

ATTACHMENT B



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-26-24-6
April 30, 2024

Camelback East [Village Planning Committee](#) Meeting Date: May 7, 2024
[Planning Commission](#) Hearing Date: June 6, 2024
 Request From: [C-2](#) (Intermediate Commercial) (0.03 acres) and [P-1](#) (Passenger Automobile Parking, Limited) (0.32 acres)
 Request To: [C-2](#) (Intermediate Commercial) (0.35 acres)
 Proposal: Commercial use
 Location: Approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue
 Owner: Chapman Automotive Group, LLC
 Applicant: Ali Bull, Burch & Cracchiolo, P.A.
 Representative: Ed Bull, Burch & Cracchiolo, P.A.
 Staff Recommendation: Approval, subject to stipulations

| General Plan Conformity | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------|---------------------------|
| General Plan Land Use Map Designation | | Commercial | |
| Street Map Classification | Pasadena Avenue | Local | 30-foot south half street |
| <p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; 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 residential properties.</i></p> <p>The proposal, is compatible with surrounding land uses per the Zoning Ordinance standards, will provide a landscape setback with a mix of tree sizes and shrubs along Pasadena Avenue across from residential properties.</p> | | | |
| <p><i>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITE; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of</i></p> | | | |

local conditions and surrounding neighborhoods.

The proposal will allow for commercial uses in a location where there are existing commercial uses and in close proximity an arterial street.

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

The proposal, as stipulated, provides enhanced planting standards along the east property line.

Applicable Plans, Overlays, and Initiatives

[Tree and Shade Master Plan](#): Background Item No. 5.

[Complete Streets Guidelines](#): Background Item No. 6.

[Conservation Measures for New Development](#): Background Item No. 7.

[Phoenix Climate Action Plan](#): Background Item No. 8.

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

Surrounding Land Uses and Zoning

| | <u>Land Use</u> | <u>Zoning</u> |
|---------------------------------------|-----------------------------------------------|----------------------------------------------|
| On Site | Restaurant and parking lot | C-2 and P-1 |
| North (Across Pasadena Avenue) | Multifamily and single-family residences | R-3 |
| West | Automotive dealership | C-2 (Approved C-2 SP), P-1 (Approved C-2 SP) |
| East | Restaurant, commercial retail and parking lot | P-1, C-2 |
| South | Restaurant, parking, billboard | C-2 |

| C-2 (Intermediate Commercial) | | |
|--------------------------------------|-------------------------------------------------------|----------------------------------------------------|
| <u>Standards</u> | <u>Requirements</u> | <u>Provisions on the Proposed site Plan</u> |
| <i>Minimum Building Setbacks</i> | | |
| North (Pasadena Avenue) | Average 25 feet, minimum 20 feet for 50% of structure | No structure proposed |
| South (Adjacent zoning C-2) | 0 feet | 0 feet |
| East (Adjacent zoning P-1) | 0 feet | 0 feet |
| West (Adjacent zoning C-2 SP) | 0 feet | 0 feet |
| <i>Minimum Landscaped Setbacks</i> | | |
| North (Pasadena Avenue) | Average 25 feet, minimum 20 for up to 50% of frontage | 14 feet (Not Met) * |
| South (Adjacent zoning C-2) | 0 feet | 19 feet (Not Met) * |
| East (Adjacent zoning P-1) | 10 feet | 6-8 feet (Not Met) * |
| West (Adjacent zoning C-2 SP) | 0 feet | 0 feet (Met) |
| Maximum Lot Coverage | 50% | No structure proposed |
| Maximum Building Height | 2 stories not to exceed 30 feet | No structure proposed |

