

Attachment B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-43-21-6 September 29, 2021

Camelback East Village Planning Committee Meeting Date	October 5, 2021
Planning Commission Hearing Date	November 4, 2021
Request From:	R1-6 (0.27 acres) and R-5 (0.43 acres)
Request To:	R-O (0.70 acres)
Proposed Use	Professional office
Location	Southwest corner of 40th Place and Indian School Road
Owner	Christopher Alt and Christiana Moss
Representative/Applicant	Christopher Alt, Studio Ma, Inc.
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 15+ dwelling units per acre	
Street Map Classification	40th Place	Local Street	25-foot west half street
	Indian School Road	Major Arterial	40-foot south half street
CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.			
The proposed development will allow for the expansion of an existing office use while remaining consistent with the residential scale and character of the surrounding neighborhood. Landscape setbacks and buffering vegetation will further help minimize the impact of the portion of the structure on the adjacent single-family home to the south. By rezoning the entirety of the site to R-O, the proposal will ensure that future development and land uses on the site are compatible with the residential neighborhood.			

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL & SMALL BUSINESS, 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 conversion of the southern property to an extension of the existing office use encourages the growth of a local business that is appropriately located along a major arterial street.

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.

As stipulated, the development will provide mature shade trees along its 40th Place frontage, as well as throughout its surface parking lot.

Applicable Plan, Overlays, and Initiatives

[Tree and Shade Master Plan](#) – See Background Item No. 6.

[Complete Streets Guiding Principles](#) – 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>
On Site	Office, single-family residence	R-5, R1-6
North (Across Indian School Road)	Restaurant, surface parking lot	C-2
South	Single-family residence	R1-6
East (Across 40th Place)	Single-family residences	R1-6
West	Restaurant	C-2

R-O (Residential Office)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
<i>Minimum Building Setbacks</i>		
Front (East)	20 feet	19 feet (east) – Not met*
Side (North) (South)	10 feet 10 feet	9.5 feet (north) – Not met** 10 feet – Met
Rear	25 feet	57 feet (west) – Met
<i>Landscaping</i>	Minimum 3 feet wide landscape strip around principal structure	Met
	5 feet required along north side	9.5 feet (north) – Met
Lot Coverage	30%	33% - Not met*
Building Height	15 feet, plus 1 foot in height per 1 foot additional setback to a maximum height of 25 feet	14.2 feet – Met
Parking	1 per 300 square feet net floor area (20 spaces)	20 spaces – Met

*Site Plan modification or variance required

**Denotes existing condition on the portion of the site that will not be modified during development.

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 0.70-acre site located on the southwest corner of 40th Place and Indian School Road from 0.27 acres of R1-6 (Single-Family Residence District) and 0.43 acres of R-5 (Multifamily Residence District) to R-O (Residential Office – Restricted Commercial District) to allow an office use.



Aerial Map

Source: City of Phoenix Planning and Development Department

2. The site has a General Plan Land Use Map designation of Residential 15+ dwelling units per acre. The same designation exists on the east, west, and south of the site. To the north of the site, across Indian School Road, a Commercial General Plan Land Use Map designation exists.



General Plan Land Use Map

Source: City of Phoenix Planning and Development Department

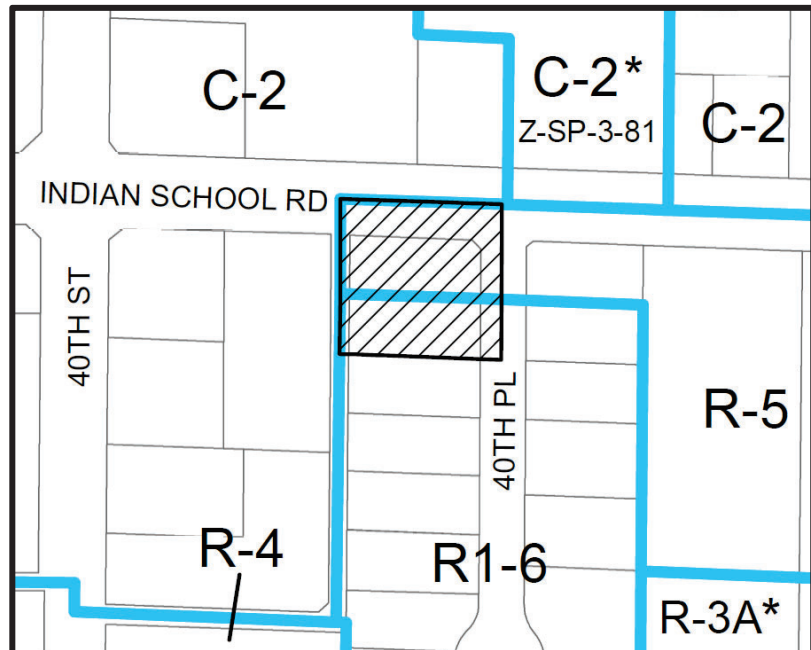
The proposal is not consistent with the

Residential 15+ dwelling

units per acre designation. However, as the site is under 10 acres, a General Plan Amendment is not required.

