

Attachment B - Staff Report



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-59-18-8

November 2, 2018

South Mountain Village Planning Committee Hearing Date November 13, 2018

Planning Commission Hearing Date December 6, 2018

Request From R1-14 BAOD (0.82 acres)

Request To C-1 BAOD (0.82 acres)

Proposed Use Commercial

Location Approximately 615 feet north of the northwest corner of 25th Street and Baseline Road

Owner Vahik Sahakian

Applicant Dennis M. Newcombe, Beus Gilbert PLLC

Representative Paul E. Gilbert, Beus Gilbert PLLC

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>	25th Street	Local	Varies: 0 feet west half-street; 25 feet east half-street
<p><i>CONNECT PEOPLE & PLACES; CORES, CENTERS, & CORRIDORS; DESIGN PRICIPLES: Promote development in compact cores, centers and corridors that are connected by roads and transit, and are designed to encourage walking and bicycling.</i></p> <p>The proposed commercial development is compatible with development in the surrounding area and in close proximity to the Baseline Road Scenic Corridor, an emerging center at the intersection of 24th Street and Baseline, a Park and Ride facility, planned bus-rapid transit lines along Baseline Road, and the Western Canal.</p>			

CONNECT PEOPLE & PLACES; CANALS & TRAILS; DESIGN PRINCIPLE: *Plan, design, and develop pedestrian linkages between parks, open spaces, village cores, neighborhood shopping centers, neighborhood schools, and neighboring municipalities.*

As stipulated, the proposal includes a pedestrian pathway on an alternative surface material connecting to amenities along the Western Canal on the adjacent parcel to the east.

STRENGTHEN OUR LOCAL ECONOMY; JOB CREATION (EMPLOYERS): LAND USE PRINCIPLE: *Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.*

The subject site is located within the South Mountain Major Employment Center and will support the development of commercial land uses.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: *Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.*

As stipulated, the subject site will be landscaped in conformance with the Baseline Area Master Plan Plant List, which was designed to support and promote the unique rural and agricultural history of properties along the Baseline corridor.

Area Plans, Overlay Districts, and Initiatives

Baseline Area Overlay District

The site is located within the boundaries of the Baseline Area Overlay District (BAOD). The BAOD is designed to encourage and protect the rural and agricultural character of the area while allowing development consistent with the Baseline Area Master Plan. This rezoning request does not eliminate requirements for conformance with this overlay district. The proposal shall comply with all regulations in the BAOD.

Baseline Area Master Plan

See Background Item #6 and #7.

Tree & Shade Master Plan

See Background Item #6.

Background/Issues/Analysis

1. This request is to rezone approximately 0.82 gross acres located approximately 615 feet north of the northwest corner of 25th Street and Baseline Road from R1-14 BAOD (One-Family Residence District, Baseline Area Overlay District) to C-1 BAOD (Neighborhood Retail, Baseline Area Overlay District) to allow commercial uses.
2. The subject site is designated Commercial on the General Plan Land Use Map and a General Plan Land Use Map amendment is not required.