*Modification will be required on the site plan or a variance obtained

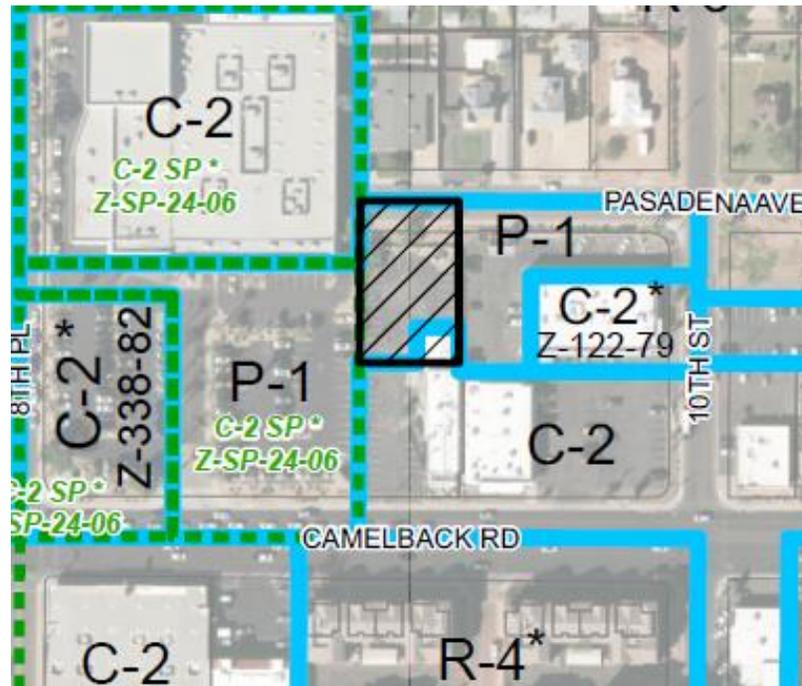
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 0.35 acres located approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue from 0.03-acres of C-2 (Intermediate Commercial) and 0.32-acres of P-1 (Passenger Automobile Parking, Limited) to C-2 (Intermediate Commercial) to allow commercial uses.

Rezoning Case Z-SP-7-23-6 is a companion request for this site and the site to the south for a Special Permit to allow automobile sales, display and all underlying C-2 uses. This will be an expansion to the existing auto dealership to the west.

The subject site is currently occupied by a nonoperating restaurant/bar and parking lot that is joined with the parcel to the south as one commercial development.



Zoning Map; Source: Planning and Development Department

SURROUNDING LAND USES AND ZONING

2. There are multifamily and single-family residential properties to the north across Pasadena Avenue zoned R-3 (Multifamily Residence). To the east is a commercial development zoned C-2 and P-1, and to the south is the remaining portion of the existing restaurant/bar and a billboard zoned C-2. To the west is an automobile dealership approved for C-2 SP zoning (Intermediate Commercial, Special Permit).

GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map depicts the subject site and the properties to the east, south and west as Commercial. The area across Pasadena Avenue to the north has a General Plan Land Use Map designation of Residential 10 to 15 dwelling units per acre. The proposal is consistent with the General Plan Land Use Map designation.



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

PROPOSAL

- The site plan attached as an exhibit proposes the demolition of existing structures to develop a parking lot for automobile sales display. The parking lot will have access from the west via an existing driveway and to the south. The site will include landscaping along the north, south and east perimeters. The proposal will be joined with the lot to the south and west to provide additional automobile display area for the existing auto dealership.

Staff recommends Stipulation No. 1 to promote landscaping and trees, to provide shade for the proposed parking lot area.

STUDIES AND POLICIES

- [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.

The proposal, as stipulated, will promote a shaded environment with trees along the east perimeter. This is addressed in Stipulation No. 1.

6. **Complete Streets Guidelines:**

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. The proposal, as stipulated, will support pedestrian access by upgrading sidewalks and street improvements to be in compliance with current city and ADA guidelines. Additionally, staff recommends that pedestrian pathways that cross vehicular paths be constructed of a pavement treatment that visually contrasts parking and drive aisle surfaces to enhance pedestrian safety. These are addressed in Stipulation Nos. 3, 4 and 5.

7. **Conservation Measures for New Development:**

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - *Build the Sustainable Desert City*. The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 6 through 8.

8. **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 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. 8, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

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 applicant indicated in their submittal materials that the added parking lot will adhere to the existing practices currently in operation by the existing auto dealership.

COMMUNITY CORRESPONDENCE

10. At the time this staff report was written, one letter in opposition regarding impacts to the adjacent residential areas has been received.

INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department requires corner clearance between curb cuts on undivided roadways should be, at a minimum, no closer than 360-feet on arterial roadways. In conjunction with the City Council approved Complete Streets Policy and Vision Zero Road Safety Action Plan, staff is requiring the removal of the driveway on Camelback to reduce vehicular/pedestrian conflict in line with these policies and the requirements of the Street Planning and Design Guidelines. The Street Transportation Department commented that all electrical utilities in the public right of way be undergrounded, and that all street improvements to be constructed to City and ADA standards. These are addressed in Stipulation Nos. 2 through 4.

OTHER

12. 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 9.
13. 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. 10.
14. Development and use of the site are 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 proposal is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal is consistent with surrounding zoning designations and land uses.
3. The proposal as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.

