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## CITY COUNCIL REPORT

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TO: Mario Paniagua  
Deputy City Manager

FROM: Alan Stephenson  
Planning & Development Director

SUBJECT: BACKUP INFORMATION TO ITEM 94 PUBLIC HEARING/ORDINANCE  
ADOPTION – (Z-71-16-6) ON THE MARCH 1, 2017, FORMAL AGENDA –  
NORTHEAST CORNER OF THE 19TH STREET ALIGNMENT AND  
GLENDALE AVENUE

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This report provides backup information on Item 94 - Public Hearing/Ordinance Adoption to Z-71-16-6 located at the northeast corner of the 19th Street alignment and Glendale Avenue on the March 1, 2017 Formal Agenda.

### THE ISSUE

A rezoning application has been submitted for approval to the City Council for a parcel located at the northeast corner of the 19th Street alignment and Glendale Avenue. The application is being made by the ABCO Holdings LLC.

### OTHER INFORMATION

Rezoning case Z-71-16-6 is a request to rezone 1.27 acres from R1-10 to R-O to allow a residential office.

The Camelback East Village Planning Committee heard the request on Jan. 17, 2017, and it was approved with additional stipulations. Vote: 10-3.

The Planning Commission heard the request on Feb. 2, 2017, and it was approved, as recommended by the Camelback East Village Planning Committee with modifications to Stipulation 8 and deletion of stipulation 9. Vote 7-0.

The request was appealed by a neighbor opposing the rezoning. A  $\frac{3}{4}$  vote of the City Council is required to approve this application for rezoning.

### Exhibits:

- 1 – Staff Report Z-71-16-6
- 2 – Village Planning Committee Meeting Summary
- 3 – Planning Commission Summary
- 4 – Appeal



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-71-16-6**  
December 23, 2016

**Camelback East Village Planning Committee Hearing Date** January 17, 2017  
**Planning Commission Hearing Date** February 2, 2017

**Request From** R1-10 (1.27 acres)  
**Request To** R-O (1.27 acres)  
**Proposed Use** Office  
**Location** Northeast corner of the 19th Street alignment and Glendale Avenue  
**Owner/Applicant** ABCO Holdings LLC  
**Representative** Taylor Earl, Earl Curley & Lagarde PC  
**Staff Recommendation** Approval, subject to stipulations

<b>General Plan Conformity</b>			
<b>General Plan Land Use Designation</b>		Residential (3.5-5 du/acre)	
<b>Street Map Classification</b>	Glendale Avenue	Major Arterial	55-foot north half street
<p><b><i>CONNECT PEOPLE AND PLACES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b></p> <p>The proposed residential office use is consistent in scale and character with residential and commercial properties in the surrounding area.</p>			
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES &amp; NEIGHBORHOODS; CERTAINTY &amp; CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.</i></b></p> <p>The proposal is compatible with surrounding development and with the intent of the Residential Office (R-O) zoning district which seeks to control developments on the edges of residential areas and located on arterial streets, and ensure that they are developed at a residential scale.</p>			

**CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.**

As stipulated, the proposed residential office use adequately mitigates potential negative impacts on adjacent residential properties through restrictions regarding landscape setbacks, plant sizes, lighting, and signage. Additionally, the site plan proposes a single-story building at a residential scale.

**CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; 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.**

The property has been vacant for over 20 years, since the construction of the State Route 51 freeway (SR-51). As stipulated, the proposal is compatible in scale and character with properties in the surrounding area.

**Area Plans**

**See Background Item #5**

**Surrounding Land Uses/Zoning**

	<u>Zoning</u>	<u>Land Use</u>
<b>On Site</b>	R1-10	Vacant
<b>North</b>	R1-10	Single-family residential
<b>South</b>	R1-6	Single-family residential
<b>East</b>	R1-10	Vacant
<b>West</b>	R1-10	Equipment Enclosure

**Residential Office R-O District—Restricted Commercial**

<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
<i>Building Setbacks</i>		
Street	20-feet minimum	Approximately 23-feet (Met)
East	10-feet minimum	Approximately 206-feet (Met)
West	10-feet minimum	10-feet (Met)
North	25-feet minimum	25-feet (Met)
<i>Landscaped Setbacks</i>		
Street	No Standard	20-feet (Met)
East	No Standard	10-feet (Met)

West	No Standard	10-feet (Met)
North	No Standard	25-feet (Met)
Lot Coverage	30% maximum	16% (Met)
Building Height	15' at minimum rear and side setbacks. 1' additional height per 1' in setback, up to 25' maximum.	15-feet, 1-story (Met)
Parking	30 Spaces 1 space per 200 SF = 30 Spaces	30 Spaces (Met) (2 accessible spaces provided)

**Background/Issues/Analysis**

1. This request is to rezone a 1.27 acre parcel located at the northeast corner of the 19<sup>th</sup> Street alignment and Glendale Avenue from R1-10 (Single-Family Residence District) to R-O (Residential Office District) to allow an office use.



2. The General Plan Land Use Map designation for the subject property is Residential 3.5-5 du/acre. Although the proposal is not consistent with the General Plan designation, an amendment is not required as the subject property is less than 10 acres in size.
3. The Residential Office zoning district is intended to control developments on the edges of residential areas which, because of their location on arterial streets or other environmental conditions, are susceptible to pressures for nonresidential uses. The district permits new development at a residential scale or conversion of residential structures for use as professional offices or other limited service uses.
4. The subject property is comprised of three parcels with frontage along Glendale Avenue. The site has been vacant for over 20 years, since the construction of the SR-51 freeway.