EXISTING CONDITIONS & SURROUNDING ZONING

3. The site is currently zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District). The existing office building is located on the northern portion of the site, which has the multifamily zoning but allows professional office use. The single-family portion of the property to the south will be redeveloped to expand the footprint of the office building.



Zoning Map

Source: City of Phoenix Planning and Development Department



LOOKING SOUTHEAST FROM INDIAN SCHOOL ROAD

LOOKING SOUTHWEST FROM INTERSECTION OF 40TH PL

LOOKING NORTHWEST FROM 40TH PL

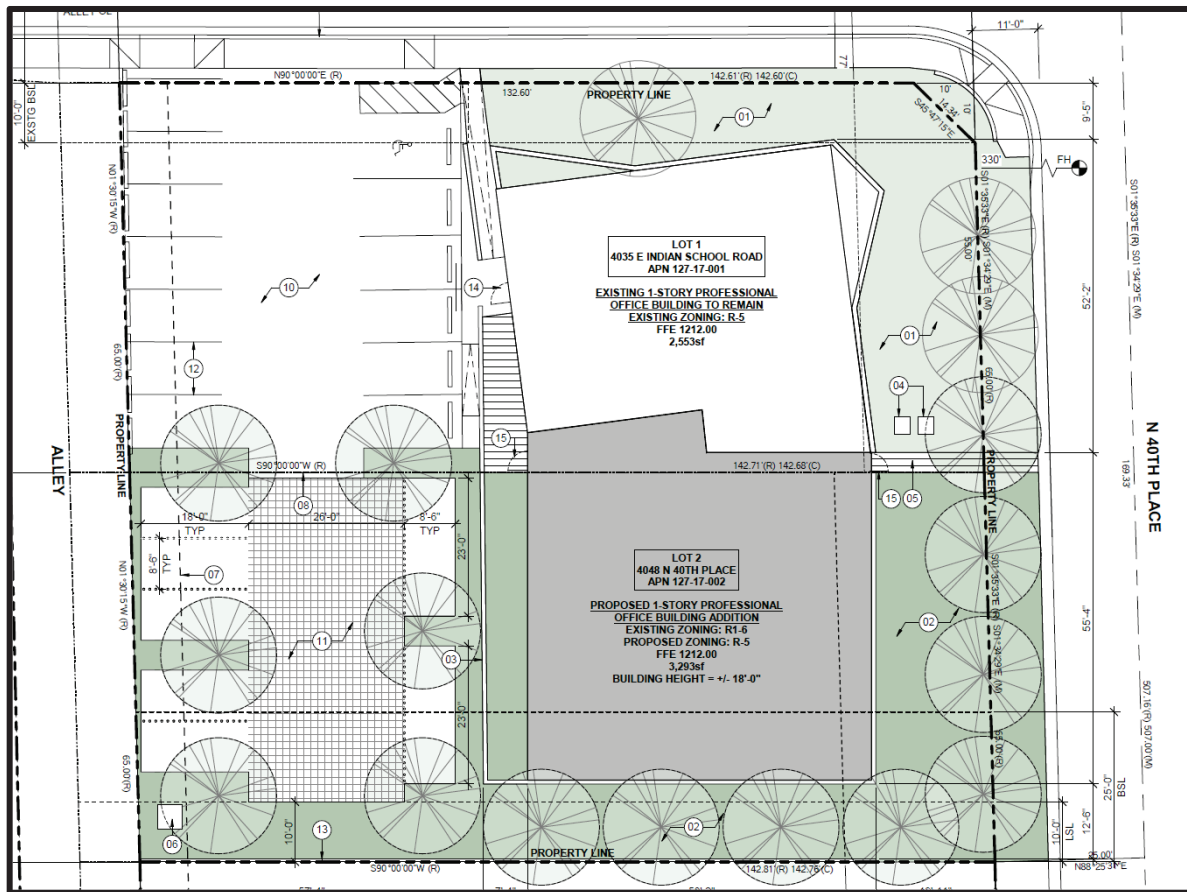
Current Site Conditions

The residential neighborhood to the south of the site is Zoned R1-6 (Single-Family Residence District). To the east, cross 40th Place, is a professional office and more single-family residences zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District) where adjacent to Indian School Road. To the west of the site is a restaurant zoned C-2 (Intermediate Commercial District). North of the site, across Indian School Road, are a restaurant and a surface parking lot also zoned C-2 (Intermediate Commercial District).

The proposal to rezone the entirety of the site, including the portion that includes the existing office building, to R-O

will provide an appropriate transition from the commercial uses present along Indian School Road to the residential neighborhood on 40th Place.