Stipulations:

1. The required landscape setback adjacent to the east property line shall be planted with minimum 2-inch caliper trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
2. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
3. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
4. All streets within and adjacent to the development shall be constructed with paving, curb, gutter and 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.
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. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department

7. 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.
8. 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.
9. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
10. Prior to final site plan approval, the landowner shall execute 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

John Roanhorse

April 30, 2024

Team Leader

Racelle Escolar

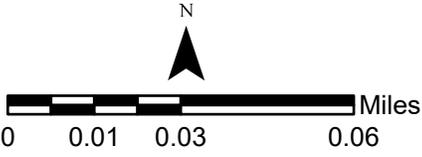
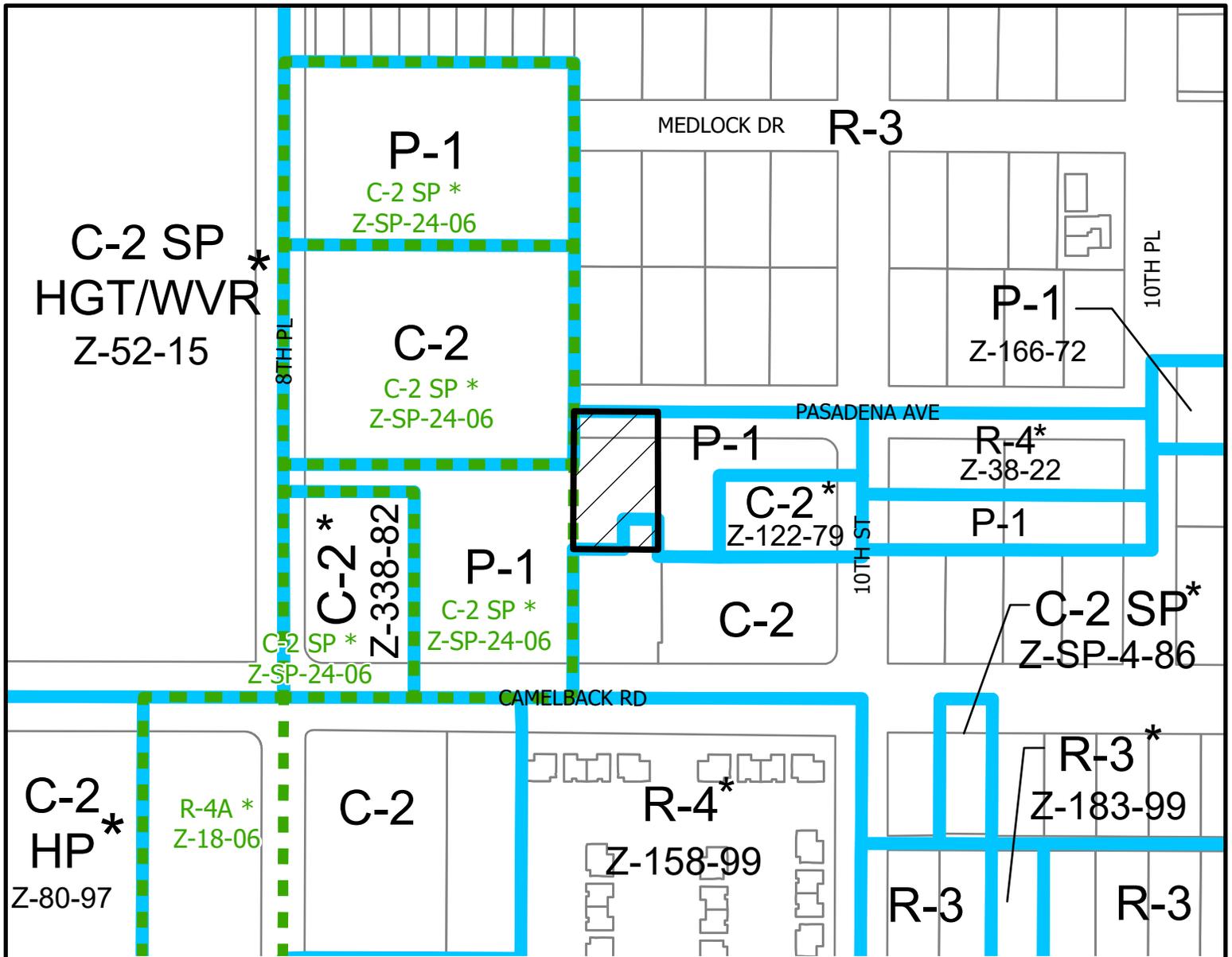
Exhibits

