

# Attachment B



**City of Phoenix**  
 PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-93-16-7**  
**April 21, 2017**

**South Mountain Village Planning Committee Meeting Date:** May 9, 2017  
**Planning Commission Hearing Date:** June 8, 2017  
**Request From:** R-4 SPVTABDO (1.28 acres)  
**Request To:** C-2 SPVTABDO (1.28 acres)  
**Proposed Use:** Tortilla Manufacturing  
**Location:** Approximately 470 feet north of the northwest corner of 2nd Street and Sunland Avenue  
**Owner:** Saturnino and Delfina Hernandez  
**Applicant/Representative:** Wendy Riddell, Esq., Berry Riddell, LLC  
**Staff Recommendation:** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Residential 15+ Dwelling unit per acre	
<b>Street Map Classification</b>	2nd Street	Local	25-foot east half-street (adjacent to portion of subject property) to be dedicated
<p><b><i>CONNECT PEOPLE &amp; PLACES; CORES, CENTERS, &amp; CORRIDORS; DESIGN PRINCIPLE: Promote development in compact cores, centers and corridors that are connected by roads and transit, and are designed to encourage walking and bicycling.</i></b></p> <p>The proposal constitutes an expansion of a commercial business along Central Avenue, an arterial street, and along the planned South Central Avenue Light Rail Extension.</p>			

***CONNECT PEOPLE & PLACES; OPPORTUNITY SITES; Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

The proposed site plan and elevations are consistent in scale and character with commercial development in the surrounding area. As stipulated, the proposal contains adequate mitigating features for adjacent residential properties.

***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 is currently being used for outdoor storage of vehicles and materials related to the tortilla factory. There is no landscaping or mitigating features for adjacent residential properties. Staff stipulations address building design, landscaping, and access features that will help mitigate the impact of the proposal on adjacent residential properties.

***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.***

The proposal is comparable in scale and intensity to other commercial developments along Central Avenue. Staff stipulations address building design, landscaping, and access features that will help mitigate the impact of the proposal on adjacent residential properties.

#### **Area Plan**

##### **South Phoenix Village and Target Area B Design Overlay District**

The overlay district addresses concerns regarding one and two dwelling units per lot residential development. It is designed to enhance residential neighborhoods and to protect the investments undertaken to revitalize the area. The proposal does not include a residential component.

##### **Transit Oriented Development Strategic Policy Framework**

See Background Item #11 below.

<b>Surrounding Land Uses/Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	R-4 SPVTABDO	Outdoor storage
<b>North</b>	R-4 SPVTABDO	Vacant
<b>South</b>	R-4 SPVTABDO	Multifamily residential
<b>East</b>	R-4 SPVTABDO	Multifamily residential
<b>West</b>	C-2 SPVTABDO	Tortilla factory, office

<b>C-2 (Intermediate Commercial)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provided</u></b>
<i>Building Setbacks</i>		
North	Adjacent to R-4: 15'	15' (Met)
East	Minimum 20'	Approximately 170' (Met)
South	Adjacent to R-4: 15'	Approximately 60' (Met)
West	Adjacent to C-2: 0'	0' (Met)
<i>Landscaped Setbacks</i>		
North	Minimum 10'	Approximately 15' (Met)
East	Average 25'	Approximately 30' (Met)
South	Minimum 10'	Approximately 10' (Met)
West	0'	0' (Met)
Lot Coverage	Not to exceed 50%	Not indicated
Building Height	2 stories, 30'	Not indicated
Parking	2 spaces per service bay = 12 spaces 1 space per 300 SF retail = 4 spaces	Not indicated

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone approximately 1.28 acres, a portion of Parcel No. 113-42-049A, from R-4 SPVTABDO to C-2 SPVTABDO to allow the expansion of an existing tortilla manufacturing company. In addition to the manufacturing activity, the existing business has a small store-front retail component that sells prepared foods directly to customers. This retail building is located on the western half of the parcel, which is not included in the request.

