

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-103-23-8
March 1, 2024

[Central City Village Planning Committee](#) Hearing Date:

March 11, 2024

[Planning Commission](#) Hearing Date:

April 4, 2024

Request From:

[R-4 CCSIO](#) (Multifamily Residence District, Central City South Interim Overlay District) (1.01 acres)

Request To:

[C-3 CCSIO](#) (General Commercial, Central City South Interim Overlay District) (1.01 acres)

Proposal:

Parking ancillary to office and mechanic shop

Location:

Approximately 355 feet east and approximately 340 feet south of the southeast corner of 19th Avenue and Buckeye Road

Owner:

Dealers Auto Auction of the Southwest, LLC and Del Norte, LLC

Applicant:

Michelle Green, Lazarus & Silvyn, P.C.

Representative:

Larry Lazarus, Lazarus & Silvyn, P.C.

Staff Recommendation:

Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commercial	
<u>Street Map Classification</u>	19th Avenue*	Major Arterial	40-foot east half street
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 proposed C-3 zoning district is respectful of the surrounding conditions, as the subject site is surrounded by commercial and industrial zoning and land uses.			

General Plan Conformity

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within limits based on village character, land use needs, infrastructure and transportation system capacity.

The proposed C-3 district is appropriate at the subject site, which is surrounded by C-2, C-3, and A-2 zoning districts with commercial and industrial uses.

CREATE AN EVEN MORE VIBRANT DOWNTOWN; SURROUNDING NEIGHBORHOODS; LAND USE PRINCIPLE: Ensure future land uses are compatible with existing neighborhoods.

The proposed zoning is compatible with the character of the area and consistent with the adopted plans for the neighborhood.

*The rezoning site is not directly adjacent to the right-of-way; however, it does have direct access through drive aisles to 19th Avenue.

Applicable Plans, Overlays and Initiatives

[Central City South Interim Overlay District \(CCSIO\)](#) – See Background Item No. 5.

[Central City South Area Plan](#) – See Background Item No. 6.

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

[Complete Streets Guiding Principles](#) – See Background Item No. 8.

[Tree and Shade Master Plan](#) – See Background Item No. 9.

[Phoenix Climate Action Plan](#) – See Background Item No. 10.

[Transportation Electrification Action Plan](#) – See Background Item No. 11.

[Zero Waste PHX](#) – See Background Item No. 12.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Accessory surface parking	R-4 CCSIO
North	Commercial uses	C-2 CCSIO
South	Auto auction	A-2 CCSIO
East	Accessory surface parking	C-3 CCSIO
West	Office and mechanic shop	C-3 CCSIO

C-3 (General Commercial)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the proposed site plan</u>
<i>Building Setbacks</i>		
Street	Average 25 feet	N/A*
North, South, East, and West	Minimum 0 feet	N/A*
<i>Landscape Setbacks</i>		
Street	Average 25 feet	N/A*
North, South, East, and West	Minimum 0 feet	0 feet
Lot Coverage	Maximum 50 percent	N/A*
Building Height	Maximum 2 stories, 30 feet	N/A*
Parking	Per Section 702 (varies by use)	N/A*

*No buildings proposed

Background/Issues/Analysis

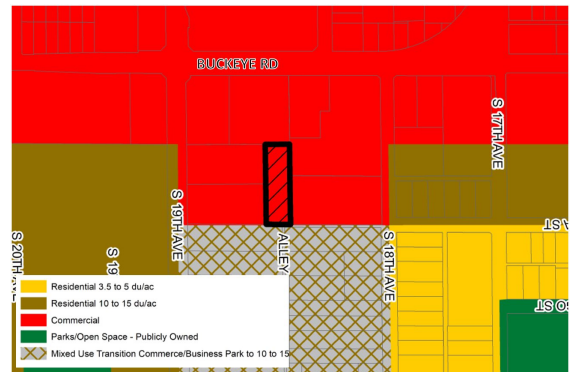
SUBJECT SITE

1. This request is to rezone a 1.01-acre site located approximately 355 feet east and approximately 340 feet south of the southeast corner of 19th Avenue and Buckeye Road from R-4 CCSIO (Multifamily Residence District, Central City South Interim Overlay District) to C-3 CCSIO (General Commercial, Central City South Interim Overlay District) to allow parking ancillary to an office and mechanic shop. The proposal would allow the continued use of the site as accessory parking to the adjacent office and auto repair shops affiliated with the auto auction site.