4. The proposed site plan depicts an existing office building on the northern portion of the site (labeled "Lot 1") and the proposed expansion into the new southern parcel (labeled "Lot 2"). Conditions on Lot 1 are not changed with this proposal, and all development activity is proposed on the southernmost parcel. The proposal consists of a building addition to the existing office structure, expanding the building footprint by 3,293 square feet, new landscaping areas along 40th Place and the new southern perimeter property line, and an expansion of the surface parking area on the southwestern portion of the site.

**Proposed Site Plan****Source: Studio Ma**

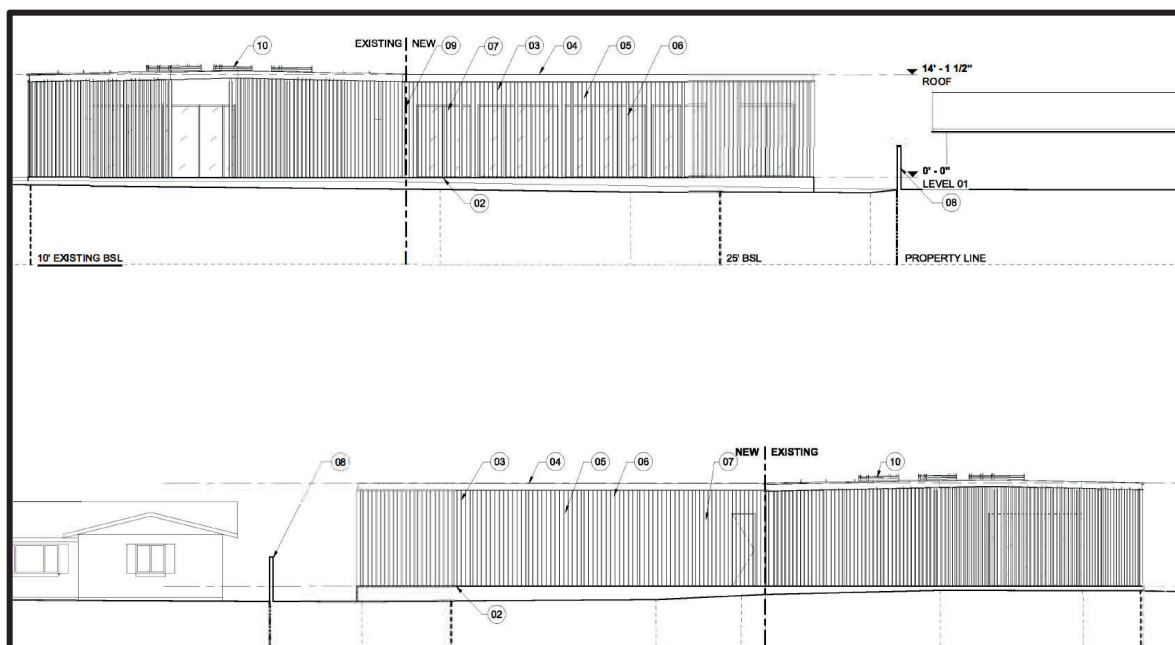
The existing building setbacks along Indian School Road and along 40th Place do not meet the development standards set forth in the Zoning Ordinance, and, as the proposal is to simply extend the existing building, staff is not recommending general conformance with the site plan. The building expansion will be consistent in scale and character with the existing office building, with the same building setback along 40th Place being extended south to the new parcel. This setback area will be planted with similar vegetation as the existing property, which also complies with staff's recommendation for robust tree, shrub, and groundcover plantings listed in Stipulation No. 3. The new portion of the building will also be set back 10 feet from the southern perimeter property line, where the property is directly adjacent to a single-family residence. Staff recommends that this area be planted with minimum 2-inch caliper trees placed 20 feet on center to achieve a vegetative buffer area between the project and the home to the south. This is addressed in Stipulation No. 4.

Vehicular access will be provided solely from Indian School Road to discourage visitor circulation and parking on 40th Place. This is also recommended by staff in Stipulation No. 2. Vehicular circulation is planned to occur in the surface parking

area on the western portion of the site, where there is an existing parking area on the northern portion, and where a new parking area will be constructed on the southern portion. This new parking area is proposed to be constructed of permeable paving material to aid in stormwater permeation and reduce the urban heat island effect. To further help provide a thermally comfortable surface area, staff is recommending that the parking area be shaded to 25 percent with minimum 2-inch caliper trees dispersed through the parking area. This is addressed in Stipulation No. 5 and only applies to the new parking area on the new southern portion of the site.

Although no signage is currently proposed, a stipulation prohibiting internally lit signs is recommended to help maintain the residential character of the area. This is addressed in Stipulation No. 6

5. The proposed conceptual building elevations depict a one-story office building with a modern wood slat design consistent with the current condition of the existing building (see Current Site Conditions exhibit on Page 5 of this staff report). The design will be extended south to the new parcel and will be of a compatible scale to the adjacent single-family residential neighborhood.