2. The subject property is currently owned and in use by the operators of the tortilla factory. Aerial photography indicates that the property is being used for vehicle parking and outdoor storage. Vehicles parked on the property include box trucks, semi-trucks, and passenger vehicles. Outdoor storage, vehicle parking, and other uses accessory to a commercial business are not permitted in the R-4 zoning district.

The property currently has sole vehicular access from Central Avenue. Please see Background Items #8-11 for a discussion of the east property line, 2nd Street, and the South Central Avenue light rail extension.

### ***2017 Aerial Photograph***

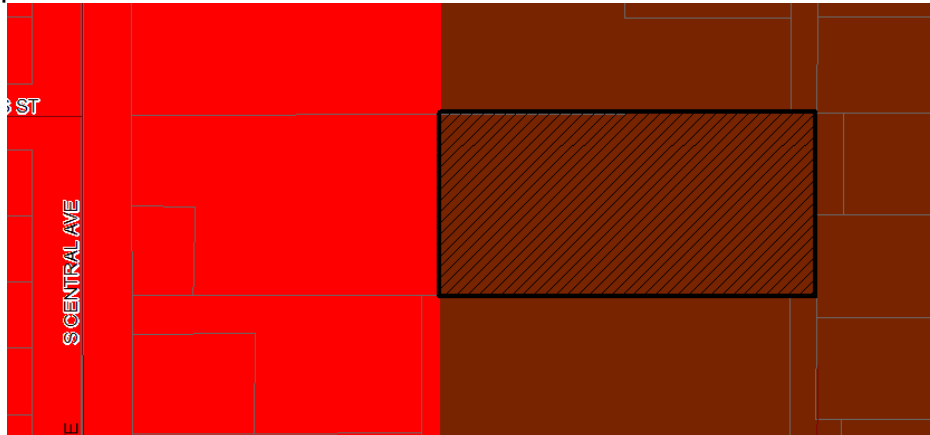


The western portion of the parcel, which is not included in the rezoning request, is zoned C-2 (Intermediate Commercial). This area houses the retail store-front and the existing manufacturing facility. Additionally, there are three buildings along the south property line that are used for storage.

The parcel line at the southwest corner of Parcel No. 113-42-049A bisects an existing building which houses an insurance company. At the rezoning pre-application meeting, staff recommended that the applicant include the entirety of this parcel in the request. This would allow staff to address the entirety of the property in our evaluation, recommend stipulations that would apply uniformly across the entire site, and address existing conditions, such as the Central Avenue frontage. However, the applicant indicated that the owners of Parcel No. 113-42-049A (tortilla factory) and Parcel No. 113-42-049B (portion of the insurance company) are currently in dispute regarding the configuration of the parcel lines. Because of this dispute, the applicant indicated that they were

unable to include the western portion of Parcel No. 113-42-049A or any portion of 113-42-049B in the request.

3. The General Plan Land Use Map designation for the subject property is Residential 15+ dwelling unit per acre. Although the proposed land use is not consistent with the General Plan designation, an amendment is not required as the parcel is less than 10 acres in size.

