

# ATTACHMENT B



## City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

### Staff Report Z-63-21-3 May 27, 2022

**Deer Valley Village Planning Committee Meeting Date:** June 9, 2022

**Planning Commission Hearing Date:** August 4, 2022

**Request From:** R-O (Residential Office District) (1.37 acres)

**Request To:** C-2 (Intermediate Commercial District) (1.37 acres)

**Proposed Use:** Pool company with outdoor display

**Location:** Approximately 220 feet west of the northwest corner of 19th Avenue and Greenway Road

**Owner:** Brian W. Morris

**Applicant:** Dennis Newcombe, Gammage & Burnham PLC

**Representative:** Lindsay C. Schube, Gammage & Burnham PLC

**Staff Recommendation:** Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 3.5 to 5 dwelling units/acre	
<u>Street Map Classification</u>	Greenway Road	Arterial	55-foot north half street
<b><i>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b>			
The proposed development is compatible with surrounding zoning and land uses. As stipulated, the site will provide enhanced screening and landscaping standards that will mitigate any impacts on surrounding properties.			

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

The existing pool contractor business provides a service for the local community while providing jobs and positively contributes to the economic vitality of the local economy.

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

The proposal, as stipulated, will provide enhanced levels of shade which will provide thermal comfort for employees and pedestrians walking along Greenway Road.

**Applicable Plans, Overlays, and Initiatives**

[Greenway Road Land Use Study](#) – See Background Item No. 6

[Tree and Shade Master Plan](#) – See Background Item No. 7

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 8

[Zero Waste PHX](#) – See Background Item No. 9

**Surrounding Land Uses/Zoning**

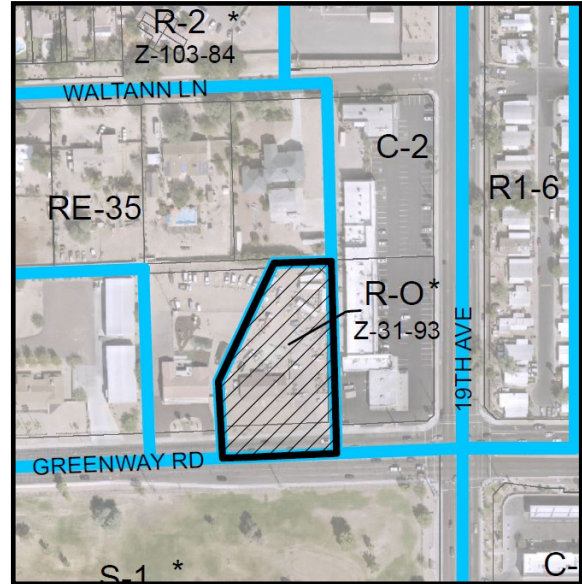
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant single-story building	R-O
<b>North</b>	Single-family residential	RE-35
<b>South</b> (across Greenway Road)	Golf course	S-1 SP
<b>East</b>	Shopping center	C-2
<b>West</b>	Preschool	RE-35

<b>C-2 (Intermediate Commercial District)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Met or Not Met</u></b>
<i>Minimum Building Setbacks</i>		
Street (Greenway Road)	Average 25 feet, minimum 20 feet for up to 50 percent of structure	Approximately 50 feet (Met)
Side (East)	0	Approximately 10 feet, (Met)
Side (West)	25 feet for structures not exceeding 1-story (or 15 feet), 50 feet for structures exceeding 2-story (or 30 feet)	Approximately 35 feet for primary structure (Met)  Approximately 100 feet for 2-story accessory structure, Met
Rear (North)	25 feet for structures not exceeding 1-story (or 15 feet), 50 feet for structures exceeding 2-story (or 30 feet)	Approximately 20 feet. (Not Met)  The 2-story structure shall be setback from the rear property line a minimum 50 feet.
<i>Minimum Landscaped Setbacks</i>		
Street (Greenway Road)	Average 25 feet, minimum 20 feet for up to 50 percent of the frontage	Approximately 25 feet (Met)
Sides and Rear (North, East, and West)	10 feet landscaped setback	Approximately 10 feet (Met)
Maximum Lot Coverage	50%	Approximately 16% (Met)
Maximum Building Height	2 stories and 30 feet	Not specified
Minimum Parking	Office space: 3 parking spaces per 1,000 square feet  13 parking spaces required (per site plan)	16 parking spaces (Met)

