

Attachment B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-SP-7-20-3 April 7, 2021

North Mountain Village Planning Committee Meeting Date:	April 21, 2021
Planning Commission Hearing Date:	May 6, 2021
Request From:	C-2 (Intermediate Commercial) (2.37 acres)
Request To:	C-2 SP (Intermediate Commercial, Special Permit) (2.37 acres)
Proposed Use:	Special Permit to allow auto sales and rental, and all underlying C-2 uses
Location:	Approximately 140 feet north of the northeast corner of 19th Avenue and Cheryl Drive
Owner:	Native Arizonan Acquisitions V, LLC
Applicant:	Grant L. Olds Architects
Representative:	Drew Wood
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercial and Residential 3.5 to 5 dwelling units per acre	
Street Map Classification	19th Avenue	Major Arterial	65-foot east half street
<i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; 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.</i>			
The subject site is currently vacant and the proposed development is compatible with the existing nearby uses and existing neighborhood character.			

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL & SMALL BUSINESSES; LAND USE PRINCIPLE: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.

The request proposes the adaptive reuse of a former gas station and will promote economic development and provide an auto sales and rental service in the North Mountain Village.

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 development, as stipulated, provides enhanced levels of trees and shade which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plans, Overlays, and Initiatives

[North Mountain Redevelopment Area](#) – See Background Item No. 6.

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

[Complete Streets Guiding Principles](#) – See Background Item No. 8.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 9.

[Zero Waste PHX](#) – See Background Item No. 10.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant, former gas station	C-2
North	Automobile sales and automobile body repair	C-2 SP
South	Building materials retail sales	C-2
East	Automobile sales and automobile body repair	C-2 SP
West (across 19th Avenue)	Retail sales, contractor office and storage	C-3

C-2 (Intermediate Commercial)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Minimum Building Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	Approximately 170 feet (Met)
Side (North, adjacent zoning C-2 SP)	0 feet	Approximately 90 feet (Met)
Side (South, adjacent zoning C-2)	0 feet	Approximately 109 feet (Met)
Rear (East, Adjacent zoning C-2 SP)	0 feet	25 feet (Met)
<i>Minimum Landscaped Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	25 feet (Met)
North	0 feet	5 feet (Met)
South	0 feet	10 feet (Met)
East	0 feet	25 feet (Met)
Maximum Lot Coverage	Not to exceed 50%	Not Shown
Maximum Building Height	2 stories, 30 feet	22 feet (Met)
Minimum Parking	21 spaces, 1 space per 300 square feet of office and covered sales area and 1 space per 10,000 square feet of outdoor display or portion thereof and 1 space per 10,000 square feet thereafter and 1 space per 3 employees and 1 space for each service bay	48 spaces (Met)

Background/Issues/Analysis

SUBJECT SITE

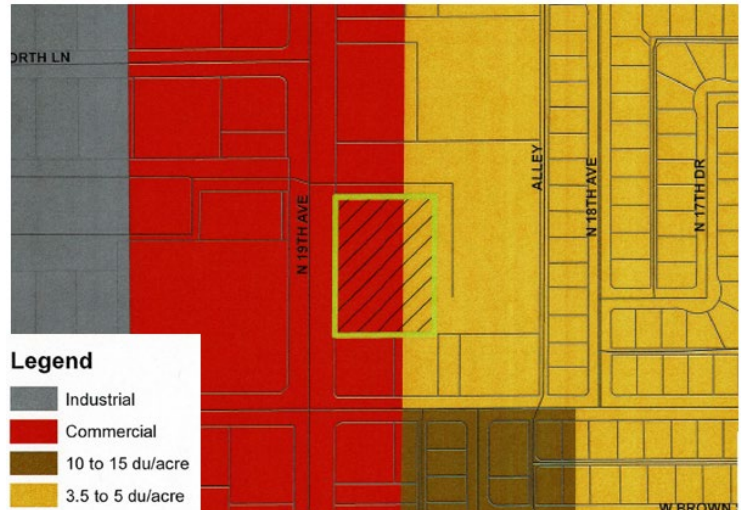
1. This request is to rezone 2.37 acres located approximately 140 feet north of the northeast corner of 19th Avenue and Cheryl Drive from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow automobile retail sales

and rental for more than 15 vehicles, and all underlying C-2 uses.