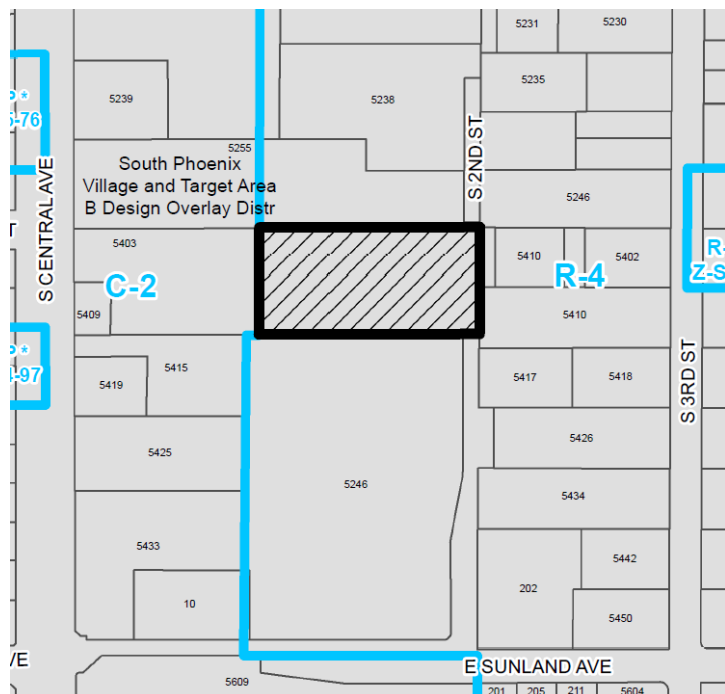


#### SURROUNDING USES & ZONING

4. The subject property is zoned R-4 and comprises the eastern half of Parcel No. 113-42-049A. The property is currently used for outdoor storage and vehicle parking accessory to the tortilla manufacturing facility. These uses are not permitted in the R-4 zoning district.

West of the subject property is the existing portion of the tortilla manufacturing facility, zoned C-2.

North of the subject property is the rear portion of a retail establishment, containing landscaping, retention, and vehicle maneuvering area. This area is zoned R-4. The remainder of this retail establishment, to the west, is zoned C-2. Zoning Adjustment Case No. ZA-350-06 was approved in 2006 to allow access from a more restrictive district to a less restrictive district.



East and south of the subject property is multifamily residential housing, zoned R-4.

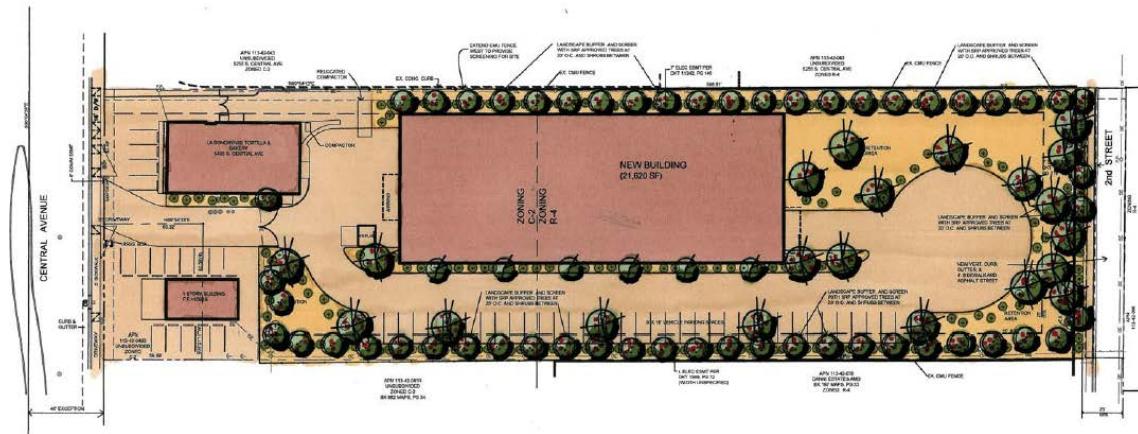
## PROPOSAL

### 5. Site Plan

The site plan proposes the construction of a 21,620 square-foot building to house the manufacturing component of the business. The building provides one truck bay located at the southeast corner of the building. Parking is provided along the south property line. Landscaping and on-site retention are proposed along the perimeter of the site.

No driveways, access gates, or vehicular access is proposed along the east property line at 2nd Street. Vehicular access is proposed solely from a driveway along Central Avenue, on the western portion of the parcel, which is not included in the rezoning request.

Staff stipulations require general conformance to the proposed site plan with specific regard to the provision of a maximum of one bay or loading dock.



### 6. Elevations

No elevations were submitted with the application. Staff stipulations require the use of architectural embellishments and detailing on all building elevations. The subject property is adjacent to residentially zoned property on its north, east, and south property lines. This recommendation is to provide mitigation for the visual impact of potential building massing on these adjacent properties.

### 7. Landscaping

The site plan meets or exceeds C-2 landscaping standards on all perimeter property lines. Staff stipulations require that the north and south landscape setbacks 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-gallon shrubs per tree. This enhanced landscaping standard is intended to mitigate the impacts of the proposed business on adjacent residentially zoned properties.