North of the site are single-family residences zoned R1-10.

Immediately to the east is a vacant parcel. Further east, at the northwest corner of 20<sup>th</sup> Street and Glendale Avenue, is a single-family residence. These properties are zoned R1-10.

West of the subject site is an equipment shelter and monopole. This shelter is located within right-of-way associated with the SR-51 freeway.

South of the site, across Glendale Avenue, are single-family residences zoned R1-6. These homes are separated from Glendale Avenue by a concrete median and frontage road. Glendale Avenue is classified as a major arterial in this location. There is an existing median that extends through Glendale Avenue, which runs parallel to the majority of the subject property's frontage.

#### SQUAW PEAK FREEWAY SPECIFIC PLAN

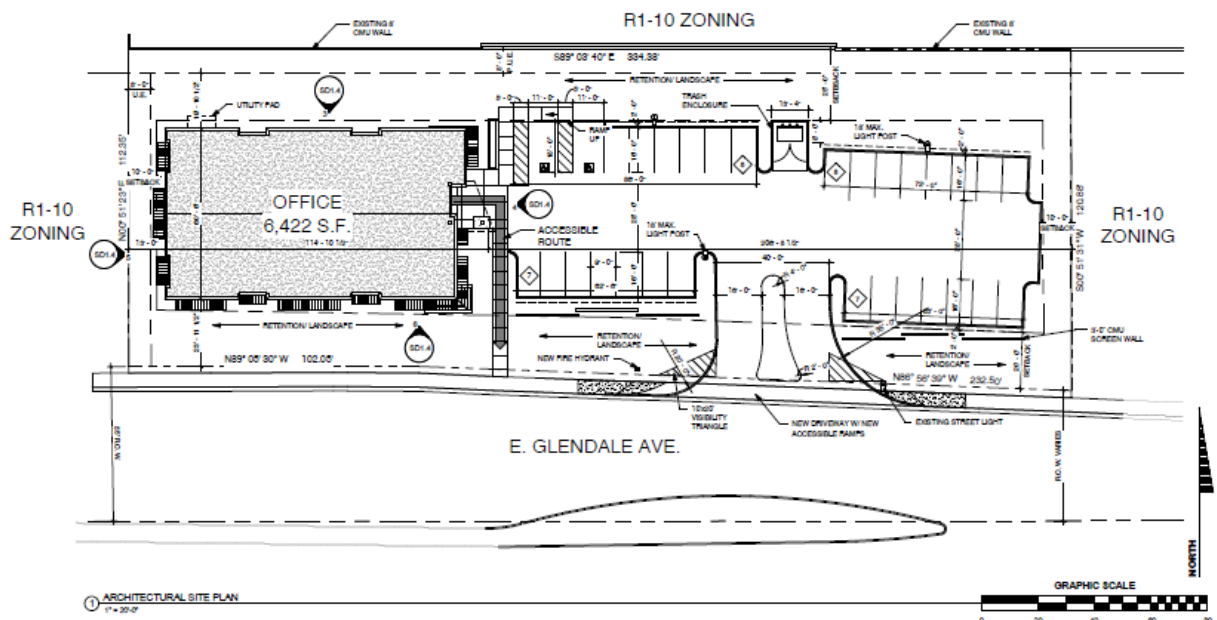
5. The property is located within the boundaries of the Squaw Peak Freeway Specific Plan. Approved by City Council in 1991, this policy plan addressed the impacts of the SR-51 freeway on adjacent neighborhoods. It provides information regarding the history of the freeway plan and proposed land uses, circulation patterns, pedestrian pathway design, landscape enhancements, noise mitigation strategies, neighborhood stabilization measures, public art, and neighborhood safety proposals for neighborhoods and properties affected by the freeway plan.

The Squaw Peak Freeway Specific Plan addressed the subject properties and called for the removal of homes existing at the time of the freeway construction in approximately 1991. The plan proposed several alternatives for the properties, none of which were implemented. The location of the properties, at the intersection of a freeway and major arterial street, makes them uniquely unsuited for residential development. Other residential land uses between 20<sup>th</sup> Street and the freeway are separated by a frontage road or have vehicular access from a local street.

#### SITE PLAN, ELEVATIONS, LANDSCAPING

6. The site plan illustrates one office building located on the western portion of the site consisting of 6,422 square-feet and 16% lot coverage.

The site provides a single point of ingress and egress at a driveway located along Glendale Avenue. The driveway includes a concrete divider which limits access to right-in and right-out only. The divider is located along the Glendale Avenue frontage, approximately 110-feet west of the southeast corner of the site. This divider was identified in the traffic study as the ideal mechanism by which to discourage left turns out of the property and enforce the right-in, right-out traffic pattern for accessing the site.



The eastern portion of the site consists of a parking lot containing 30 parking spaces. The trash receptacle is located in the center of the site, 25-feet from the rear property line, and aligned with the driveway.

The remainder of the site consists of landscaping and retention areas.

Staff stipulations require general conformance to the site plan. The building massing, site layout, and traffic flow are compatible in scale and character with the land use pattern in the surrounding area.

7. The proposed elevations include a variety of architectural features including canopies, awnings, planters, columns, and variations in the building façade and roofline. Building materials are similarly varied and include stucco, metal, faux wood, glass, and metal.

