#)

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Staff is recommending Stipulation No. 4 to require bicycle parking on the adjacent site and a bicycle fix-it station upon construction of the second phase.

### 8. [Zero Waste PHX](#)

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. No recycling facilities are proposed on this site at this time.

#### COMMUNITY INPUT SUMMARY

9. As of the writing of this report, staff has not received any correspondence regarding this proposed rezoning application.

#### INTERDEPARTMENTAL COMMENTS

10. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the Phoenix Fire Code. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
11. The Street Transportation Department has requested the sidewalk along Bell Road shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map. Furthermore, all street improvements are required per ADA standards. These are addressed in Stipulation Nos. 2, 5, 6 and 7.
12. The Street Transportation Department's Pedestrian Safety Coordinator commented on the importance of pedestrian pathways being constructed of decorative pavers, stamped, or colored concrete or other treatments that visually contrast with adjacent drive aisle surfaces and clearly defined pedestrian pathways connecting building entrances, bus stop pads and public sidewalks. These are addressed in Stipulation Nos. 8 and 9.
13. The Public Transit Department has requested clearly defined pedestrian pathways connecting building entries and exits to the public sidewalks. This is addressed in Stipulation Nos. 8.

#### OTHER

14. The site is within Deer Valley Airport traffic pattern airspace and the proposed use is commercial. Therefore, the Aviation Department has provided stipulations requiring the developer to record a Notice to Prospective Purchasers of the proximity to the airport to disclose the operational characteristics of the airport and to require that documentation be filed with the FAA. These are addressed in Stipulation Nos. 10 and 11.
15. The site has not been identified as being archaeologically sensitive. However, in the event 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 immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 12.

16. 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 is consistent with the Phoenix General Plan Land Use Map designation of Commercial.
2. The proposal is compatible with the surrounding land uses and appropriately located near other auto-oriented uses.
3. The proposal, as stipulated, will provide a transition from an arterial street to the adjacent residential land use by applying enhanced landscaped buffers and enhanced plantings along the southern and northern boundaries of the site.

### **Stipulations**

1. The southern landscape setback shall be planted with 2-inch caliper, large canopy shade trees planted 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department.
2. All public sidewalks shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section (Cross Section A on Bell Road) of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions with a pedestrian environment.
  - a. Minimum 2-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained at a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. All uncovered surface parking areas used by customers and employees must be landscaped with minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area and achieve 15 percent shade at maturity,

as approved by Planning and Development Department.

4. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. The developer shall provide 4 bicycle parking spaces on site or on the site to the west near building entrances. The bicycle parking spaces shall be shaded to 50 percent, as approved by the Planning and Development Department.
  - b. Upon construction of Phase 2, a bicycle repair station ("fix it station") shall be provided on the site in close proximity to 20th Street. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
5. The developer shall dedicate 5 feet of right-of-way for the south half of Bell Road, as approved by the Planning and Development Department.
6. The developer shall dedicate a 15-foot-wide sidewalk easement for the south half of Bell Road, as approved by the Planning and Development Departments.
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department. Any cross-access agreements shall include a pedestrian pathway, as approved by the Planning and Development Department.
9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis

review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley 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.
12. 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.

