



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-37-22-2 32nd Street EV Body Repair Center PUD August 29, 2022

Paradise Valley [Village Planning Committee](#) Meeting Date: September 12, 2022

[Planning Commission](#) Hearing Date: October 6, 2022

Request From: [C-2](#) (5.05 acres)

Request To: [PUD](#) (5.05 acres)

Proposed Use: Planned Unit Development to allow electric vehicle body repair and C-2 commercial uses

Location: Approximately 320 feet north of the northwest corner of 32nd Street and Union Hills Drive

Owners: SCLP 32nd Street, LLC

Applicant/Representative: Carolyn Oberholtzer, BFSO Law

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercial	
Street Map Classification	32nd Street	Arterial Street	Width varies from 55-foot to 65-foot west half street
<p>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</p> <p>The 32nd Street EV Body Repair Center Planned Unit Development (PUD) proposes an electric vehicle body and fender shop in an existing commercial site, while incorporating performance standards to prevent impacts to adjacent residential uses. The proposal will maintain the existing building and configuration of the site, which is compatible in scale with the surrounding area.</p>			

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

The 32nd Street EV Body Repair Center PUD proposes a new business within an existing commercial site that is currently vacant. The proposal is appropriately located in a site designated as Commercial in the Phoenix General Plan Land Use Map.

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 32nd Street EV Body Repair Center PUD proposes to enhance and maintain landscaping around the perimeter of the site. Furthermore, the detached sidewalk along 32nd Street will be maintained and will help provide thermal comfort for pedestrians. The PUD requires that this sidewalk be shaded a minimum of 75 percent.