The proposed building height is one-story and 15-feet. The proposed 15-foot building height is measured to top-of-parapet. The building entrance features a metal roof canopy feature that is 17-feet to top-of-canopy. The proposed height will mitigate impacts of the building massing on adjacent properties.

Staff stipulations require general conformance to the elevations. The proposed building height and architectural design are compatible in scale and character with the land use pattern in the surrounding area.

8. The proposed landscape plan includes a variety of trees including leather leaf acacia, ironwood, mesquite, blue palo verde, and desert museum. Additionally, the landscape palette provides a variety of cacti, aloe, yucca, ocotillo, and other shrubs and bushes. This landscape palette is consistent with the existing mature, native vegetation on the site and landscaping in the surrounding area. The applicants will be required to process an inventory and salvage plan as a component of the site plan review process.

Staff stipulations require general conformance to the landscape plan. Additionally, staff stipulations require the provision of a minimum 25-foot landscape setback on the north,

20-feet on the south, and 10 feet on both sides. Finally, staff stipulations require all setbacks to be planted with a minimum 50% 2-inch caliper and minimum 50% 3-inch caliper trees.

The R-O zoning district does not specify any landscaping standards that are relevant to the subject property. Staff stipulations ensure a robust landscaping standard that will mitigate potential impacts of the development on adjacent properties and provide consistency with landscaping in the surrounding area.

#### LIGHTING

9. Staff stipulations limit parking area lighting to a maximum height of 6-feet and require all lighting to be shielded and cast downward. This stipulation, coupled with the minimum landscape setback dimensions, will mitigate the impacts of site lighting on adjacent residential properties.

#### SIGNS

10. Staff stipulations prohibit internally-lit signs on the subject property. This stipulation, coupled with the minimum landscape setback dimensions, will mitigate the impacts of signage on adjacent residential properties.

#### TRAFFIC STUDY

11. As a component of their rezoning application, the applicant submitted a traffic study that addressed and analyzed anticipated trip generation, whether a right turn lane approaching the proposed driveway is warranted, measures to prevent left-turns from the subject property onto Glendale Avenue, and sight distances from the proposed driveway.

Regarding anticipated trip generation, the study noted that 2013 City of Phoenix data recorded more than 45,000 vehicles per day (vpd) west of SR-51 and more than 41,500 vpd west of 24<sup>th</sup> Street. Since specific tenants are yet not identified, the study assumed the proposed development would be a medical or dental office. This use was chosen as it typically generates more trips than a general office. The study predicted that the development could generate 218 trips on a typical weekday. This would include 15 trips generated during the AM peak hour and 24 trips during the PM peak hour.

Regarding the question of whether a right turn lane approaching the proposed driveway is warranted, the study concludes that while anticipated inbound trips may warrant the turn lane, it is not recommended based on design considerations. The study notes that the subject property's frontage is inadequate to meet the desired ADOT standard for the length of the turn lane. Additionally, relocating the driveway to accommodate the desired length would either encroach on the intersection at SR-51 and Glendale Avenue (west) or require acquisition of right-of-way from adjacent property owners and reconstruction of the public sidewalk (east). Finally, the turn lane may conflict with the existing driveway on the adjacent residential property to the east.

Regarding measures to prevent left turns out from the subject property, the study recommends providing a channelizing island in the driveway. This feature would restrict left turn movements and allow minimal traffic disruptions during construction. The study also analyzed a possible median extension but concluded that this would be cost-prohibitive, difficult to maintain, and be more disruptive during construction.

Regarding sight distances from the proposed driveway, the study concluded that a sight visibility triangle should be designed per AASHTO guidelines in order to provide 555-feet of sign distance to the left. The study recommends guidelines for vegetation within this triangle.

The proposed site plan incorporates a channelizing island in the driveway which will prevent left turns out from the subject property. Staff stipulations require general conformance to this site plan. Both the City Code and Zoning Ordinance have regulations which address sight visibility triangles.

#### STREET TRANSPORTATION

12. Staff stipulations require the developer to update all existing off-site street improvements, including sidewalks, curb ramps and driveways, adjacent to the project to current ADA guidelines, as approved by the Street Transportation and Planning and Development Departments.

#### FLOODPLAIN

13. Floodplain Management indicated that the parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1745 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

#### FIRE

14. The Phoenix Fire Department indicated that they do not anticipate problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.

#### ARCHAEOLOGY

15. The City of Phoenix Archaeology Office did not note any required archaeological work for the subject property. However, in the event that any archaeological materials are encountered, ground-disturbing activities must cease within 10-meters and notification and time to assess materials must be provided.

#### OTHER

16. The City of Phoenix Archaeology Office, Parks and Recreation, Transit Department, and Water Services Department have no concerns regarding the request.
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 abandonment may be required.

### **Findings**

1. The proposal is not consistent with the General Plan land use designation of Residential 3.5-5 du/acre, however, as the subject property is less than 10 acres in area, a General Plan amendment is not required.
2. The proposal is consistent with the intent of the Residential Office Zoning District as it is located on the edge of a residential area and a major arterial street, and it is susceptible to redevelopment proposals for nonresidential uses.



3. As stipulated, the proposal is adequately buffered from adjacent residential uses and includes architectural, design, and landscaping features which mitigate potential impacts of the development.