## 2ND STREET

### 8. Existing Conditions

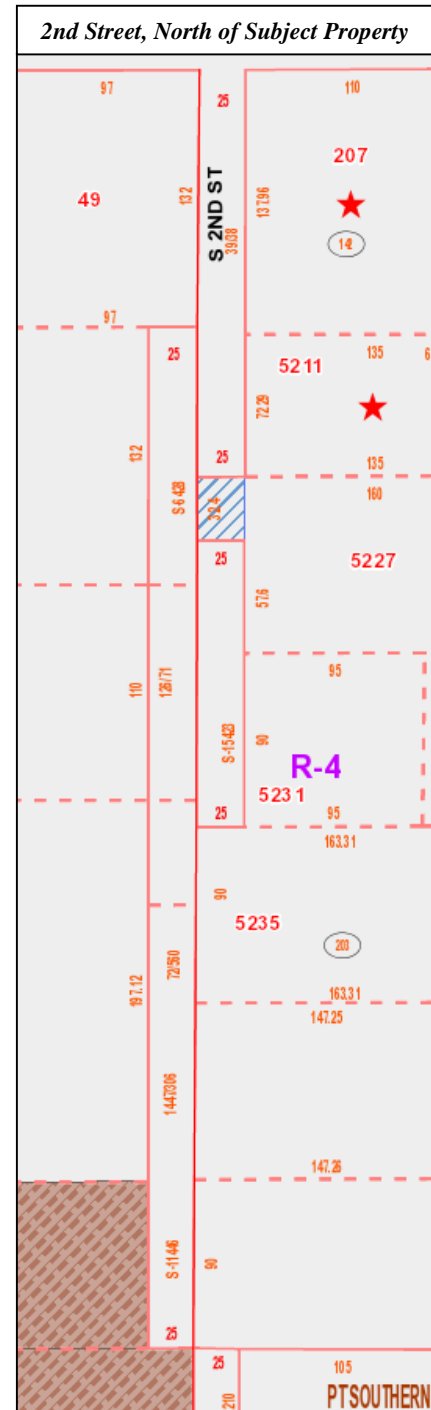
Between Roeser Road and Sunland Avenue, 2nd Street is not fully constructed. Existing improvements and dedications are inconsistent. Various portions of the alignment contain a portion of a half-street, a portion of the intended 50 feet width, or no dedicated right-of-way between adjacent parcels.

Additionally, the majority of the 2nd Street alignment north of the subject property is not dustproofed and may be obstructed by electrical poles, landscaping, or refuse.

South of the subject property, there is a 25 foot west half-street constructed for a portion of the 2nd Street alignment. This west half-street expands to 40 feet at Sunland Avenue via a taper to the west, by the multifamily apartment complex on the west side of 2nd Street in this location.

Some parcels along the 2nd Street alignment contain existing structures that may be located within the 25 feet of right-of-way that would be required to be dedicated in order to construct 2nd Street to its full width.

The subject property is adjacent to a 25 foot east half-street dedication on the north half of its eastern property line. The subject property is directly adjacent to a multifamily residential development on the south half of its eastern property line. The tortilla factory currently has vehicular access provided solely at a driveway along Central Avenue. There are no street improvements on the portion of the 2nd Street alignment adjacent to the subject property.





9. **Vehicular Access**

Existing conditions along 2nd Street as described above make vehicular access to and from the subject property on 2nd Street unfeasible and inadvisable. Vehicles would be unable to safely or legally access or travel along 2nd Street north of the subject property. South of the subject property, vehicular and truck access to and from the site would create safety concerns due to the inadequate 25 foot width that exists along a portion of 2nd Street, the close proximity of existing residential structures to the right-of-way, and the lack of street improvements along portions of 2nd Street in this location.