Applicable Plans, Overlays, and Initiatives

[North 32nd](#) – See background item No. 4

[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

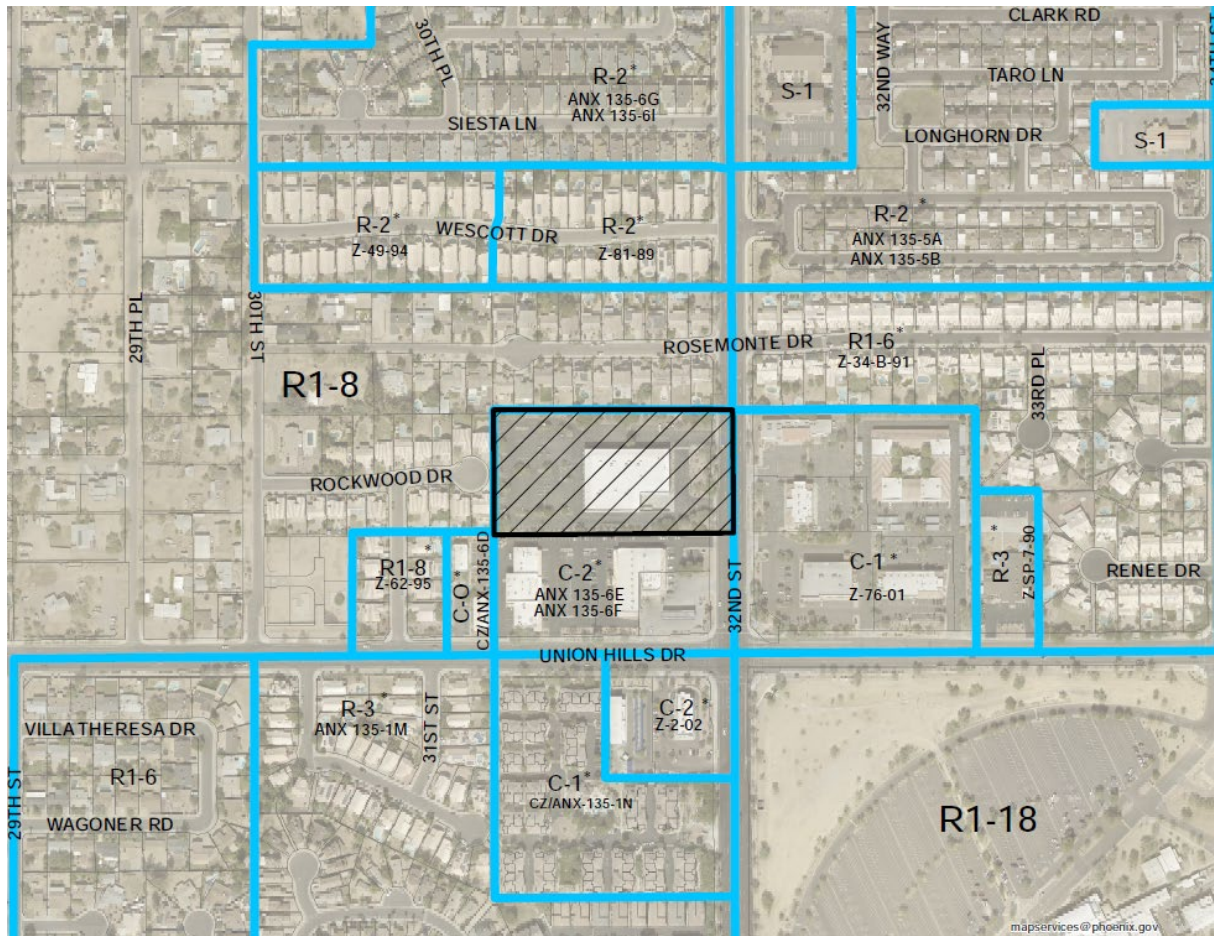
Surrounding Land Uses/Zoning

	Land Use	Zoning
On Site	Vacant commercial building	C-2
North	Single-family residential	R1-8
South	Various commercial uses	C-2
East (across 32nd Street)	Various commercial uses	C-1
West	Single-family residential	R1-8