Source: City of Phoenix Planning and Development Department

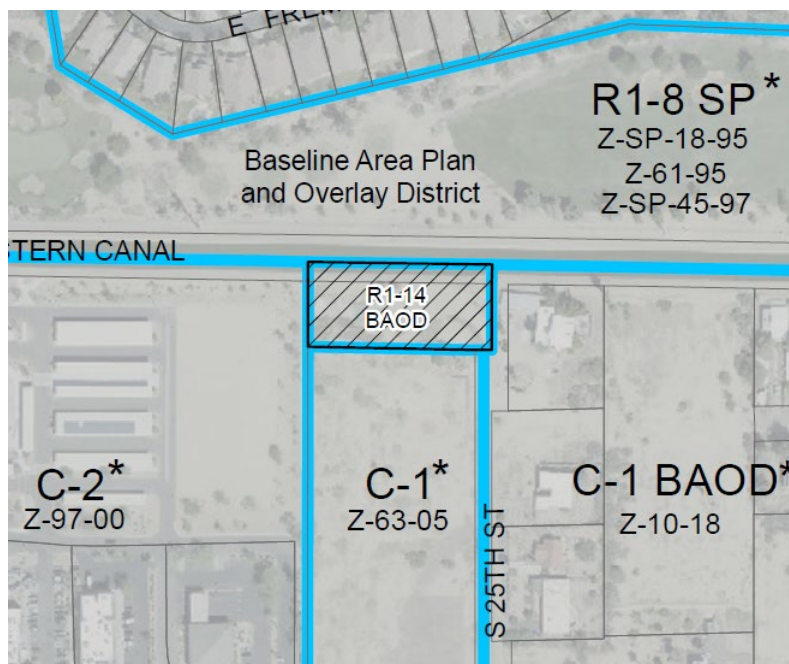
3. The subject site consists of one vacant parcel which previously contained a single-family residence. The site is adjacent to the 25th Street alignment along its east perimeter and on a portion of the south perimeter at the southeast corner of the site. 25th Street is unimproved between Baseline Road and the Western Canal.

The minimum required building setback for C-1 zoning along the north property line is an average of 20-feet for sites containing structures not exceeding two stories or 30 feet in height. The minimum required landscaping along the north property line would be equal to the required average setback times the canal frontage (exclusive of necessary driveways or canal right-of-way access ways) and not less than 15 feet in depth. The minimum required building and landscape setbacks along the east, west, and south property lines would be 0 feet, because adjacent properties in these locations are commercially zoned. The proposal meets or exceeds all of these standards as a 40-foot retention area is planned along the north property line and no structures are proposed in the request.

The subject site is adjacent to the Western Canal along its entire northern perimeter. For further information regarding the site's 25th Street frontage, see Background Item #8.

4. The subject site is vacant and previously contained one single-family residence on a dirt lot and is zoned R1-14 BAOD (One-Family Residence District, Baseline Area Overlay District).

- North of the subject site, across the Western Canal, is the Legacy Golf Resort which is zoned R1-8 SP BAOD (Single-Family Residence District, Special Permit, Baseline Area Overlay District).



Source: City of Phoenix Planning and Development Department

- South of the subject site is vacant property zoned C-1 BAOD (Neighborhood Retail, Baseline Area Overlay District).
- East of the subject site is a single-family residence zoned C-1 BAOD (Neighborhood Retail, Baseline Area Overlay District).
- West of the subject site is a City of Phoenix Park and Ride facility, which is zoned C-2 BAOD (Intermediate Commercial, Baseline Area Overlay District).

PROPOSAL

5. SITE PLAN

The conceptual site plan proposes developing the site as an extension of a commercial development on adjacent property to the east and south. There are no proposed buildings on the subject site. The north 40 feet of the site is depicted as a retention area, adjacent to the Western Canal frontage. The southern portion of the site contains parking spaces.

Stipulation #1 requires general conformance with this site plan with a provision for potential modifications to comply with the canal bank design guidelines in Section 507 Tab A of the Zoning Ordinance. This stipulation is required because the site plan was not reviewed by the Development division in a pre-application meeting because there are no proposed structures at this time. The canal bank design guidelines in Section 507 Tab A of the Zoning Ordinance address issues such as pedestrian access to the canal banks, fencing, landscaping, and setbacks. These standards are regulatory and the stipulation is intended to allow minor modifications to the site plan to comply with this section of the Ordinance if necessary.

Stipulation #1 also requires general conformance with specific regard to the following features:

- *Pedestrian pathway to provide open public access to amenities on the adjacent property to the east to be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles*

The conceptual site plan includes a pedestrian pathway providing access to an amenities area on the adjacent parcel to the east. This parcel was rezoned in case no. Z-10-18-8 and was stipulated to the provision of open space and amenities including a multi-use trail, equestrian corral area, shaded benches, and bicycle parking areas. The stipulated site plan in Z-10-18-8 depicts these amenities at the northwest corner of the site, adjacent to the subject site in the current request. Stipulation #1.a requires cross access to these amenities. If through a future hearing process, the amenities on the adjacent site are relocated or removed, the applicant may file for a modification of this stipulation through the Planning Hearing Officer (PHO) process to evaluate the potential need for additional amenities or modification to the stipulated access.