Proposed Building Elevations
Source: Studio Ma

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

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

The Tree and Shade Master Plan 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. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. Staff is recommending robust tree plantings along the southern and east landscape setbacks, as well as dispersed throughout the new parking area. These are addressed in Stipulation Nos. 3, 4, and 5. Further, the northern portion of the site where the existing building sits has been previously landscaped to provide trees, shrubs, and live groundcover.

7. **Complete Streets Guiding Principles**

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. The development shall provide accessible pedestrian connectivity to the sidewalk on Indian School Road and bicycle parking near the building entrance, per Stipulation Nos. 7 and 8.

8. **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. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal incorporates requirements for bicycle parking that follows standards set forth in the Walkable Urban Code, which is the city's form-based zoning code intended to enhance the pedestrian realm and encourage multi-modal transportation. This is addressed in Stipulation No. 7.

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 Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. The development will continue to utilize regular trash and recycling collection.

COMMUNITY INPUT SUMMARY

10. At the time this staff report was written, staff received one inquiry regarding changing the rezoning request and one letter in opposition citing concerns with compatibility and overflow parking in the neighborhood.

INTERDEPARTMENTAL COMMENTS

11. The Public Transit Department has requested that the developer provide clearly defined, accessible pathways that connect all building entrances and exits, and public sidewalks, and, where pedestrian paths cross drive aisles, that they be constructed of materials that visually contrast with parking and drive aisle surfaces.

These are addressed in Stipulation Nos. 8 and 9.

12. The Street Transportation Department has required that all streets be constructed with all required improvements and comply with current ADA standards. This is addressed in Stipulation No. 10.

OTHER

13. 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. 11.
14. 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 proposal will provide an appropriate transition between a major arterial street and an established single-family neighborhood.
2. The proposal will provide an opportunity for an existing small business located on a major arterial street to expand in the Camelback East area and serve the surrounding neighborhood.
3. The proposal is compatible in scale and character with the surrounding neighborhood and will provide an appropriate land use transition from the commercial uses along Indian School Road

Stipulations

1. The development shall be in general conformance with the elevations date stamped June 25, 2021, with specific regard to the following and as approved by the Planning and Development Department.
 - a. That there be a maximum building height of one story and 15 feet.
2. There shall be no vehicular access from 40th Place.

3. The required landscape setback along 40th Place shall include large canopy shade trees 20 feet on center or in equivalent groupings as approved by the Planning and Development Department. Twenty-five percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.
4. The required landscape setback along the southern portion of the site shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas located within the southern 65 feet of the site shall be landscaped with a minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved or modified by Planning and Development Department.
6. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.
7. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
11. 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.