Background/Issues/Analysis

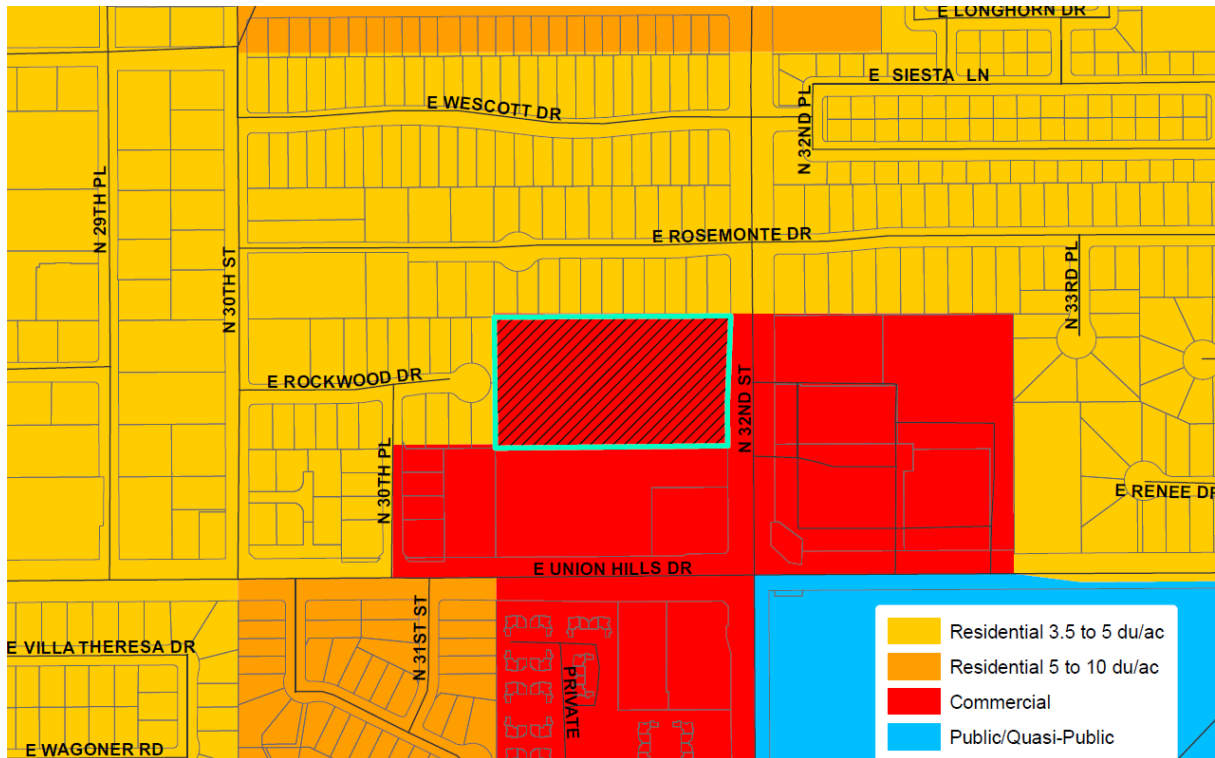
SUBJECT SITE

1. This request is to rezone a 5.05-acre site located approximately 320 feet north of the northwest corner of 32nd Street and Union Hills Drive from C-2 (Intermediate Commercial) to PUD (Planned Unit Development) to allow electric vehicle body repair and C-2 commercial uses.



Aerial Zoning Map, Source: Planning and Development Department

2. The General Plan Land Use Map designation for the subject site is Commercial, thus the proposal is consistent with this General Plan Land Use Map designation. The General Plan Land Use Map designations to the south and east, across 32nd Street, are also Commercial. To the north and west, the General Plan Land Use Map designation is Residential 3.5 to 5 dwelling units per acre. Established residential neighborhoods are located immediately north and west of the site.



PROPOSAL

3. The proposal was developed utilizing the PUD zoning district. The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant writes a document proposing standards and guidelines that are tailored to the context of a site on a case by case basis.

Where the 32nd Street EV Body Repair Center PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions shall be applied.

List of Uses

The Development Narrative proposes several permitted uses, including those C-2 zoning district uses found in Sections 623 of the Phoenix Zoning Ordinance. Additionally, an electric vehicle body and fender shop is also a proposed permitted use and intended for this site.

The Development Narrative also proposes restricting certain uses that are inconsistent with the Narrative's vision such as gas stations, non-profit medical marijuana dispensary facility, pawn shop, tobacco oriented retails, and special permit uses otherwise permitted in the C-2 zoning district.

Conceptual Site Plan

The development's sole access point is along 32nd Street, where two driveways are existing. The proposal is to utilize an existing commercial site where a one-story building and surface parking exists. This project proposes to maintain the site largely untouched, with the exception of enclosing an open loading dock along the southeast corner of the existing building, provide enhanced plantings along the front landscape setback, and building enhancements along the east building elevation oriented towards 32nd Street.



Site Plan, Source: AO

Development Standards

The PUD development narrative proposes development standards based on the C-2 Zoning District. These standards vary from the C-2 standards in relation to building and landscape setbacks. All other development standards are comparable.

Minimum Building Setbacks	From Property Line
North	100 feet
South	55 feet
East (along 32nd Street)	90 feet
West	200 feet
Minimum Landscape Setbacks	
North	12 feet, average 30 feet
South	10 feet
East (along 32nd Street)	55 feet
West	20 feet
Maximum Building Height	30 feet
Maximum Lot Coverage	50 percent

The proposed maximum height of 30 feet and maximum lot coverage of 50 percent are consistent with the standards in the C-2 zoning district. The proposed minimum building and landscape setbacks exceed the standards in the C-2 zoning district.



Conceptual Building Rendering, Source: AO

Staff recommends Stipulation Nos. 1.b. and 1.c. to correct grammatical errors and provide clarification to applicable standards outlined in the hearing draft of the Development Narrative.

Landscape Standards

The PUD proposes to maintain a significant share of the existing landscaping on the site, with planting enhancements proposed most notably along the 32nd Street frontage. The Development Narrative includes standards that adopt the existing landscape areas on the site as the required landscape setbacks, which exceed the

minimum requirements in the C-2 zoning district. These areas will incorporate a mixture of two-inch, three-inch, and four-inch caliper trees and shall utilize existing trees where feasible, including along the streetscape. The landscaping will provide for a pedestrian-friendly environment with 75 percent shade on all public sidewalks, exceeding the minimum requirements of the Zoning Ordinance. In addition to the trees, the developer shall install a minimum of five, five-gallon drought tolerant shrubs per tree.

Staff recommends Stipulation No. 1.d. to clarify that existing parking lot areas within the site can remain as is per the requirements of Section 702.A.3. However, future modifications or additions to parking areas shall follow the current parking standards per Section 702 of the Zoning Ordinance and provide a minimum of 10 percent landscaping, plus shade uncovered surface parking stalls a minimum of 25 percent.