The subject site was originally platted in 1910 as part of the Whitton Tract and was annexed into the City of Phoenix in 1952. It has been zoned R-4 since 1961. The auto auction and related uses and accessory parking have been on the site since the late 1990s. The Central City South Interim Overlay District was established over the site and surrounding community in 2002.

GENERAL PLAN LAND USE MAP DESIGNATION

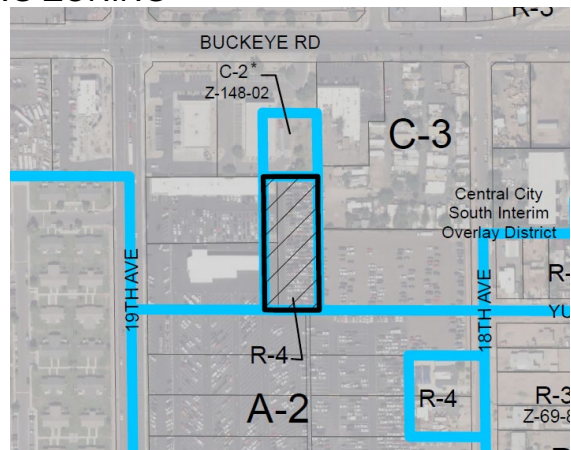
2. The General Plan Land Use Map designation for this site is Commercial, which accommodates office, retail, service, and multifamily development. The proposed zoning district is consistent with the designation. The General Plan Land Use Map designations to the north, east, and west are Commercial. The General Plan Land Use Map designation to the south is in transition from Commerce/Business Park to Residential 10 to 15 dwelling units per acre.



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

EXISTING CONDITIONS AND SURROUNDING ZONING

3. The subject site is zoned R-4 CCSIO and contains surface parking accessory to commercial uses. To the south is an auto auction use zoned A-2 (Industrial District) CCSIO. To the west are office and auto repair uses related to the auto auction use zoned C-3 CCSIO. To the east is additional surface parking accessory to the same commercial uses zoned C-3 CCSIO. To the north are commercial uses zoned C-2 (Intermediate Commercial) CCSIO.



Zoning Aerial Map, Source: Planning and Development Department

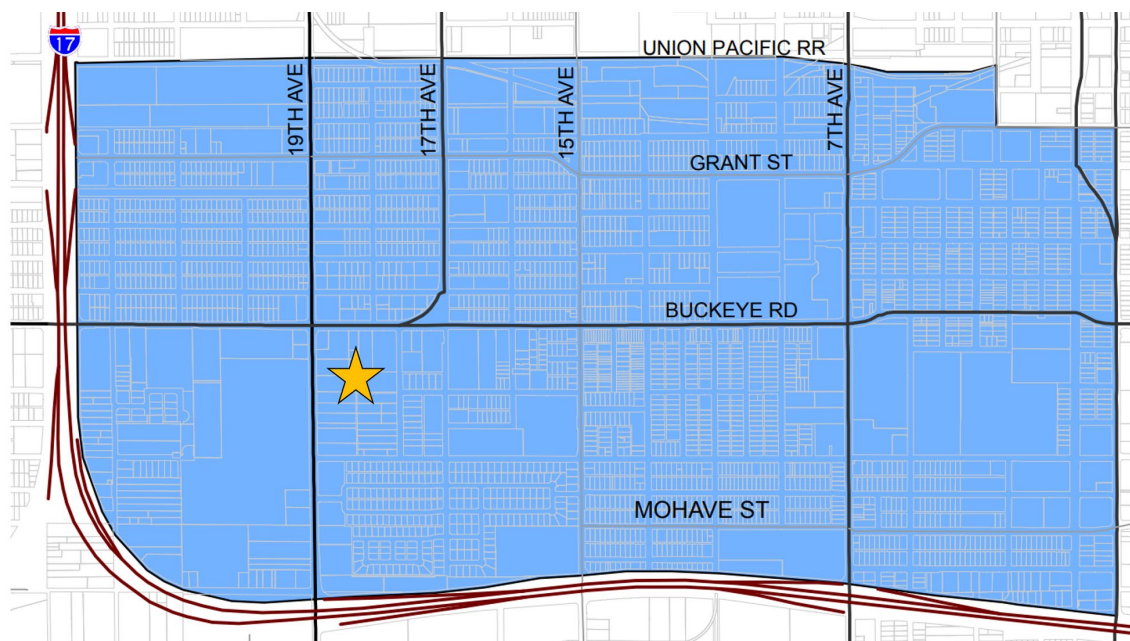
PROPOSAL

4. The applicant proposes to maintain the existing surface parking use, which is accessory to commercial uses on the adjacent properties. The site is part of a larger group of properties used as an auto auction and related uses. There are no existing buildings on the subject site; however, a portion of a canopy from an adjacent property projects over the subject site. There are no proposed changes to the site plan as a result of this request.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