Staff Report: Z-43-21-6
September 29, 2021
Page 11 of 11

Writer

Sofia Mastikhina
September 16, 2021

Team Leader

Samantha Keating

Exhibits

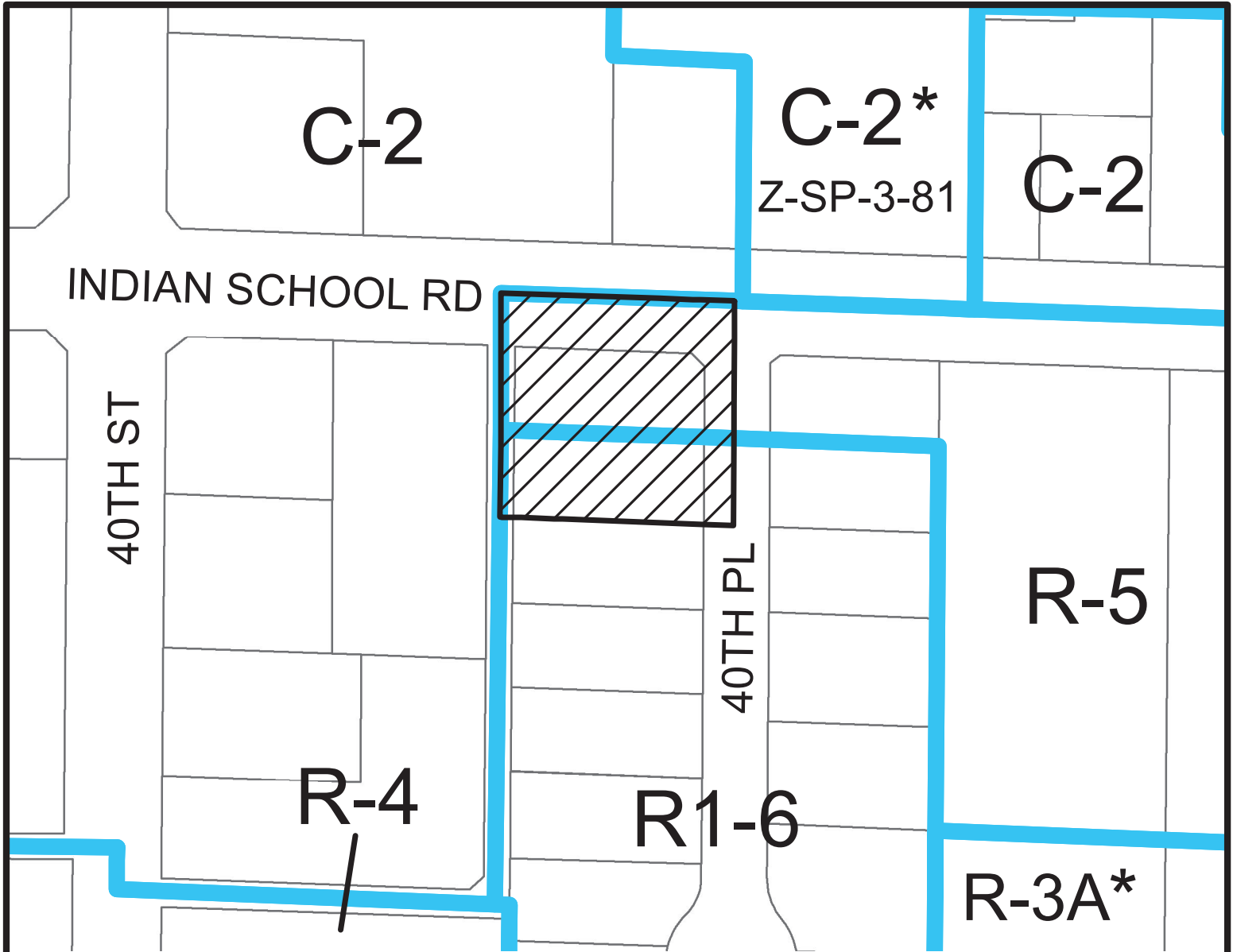
Sketch Map

Aerial

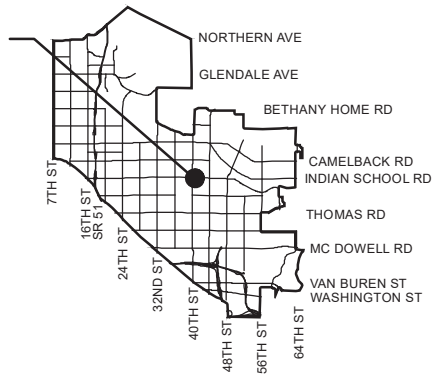
Site plan date stamped June 25, 2021 (1 page)

Elevations date stamped June 25, 2021 (2 pages)

Community correspondence (3 pages)