### **Stipulations**

1. The development shall be in general conformance with the site plan date stamped December 22, 2016, and the landscape plan and elevations date stamped December 1, 2016, as modified by the following stipulations and approved by the Planning and Development Department.
2. Minimum landscape setbacks shall be provided as follows: 25-feet along the north property line, 20-feet along the south property line, and 10-feet along the east and west property lines.
3. All landscape setbacks shall be planted with a minimum 50% 2-inch caliper trees and a minimum 50% 3-inch caliper trees planted 20-feet on center or equivalent groupings with a minimum of five (5) 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. Any parking area lighting shall be no higher than 6-feet and shielded to cast the light downward, as approved by the Planning and Development Department.
5. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.
6. In the event that archaeological materials are encountered during construction, all ground-disturbing activities must cease within 10 meters of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials.
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.

### **Writer**

Adam Stranieri  
December 23, 2016

### **Team Leader**

Joshua Bednarek

### **Attachments**

Sketch Map  
Aerial  
Site Plan (Date Stamped 12/22/16)  
Elevations (Date Stamped 12/01/16)  
Landscape Plan (Date Stamped 12/01/16)

**Revised**  
**Village Planning Committee Meeting Summary**  
**Z-71-16-6**

<b>Date of VPC Meeting</b>	January 17, 2017
<b>Request From</b>	R1-10 (1.27 acres)
<b>Request To</b>	R-O (1.27 acres)
<b>Proposed Use</b>	Office
<b>Location</b>	Northeast corner of the 19 <sup>th</sup> Street alignment and Glendale Avenue
<b>VPC Recommendation</b>	Approval
<b>VPC Vote</b>	10-3

**VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**DISCUSSION:**

Staff provided an overview of the request, staff's findings and recommendation.

Committee members expressed some concern about the precedent approval of this request would make for future R-O requests along Glendale Avenue east of State Route 51 Freeway.

Staff responded that the subject property's proximity to the freeway, lack of any connection to a residential street and absence of any residential frontage road makes it uniquely appropriate for R-O zoning.

The applicant, Mr. Taylor Earl, provided additional details regarding the request and highlighted several aspects of the proposal including the proposed landscape setbacks, site plan and building elevations.

Mr. Earl discussed at the length the traffic controls associated with the proposed site plan, and the neighbors' concerns with traffic on Glendale Avenue.

Mr. Earl noted that there are only projected to be 232 trips per day generated and the city's Street Transportation Department has stated that this is not a significant amount.

Committee members had several comments and questions for Mr. Earl. The members' comments and questions, along with Mr. Earl's and staff's responses, are summarized below:

- The proposed office's scale at 6,000 square feet is not consistent with the character of the adjacent neighborhood.
  - Mr. Earl responded that the site's uniquely challenging location no longer makes it a viable site for residential development and they are meeting or exceeding all the standards of the R-O zoning district. Mr. Earl added that R-O is the least intense commercial zoning district they can apply to the site.
- What are the the proposed landscape and building setbacks along Glendale Avenue and is there sufficient space for a detached sidewalk?
  - Mr. Earl stated that there are several challenges in providing a detached sidewalk including existing light poles and the fact that the site's drainage will be is all along Glendale Avenue.
- What is staff's position on requiring detached sidewalks?
  - Staff stated that they generally support the provision of detached sidewalks, but the aforementioned challenges the application outlined make it difficult to provide on this site.
- Are there any plans to extend the median on Glendale Avenue?
  - Mr. Earl highlighted on the site plan that the location of the driveway is located where it may not be necessary to extend the median. Mr. Earl did add that they are committed to working with the city through the development process and would consider additional traffic control measures if they were deemed necessary.
- Where will the trash containers be located on site?
  - Mr. Earl highlighted on the site plan where the containers are proposed, but noted that they are working to find another location for them based on requests from the neighbors.
- The project is another opportunity to provide detached sidewalks and a safer walking environment for residents. Phoenix will not become a more walkable city if we find excuses not to move forward.

Several member of the audience submitted cards and provided comments. Below is a summary of the comments:

Mr. William Culbertson spoke in opposition of the request. Mr. Culbertson lives adjacent to the project and stated that the project will negatively impact the neighborhood's character and integrity. Mr. Culbertson emphasized that the traffic conditions on Glendale Avenue are already unsafe, and the proposal would only worsen these conditions.

Mr. Jeffery Zeig spoke in opposition of the request. Mr. Zeig lives adjacent to the property and reiterated Mr. Culbertson's concerns that the proposal creates a major safety concern for the neighborhood. Mr. Zeig stated that if approved, the proposal will result in additional traffic accidents.

Mr. Dennis Scully spoke in opposition of the request. Mr. Scully lives adjacent to the property and said he has concerns that the funds utilized to purchase the property were only supposed to allow for open space.

- Staff responded that the Squaw Peak Freeway Specific Plan was adopted to guide how the freeway mitigation bonds funds were utilized. The plan addresses the subject property and one of the recommendations proposes a redevelopment of the property. There is no language in the plan that states that the subject property is to remain vacant.

Committee members inquired about the notification requirements the city had to follow when selling the property. Staff stated that they were not aware of what the requirements for notification were. Mr. Earl stated that the property had been posted with a sign and that an add was placed in three publications of general circulation.