**Writer**

David Simmons

October 28, 2021

**Team Leader**

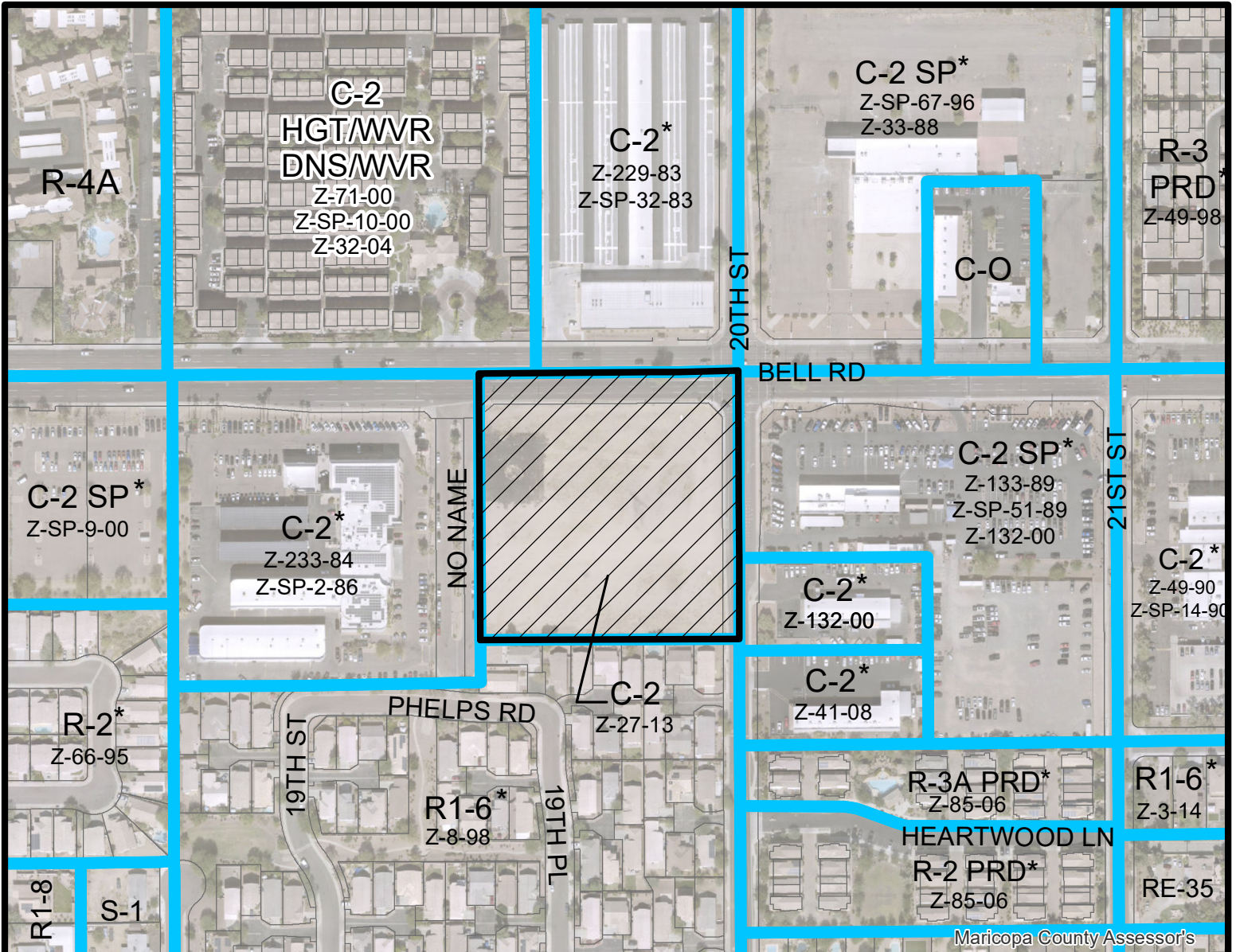
Samantha Keating

**Exhibits**

Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped July 06, 2021 (1 page)



Maricopa County Assessor's



Miles

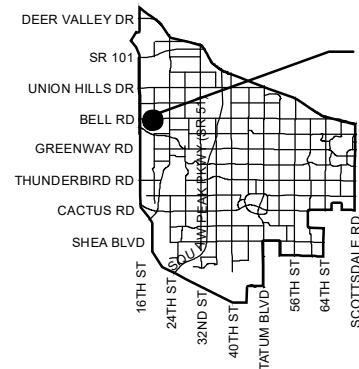
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**PARADISE VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 3



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



Z-SP-4-21

APPLICANT'S NAME: CJ Auto Inc/David Doherty

REQUESTED CHANGE:

FROM: C-2 ( 4.83 a.c.)

APPLICATION NO. Z-SP-4-21

DATE: 7/28/2021  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

4.83 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.

QS 36-31

ZONING MAP

M-9

TO: C-2 SP ( 4.83 a.c.)