Performance Standards

The Development Narrative incorporates specific performance standards applicable to an electric vehicle body and fender shop to ensure that the use is operated in alignment with other commercial uses in the area and to prevent negative impacts to residential properties. These standards require that any repair of an electric vehicle is conducted entirely within an enclosed building, thus no outdoor repair or maintenance will be permitted. The storage of electric vehicles awaiting repair is permitted outdoors but limited to areas other than the front building setback along 32nd Street to prevent visual impacts along this frontage.

Staff recommends Stipulation No. 1.e. to correct a grammatical error in this section of the Development Narrative.

Design Guidelines and Standards

The Development Narrative includes design standards that enhance the frontage of the existing building. The graphic below illustrates the proposed building enhancements along the front building elevation oriented towards 32nd Street.



Conceptual Building Rendering, Source: AO

The southeast building corner along 32nd Street shall incorporate a variety of building materials and architecturally distinctive feature along this building façade in order to provide visual interest. Glass roll-up doors are also proposed along the front building elevation. The final elevations and building plans submitted to the City will incorporate the provisions outlined in the development narrative and shall follow the Design Guidelines of Section 507.Tab A of the Phoenix Zoning Ordinance.



Conceptual Building Rendering, Source: AO

Parking Standards

The proposed vehicular parking standard applicable to an electric vehicle body and fender shop is of 1 space per 300 square feet of office and 1 space per 1,000 square feet of indoor repair space. The surface parking existing on the site exceeds this requirement. Other land uses shall adhere to the parking requirements per Section 702 of the Zoning Ordinance.

Furthermore, the PUD proposes a minimum of four bicycle parking spaces on the site for an electric vehicle body and fender shop. Other land uses shall adhere to the bicycle parking ratios per Section 1307.H. (Walkable Urban Code) of the Zoning Ordinance.

Fences/Walls

All fences and walls will adhere to the Zoning Ordinance requirements per Section 703, per the development standards in the Narrative. This project proposes a new view fence along the northern and southern portions of the existing building to delineate the employee parking and vehicular storage areas from customer parking.

Shade

The proposed shade standards require a minimum of 75 percent shade cover be provided over public sidewalks. The required shade standards along public sidewalks exceed the Zoning Ordinance requirements.

Lighting

All lighting will be consistent with the standards of Section 704 (Environmental Performance Standards) and Section 507 Tab. A of the Zoning Ordinance, and Section 23-100 of the City Code.

Staff recommends Stipulation No. 1.f. to clarify that the standards per Section 507.Tab. A. of the Zoning Ordinance will apply to the site.

Signage

The proposed sign standards shall comply with Section 705 of the City of Phoenix Zoning Ordinance. New signage is proposed along the east building elevation oriented towards 32nd Street.

Sustainability

The Development Narrative proposes several options to incorporate sustainability principals including drought-tolerant landscaping, drip irrigation systems, TPO roofing ("cool roof"), electric vehicle charging stations, and recycling receptacles. The project also proposes retaining established trees where possible, and the utilization of low flow water fixtures.

Phasing

The project will be constructed in one phase.

Infrastructure

The development shall comply with City of Phoenix standards pertaining to infrastructure. There is existing infrastructure that could continue to serve this development.

Comparative Zoning Standards

The Development Narrative incorporates standards that meet or exceed those required in the C-2 zoning district, as indicated in the Comparative Standards Table.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

4. **North 32nd**

The North 32nd Street Plan was adopted in 2015 with the vision of improving the conditions along 32nd Street from the Phoenix Mountain Preserve south of Shea Boulevard to the Loop 101 freeway. This plan identified the subject site as “Stability/Preserve” which refers to areas which the community wishes to remain as they exist. The proposed project intends to utilize this existing site with minimal changes proposed, which include building and landscape enhancements. Thus, the proposal is consistent with the intent of this plan.

5. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city’s planning and development process. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes shaded public sidewalks and greater planting standards than otherwise required by the City of Phoenix Zoning Ordinance.

6. **Complete Streets Guiding Principles**

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. There is a detached sidewalk along 32nd Street that will remain in place, which provides a safer and more comfortable pedestrian experience.