**Background / Issues / Analysis**

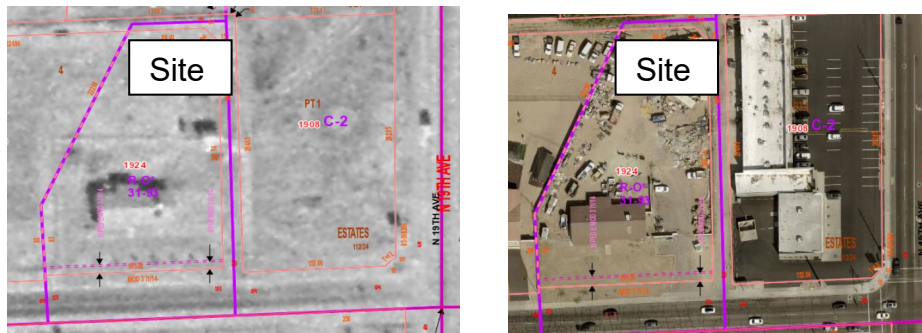
1. SUBJECT SITE

This request is to rezone 1.37 acres located 220 feet west of the northwest corner of 19th Avenue and Greenway Road. The site is zoned R-O (Residential Office District) and the request is to rezone to C-2 (Intermediate Commercial District) for a pool company with outdoor display.



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

The subject site was annexed into the City of Phoenix from Maricopa County in 1965. Historic aerials from 1969 show the existing home on the site. In 1993 the property was rezoned from RE-35 (Single-Family Residence District) to R-O for a realtor office.



*Left Aerial 1969. Right Aerial 2021.  
Source: Planning and Development Department*

## 2. ZONING AND LAND USE

### Subject Site:

The subject site is zoned R-O and is developed with one structure and a parking lot.

### North:

The parcel abutting the subject site on the north is zoned RE-35 and is developed with a single-family residence.

### South:

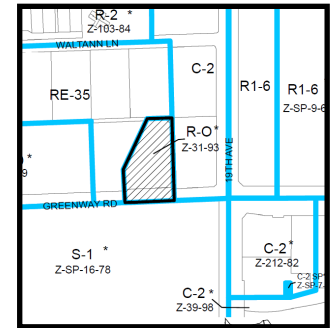
The parcel to the south (across Greenway Road) is zoned S-1 and has a special permit for a golf course.

### West:

The parcel to the west of the site is zoned RE-35 and is developed with a preschool.

### East:

Immediately east of the subject site is a shopping center zoned C-2.



Zoning Map, Source: Planning and Development Department

## 3. GENERAL PLAN

### Subject Site:

The General Plan Land Use Map designation for the subject site is Residential 3.5 to 5 dwelling units per acre. The proposal is not consistent with that designation. However, a minor General Plan Amendment is not required as the subject site is under 10 acres in size.

The General Plan Land Use Map designations for the sites to the north, west, and east are Residential 3.5 to 5 dwelling units per acre. The General Plan Land Use Map designation for the areas south of the site across Greenway Road is Parks/Open Space.



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

## 4. SITE PLAN

The conceptual site plan provided by the applicant depicts an existing 3,283 square-foot office building and a new 5,000 square-foot building that will be used for storage of materials and equipment. The height of both buildings has not been specified but will be

required to adhere to the Zoning Ordinance requirements. Staff does not recommend general conformance to the site plan provided by the applicant due to the lack of details of the proposed development standards for the site.

The applicant also intends to improve the property with outdoor product display areas (in the rear yard only), including but not limited to pool and/or spa, water features, fireplaces, pergolas and grilling areas. The applicant will seek a Use Permit for their outdoor product display areas (i.e., pool displays, etc.). In the event that area exceeds 300 square feet, then the applicant may seek a necessary variance through the Zoning Adjustment process.

As proposed, the conceptual site plan meets the minimum number of required parking spaces as calculated based on the square footage of the existing office building which requires 13 spaces (16 proposed).