Committee members asked staff about the requirements associated with the dedication of a sidewalk via additional right-of-way or an easement. Staff explained the distinction between the two processes, but could not provide an answer as to what liabilities a property owner has when the sidewalk is dedicated as an easement.

After the conclusion of the comments and questions from the public and committee members, Chairman Swart afforded Mr. Earl a few minutes to respond. Mr. Earl's responses are summarized below.

- Putting in detached sidewalk will be challenging, but if it gains the committee's they will commit to making it work.
- The subject lots are much shallower than the other residential lots that face Glendale Avenue. If R-O is not a reasonable request for the site, and single-family residential is not appropriate because of its proximity to the freeway, then what would work?

Committee members inquired if Mr. Earl would be open to limiting the size of the proposed building to decrease the need for so many parking spaces and bring it more in-line with the residential homes to the north.

While Mr. Earl conferred with his client, committee members inquire of staff if limiting the size of the building could be done via stipulation. Staff responded that similar stipulations have been done in the past on other properties.

Mr. Earl stated that after speaking with his client, they were agreeable to limiting the size of the building to 6,000 square feet, installing an additional traffic control mechanism to inhibit vehicle egress and installing a detached sidewalk on Glendale Avenue.

### **MOTION:**

Mr. William Fischbach motioned to approve the request subject to the following additional stipulations:

- #8: THAT THE DEVELOPER SHALL INSTALL ADDITIONAL TRAFFIC CONTROL MEASURES ON THE INGRESS PORTION OF THE DRIVEWAY TO FURTHER INHIBIT ANY EGRESS VEHICULAR TRAFFIC AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- #9: A FIVE-FOOT DETACHED SIDEWALK SHALL BE PROVIDED ALONG GLENDALE AVENUE WITH REASONABLE ALLOWANCES FOR LIGHT POLES AND OTHER UTILITY CONFLICTS AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- #10: THE MAXIMUM TOTAL SQUARE FOOTAGE OF ALL BUILDINGS ON SITE SHALL BE 6,000 SQUARE FEET.

Mr. Daniel Sharaby seconded the motion.

**VOTE:**

10-3 (Beckvar, Najafi and Valenzuela in opposition)

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

Staff has reworded Stipulation 8 to better address the committee's desire to prohibit vehicles existing the property via a left turn onto Glendale Avenue.

Below is the updated complete list of stipulations:

1. The development shall be in general conformance with the site plan date stamped December 22, 2016, and the landscape plan and elevations date stamped December 1, 2016, as modified by the following stipulations and approved by the Planning and Development Department.
2. Minimum landscape setbacks shall be provided as follows: 25-feet along the north property line, 20-feet along the south property line, and 10-feet along the east and west property lines.
3. All landscape setbacks shall be planted with a minimum 50% 2-inch caliper trees and a minimum 50% 3-inch caliper trees planted 20-feet on center or equivalent groupings with a minimum of five (5) 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. Any parking area lighting shall be no higher than 6-feet and shielded to cast the light downward, as approved by the Planning and Development Department.
5. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.
6. In the event that archaeological materials are encountered during construction, all ground-disturbing activities must cease within 10 meters of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials.
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. ~~THAT THE DEVELOPER SHALL INSTALL ADDITIONAL TRAFFIC CONTROL MEASURES ON THE INGRESS PORTION OF THE DRIVEWAY TO FURTHER INHIBIT ANY EGRESS VEHICULAR TRAFFIC~~ **TO PHYSICALLY PROHIBIT LEFT TURNS EXITING THE SITE** AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
9. A FIVE-FOOT DETACHED SIDEWALK SHALL BE PROVIDED ALONG GLENDALE AVENUE WITH REASONABLE ALLOWANCES FOR LIGHT POLES AND OTHER UTILITY CONFLICTS AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. THE MAXIMUM TOTAL SQUARE FOOTAGE OF ALL BUILDINGS ON SITE SHALL BE 6,000 SQUARE FEET.

REPORT OF PLANNING COMMISSION ACTION  
February 2, 2017

ITEM NO: 11	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-71-16-6
Location:	Northeast corner of the 19th Street alignment and Glendale Avenue
Request:	R1-10 To: R-O Acreage: 1.27
Proposal:	Office
Applicant:	ABCO Holdings LLC
Owner:	ABCO Holdings LLC
Representative:	Taylor Earl, Earl Curley & Lagarde PC

**ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 1/17/2017 Approved, per staff stipulations and three additional stipulations. Vote: 10-3

Planning Commission Recommendation: Approved, as recommended by the Camelback East Village Planning Committee with a modification to Stipulation 8, deletion of Stipulation 9 and an additional stipulation.

Motion discussion: N/A

Motion details – Commissioner Glenn made a MOTION to approve Z-71-16-6 as recommended by the Camelback East Village Planning Committee with a modification to Stipulation 8, deletion of Stipulation 9 and an additional stipulation.

Maker: Glenn  
Second: Montalvo  
Vote: 7-0  
Absent: Shank  
Opposition Present: Yes

**Findings:**

1. The proposal is not consistent with the General Plan land use designation of Residential 3.5-5 du/acre, however, as the subject property is less than 10 acres in area, a General Plan amendment is not required.
2. The proposal is consistent with the intent of the Residential Office Zoning District as it is located on the edge of a residential area and a major arterial street, and it is susceptible to redevelopment proposals for nonresidential uses.