GENERAL PLAN LAND USE MAP DESIGNATION

- The General Plan Land Use Map designation for the site is Commercial and Residential 3.5 to 5 dwelling units per acre. The Commercial land use category accommodates office, retail, service and multifamily development at varying scales and intensity of uses. The proposal for C-2 SP zoning is consistent with the Commercial General Plan Land Use Map designation. A General Plan Amendment is not required for the Residential 3.5 to 5 dwelling units per acre designated portion of the site as this site is under 10 acres in size.

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



EXISTING CONDITIONS AND SURROUNDING ZONING

- The subject site is currently vacant and was formerly a gas station, as shown in the aerial sketch map included as an exhibit. North and east of the subject site is an automobile dealer and service company, zoned C-2 SP. The Special Permit (Z-SP-15-05) was approved in 2006 to allow new and used automotive sales with accessory auto body and auto service activity. To the south is a building materials store zoned C-2. To the west, across 19th Avenue, are uses such as retail sales, a contractor office and storage zoned C-3 (General Commercial). The request for C-2 SP is generally consistent and compatible with the surrounding entitlements and land uses in the vicinity of the subject site.

PROPOSAL

- The conceptual site plan attached as an exhibit proposes to reuse the existing building for an automobile sales and rental facility. The site will be accessed from two driveways along 19th Avenue and the site shares a cross access agreement with the parcel to the north and east of the subject site. Stipulation No. 1 calls for general conformance to the site plan date stamped December 29, 2020 to ensure that the site develops as presented using the existing building on site. Staff recommends Stipulation No. 2 which requires enhanced four-sided architecture to promote compatibility with the area and mitigate the potential negative impact of blank walls on the area.

The subject site has bicycle parking located at the front of the existing building.

Stipulation No. 3 requires a minimum of four bicycle parking spaces, which currently exists on site.

To enhance pedestrian connectivity and safety, Stipulation No. 4 requires that the applicant replenish the landscape area between the back of curb and sidewalk along 19th Avenue with minimum two-inch caliper trees and Stipulation No. 5 requires that any street improvements be made to City and ADA standards.

5. Automobile retail sales, rental for more than 15 cars, and leasing is allowed in the C-2 district with a Special Permit (Section 647.A.2.e), subject to the following conditions:

(1) Body repair and painting done on the lot shall be confined to a closed building.

(2) The area used for parking, display, storage or circulation shall be dust-free.

(3) Lots shall be properly enclosed with a wall, fence, hedge, plantings, or combinations thereof having a minimum height of ten inches above the grade at which the cars are to be displayed unless a hedge, planting or combinations thereof are approved in lieu of the ten-inch wall and/or the lot is depressed below the elevation of adjacent lots in which case appropriate landscaping may be approved.

(4) Any artificial light used for such lot or area shall be so arranged as to reflect light away from the adjoining premises, lot and/or streets and shall be so located as not to be a nuisance to adjacent property and streets.

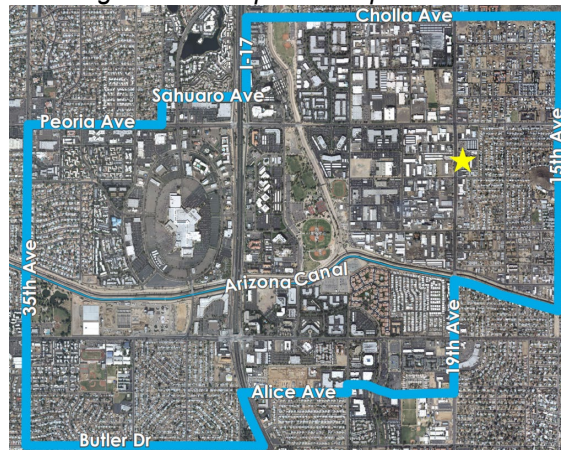
The request does not propose to perform any body repair or painting outdoors, and the existing site is paved. There are existing walls and landscaping surrounding the subject site and the existing lights are oriented downwards.