In order to screen uses on the site from public view and adjacent properties, staff recommends a larger landscape setback along Greenway Road and a mix of two-inch and three-inch caliper trees within required landscape setbacks. These are addressed in Stipulation Nos. 2 and 3. To promote increased shade on the site and public sidewalk along Greenway Road, staff recommends the shading of the parking lot and detached sidewalks with a landscape strip between the curb and sidewalk. These are addressed in Stipulation Nos. 4 and 6.

## 5. ELEVATIONS

The existing office building will have minimal changes to the exterior. The proposed 5,000 square foot building will be a standing seam sheet metal building with a gabled roof. There are similar style buildings on nearby residential lots and a nearby feed store. The distance from the street along with enhanced street and parking landscaping will help screen any negative aesthetic impacts visible from the street.



*Building Rendering, Source: Not Specified*

6. [Greenway Road Land Use Study](#)

The purpose of the Greenway Road Land Use Study was to review the area for potential changes in land use and to determine whether the General Plan Land Use Map designation for the area should be changed. A residential designation covering large areas is not meant to preclude appropriate neighborhood commercial services needed by the population. Therefore, a land use designation may incorporate properties with different zoning districts. In addition, General Plan amendments are generally not required for sites under 10 acres in size. Thus, although the subject site has a residential designation, a commercial use is not precluded, as is visible by the adjacent commercial center, preschool, and feed store uses. Stipulation No. 1 ensures that the low density residential character is preserved by limiting the number of dwellings that can develop under the proposed C-2 zoning district, if the site redevelops in the future.

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

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within and adjacent to the development. Staff is recommending stipulations for a detached shaded sidewalk along Greenway Road, in addition to enhanced landscape standards in and around the parking areas. These are addressed in Stipulation Nos. 3, 4 and 6.

8. [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, including commercial centers. Stipulation No. 7. requires bicycle parking spaces be provided on the site. Bicycle racks shall consist of an inverted-U or other decorative design and installed per the requirements of Section 1307. H.

9. [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 proposed conceptual site plan does not show recycling facilities on the subject site.

## COMMUNITY INPUT SUMMARY

10. At the time the staff report was written there was no correspondence from members of the public received.

## INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department requires the developer to construct a detached sidewalk and other incidentals along Greenway Road to ADA standards as well as a modified driveway to restrict access to right-in, right-out and left-in only. These items are addressed in Stipulation Nos. 6, 8, and 9.
12. The Pedestrian Safety Coordinator, from the Traffic Services Division of the Street Transportation Department, has required that pedestrian pathways that cross drive aisles be constructed with decorative pavers, stamped or colored concrete or another material that contrasts with the drive aisle and parking surfaces. This is addressed in Stipulation No. 5.
13. The City of Phoenix Fire Department does not anticipate any problems with this case. However, they noted that the site and/or buildings shall comply with the Phoenix Fire Code and requested additional detail be provided on future site plan submittals.
14. The Public Transit Department requires the retention of the existing bus stop pad along westbound Greenway Road.

## OTHER

15. 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. 10.
16. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

## **Findings**

1. The proposed use and zoning district is consistent with development patterns in the area.



2. The proposed development, as stipulated, will provide appropriate screening of the site from public view and adjacent residentially-zoned properties.
3. The proposed zoning is consistent with the goals and policies of the General Plan and Deer Valley Village Character Plan and will provide additional employment opportunities in the village.

### **Stipulations**

1. Residential density shall be limited to a maximum of 4 dwelling units per acre.
2. A minimum 35-foot-wide landscape setback shall be provided along Greenway Road, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
3. The required landscape setbacks shall be planted with minimum 75% 2-inch caliper and 25% 3-inch caliper size trees and with five 5-gallon shrubs per tree, as approved by Planning and Development Department.
4. All uncovered employee and customer surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees and five 5-gallon shrubs per tree. Landscaping shall be dispersed throughout the parking areas and achieve 20 percent shade at maturity, as approved by Planning and Development Department.
5. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
6. The sidewalk along Greenway Road shall be a minimum of 8 feet in width and detached with a minimum 11-foot-wide landscape strip located between the sidewalk and the back of curb, planted to the following standards, as approved or modified by the Planning and Development Department.
  - a. Minimum 2-inch caliper drought-tolerant shade trees that provide sidewalk shade to a minimum of 75% at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

7. A minimum of 2 bicycle parking spaces shall be provided through Inverted U, artistic racks, and/or within a secure bicycle storage area. Racks shall be located near a

primary building entrance and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.