Z-43-21



Miles

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CAMELBACK EAST VILLAGE

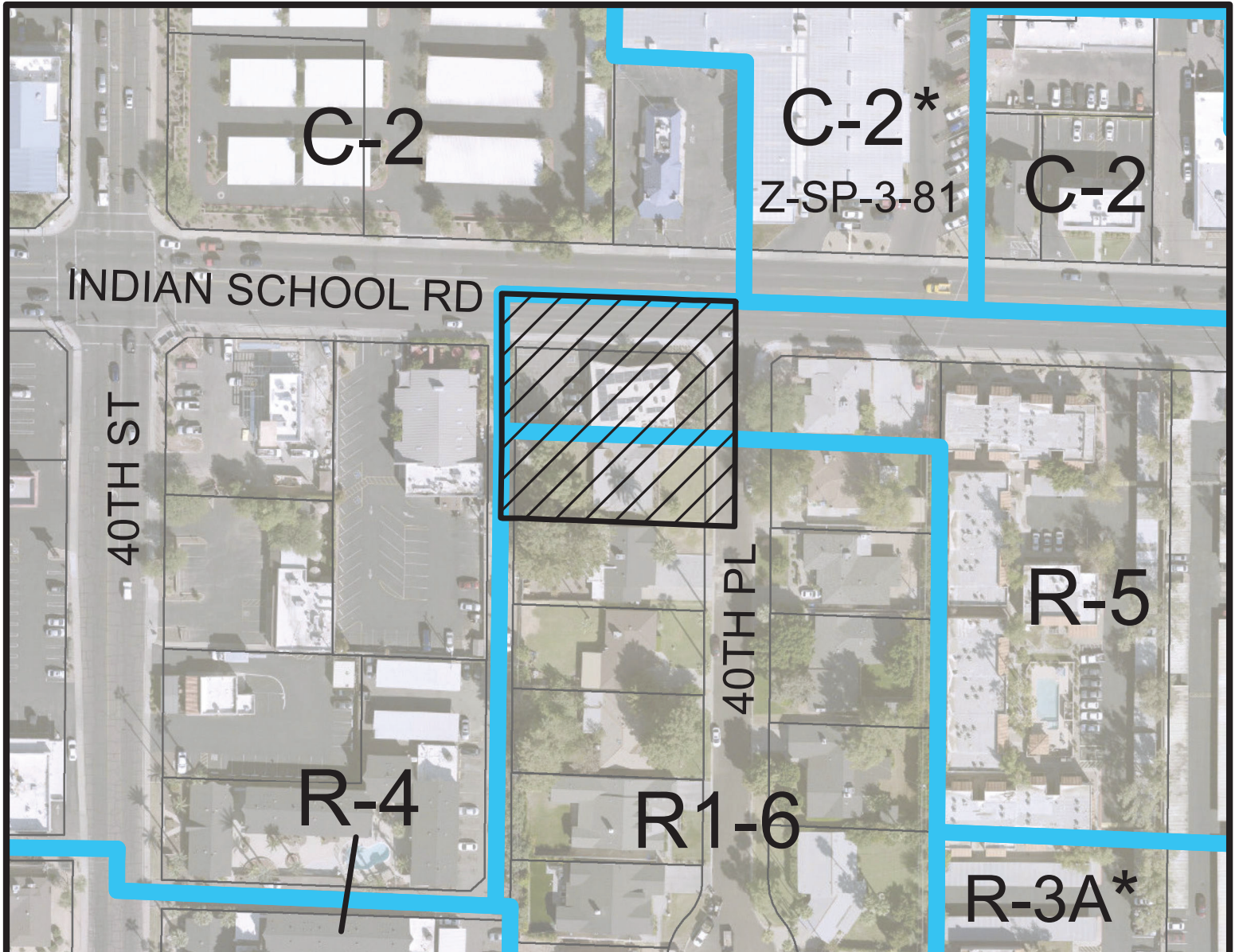
CITY COUNCIL DISTRICT: 6



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Christopher Alt, Studio Ma, Inc		REQUESTED CHANGE:	
APPLICATION NO. Z-43-21	DATE: 9/8/2021 REVISION DATES:	FROM: R-5 (0.43 a.c.) R1-6 (0.27 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 0.70 Acres	<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 16-37	<small>ZONING MAP</small> H-10	TO: R-O (0.70 a.c.)
MULTIPLES PERMITTED R-5, R1-6 R-O	CONVENTIONAL OPTION 18, 1 1/development		* UNITS P.R.D. OPTION 22, 2 N/A

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



Miles

0.02 0.01 0 0.02

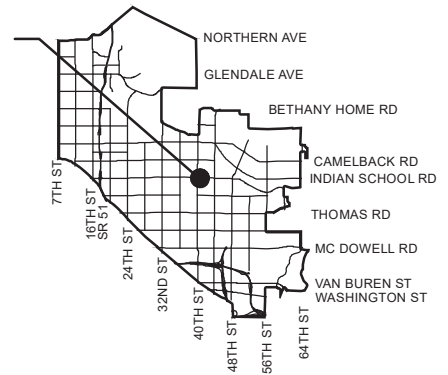
CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-43-21



APPLICANT'S NAME: Christopher Alt, Studio Ma, Inc

APPLICATION NO. Z-43-21

DATE: 9/8/2021
REVISION DATES:

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

0.70 Acres

AERIAL PHOTO &
QUARTER SEC. NO.

QS 16-37

ZONING MAP

H-10

REQUESTED CHANGE:

FROM: R-5 (0.43 a.c.)
R1-6 (0.27 a.c.)

TO: R-O (0.70 a.c.)

MULTIPLES PERMITTED

R-5, R1-6

R-O

CONVENTIONAL OPTION

18, 1

1/development

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

22, 2

N/A

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



4035 E Indian School Rd.
Phoenix, Arizona 85018
602.251.3800
project name
AD 1046
address
4035 E Indian School Rd.
+ 4048 N 40th Place
Phoenix, Arizona 85018

owners
4035 PROPERTIES LLC
3117 E Camelback Street
Phoenix, Arizona 85018
CHRISTOPHER ALT.
3817 E Camelback Street
Phoenix, Arizona 85018