**MULTIPLES PERMITTED**

C-2

C-2 SP

**CONVENTIONAL OPTION**

70

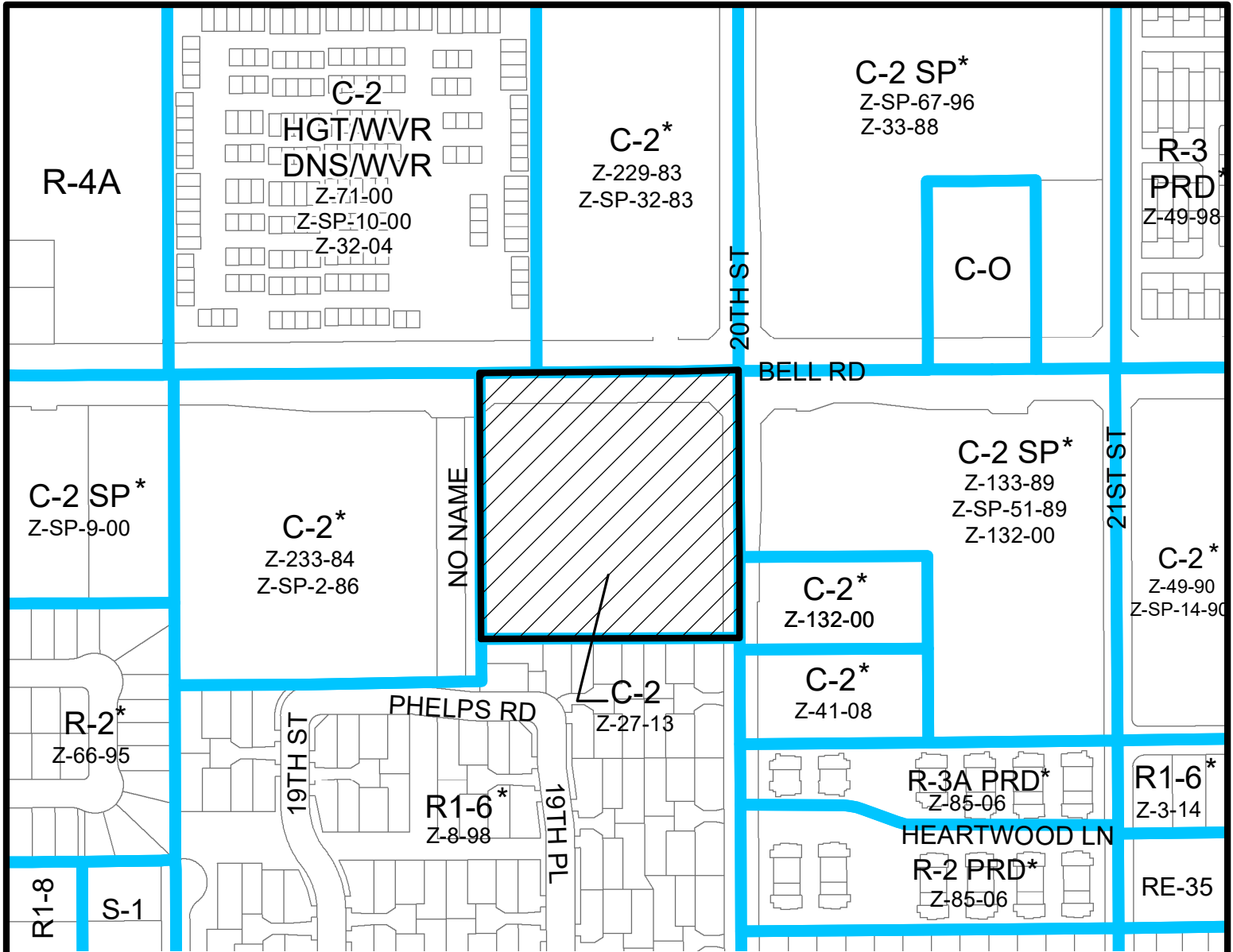
70

**\* UNITS P.R.D. OPTION**

84

84

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



Miles

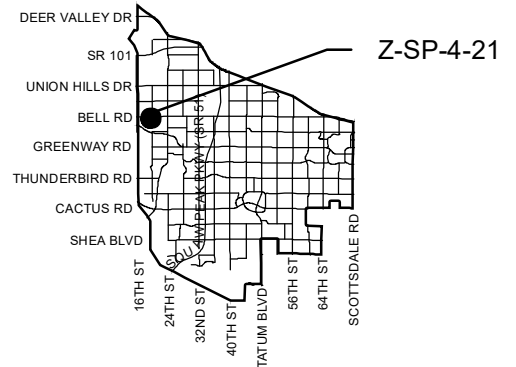
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## PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: CJ Auto Inc/David Doherty

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QUARTER SEC. NO.

QS 36-31

ZONING MAP

M-9

TO: C-2 SP ( 4.83 a.c.)

### MULTIPLES PERMITTED

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C-2 SP

### CONVENTIONAL OPTION

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### \* UNITS P.R.D. OPTION

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