3. As stipulated, the proposal is adequately buffered from adjacent residential uses and includes architectural, design, and landscaping features which mitigate potential impacts of the development.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped December 22, 2016, and the landscape plan and elevations date stamped December 1, 2016, as modified by the following stipulations and approved by the Planning and Development Department.
2. Minimum landscape setbacks shall be provided as follows: 25-feet along the north property line, 20-feet along the south property line, and 10-feet along the east and west property lines.
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4. Any parking area lighting shall be no higher than 6-feet and shielded to cast the light downward, as approved by the Planning and Development Department.
5. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.
6. In the event that archaeological materials are encountered during construction, all ground-disturbing activities must cease within 10 meters of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials.
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. ~~THAT THE DEVELOPER SHALL INSTALL ADDITIONAL TRAFFIC CONTROL MEASURES ON THE INGRESS PORTION OF THE DRIVEWAY TO FURTHER INHIBIT ANY EGRESS VEHICULAR TRAFFIC TO PHYSICALLY PROHIBIT LEFT TURNS EXITING THE SITE AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
9. ~~A FIVE-FOOT DETACHED SIDEWALK SHALL BE PROVIDED ALONG GLENDALE AVENUE WITH REASONABLE ALLOWANCES FOR LIGHT POLES AND OTHER UTILITY CONFLICTS AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
- 10.9. THE MAXIMUM TOTAL SQUARE FOOTAGE OF ALL BUILDINGS ON SITE SHALL BE 6,000 SQUARE FEET.



10. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact Nici Wade at Voice (602) 495-0256 or the City TTY Relay at (602) 534-5500.



FEB 06 2017

Planning & Development  
Department

The **PLANNING COMMISSION** agenda for February 2, 2017 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. February 9, 2017.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., February 9, 2017.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. February 9, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. February 16, 2017.

**FORM TO REQUEST CITY COUNCIL HEARING**

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-71-16  
APPLICATION NO.

1942 E. Glendale, PHX  
LOCATION OF APPLICATION SITE

02/02/2017  
DATE APPEALED FROM

Maia Brkovic  
PLANNER

OPPOSITION  
 APPLICANT

(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

DENNIS SCULLY  
PRINTED NAME OF PERSON APPEALING

Dennis Scully  
SIGNATURE

1927 E. CACTUS WREN DR  
STREET ADDRESS

02/06/2017  
DATE OF SIGNATURE

PHX, AZ 85020  
CITY, STATE & ZIP CODE

602 768-8008  
TELEPHONE NO.

REASON FOR REQUEST Disagree with ruling -

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Petition for three Quarter vote by City Council  
 For  
 Rezoning Application # Z-71-16  
 Request: R1-10 to R-O  
 Location: 1942 e. Glendale Phoenix 85020

We the Undersigned are Owners of Property within 150 feet of the property requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three quarters (3/4) vote.

Date	Signature	Address	APN
02/06/17	<i>Denis Sully</i>	1927. e. CACTUS WREN DR PHX AZ 85020	164-27-026
2-6-17	<i>Don Linn</i>	1939 E CACTUS WREN DR PHOENIX, AZ, 85020	164-27-024