- *Vehicular cross access to adjacent properties to the east and south, as approved by the Planning and Development Department.*

The conceptual site plan depicts the subject site developing as an

extension of a planned commercial development on adjacent parcels to the east and south. Stipulation #1.b is required to ensure that vehicular cross-access is required to these portions of the larger development.



*Stipulated Site Plan in Rezoning Case No. Z-10-18-8
Source: City of Phoenix Planning & Development Department*

6. **LANDSCAPING**

The property is located within the Baseline Area Overlay District and Stipulation #2 requires that landscaping be provided in conformance with the Baseline Area Master Plan Plant List with specific regard to maximizing shade and thermal comfort for pedestrians and active users along the canal. This stipulation is intended to promote and implement goals of the Baseline Area Master Plan, which aims to preserve and promote the unique rural and agricultural history of the Baseline Corridor, and the Tree & Shade Master Plan, which 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.

7. **FENCES**

Stipulation #4 requires the use of view fencing along the northern perimeter of the site, adjacent to the Western Canal, by requiring that any solid portion of a

perimeter wall adjacent to the Western Canal maintain a maximum height of three feet. This stipulation is intended to promote visual accessibility, safety, and increased activity along the canal bank. The stipulation is consistent with the City's canal bank design guidelines and the goals of the Baseline Area Master Plan.

8. **25TH STREET**

The subject site is adjacent to the 25th Street alignment along its eastern perimeter and along a portion of the south perimeter at the southeast corner of the site. 25th Street is unimproved between Baseline Road and the Western Canal. The conceptual site plan proposes that the site develop as an extension of planned commercial development on adjacent parcels to the east and south. In the conceptual site plan for the current request and the stipulated site plans for the properties to the east (approved in rezoning case no. Z-10-18-8) and the south (approved in rezoning case no. Z-63-05-8), 25th Street is depicted as abandoned right-of-way.

There was no application for abandonment of any portion of 25th Street at the time this staff report was written. Therefore, Stipulation #3 establishes a requirement that the developer shall be responsible for dedication and construction of an offset cul-de-sac bulb at the northern portion of 25th Street, south of the Western Canal, if the subject site develops as a stand-alone parcel and does not provide an alternative street frontage to its existing frontage along 25th Street. This stipulation is intended to allow the developer to avoid the dedication of 25th Street in the event of an abandonment while still requiring a proper termination of 25th Street if the abandonment and proposed development plan does not occur.

COMMUNITY INPUT SUMMARY

9. At the time this staff report was written, staff had not received any public correspondence regarding the request.

INTERDEPARTMENTAL COMMENTS

10. The Aviation Department noted that the site is within PHX traffic pattern airspace and requested that the developer record a Notice to Prospective Purchasers of Proximity to Airport to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX). This is addressed in Stipulation #6.
11. 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.
12. 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 2220 L of the Flood Insurance Rate Maps (FIRM) dated February 10, 2017.

13. The Parks and Recreation Department had no comments regarding trails or easements.
14. The Public Transit Department and Street Transportation Department had no comments regarding the request.
15. The Water Services Department indicated that the site is surrounded with existing water and sewer mains that can potentially serve the development.

MISCELLANEOUS

16. 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 #5.
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 consistent with the General Plan Land Use Map designation of Commercial.
2. As stipulated, the proposal is consistent with the desired character and goals of the Baseline Area Master Plan.
3. As stipulated, the proposal is consistent with the character of existing development in the surrounding area.

Stipulations

1. The development shall be in general conformance with the conceptual site plan date stamped August 21, 2018, as may be modified for compliance with the canal bank design guidelines in Section 507 Tab A of the Zoning Ordinance, and approved by the Planning and Development Department, and with specific regard to the following:
 - a. Pedestrian pathway to provide open public access to amenities on the adjacent property to the east to be constructed of decorative pavers, stamped or colored

concrete, or another material, other than those used to pave the parking surfaces and drive aisles.