8. The developer shall construct a modified P1243-1 driveway along Greenway Road to restrict access to right-in, right-out and left-in only, as approved by the Planning and Development and Street Transportation Department.
9. 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.
10. Prior to preliminary 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**

Elias Valencia

May 27, 2022

**Team Leader**

Racelle Escolar

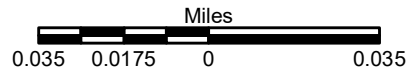
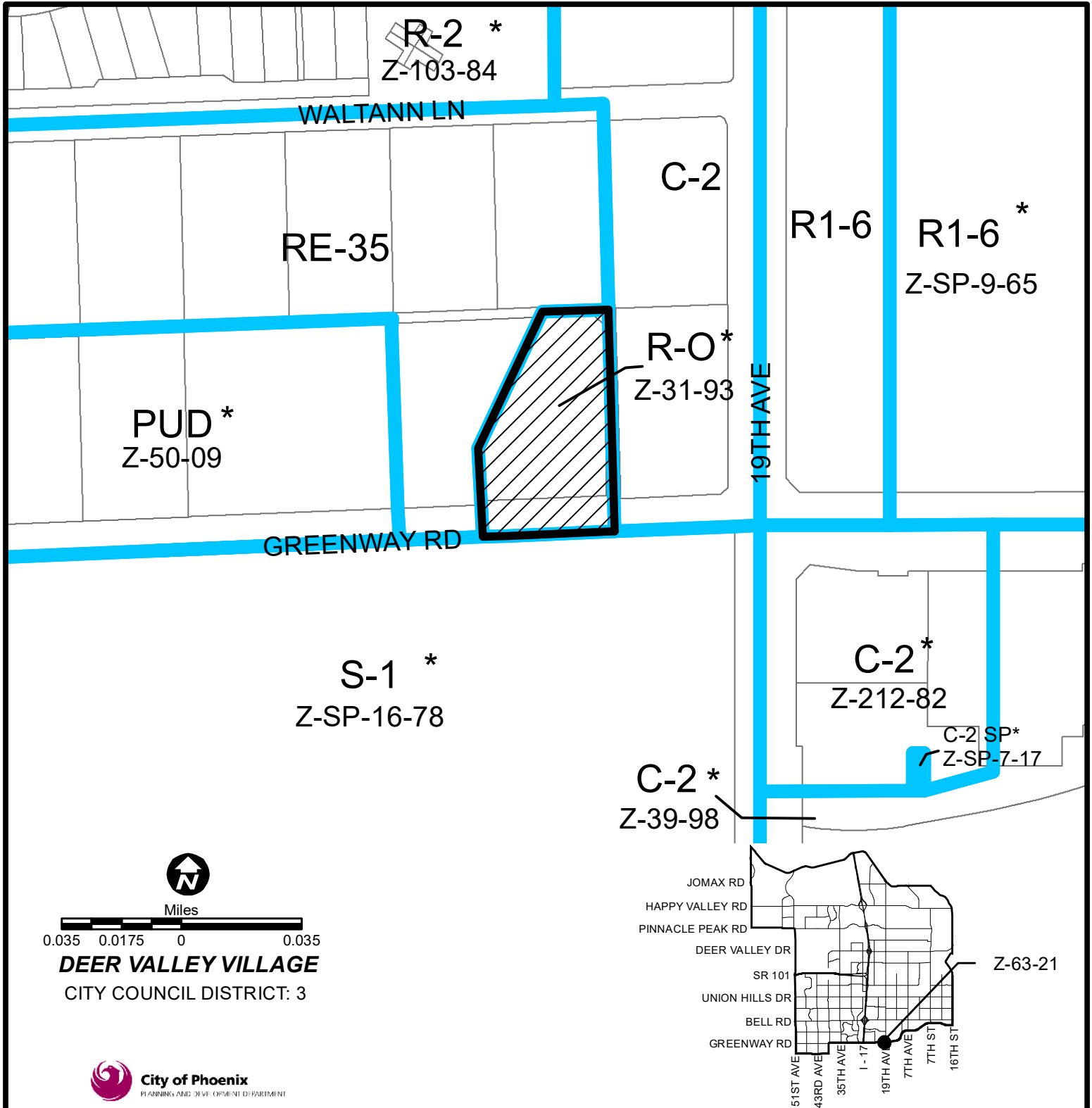
**Exhibits**