5. [Central City South Interim Overlay District \(CCSIO\)](#)
The Central City South Interim Overlay District (CCSIO), established in 2002, applies to the area bounded on the west and south by Interstate 17, on the east

by Central Avenue, on the north by Lincoln Street between Central and 3rd Avenues and by the Union Pacific Railroad Line between 3rd Avenue and Interstate 17. The CCSIO District is designed to protect and enhance residential character in the area, promote community identity, reduce open land uses, discourage undue concentration of environmentally harmful land uses, and promote well managed growth. The district requires a Special Permit for any open land uses and requires development in industrial A-1 and A-2 districts over 10 acres to conform with the development standards of the Commerce Park / General Commerce Park zoning district.



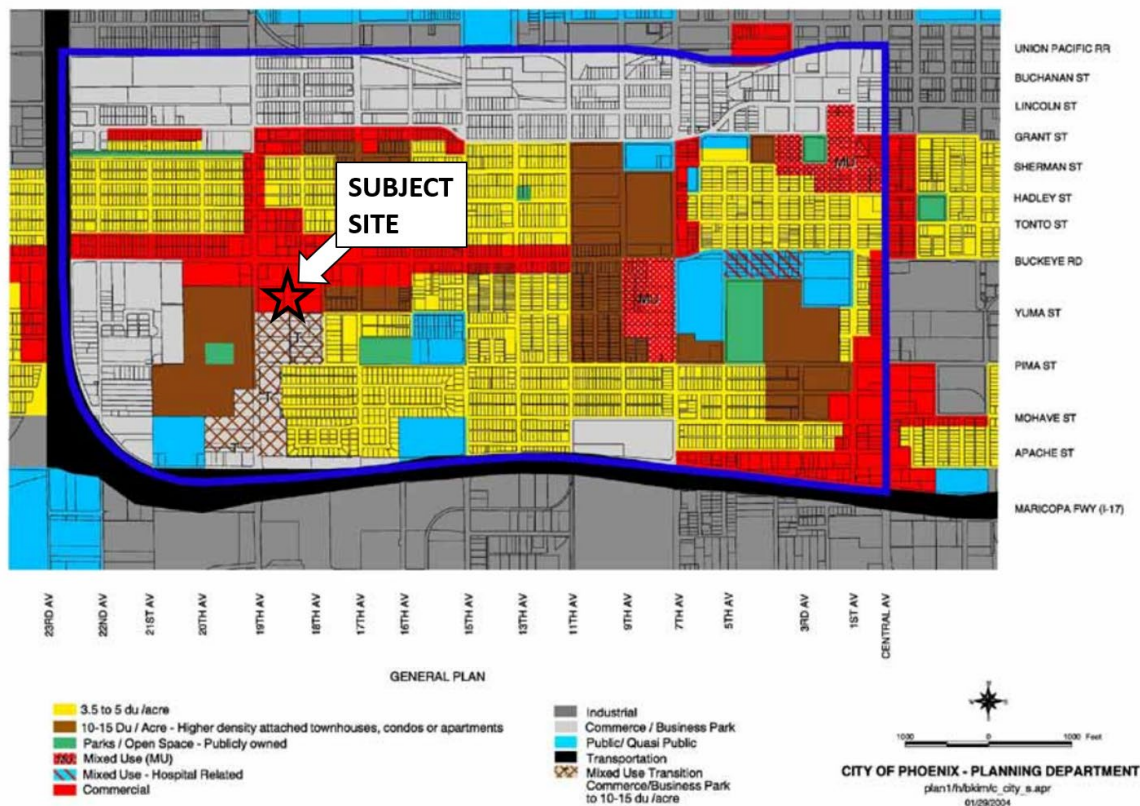
Central City South Interim Overlay District Boundary, Source: Planning and Development Department

6. **Central City South Area Plan**

The Central City South Area Plan was adopted by the City Council in 2004 and establishes a vision and goals for the area coterminous with the CCSIO. These goals include obtaining quality housing in strong, healthy neighborhoods, creating a safe environment in which to live and work, enhancing economic opportunities for existing residents, and transitioning industrial uses to protect neighborhoods.

The proposed land use plan in the Central City South Area Plan designates the subject site as Commercial. The proposed C-3 zoning district is consistent with this designation.