7. **Comprehensive Bicycle Master Plan**

The Comprehensive Bicycle Master Plan also supports options for both short and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal requires four bicycle parking spaces be provided on the site for the proposed electric vehicle body and fender shop. Bicycle parking shall

adhere to the requirements of Section 1307.H. of the City of Phoenix Zoning Ordinance.

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. The provision of recycling is addressed in the PUD narrative. Recycling receptacles will be provided in exterior refuse areas for tenants.

COMMUNITY INPUT SUMMARY

9. At the time the staff report was written, staff had not received any correspondence from the community regarding this case.

INTERDEPARTMENTAL COMMENTS

10. The Street Transportation Department has proposed stipulations requiring that all streets within and adjacent to the development, shall be constructed with all required elements, including meeting ADA requirements. This is addressed in Stipulation No. 2.
11. The Phoenix Fire Department has noted that that the site and/or buildings shall comply with the Phoenix Fire Code (PFC). Furthermore, that water supply for fire flow is provided in accordance with PFC Section 507 (Appendix B), and that fire hydrants comply with PFC Section 507.5.1.2. Lastly, operating permits from the Phoenix Fire Department will be required to address any vehicle battery storage that might occur on the site.
12. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, available capacity is a dynamic condition that can change over time due to a variety of factors.

OTHER

13. 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. 3.

14. 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 preliminary site plan approval. This is addressed in Stipulation No. 4.
15. 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 proposed development is compatible with the existing land use pattern in the area and is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect along 32nd Street.
3. The proposed development will provide employment opportunities in the area and within proximity to the Desert Ridge/Kierland employment center.

Stipulations

1. An updated Development Narrative for the 32nd Street EV Body Repair Center PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped August 22, 2022, as modified by the following stipulations.
 - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
 - b. Page 7, Development Standards, revise the last portion of the last sentence to read: ".....and Section 1307.H. (Walkable Urban Code – Bicycle Parking)."
 - c. Page 7 and 14, first foot note, revise the first portion of the sentence to: "Trash enclosures and.....".
 - d. Page 8, Landscape Standards table, Parking Lot Landscaping standards, add an asterisk next to 10% to indicate that existing parking areas will adhere to Section 702.A.3 per the footnote below the table.
 - e. Page 8, Operational Standards, remove extra period from the first sentence.

- f. Page 12, Lighting Standards, revise the last portion of the sentence to read:
“...shall adhere to Section 704 and 507.Tab.A. standards of the Zoning Ordinance...”.
2. 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.
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. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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