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REVISION



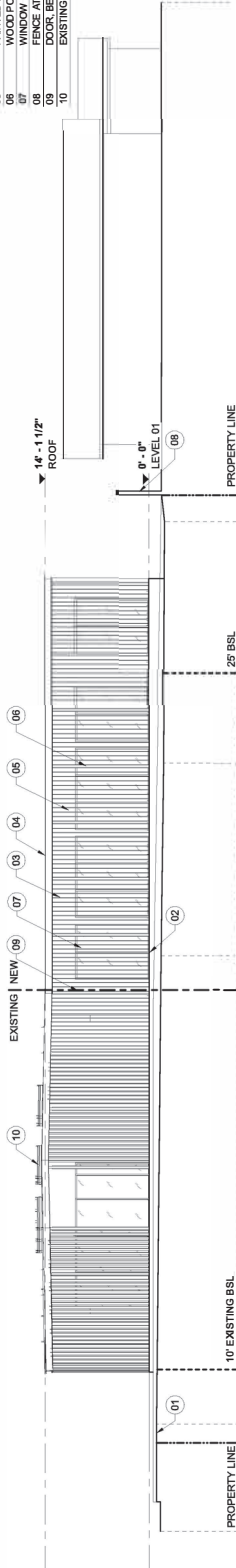
A2-1
ELEVATIONS

1/8" = 1'-0"
Scale
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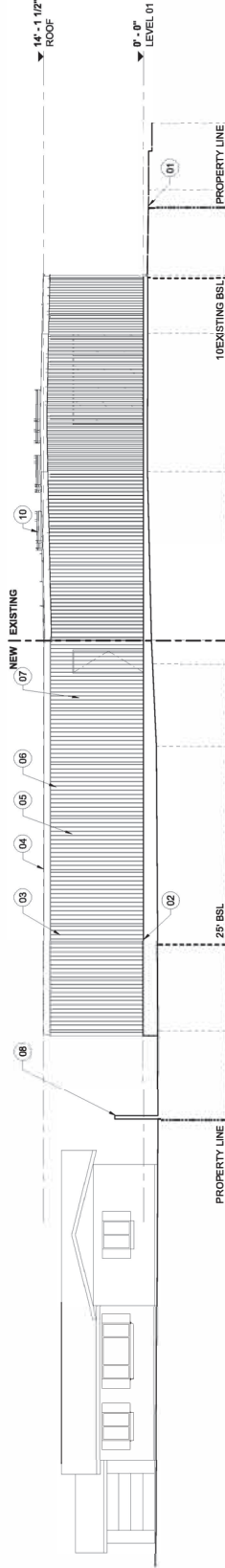
ZONING
phase 1ev
2021.05.23
date
20.1.45
smprojectno.

KEYNOTES - ELEVATIONS

#	DESCRIPTION
01	EXISTING
02	OPEN SCREENING
03	OPEN SCREENING
04	ROOFING EDGE METAL AND SHEET METAL FLASHING, ANODIZED
05	WOOD POSTS W/ SMOOTH TONED FINISH, BEYOND
06	WOOD POST W/ CLEAR SEALER, TYP.
07	WINDOW W/ ANODIZED ALUMINUM FRAME, BEYOND
08	FENCE AT PROPERTY LINE, 8' MIN.
09	DOOR, BEYOND
10	EXISTING SKYLIGHTS, BEYOND



1
WEST
1/8" = 1'-0"



2
EAST
1/8" = 1'-0"

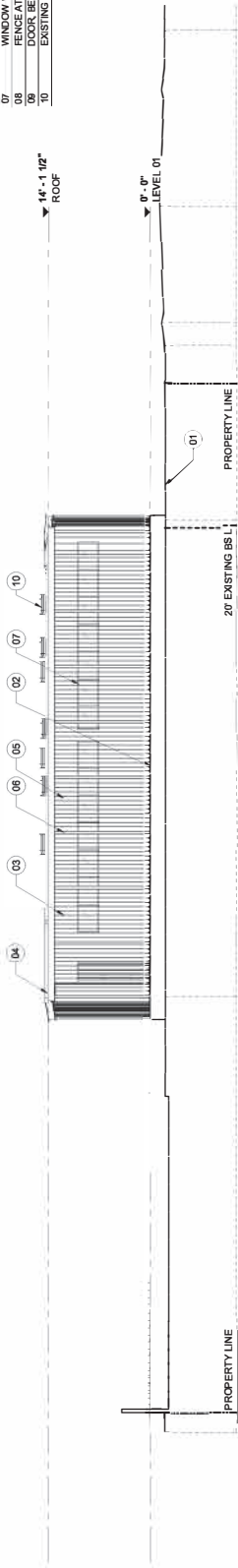
CITY OF PHOENIX

JUN 25 2021

Planning & Development
Department

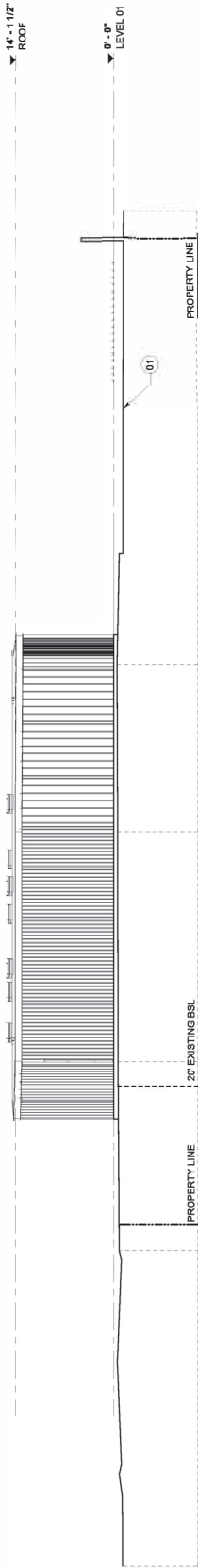
MM
studio
4035 E Indian School Rd.
Phoenix, Arizona 85018
602.251.3800
project name
AD 1046
address
4035 E Indian School Rd.
Phoenix, Arizona 85018
owners
4035 PROPERTIES LLC
3817 E Coolidge Street
Phoenix, Arizona 85018
CHRISTOPHER ALT.
3817 E Coolidge Street
Phoenix, Arizona 85018