STUDIES AND POLICIES

6. [North Mountain Redevelopment Area Plan](#)

The North Mountain Redevelopment Area, adopted in 2013, examined the general vicinity of the subject site. The plan calls for efforts to improve underutilized properties and create employment opportunities as a means of economic development for the study area. The proposal to adaptively reuse the site for auto rental and sales is consistent with the economic

North Mountain Redevelopment Area Plan Map, Source: Planning and Development Department



development goals presented in the plan.

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. Stipulation No. 4 requires enhanced planting along 19th Avenue to contribute to the urban forest and increase thermal comfort for pedestrians.

8. **Complete Streets Guidelines**

In 2014, 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. Stipulation No. 3 requires bicycle parking on site and Stipulation No. 4 requires planting standards along the public sidewalk. Stipulation No. 5 requires that any street improvements to be built to ADA and City of Phoenix standards to promote accessible and safe street improvements.

9. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Stipulation No. 3 requires bicycle parking on site to help encourage alternate means of transportation.

10. **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 stated in their application materials that recycling will be the responsibility of the tenant for the site.

COMMUNITY INPUT SUMMARY

11. The applicant has completed the Citizen Participation requirements as outlined in the Rezoning Process Packet. At the time this staff report was written, staff has received two letters of opposition. Stated concerns were devaluation of nearby property values and incompatibility with the surrounding area.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department requested that the applicant replenish the landscaping between the sidewalk and back of curb along 19th Avenue and that all street improvements be constructed to ADA accessibility standards and per plans approved by the Planning and Development Department. These are addressed in Stipulation Nos. 4 and 5.

13. The Public Transit Department requested that the existing bus stop pad along 19th Avenue be retained and any relocation or modification to the bus stop pad is subject to the approval of the Public Transit Department. This is addressed in Stipulation No. 6.
14. The Fire Department commented that they do not anticipate any problems with this case, and buildings shall comply with the Phoenix Fire Code.
15. The City of Phoenix Water Services Department noted the property has existing water and sewer mains that can potentially serve the site. However, the requirements and assurances for water and sewer service are determined during the site plan application review.

OTHER

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 No. 7.
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 abandonments may be required.

Findings

1. This proposal provides for additional employment options in the North Mountain Village and supports the economic development goals of the North Mountain Redevelopment Area Plan.
2. The proposal to reuse the existing building on site will activate an underutilized property that is compatible with the surrounding area.
3. The stipulated planting standards along 19th Avenue will increase pedestrian safety and comfort.

Stipulations

1. The development shall be in general conformance with the site plan date stamped December 29, 2020, as modified by the following stipulations and approved by the Planning and Development Department.
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 overhang canopies, as approved by the Planning and Development Department.

3. The development shall provide a minimum of four bicycle parking spaces. The racks shall be an inverted U-type design to allow parking of two bicycles per rack and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
4. The developer shall replenish the existing landscape island, located behind the back of curb, with minimum 2-inch caliper large canopy shade trees placed minimum 20-feet on center and near the sidewalk to provide thermal comfort for pedestrians, 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.
5. 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.
6. The Public Transit Department shall retain right-of-way and bus stop pad along northbound 19th Avenue north of Cheryl Drive. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Trees shall be placed to provide 50 percent shade coverage to bus stop pad at full maturity. Relocation, modification, and/or reconstruction of the bus stop shall require prior authorization from the Public Transit Department.
7. 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.