Figure 33 CENTRAL CITY SOUTH AREA PLAN
 PROPOSED LAND USE PLAN



Source: City of Phoenix Planning and Development Department

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. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. Upon any future redevelopment, bicycle parking will be provided, per Stipulation No. 1.b.

8. [Complete Streets Guiding Principles](#)

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. Upon any future redevelopment, bicycle parking will be provided, per Stipulation No. 1.b.

9. [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. Upon any future redevelopment, enhanced shading would be incorporated for surface parking lot areas, per Stipulation No. 1.a.

10. **Phoenix Climate Action Plan**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Metro Green Infrastructure \(GI\) and Low Impact Development Details for Alternative Stormwater Management](#) to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 1.d, which requires a minimum of two GI techniques for stormwater management to be implemented in any future development.

11. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Stipulation No. 1.c provides requirements for electric vehicle parking, charging and infrastructure in any future development.

12. **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. The application materials do not indicate whether the property incorporates recycling services.

COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff has not received any community correspondence regarding this proposal.

INTERDEPARTMENTAL COMMENTS

14. The Floodplain Management division of the Office of the City Engineer provided the comment that the subject site is located within a Special Flood Hazard Area and that any improvements or modifications are subject to federal regulations and the City of Phoenix Floodplain Ordinance. The Floodplain Management division must approve a Grading and Drainage Plan demonstrating compliance with the regulations prior to any permit issuance. This comment is addressed in Stipulation No. 2.
15. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation No. 3.

OTHER

16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulations Nos. 4 through 6.
17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 7.
18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.

Zoning adjustments, abandonments or other formal actions may also be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposed rezoning will allow the continuation of the existing commercial use on the subject site.
3. As stipulated, the proposal will provide enhanced shade and bicycle parking amenities upon any future redevelopment.

Stipulations

1. Upon site plan approval and permit issuance for any new building(s) or structure(s) on the site, the following shall apply:
 - a. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
 - b. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of 10 percent of the required parking shall be EV Ready.
 - d. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
2. The site is located within a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2215 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. Prior to issuance of a grading and drainage permit or prior to site plan approval and permit issuance for any new building(s) or structure(s) on the site, the following requirements shall apply:

- a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.
 - c. FEMA approved CLOMR-F or CLOMR is required prior to issuance of a Grading and Drainage permit.
3. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.
4. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
5. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
6. 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.
7. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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.