Zoning sketch map

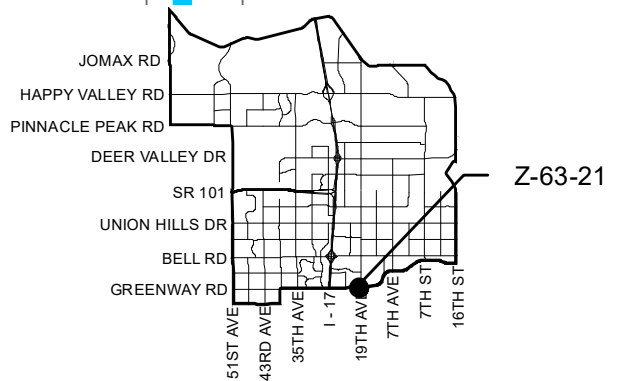
Aerial sketch map

Conceptual Site Plan date stamped March 14, 2022

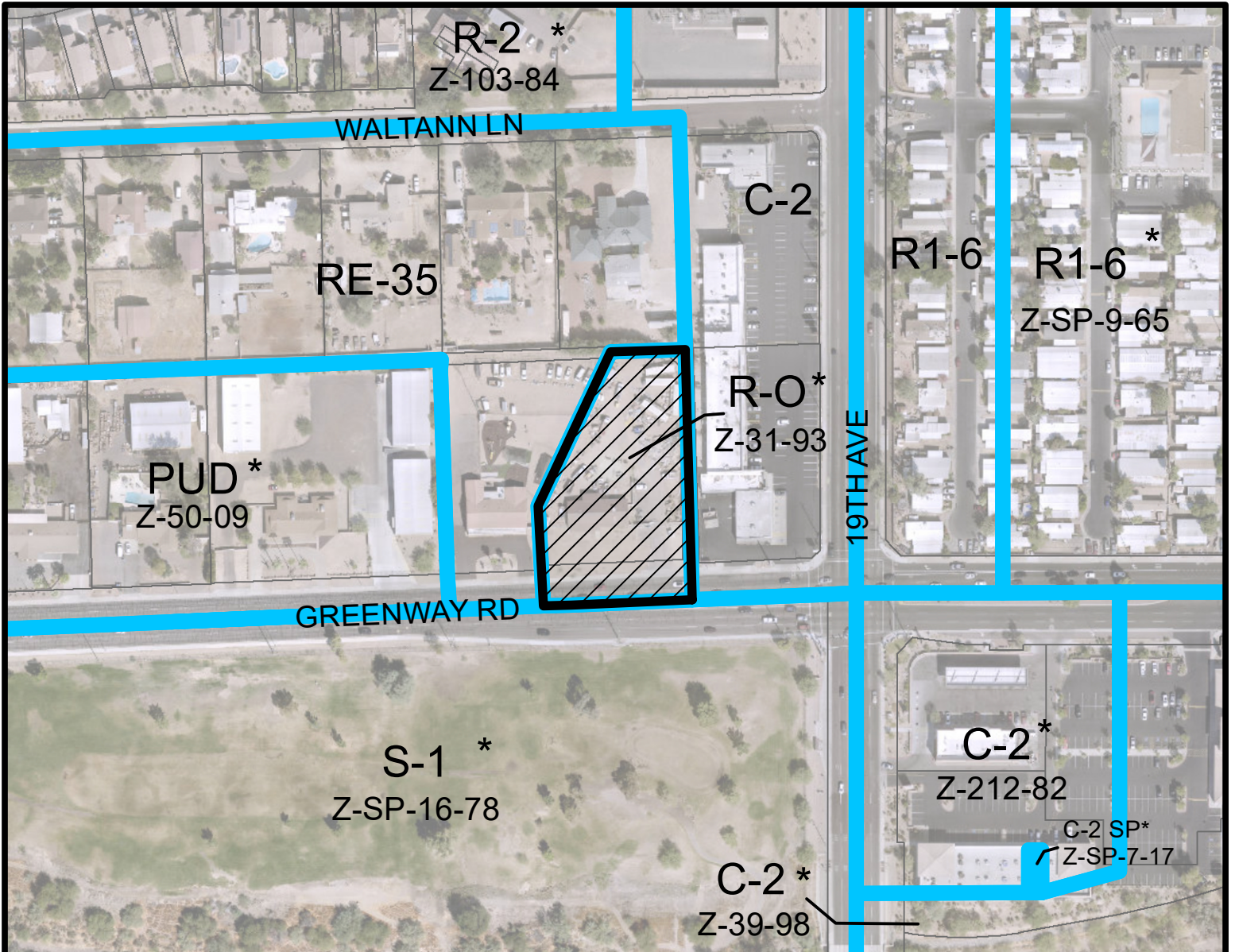
Conceptual Building Elevations date stamped March 14, 2022