- b. Vehicular cross access to adjacent properties to the east and south, as approved by the Planning and Development Department.
2. Landscaping along the north property line shall be in conformance with the Baseline Area Master Plan Plant List with specific regard to maximizing shade and thermal comfort for pedestrians and active users along the canal, as approved by the Planning and Development Department.
3. If the subject site develops as a stand-alone parcel and does not provide an alternative street frontage to that existing along 25th Street, then the developer shall be responsible for the dedication and construction of an offset cul-de-sac bulb at the northern portion of 25th Street, south of the Western Canal, as approved by the Planning and Development and Street Transportation Department.
4. Any solid portion of a perimeter wall adjacent to the Western Canal shall not exceed a maximum height of three feet, as approved by the Planning and Development Department.
5. 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.
6. The property owner shall record documents that disclose the existence and operational characteristics of Sky Harbor International Airport (PHX) 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.

Writer

Adam Stranieri

November 2, 2018

Team Leader

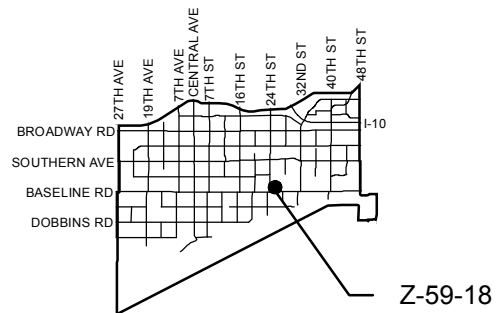
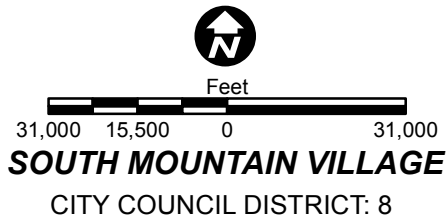
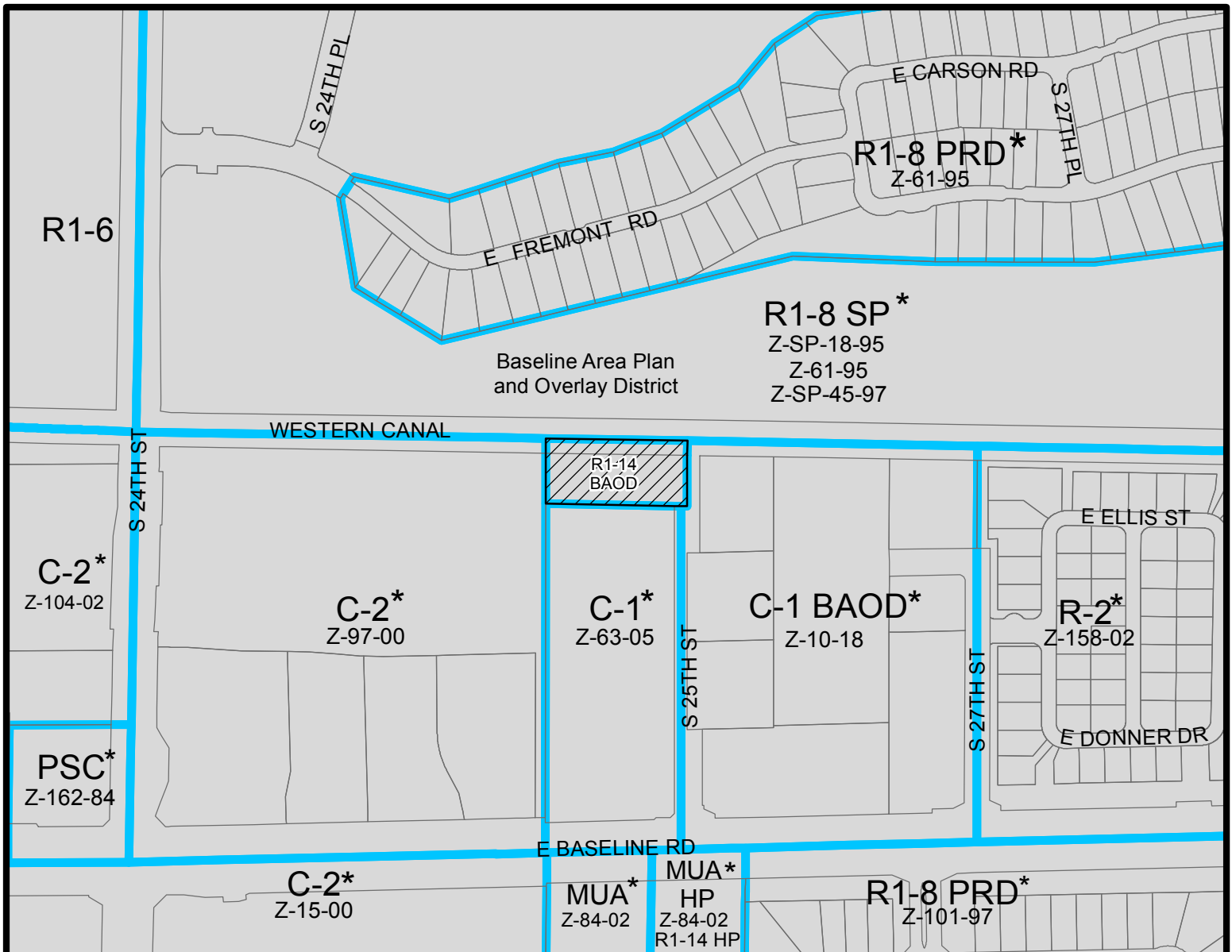
Samantha Keating