**CITY OF PHOENIX**

FEB 06 2017

Planning & Development  
 Department

CITY OF PHOENIX

FEB 07 2017

Planning & Development  
Department

N Private

E OF E Cactus Mtn Dr

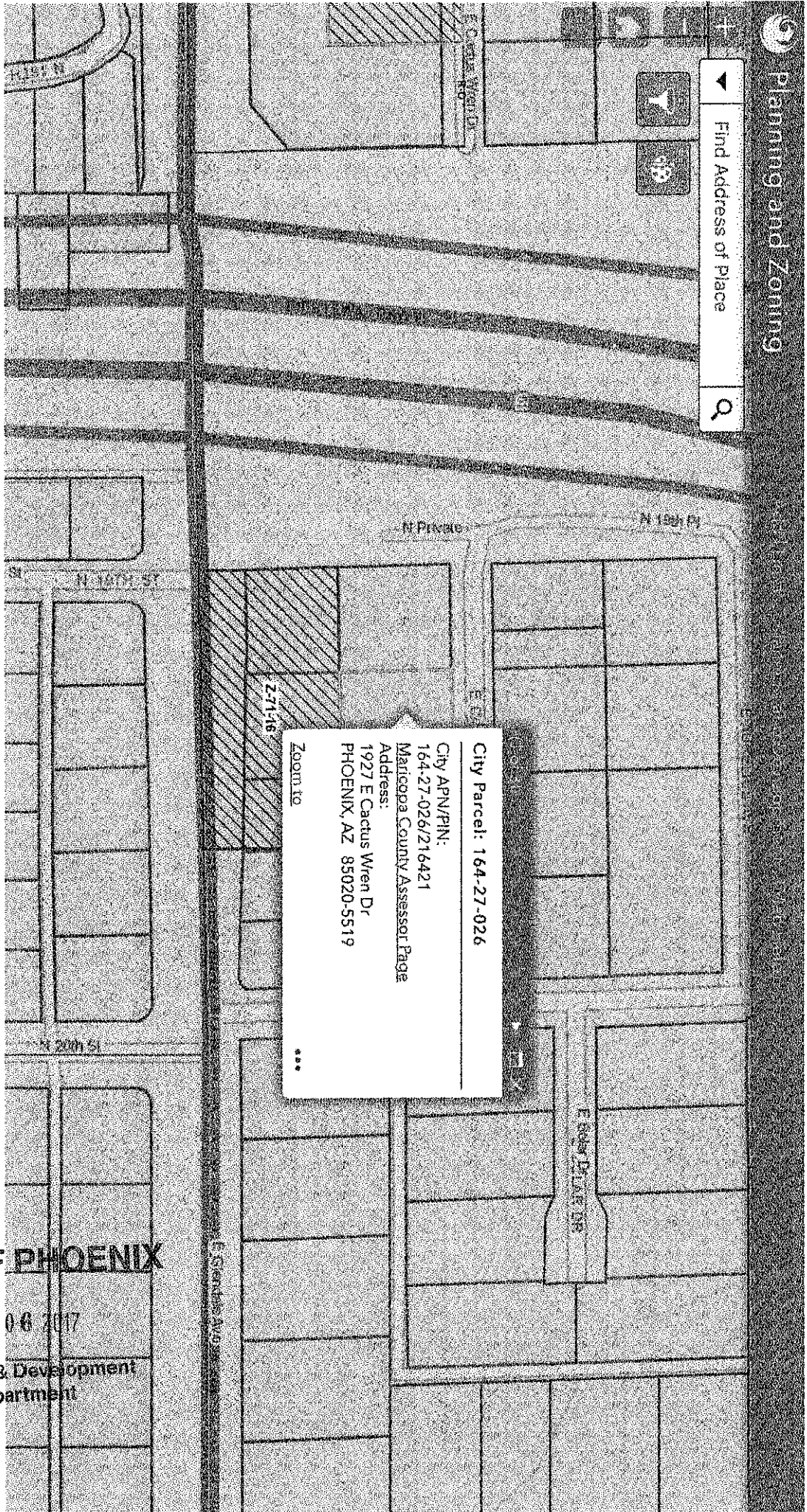
Z-71-16

6

N 20th St N 20th St

PETITION FOR (3/4) VOTE BY CITY COUNCIL  
FOR Z-71-16  
LOCATION: 1942e. Glenahale

Find Address of Place



City Parcel: 164-27-026

City APN/PIN:  
 164-27-026/216421

Marijuana County Assessor Page

Address:  
 1927 E Cactus Wren Dr  
 PHOENIX, AZ 85020-5519

Zoom to

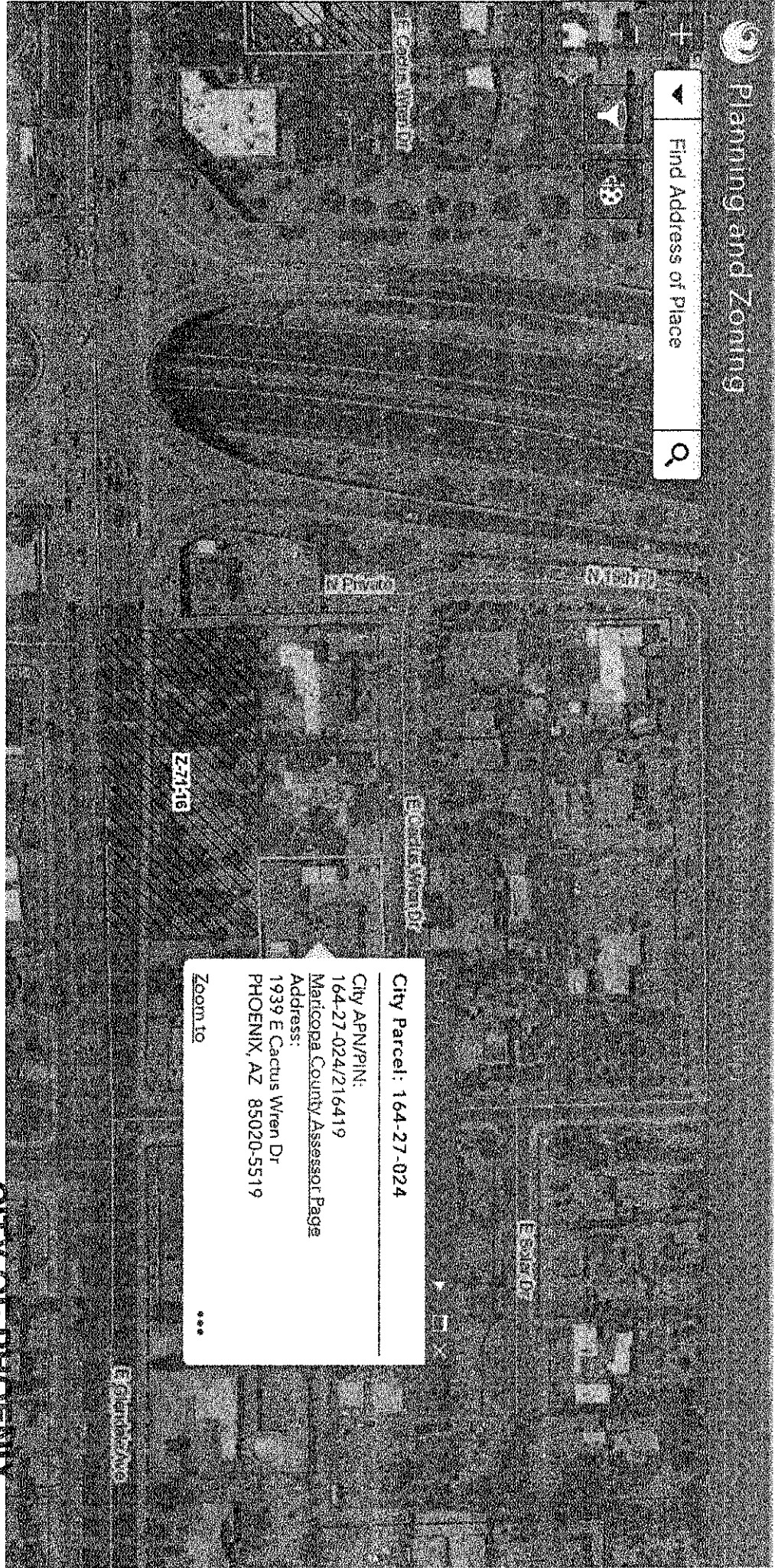
*Petition for (3/4) vote by City Council  
 for #Z-71-16  
 location: 1927 E Cactus Wren Dr*