Zoning sketch map

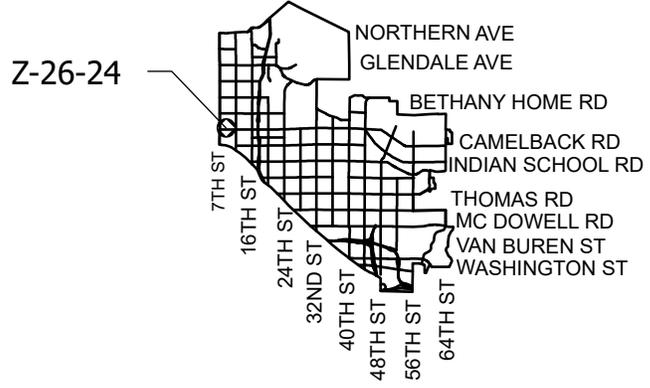
Aerial sketch map

Conceptual Site Plan date stamped January 30, 2024

Community Correspondence (2 pages)

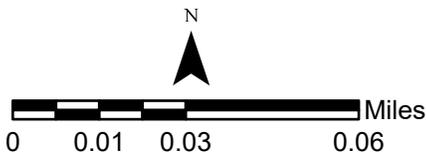
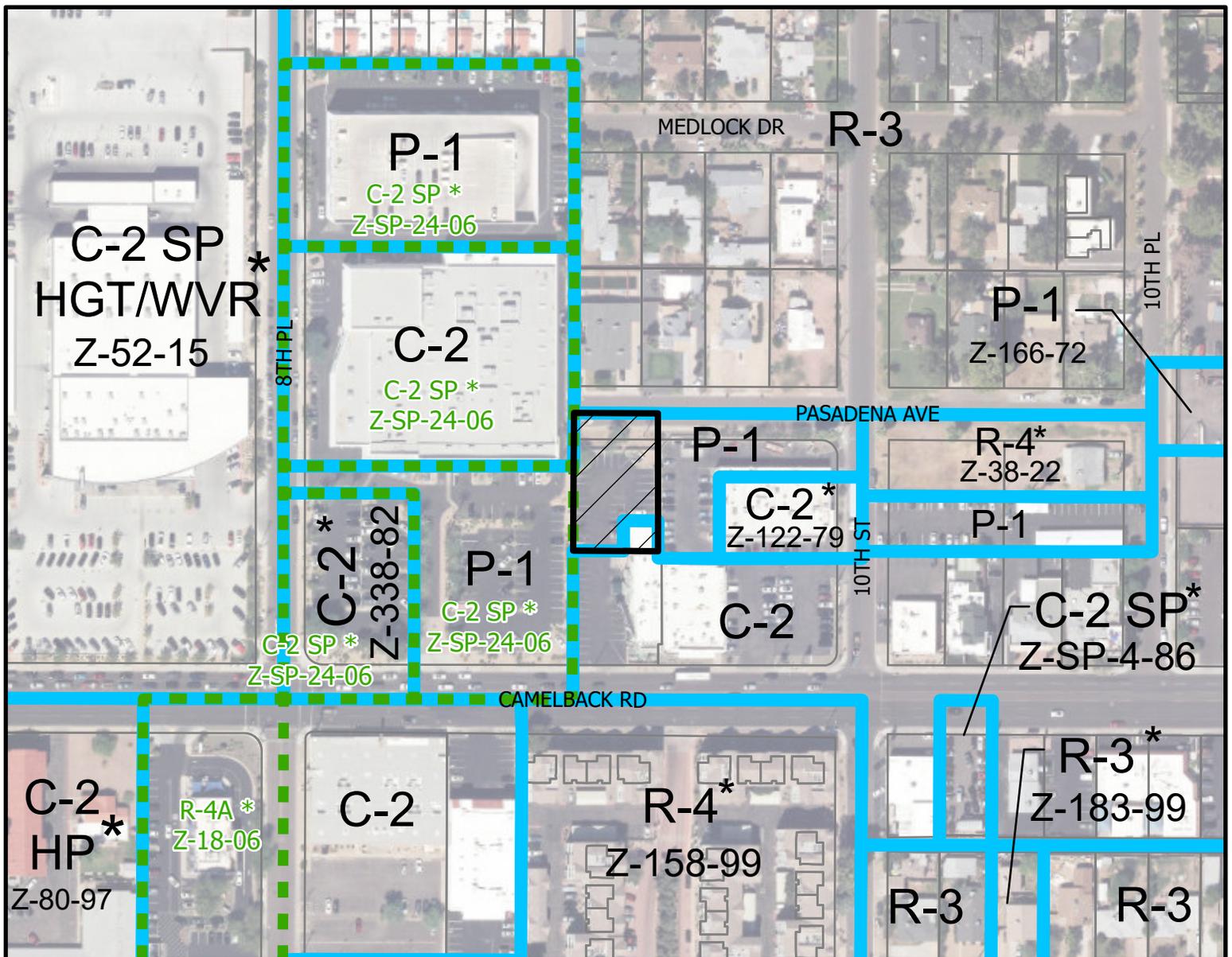