Writer

Sarah Stockham

April 7, 2021

Team Leader

Samantha Keating

Exhibits

Staff Report: Z-SP-7-20-3

April 7, 2021

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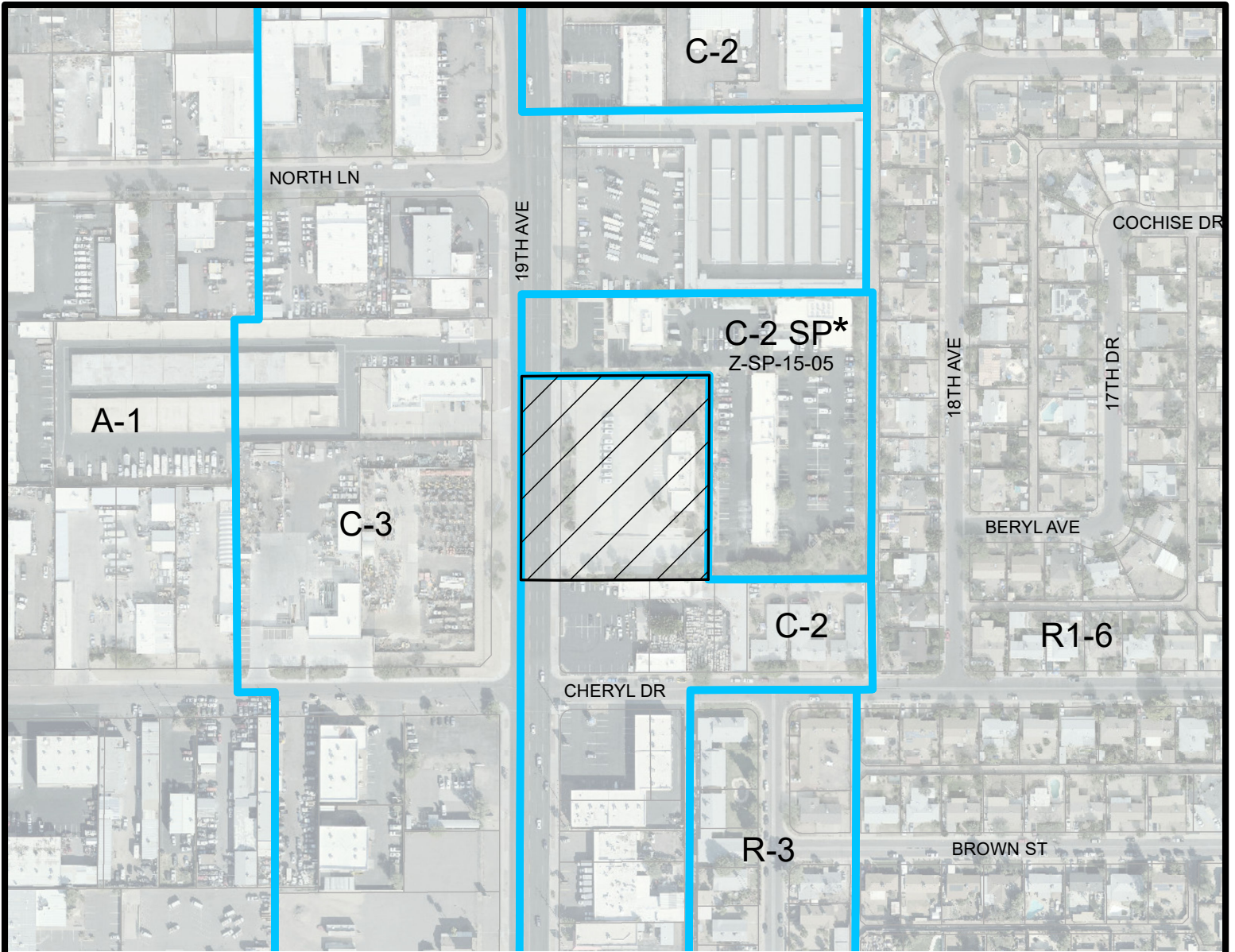
Zoning Sketch Map

Aerial Sketch Map

Conceptual Site Plan date stamped December 29, 2020

Conceptual Elevations date stamped December 29, 2020

Community Correspondence (2 pages)