Enrique Bojórquez Gaxiola

August 29, 2022

Team Leader

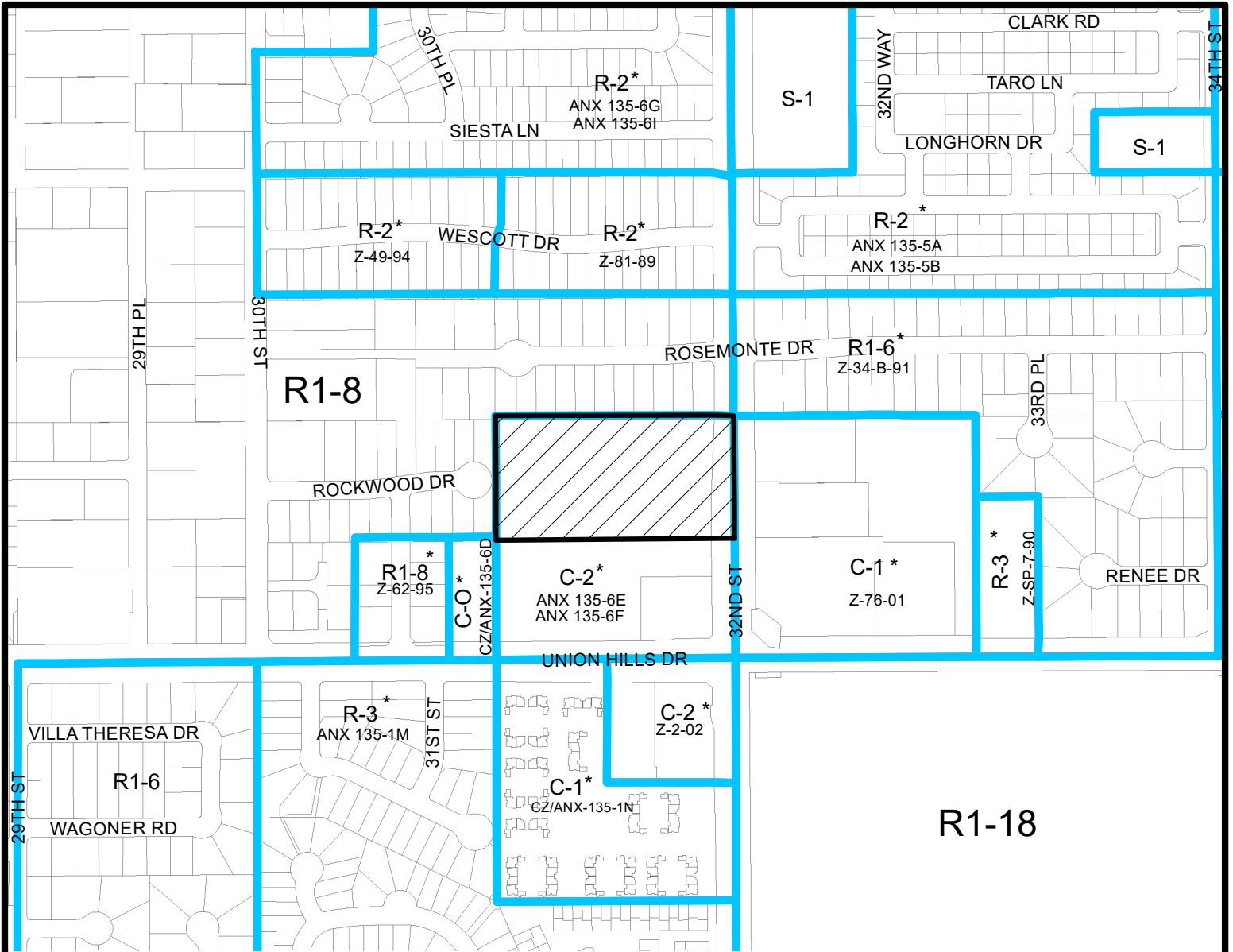
Racelle Escobar

Exhibits

Zoning Sketch Map

Zoning Aerial Map

[32nd Street EV Body Repair Center PUD Development Narrative](#) date stamped August 22, 2022

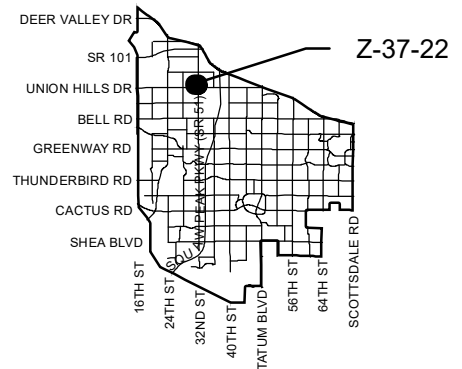


Miles
0.075 0.0375 0 0.075

PARADISE VALLEY
CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Carolyn Oberholtzer

APPLICATION NO. Z-37-22

DATE: 6/3/2022
REVISION DATES:

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

5.05 Acres

AERIAL PHOTO &
QUARTER SEC. NO.
QS 39-34

ZONING MAP
M-10

REQUESTED CHANGE:
FROM: C-2 (5.05 a.c.)

TO: PUD (5.05 a.c.)