Therefore, staff stipulations prohibit vehicular access to the site from 2nd Street until the point that 2nd Street is fully improved between Sunland Avenue and Roeser Road. Additionally, stipulations require that this restriction be graphically illustrated on the approved site plan. The illustration should consist of a call-out box, star, or other graphic marker on the site plan with text explicitly outlining the prohibition. The intent of this requirement is to allow Planning and Development staff to be able to quickly identify the prohibition during plan review and in the event that any permit is applied for that would affect the eastern property line. This requirement is intended to provide an additional guarantee that the prohibition will be enforced above and beyond the stipulation language itself.

10. **City Code Regarding Street Dedication And Improvement Requirements**

City Code Section 31-91 (a) addresses street dedication and improvement requirements. The Code states the following:

"No building permit shall be issued for new construction, or enlargements to existing structures, consisting of four or more multifamily residential dwelling units or two thousand square feet or more of commercial or industrial building floor area on any lot or parcel of land which abuts any existing or future street right-of-way unless the one-half of such abutting right-of-way which is located on the same side of the center of the street as such lot or parcel of land has been dedicated and improved, or installation of improvements has been assured, for the full width of the lot or parcel where it abuts so as to meet the standards for each right-of-way as provided by the "Minimum Right-of-Way Standards Map."

In compliance with this code, staff stipulations require that the developer dedicate right-of-way totaling 25-feet for the west half of 2nd Street. Additionally, staff stipulations require that funds be placed in escrow for half-street improvements on the west half of 2nd Street, as approved by the Street Transportation Department, prior to the construction of the new building.



### SOUTH CENTRAL AVENUE LIGHT RAIL EXTENSION

- The Transit Oriented Development Strategic Policy Framework is part of the city’s General Plan which identified planning typologies to describe urban environments. The subject property is in close proximity to a designated placetype and proposed light rail station area located at the intersection of Central Avenue and Roeser Road.



**Selection from TOD Typology Map**

The identified environment for the Central Avenue and Roeser Road light rail station area is Neighborhood Center. Neighborhood Center is a placetype characterized as a neighborhood destination, with limited regional accessibility. Building heights range from 2-4 stories. Commercial land uses are primarily neighborhood serving retail and low-rise office, offer limited employment opportunities, and consist of single-tenant buildings under 40,000 square feet in size. The proposal includes a single-tenant building of approximately 21,620 square-feet, limited to two stories and 30-feet in height, and includes a customer store-front that serves food. The proposal generally falls within the parameters of the Neighborhood Center Placetype.

Place Type Image	Place Type	Land Use Mix	Housing	Commercial	Transit Node	Intensity
	Neighborhood Center	<ul style="list-style-type: none"> <li>Primarily Residential</li> <li>Neighborhood serving retail</li> <li>Limited employment</li> </ul>	<ul style="list-style-type: none"> <li>Apartment</li> <li>Town/Row Home</li> <li>Live/Work</li> <li>2 or 3 unit</li> <li>Single Unit</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise office</li> <li>Under 40,000 sq. ft. single tenant</li> <li>retail footprint incentive: 50,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Neighborhood Destination</li> <li>Less Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Low Intensity</li> <li>2-4 Stories</li> <li>Incentive: 5 Stories</li> </ul>

**Neighborhood Center Placetype Designation**

### ARCHAEOLOGY

- The City of Phoenix Archaeologist indicated that the subject property is within the archaeological site of Public Viejo, a prehistoric village that contains human remains. No previous archaeological projects have been conducted within this project area. Depending upon the extent of ground disturbance, the City of Phoenix Archaeology Office recommends archaeological monitoring and/or testing for this project. Additional monitoring and/or archaeological data recovery excavations may be necessary based upon the results of the initial work. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist

#### AVIATION

13. 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 City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

#### FLOODPLAIN

14. 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 2215 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

#### OTHER

15. The Fire, Parks and Recreation, Public Transit, and Water Services Departments have no comments or concerns regarding the request.
16. Development and use of the site is subject to all applicable codes and ordinances. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The request is not consistent with the General Plan Land Use Map designation of Residential 15+ dwelling unit per acre. However, an amendment is not required as the subject parcel is less than 10 acres.
2. The proposal will support the development of a vacant, underutilized parcel to allow a tortilla manufacturing business which can provide employment opportunities to residents in the surrounding area.
3. As stipulated, the C-2 zoning district will allow development which is consistent in scale and character with the surrounding land use pattern.