CAMELBACK EAST VILLAGE
COUNCIL DISTRICT: 6

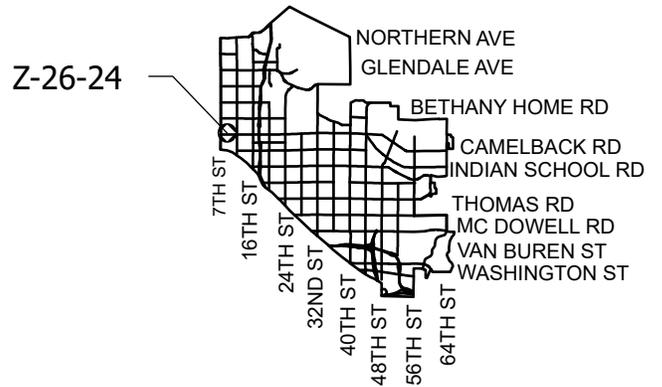


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|------------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------|
| APPLICANT'S NAME: Burch & Cracchiolo, P.A. | | REQUESTED CHANGE: | |
| APPLICATION NO: Z-26-24 | DATE: 2/27/2024 | FROM: P-1 (0.32 a.c.) C-2 (0.03 a.c.) | |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 0.35 Acres | REVISION DATES: | | TO: C-2 (0.35 a.c.) |
| | AERIAL PHOTO & QUARTER SEC. NO. QS 19-29 | ZONING MAP H-8 | |
| MULTIPLES PERMITTED P-1, C-2 C-2 | CONVENTIONAL OPTION N/A, N/A 5 | | * UNITS P.R.D OPTION N/A, N/A 6 |

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



CAMELBACK EAST VILLAGE
COUNCIL DISTRICT: 6



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

John Roanhorse

From: Chuck Knoles <cknoles@me.com>
Sent: Thursday, April 18, 2024 12:05 PM
To: John Roanhorse
Cc: Ali Bull; Ed Bull
Subject: Eight Street Square Neighborhood re: Chapman BMW re-zoning

April 18, 2024

John Roanhorse
City of Phoenix
Planner II Village

John,

Thanks for your email.

Below I have listed the so-far unwritten “stipulations” that Chapman BMW lawyers (Mr. Bull) and I shook hands on at the community meeting that took place on Tuesday, March at Chapman. The meeting with Mr. Bull and his team was very positive and congenial and we have noticed a marked improvement with Chapman BMW and their parking and delivery of product. We support the proposed re-zoning noting the items below.

Items presented and discussed and shook hands on. (Read stipulations)

1. Chapman BMW employees were directed to park in the parking garage on property and not on 8th Place in the time-limited parking curb area.
2. Chapman BMW would work to have delivery of their products in such a way that the transport semi-trucks would not block access for two-way traffic on 8th place.
3. Chapman BMW re-routed customer test drives and post-mechanical work drives would take place having cars from Chapman BMW exit South onto Camelback Road and on a route that would not have customers or workers use 8th Place and E. Colter for the “test drive”.
4. Chapman BMW would work in step with the Eighth Street Square HOA neighborhood group to establish a “loading zone” only area on the west side of 8th Place contiguous with Chapman BMW where the time-limited parking now exists.

I look forward to being present at the Camelback East Village Planning Committee meeting set for May 7 at 3pm for the re-zoning.

I WILL NEED TO KNOW THE LOCATION for the above meeting.

Sincerely,
Chuck Knoles
HOA and Neighborhood president
Eighth Street Square Townhomes
412-621-4045

On Apr 12, 2024, at 1:39 PM, John Roanhorse <john.roanhorse@phoenix.gov> wrote:

Good Afternoon Mr. Knowles,

Thank you for your message regarding the Rezone request for the Chapman BMW Dealership.

As a follow up to our conversation please note the Camelback East Village Planning Committee meeting is set for May 7, 2024. The agenda for the meeting will be available one week prior to the meeting.

In regard to comments or input regarding stipulations or the process it is helpful if you could provide them in writing then I may include them in the project file which will be seen by the village planning committee and the planning commission. You may send me any information and I can pass it along to the committee. Your comments, input and voice for the neighborhood is very important and helpful.

Let me know if you have any questions, or if I may assist you in any way.

Have a great day.

Respectfully,

John Roanhorse
Planner II* Village

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