MULTIPLES PERMITTED

C-2
PUD

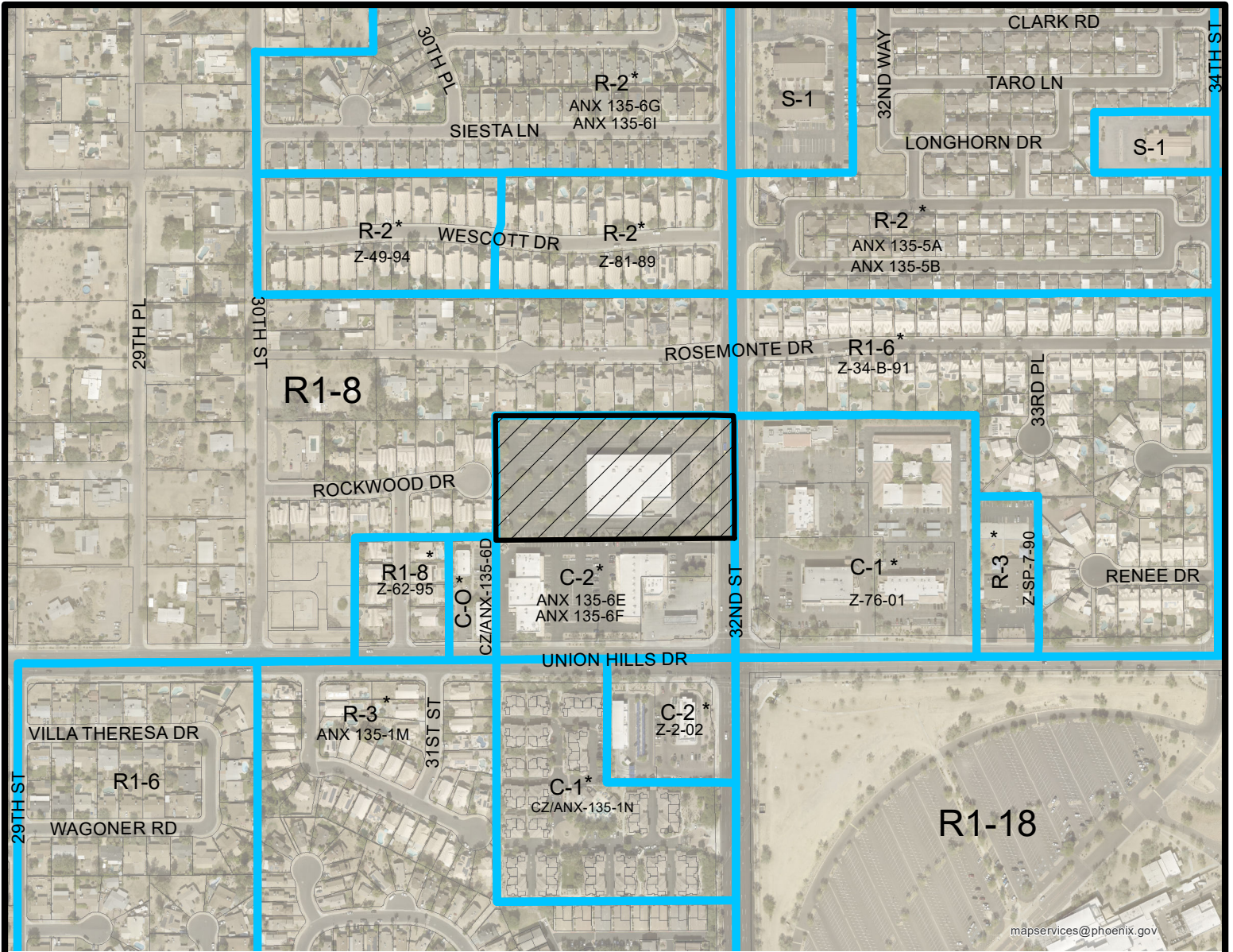
CONVENTIONAL OPTION

73
73

* UNITS P.R.D. OPTION

88
88

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

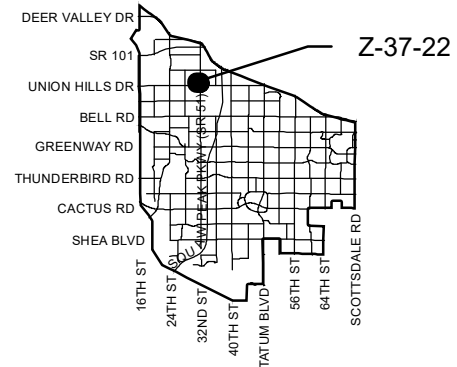


Miles
0.075 0.0375 0 0.075

PARADISE VALLEY
CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Carolyn Oberholtzer

APPLICATION NO. Z-37-22

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

5.05 Acres

DATE: 6/3/2022
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.
QS 39-34

ZONING MAP
M-10

REQUESTED CHANGE:

FROM: C-2 (5.05 a.c.)

TO: PUD (5.05 a.c.)

MULTIPLES PERMITTED

C-2

PUD

CONVENTIONAL OPTION

73

73

* UNITS P.R.D. OPTION

88

88

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