Miles

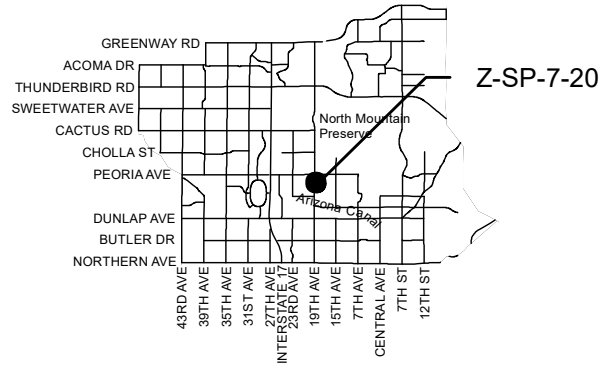
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NORTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 3

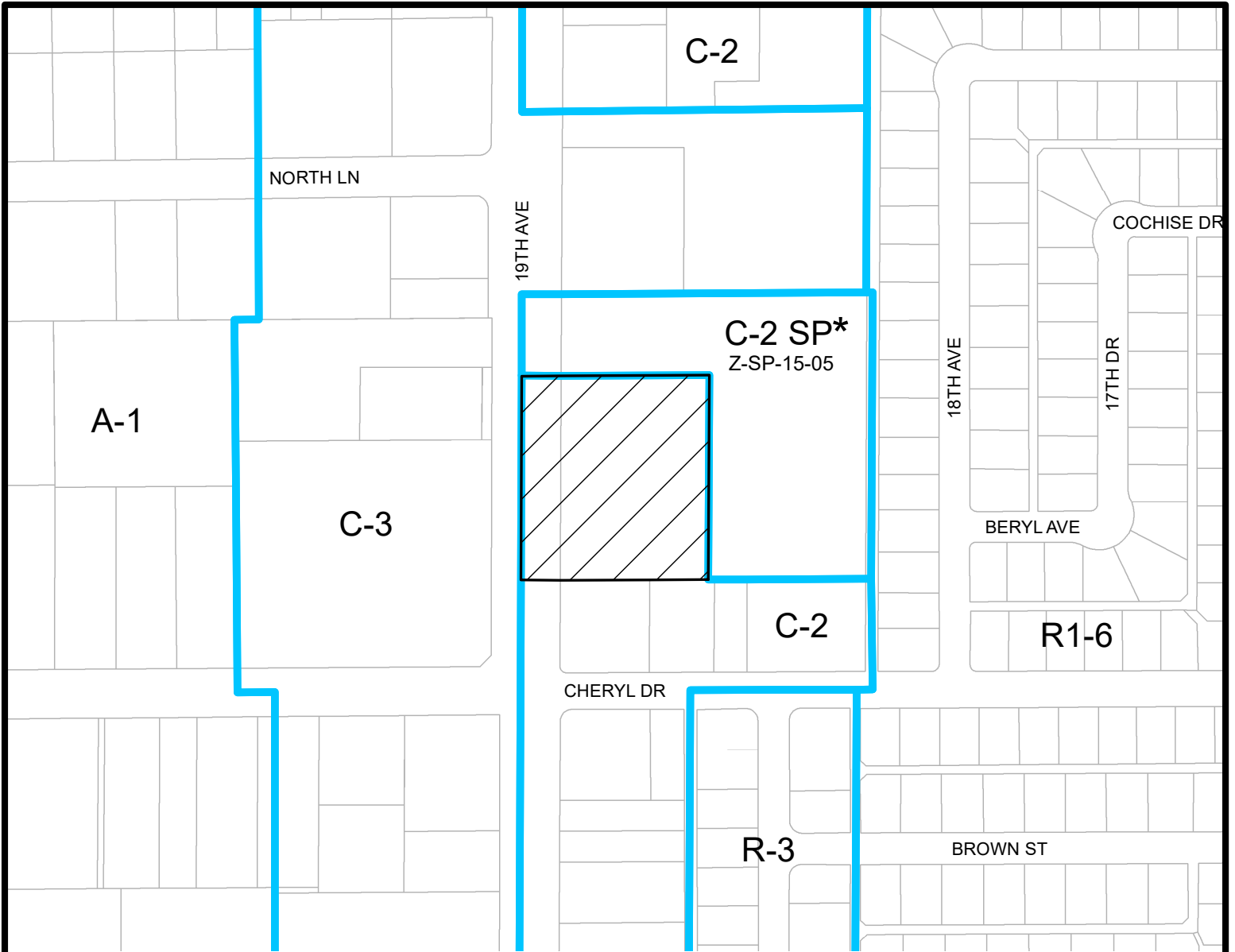


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Grant L. Olds Architects		REQUESTED CHANGE:	
APPLICATION NO. Z-SP-7-20	DATE: 2/23/2021 <small>REVISION DATES:</small>	FROM: C-2 (2.37 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 2.37 Acres	<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 28-25	<small>ZONING MAP</small> K-7	TO: C-2 SP (2.37 a.c.)
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D. OPTION
C-2	34		41
C-2 SP	34		41

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



Miles

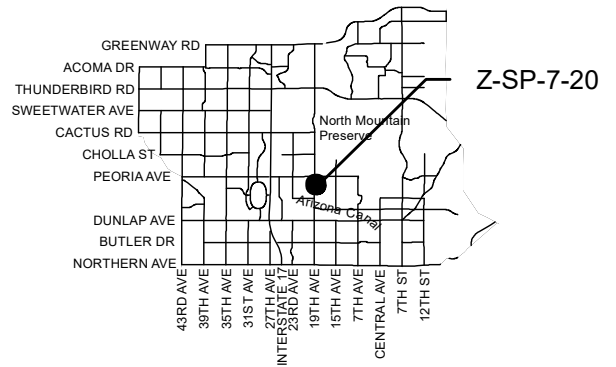
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NORTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



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DATE: 2/23/2021
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AERIAL PHOTO &
QUARTER SEC. NO.
QS 28-25

ZONING MAP
K-7

TO: C-2 SP (2.37 a.c.)