Exhibits

Sketch Map

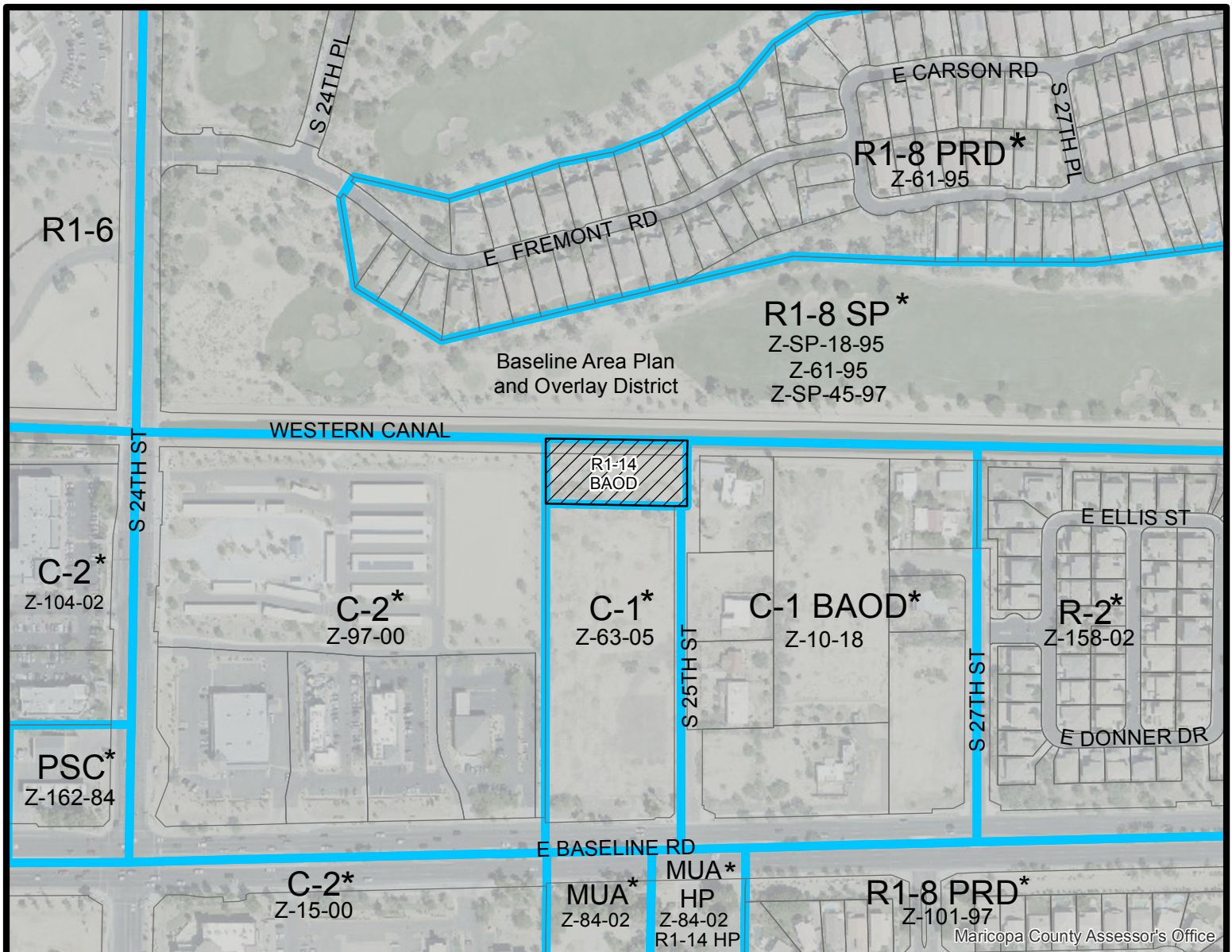
Aerial

Conceptual Site Plan – Date Stamped August 21, 2018

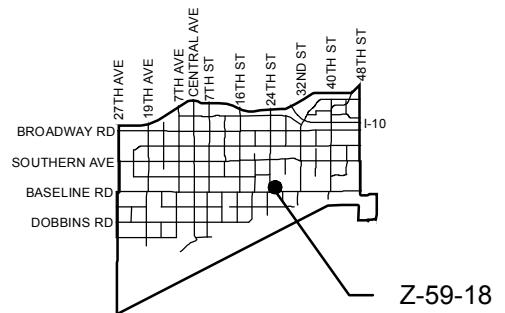
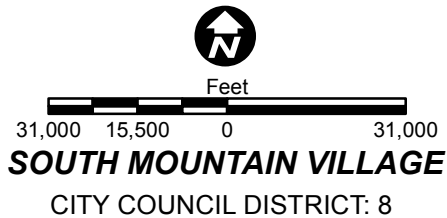


APPLICANT'S NAME: Dennis M. Newcombe, Beus Gilbert PLLC		REQUESTED CHANGE:	
APPLICATION NO. Z-59-18		FROM: R1-14 BAOD (0.82 a.c.)	
DATE: 8/31/2018 REVISION DATES:		TO: C-1 BAOD (0.82 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 0.82 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 1-33 ZONING MAP D-9	
MULTIPLES PERMITTED R1-14 BAOD C-1 BAOD		CONVENTIONAL OPTION 2 12	
		* UNITS P.R.D. OPTION N/A 14	

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



Maricopa County Assessor's Office



APPLICANT'S NAME: Dennis M. Newcombe, Beus Gilbert PLLC

APPLICATION NO. Z-59-18

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

0.82 Acres

DATE: 8/31/2018
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.

QS 1-33

ZONING MAP

D-9

REQUESTED CHANGE:

FROM: R1-14 BAOD (0.82 a.c.)

TO: C-1 BAOD (0.82 a.c.)