Writer

Anthony Grande

March 1, 2024

Staff Report: Z-103-23-8

March 1, 2024

Page 11 of 11

Team Leader

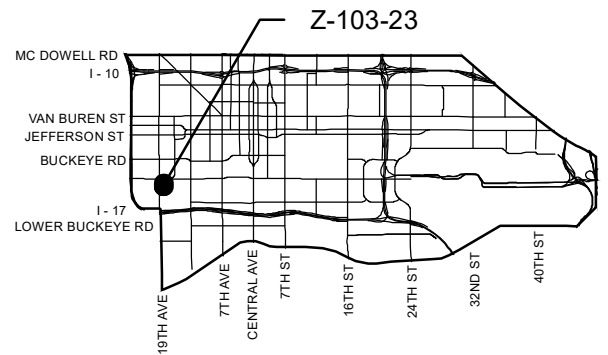
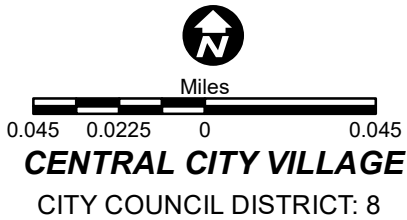
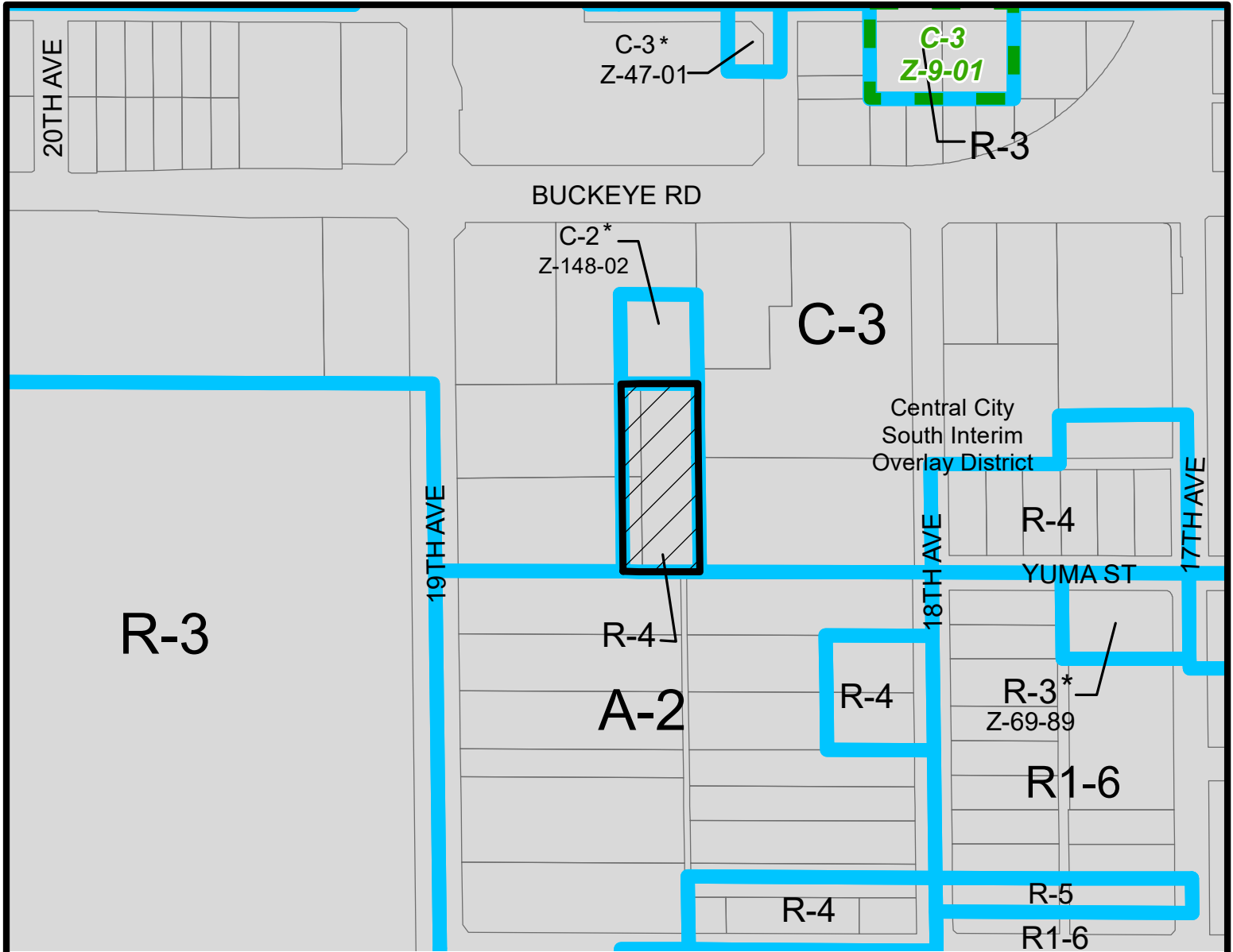
Racelle Escolar