MULTIPLES PERMITTED

C-2

C-2 SP

CONVENTIONAL OPTION

34

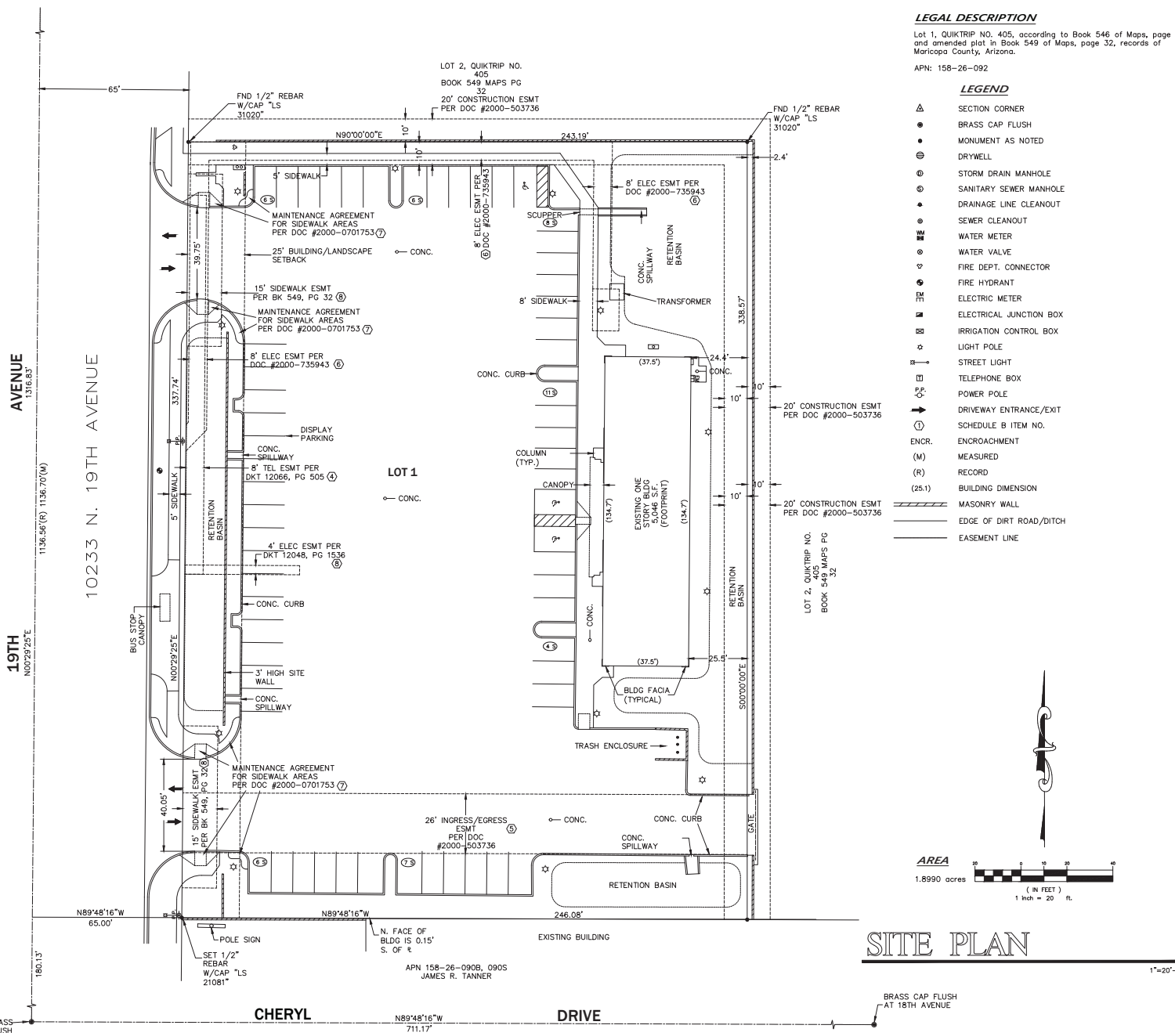
34

*** UNITS P.R.D. OPTION**

41

41

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

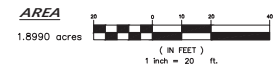


LEGAL DESCRIPTION

Lot 1, QUIKTRIP NO. 405, according to Book 546 of Maps, page 17 and amended plat in Book 549 of Maps, page 32, records of Maricopa County, Arizona.
 APN: 158-26-092

LEGEND

- ▲ SECTION CORNER
- BRASS CAP FLUSH
- MONUMENT AS NOTED
- DRYWELL
- ⊕ STORM DRAIN MANHOLE
- ⊕ SANITARY SEWER MANHOLE
- DRAINAGE LINE CLEANOUT
- SEWER CLEANOUT
- WATER METER
- WATER VALVE
- FIRE DEPT. CONNECTOR
- FIRE HYDRANT
- ELECTRIC METER
- ELECTRICAL JUNCTION BOX
- IRRIGATION CONTROL BOX
- LIGHT POLE
- STREET LIGHT
- TELEPHONE BOX
- POWER POLE
- ➔ DRIVEWAY ENTRANCE/EXIT
- SCHEDULE B ITEM NO.
- ENCR. ENCROACHMENT
- (M) MEASURED