#### **Stipulations**

1. The development shall be in general conformance with the site plan date stamped March 8, 2017, as modified by the following stipulations and approved by the Planning and Development Department, with specific regard to the following:
  - a. Maximum of one bay or loading dock.
2. All elevations of the building shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in

window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.

3. The north and south 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-gallon shrubs per tree, as approved by the Planning and Development Department.
4. On-site lighting shall not exceed a maximum of six feet in height within twenty feet of a residential district zoning line as approved by the Planning and Development Department.

#### STREET TRANSPORTATION

5. The developer shall dedicate right-of-way totaling 25-feet for the west half of 2nd Street. Funds shall be placed in escrow for half-street improvements on the west half of 2nd Street, as approved by the Street Transportation Department, prior to the construction of the new building. Half-street improvements shall include construction of 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 and Street Transportation Departments. All improvements shall comply with all ADA accessibility standards.
6. Vehicular access to the site from 2nd Street is prohibited until the point that 2nd Street is fully improved between Sunland Avenue and Roeser Road. This restriction shall be graphically illustrated on the approved site plan, as approved by the Planning and Development Department.

#### ARCHAEOLOGY

7. The developer shall conduct archaeological monitoring and/or testing within all areas of the development that lie within 250 feet of the plotted boundary of the archaeological site of Pueblo Viejo prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City of Phoenix Archaeologist. Depending upon the extent of ground disturbance, the City of Phoenix Archaeology Office recommends archaeological monitoring and/or testing for this project. Additional monitoring and/or archaeological data recovery excavations may be necessary based upon the results of the initial work. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist.

#### AVIATION

8. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to

Staff Report: Z-93-16-7

April 21, 2017

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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

April 21, 2017

**Team Leader**

Joshua Bednarek

**Exhibits**

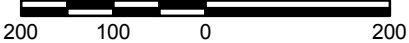
Zoning sketch

Aerial

Site Plan Date Stamped March 8, 2017



Feet

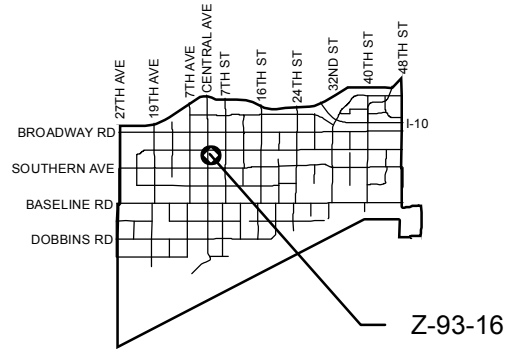


**SOUTH MOUNTAIN VILLAGE**  
CITY COUNCIL DISTRICT: 7



**City of Phoenix**

PLANNING & DEVELOPMENT DEPARTMENT



APPLICANT'S NAME:

Wendy Riddell, Esq., Berry Riddell, LLC

APPLICATION NO. Z-93-16

DATE: 12/30/2016  
REVISION DATES:

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

1.28 Acres

AERIAL PHOTO & QUARTER SEC. NO.  
QS 3-28

ZONING MAP  
D-8

REQUESTED CHANGE:

FROM: R-4 SPVTABDO (1.28 a.c.)

TO: C-2 SPVTABDO, (1.28 a.c.)