Exhibits

Sketch Map

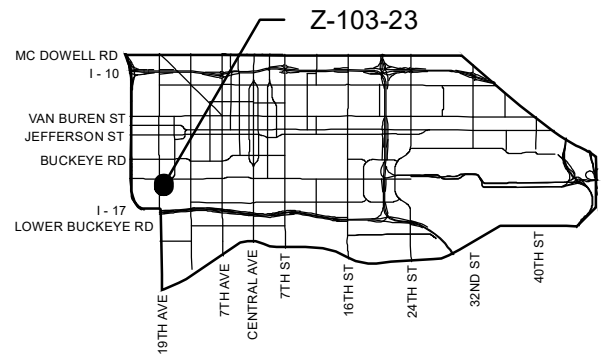
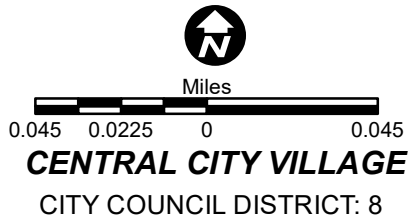
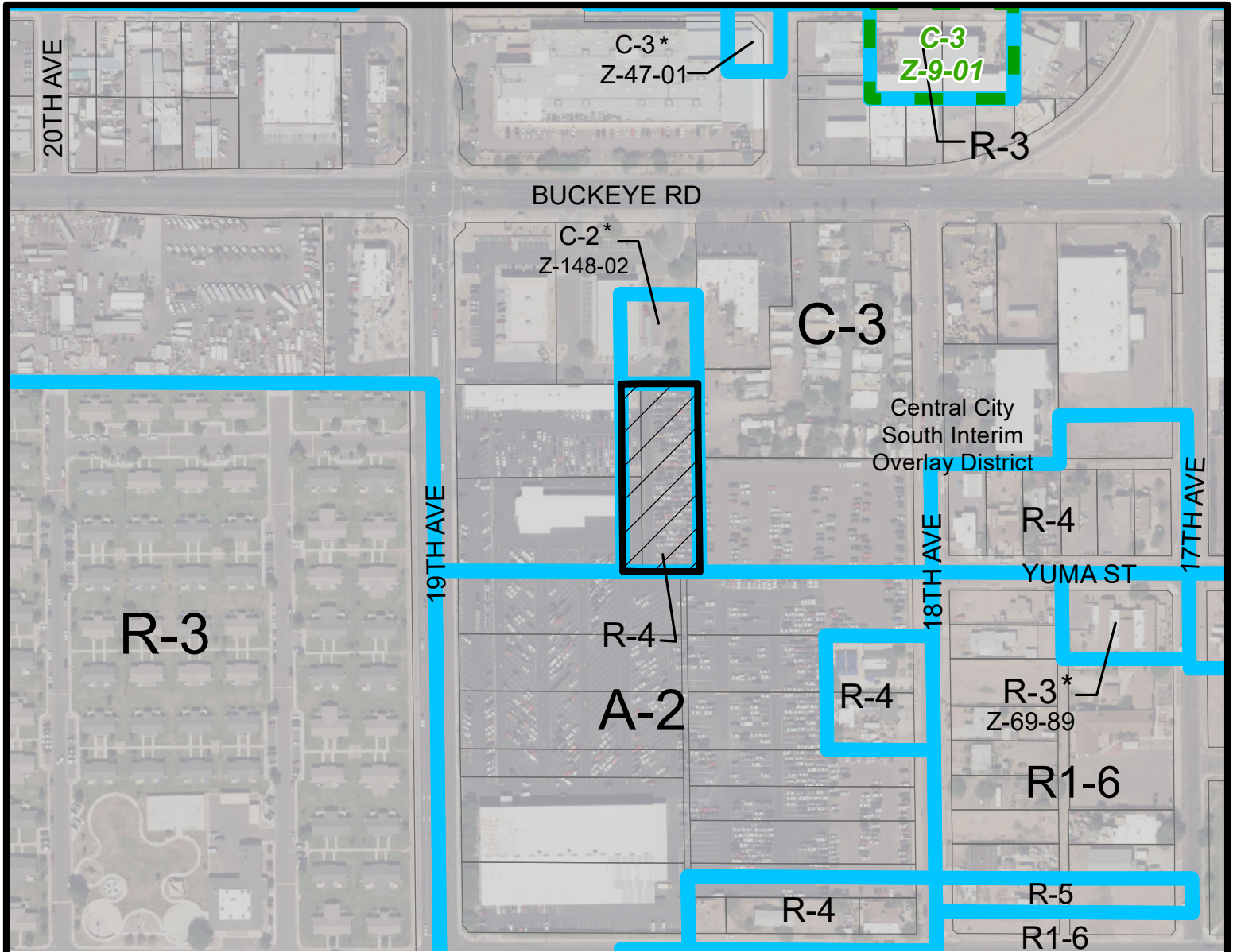
Aerial Map

Conceptual Site Plan Date Stamped December 8, 2023



APPLICANT'S NAME: Michelle Green		REQUESTED CHANGE:	
APPLICATION NO. Z-103-23	DATE: 1/12/2024 REVISION DATES:	FROM: R-4 CCSIO (1.01 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.01 Acres	1/22/2024	TO: C-3 CCSIO (1.01 a.c.)	
MULTIPLES PERMITTED R-4 CCSIO C-3 CCSIO	CONVENTIONAL OPTION 29 14	* UNITS P.R.D. OPTION 35 17	

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



APPLICANT'S NAME: Michelle Green		REQUESTED CHANGE:	
APPLICATION NO. Z-103-23		FROM: R-4 CCSIO (1.01 a.c.)	
DATE: 1/12/2024 REVISION DATES:		TO: C-3 CCSIO (1.01 a.c.)	
1/22/2024			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.01 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 8-25	
		ZONING MAP F-7	
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
R-4 CCSIO		35	
C-3 CCSIO		17	
* Maximum Units Allowed with P.R.D. Bonus			