**DEER VALLEY VILLAGE**  
CITY COUNCIL DISTRICT: 3



<b>APPLICANT'S NAME:</b> Dennis Newcomb		<b>REQUESTED CHANGE:</b> FROM: R-O ( 1.37 a.c.)  TO: C-2 ( 1.37 a.c.)	
<b>APPLICATION NO.</b> Z-63-21	<b>DATE:</b> 9/22/2021 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  <b>1.37 Acres</b>	3/16/2022		
	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 35-24	<b>ZONING MAP</b> L-7	
<b>MULTIPLES PERMITTED</b>	<b>CONVENTIONAL OPTION</b>		<b>* UNITS P.R.D. OPTION</b>
R-O	1		N/A
C-2	20		24
* Maximum Units Allowed with P.R.D. Bonus			



Miles

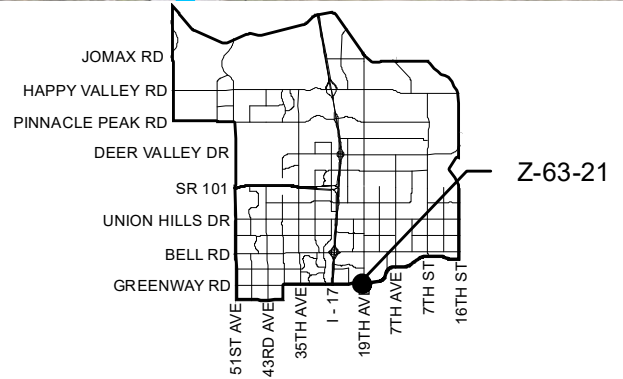
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**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 3



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



<b>APPLICANT'S NAME:</b> Dennis Newcomb		<b>REQUESTED CHANGE:</b> FROM: R-O ( 1.37 a.c.)  TO: C-2 ( 1.37 a.c.)	
<b>APPLICATION NO.</b> Z-63-21	<b>DATE:</b> 9/22/2021 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  <b>1.37 Acres</b>		3/16/2022	
		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 35-24	<b>ZONING MAP</b> L-7
<b>MULTIPLES PERMITTED</b>		<b>CONVENTIONAL OPTION</b>	
R-O		1	
C-2		20	
		<b>* UNITS P.R.D. OPTION</b>	
		N/A	
		24	