- (R) RECORD
- (25.1) BUILDING DIMENSION
- ▨ MASONRY WALL
- ▬ EDGE OF DIRT ROAD/DITCH
- ▬ EASEMENT LINE



SITE PLAN

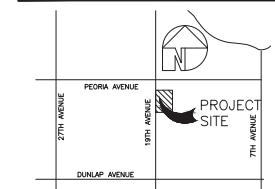
PROJECT DATA

OWNER: NATIVE ARIZONAN ACQUISITIONS V LLC
 5833 E. INDIAN SCHOOL ROAD
 PHOENIX, AZ 85018
 PROJECT ADDRESS: 10233 N. 19th AVENUE
 PHOENIX, AZ 85021
 ZONING: C-2
 APN: 158-26-092
 BUILDING HEIGHT: 1 STORY 22'-0" 4/-
 CONSTRUCTION TYPE: W-B, AFES
 SITE AREA: 82,725 S.F.
 BUILDING AREA: 5,355 S.F.
 FLOOR AREA RATIO: 5,355/82,725= 6.5%
 BUILDING SETBACK: FRONT YARD 25'-0"
 REAR YARD 0'-0"
 SIDE YARD 0'-0"
 PARKING REQUIRED: 1 PER 300 S.F. OFFICE SPACE = 17
 1 PER 10,000 S.F. DISPLAY SPACE = 2
 1 PER 3 EMPLOYEES = 2
 TOTAL REQUIRED = 21 STALLS
 PARKING PROVIDED: 48 STALLS INCLUDES 3 ADA STALLS

PROJECT SCOPE

THIS IS FOR A REZONING FROM A C-2 TO C-2 SP. TO ALLOW THE RENTAL AND SALES OF OVER 15 CARS.