MULTIPLES PERMITTED

R-4 SPVTABDO

C-2 SPVTABDO

CONVENTIONAL OPTION

37

18

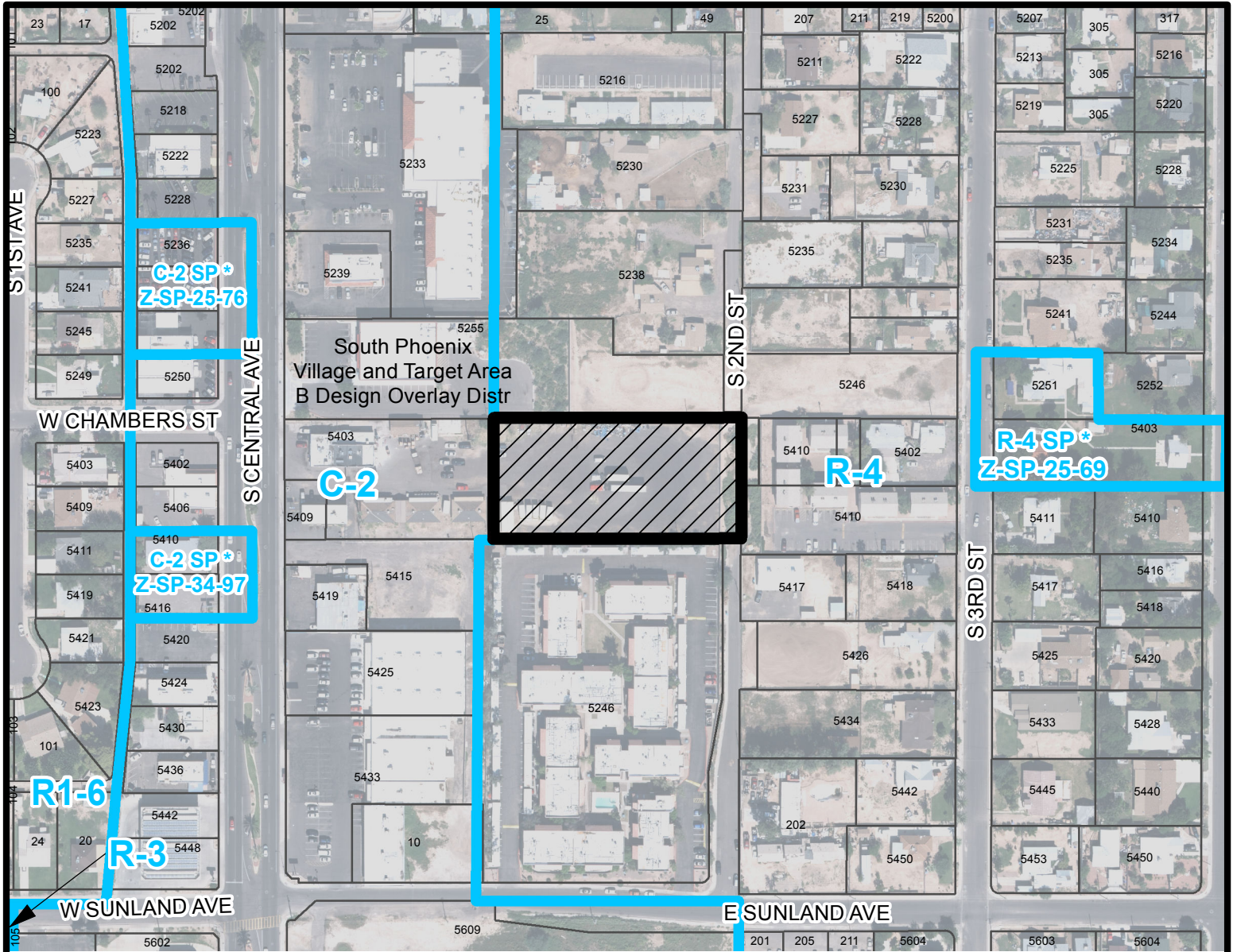
\* UNITS P.R.D. OPTION

44

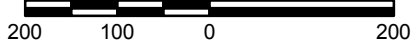
22

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





Feet

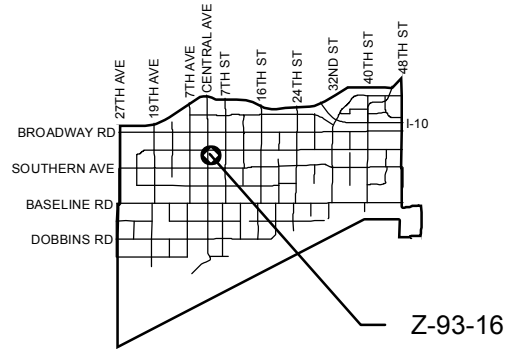


**SOUTH MOUNTAIN VILLAGE**  
CITY COUNCIL DISTRICT: 7



**City of Phoenix**

PLANNING & DEVELOPMENT DEPARTMENT



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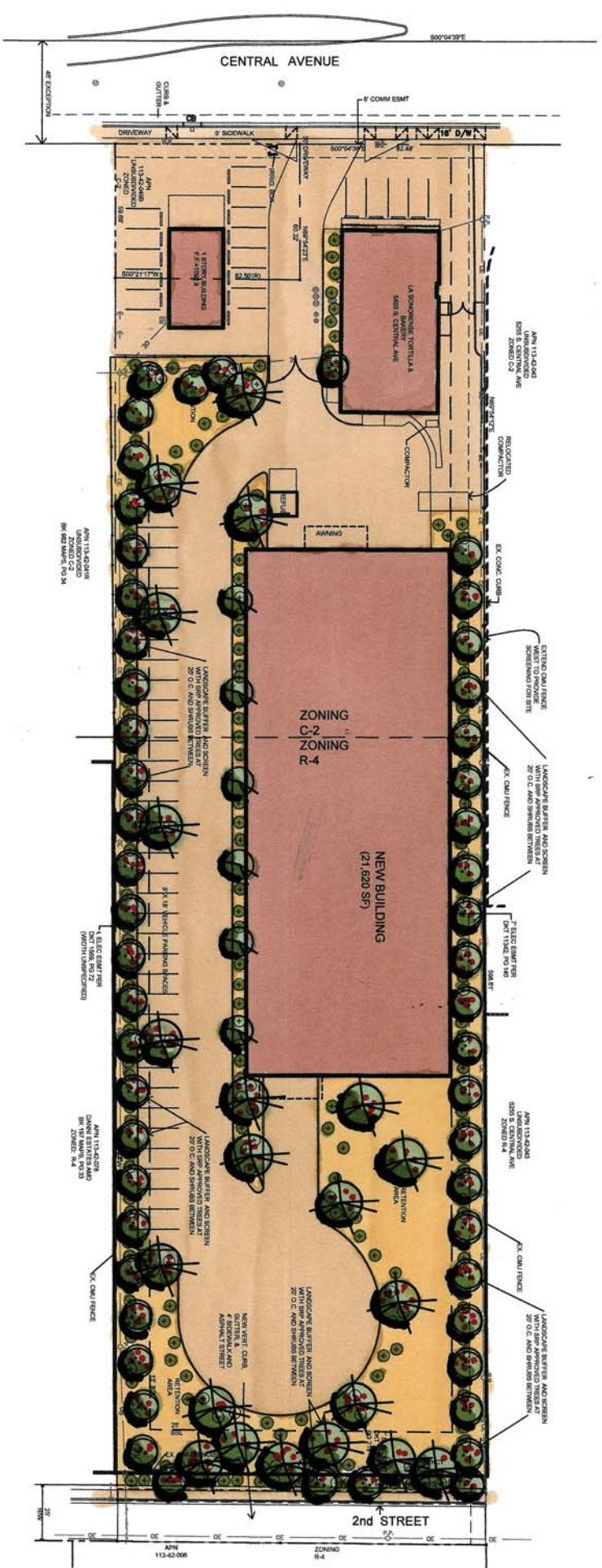
\* UNITS P.R.D. OPTION

44

22

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





**PRELIMINARY SITE PLAN**

SCALE 1"=20'-0"  
 0 20 40 80 NORTH

**LA SONRENSE TORTILLA FACTORY**

5403 South Central Avenue  
 Phoenix, Arizona

**THE CAMPBELL COLLABORATIVE**  
 LANDSCAPE ARCHITECTS - PLANNERS  
 111 EAST DUNLAP ROAD, 12TH FLOOR, PHOENIX, AZ 85001  
 (602)596-1644

**CITY OF PHOENIX**

Planning & Development  
 Department  
 MAR 08 2017