#	DESCRIPTION
01	FINISHED GRADE
02	CONC. STEIN WALL
03	CONCRETE
04	ROOFING EDGE METAL AND SHEET METAL FLASHING ANODIZED
05	PAINTED EPS W/ SMOOTH TOWELED FINISH BEYOND
06	WOOD POSTW/ CLEAR SEALER, TYP.
07	WOOD POSTW/ CLEAR SEALER, TYP.
08	WOOD POSTW/ CLEAR SEALER, TYP.
09	DOOR BEYOND
10	EXISTING SKYLIGHTS, BEYOND



1
SOUTH
1/8" = 1'-0"

NOTE: EXISTING BUILDING ELEVATION TO REMAIN



2
NORTH
1/8" = 1'-0"

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the Architect, who shall
retain all common law,
statutory and contractual
rights, including the
right to be paid for the
work performed.



REVISION #



A2-2
ELEVATIONS
0 4 8 16
1/8" = 1'-0"
Scale

ZONING
phase/review
2021.06.23
date
20.1.45
sma project no.

CITY OF PHOENIX
JUN 25 2021
Planning & Development
Department

cop project no.
KWA # 17-1120
COP # 170553
PAPP # 2103563
REZONING CASE # 20-111

Sofia Mastikhina

From: Crystal DeVelis <xtalphx@msn.com>
Sent: Wednesday, August 11, 2021 11:12 AM
To: Sofia Mastikhina
Subject: Zoning case Z-43-21, 4048 North 40th Place

Follow Up Flag: Follow up
Flag Status: Completed

The above case has come to my attention as a nearby interested neighbor.

I fail to understand why the applicant is seeking an R5 designation. Is it just to match the existing property? This is to be an office expansion and while I believe the applicant's motives are good, zoning changes are forever and this would leave the property vulnerable to future multifamily development within a single-family neighborhood. Would it be any more difficult or costly for the applicants to have both properties zoned R-O? That would allow their expansion but not jeopardize the neighborhood should ownership change.

Thank you for reading.

-- Crystal DeVelis
4351 E. Whitton Ave.
Phoenix, AZ 85018

Reference-

Case No.: Z-43-21

Address: 4048 North 40th Place

Phoenix, AZ 85018

August 25, 2021

City of Phoenix Planning & Development Department,

Attn: Sofia Mastikhina

We are writing to you to share our concerns with case number Z-43-21. As homeowners who live directly east of proposed expansion we are opposed to having additional commercial parcels infiltrate our neighborhood. After attending the August 12th, 2021 neighborhood meeting we are following up accordingly. Below are a series of our concerns.

- The proposed plan calls for a community garden. Due to the area we feel this has safety concerns and will attract nomadic citizens. Recently we had package theft in the middle of a weekend day. We feel that a community garden would increase foot traffic and lead to additional theft, possible property damage and decrease the feel of a quiet neighborhood located in a cul-de-sac. Please reference Complaint No.: 100483610 & Incident No.: 202100001160432 with the City Prosecutor's Office.
- The proposed plan is inconsistent with other streets/communities in the area in which most have one parcel of commercial zoning whereas this would create two on the west side & only one of the east side. If allowed to rezone, we feel it would not stop there as opportunities to continue to infiltrate the neighborhood would be allowed diminishing the community.
- The proposed plan is removing a potential new home buyer or rental home. As housing affordability & rental affordability continues to rise we feel that keeping the residence at 4048 40th place is best for the citizens in our community as potential future citizens.
- The parking proposal calls for seven addition spots for a total of 20, 13 of which are existing. During the meeting on August 12th Studio MA ownership & team members stated that they are looking to expand 12-13 employees in the future adding to their current of 12 employees which does not require enough parking spots for each team member. One of these parking spots is designated handicap. The result would be parking on the street which creates issues for services, safety issues for children in the area and contributes to the local restaurant overflow parking that invades our neighborhood most evenings.

In closing we strongly disagree with the rezoning in our neighborhood and would like to understand what steps to ensure our voice is heard based on the above concerns.

Amber Skoog & Matthew Reyhons

Residents of 4041 North 40th Place