VICINITY MAP



SITE PLAN NOTES

- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
- THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
- ALL SIGNAGE REQUIRES SEPARATE APPROVALS AND PERMITS.
- ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM THE ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE-FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATIONS WILL BE EMITTED SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES OUTSIDE OF THE SITE.
- OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHT-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING WITHIN THE RIGHT-OF-WAY IN ACCORDANCE WITH APPROVED PLANS.

CITY OF PHOENIX
 DEC 29 2020
 Planning & Development
 Department

OS: 28-25 SDEV: 99000903 KVA:99-39058

GRANT L OLDS ARCHITECTS
 1608 EAST DIAMOND DRIVE TEMPE, ARIZONA 85283 (480) 831-5678

DATE: 13 JANUARY 2020 PROJECT NUMBER: 2019024

REGISTERED ARCHITECT
 2016 STATE LICENSE NO. 15001
 GRANT L OLDS

SITE REZONING FOR:
NATIVE ARIZONAN ACQUISITIONS V
 10233 N 19th AVENUE
 PHOENIX, AZ 85021

A1.0

From: greg@gcracing.com
To: [Sarah Stockham](#)
Subject: Zoning Change to address 10233 N. 19th ave
Date: Monday, March 8, 2021 3:42:26 PM

This is an email to let the City of Phoenix I am opposed to the zoning change to this property.

Reasons:

Before I purchased the 10022 N. 19th Ave property I looked into purchasing the property in question. It didn't have the required C3 Zoning to sell vehicles. I went to the City of Phoenix several times to see about a zoning change and was told in the end it would be impossible to get a zoning change to have a variance to sell vehicles. Used car dealers were required to have C3 property. Finally this C3 Zoning property I purchased came available and I purchased it at a substantially higher price because of the C3 Zoning to qualify for the dealer requirement. I feel like this zoning change would devalue my property and the properties in the area.

I would like to know of your decision before I do improvements to my property.

Thank You!

Greg Carrillo

March 24, 2021

Sarah Stockham
Village Planner
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003

RE: Z-SP-7-20 (aka former Quick Trip at 10233 N. 19th Ave.)

Dear Ms. Stockham,

I am writing this letter to you to express opposition to the rezone application on the above referenced site. I am an owner of the property that is adjacent to, and shares an easement with, this property. We are located mostly behind what was a Quick Trip convenience center fronting 19th Avenue, and the use that is currently proposed was never envisioned for this location. On behalf of the ownership group, we do not feel that the proposed use is warranted, nor will it improve the neighborhood, residences and businesses in the community.

Specifically, we are concerned that a rezone of the site would open up and expand this area of 19th Avenue for a proliferation of used car lots, which we believe would have deleterious impacts on the area. Proper and ample zoning exist in the vicinity for the proposed use, but most importantly to us, they are west of 19th Avenue. We feel that by rezoning this property, it would allow such use to expand into an area that we believe was not intended for that purpose and could be detrimental to our use of, and investment in, our property. The applicant is requesting the ability “to allow for the lease / sale for more than 20 vehicles.” This would allow a major expansion from the current zoning which limits car rental type activity to less than 15 vehicles. However, a larger scale use invites many of the types of operations that we believe is incompatible with other existing uses in the immediate vicinity and east of 19th Avenue.

While we do support this property being employed in a productive and attractive use, we think the proposed scale and activity would be more suitable in existing areas designated for it already.

Sincerely,

(via email)

Rexford Ross
Manager, RB4 10243 19th Ave, LLC