**CITY OF PHOENIX**

FEB 06 2017

Planning & Development  
Department

Position For (3/4) Vote by City Council  
FR# 2-71-16  
Location 1942e. Glendale

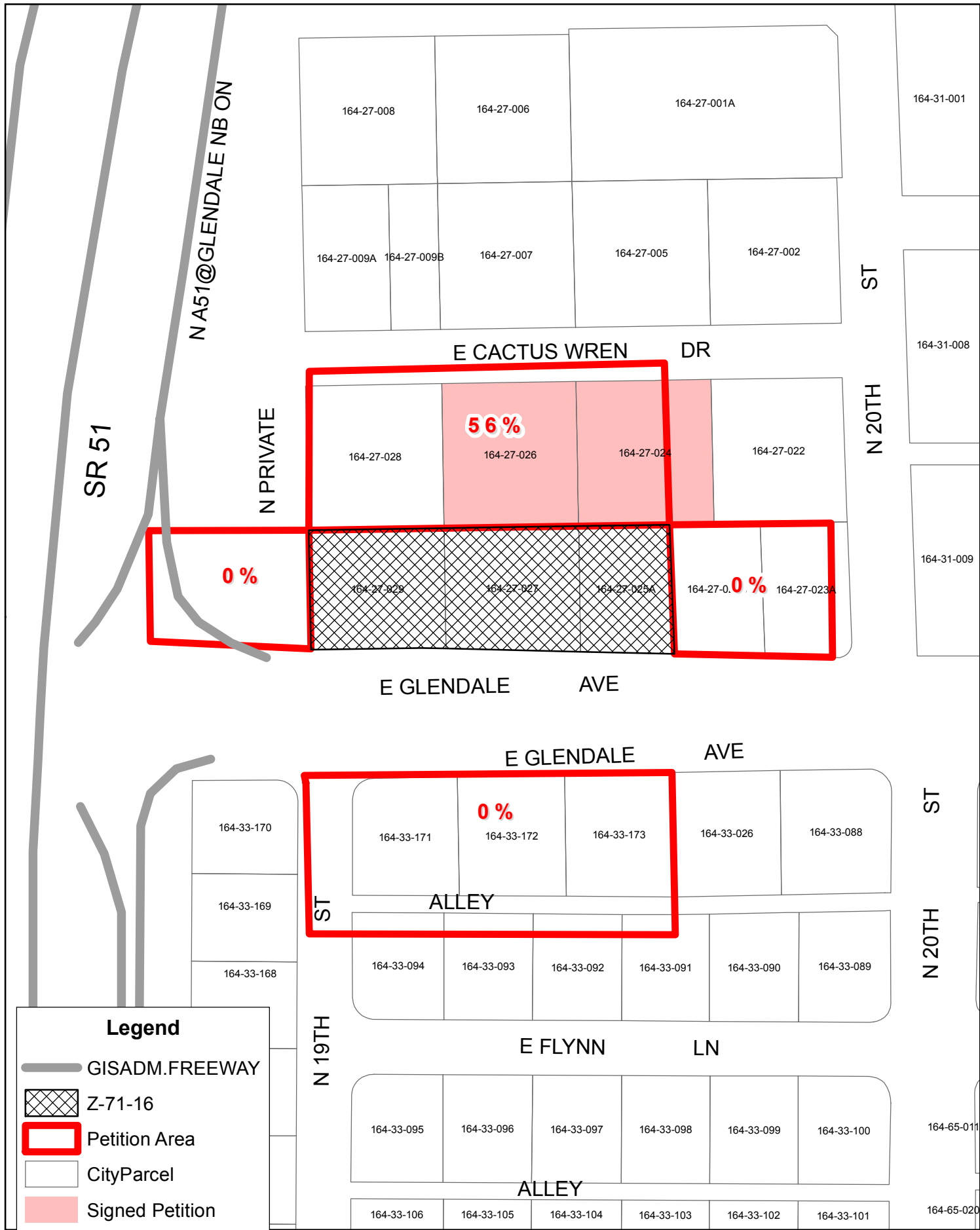


City Parcel: 164-27-024  
City APN/PIN:  
164-27-024/216419  
Maricopa County Assessor Page  
Address:  
1939 E Cactus Wren Dr  
PHOENIX, AZ 85020-5519  
Zoom to ...

CITY OF PHOENIX

FEB 06 2017

Planning & Development  
Department



0 100 200 Feet

### Petition Map for Z-71-16