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

# Site Plan

RE-35

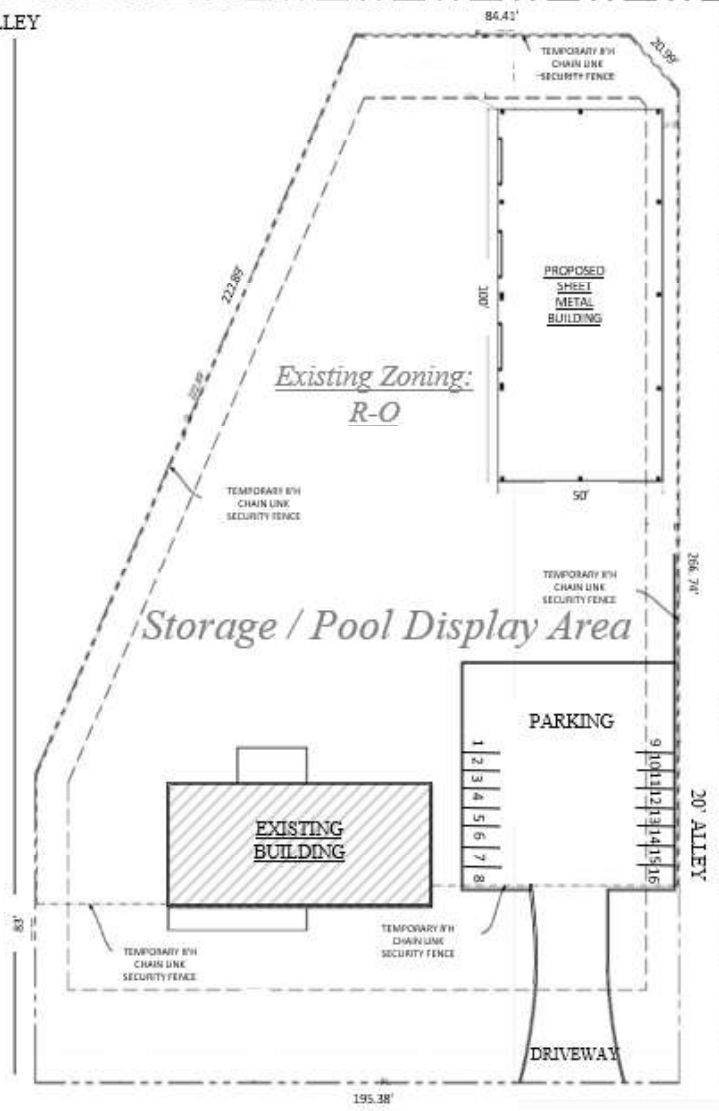
RE-35

RE-35

C-2

RE-35

C-2



**Narrative:**  
 We represent We Fix Ugly Pools (Brian Morris), a successful pool builder and remodeling contractor. We Fix Ugly Pools, intends to file a rezoning request for the property located at 1924 W. Greenway Road. The purpose of the rezoning from R-O to C-2 is to allow for a swimming pool contractor's office and outdoor swimming pool display/storage areas (1924 W. Greenway Rd.).

**Lot Information:**  
**Lot A:** We Fix Ugly Pools (Proposed)  
 Size: 50,399 SF / 1.157 acres  
 Address: 1924 W. Greenway Road  
 Parcel: 208-14-014B  
 Existing Zoning: R-O  
 Proposed Zoning: PUD

**Parking Calculation:**

BUILDING TYPE	BUILDING AREA	RATIO	TOTAL REQ.
LOT A: CONSTRUCTION OFFICE	3,828 SF	1:300	13 SP.

Existing Retail Center

**CITY OF PHOENIX**  
 MAR 14 2022  
 Planning & Development  
 Department

SITE PLAN SCALE  
 1 INCH = 50 FEET

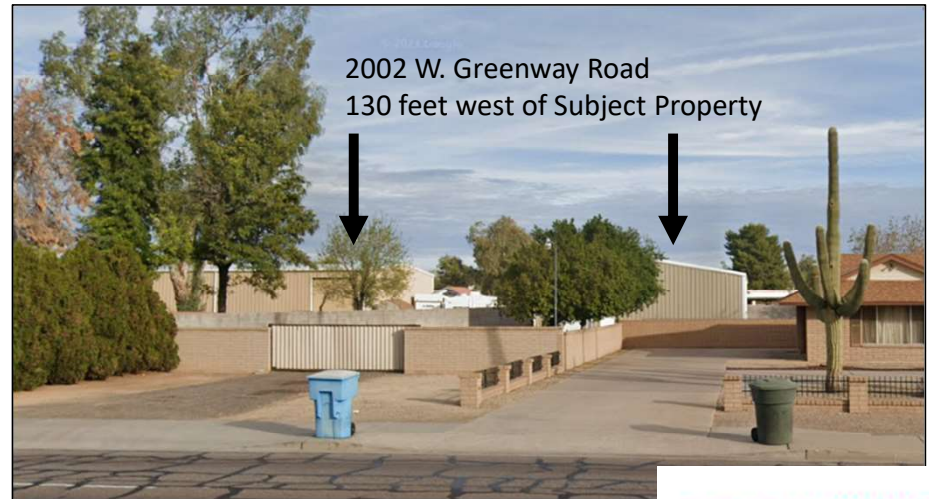


WEST GREENWAY ROAD





# Conceptual Building Elevations (Rear Yard)



CITY OF PHOENIX

MAR 14 2022

Planning & Development  
Department