MULTIPLES PERMITTED

R1-14 BAOD

C-1 BAOD

CONVENTIONAL OPTION

2

12

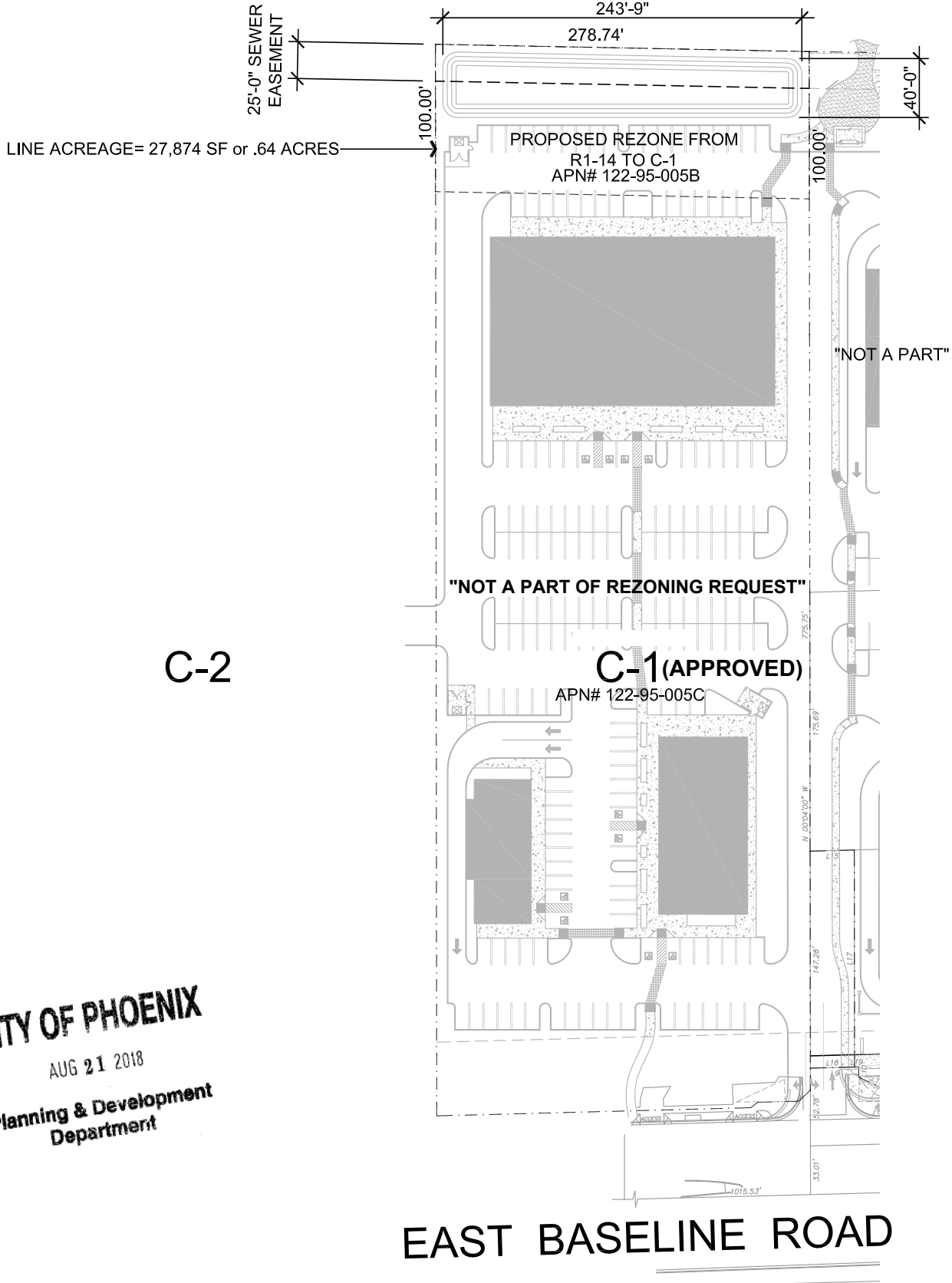
* UNITS P.R.D. OPTION

N/A

14

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

WESTERN CANAL



CITY OF PHOENIX
AUG 21 2018
Planning & Development
Department

MUA



Conceptual Site Plan [Rezoning Application Z-59-18-8]