



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-SP-10-17-2
September 18, 2017

Paradise Valley Village Planning Committee Hearing Date	October 2, 2017
Planning Commission Hearing Date	November 2, 2017
Request from:	C-2 (0.71 acres)
Request to:	C-2 SP (0.71 acres)
Proposed Use	Special Permit to allow automobile sales and all underlying C-2 uses.
Location	Approximately 150 feet north of the northeast corner of Cave Creek Road and Grandview Road.
Owner/ Applicant / Representative	Michael Lostetter, Auto Obsession, LLC
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	Cave Creek Road	Major Arterial	55-foot west half street
<i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.</i> The proposed zoning will allow a local entrepreneur to operate a use that is compatible with the surrounding uses in the area.			
<i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL AND 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.</i> The use of the site and all operations are being performed on an already developed site that was vacant at one point in time. The property owner is using an existing building and bringing business to a once underutilized property			
<i>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods</i>			

The proposal would allow for an increased intensity that is consistent in scale and character of the surrounding properties to the north and south. Staff stipulations regarding added landscaping, prohibiting outdoor amplification or speakers and improved screening on the site will mitigate potential negative impacts on adjacent single family residential to the west and multi family residential to the east.

Applicable Plans and Principals

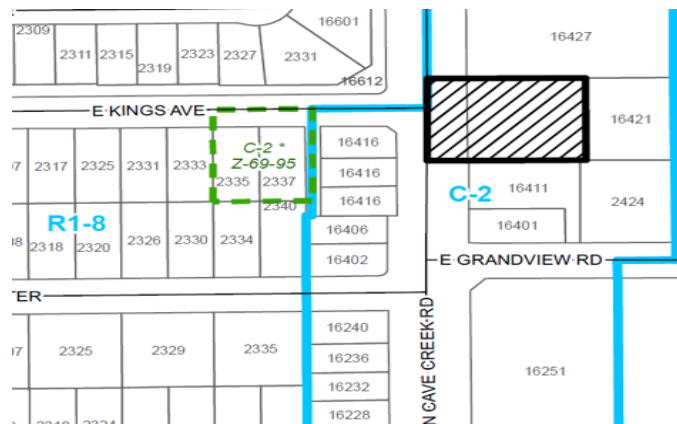
Tree and Shade Master Plan – see item 5 below.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Used Car Dealership	C-2
North	Pool Supplies	C-2
South	Auto Repair	C-2
East	Multi family Residential	C-2
West	Single-family Residential / Auto Repair	R1-8 and C-2

Background/Issues/Analysis

1. This is a request to rezone 0.71-acres located approximately 150 feet north of the northeast corner of Cave Creek Road and Grandview Road from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow automobile sales and all underlying C-2 uses.



- The subject site consists of one parcel, annexed to the City of Phoenix in 1965 per Annexation No. 68. Since the annexation, the parcel has been zoned C-2. Maricopa County Historical Aerial photographs indicate that this area of the city began to develop around 1969. The building currently on the site was constructed as early as 1976.



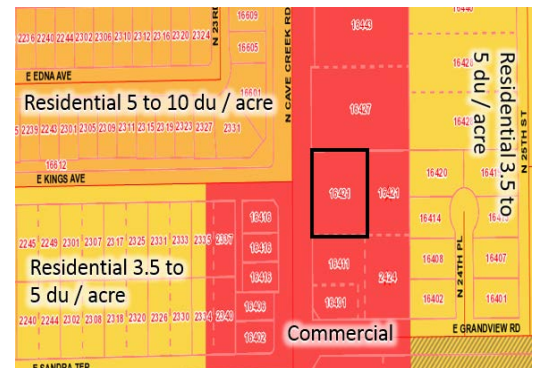
Source: Maricopa County Historical Aerial 1969



Source: Maricopa County Historical Aerial 1976

- The General Plan Land Use Map designation for the site is Commercial. The proposed rezoning is consistent with the General Plan Designation.

The General Plan Land Use Map Designations predominantly surrounding the site are Commercial with some Residential to the west.



General Plan Map Land Use Designation

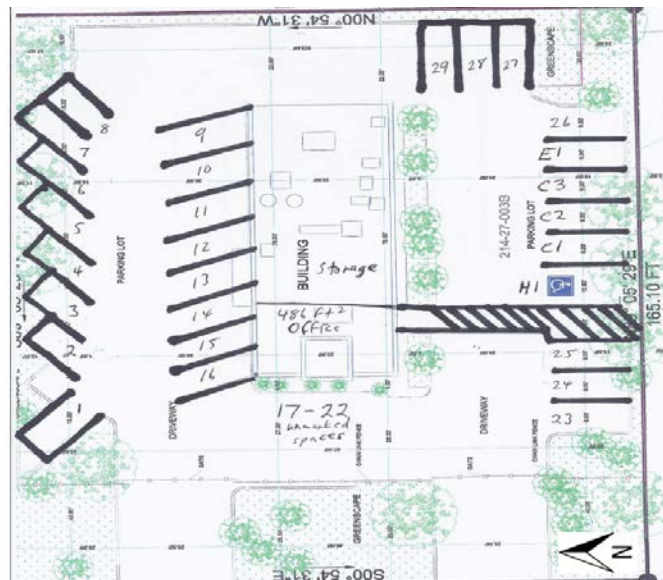
- The subject site was once the location of a drive through restaurant. The current property owner has changed the use to automobile sales and the provided site plan indicates that there will be no modifications to the building. Ingress and egress will continue to be provided via Cave Creek Road.
- The 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. In addition, a vision in the Master Plan is to raise awareness by leading by example. To accomplish the vision and goal of the policy document, and because a bus stop is located along the property, staff is requiring that landscaping be added along Cave Creek Road to provide thermal shade for pedestrians. This requirement is addressed in Stipulation 1.

6. In order to mitigate potential negative impacts to the surrounding residential uses, staff recommends the use of amplified outdoor speakers be prohibited. This requirement is addressed in Stipulation 2.
7. The site is currently enclosed by a chain-link fence around the entirety of the site, and topped with barbed wire along the eastern boundary line, adjacent to the multi family residential development. The City of Phoenix Zoning Ordinance, Chapter 7, Section 703 prohibits the use of chain link fencing on non-residential development where visible from a public street. In addition, the Zoning Ordinance prohibits the use of fences topped with barbed wire when visible from a public street. Subsequently, because the chain-link and barbed wire is visible from the public right-of-ways, the existing chain-link fence must be removed and replaced with a decorative wall or fence. This requirement is addressed in Stipulation 3.



Google Map image dated October 2016, illustrating the view from the right-of-way of the chain link fence topped with barbed wire surrounding the entirety of the site.

8. The current layout of the site and painted parking stalls reflect the drive through restaurant that once occupied the property. To ensure that the site is reflective of the current use and that the use is not operating beyond the means of the lot's size, it is recommended that no more than 30 cars, for sale, be allowed on site at one time. In addition, all parking stalls should be re-stripped to reflect where and how the cars are being displayed. These requirements are addressed in Stipulations 4 through 6.



Layout of parking spaces, display area, office and storage provided by the applicant.

9. The subject property shall conform to the parking requirements outlined in Section 702 of the Phoenix Zoning Ordinance.
10. The subject properties shall conform to the Automobile retail sales provisions in Section 647 Special Permit Uses of the Phoenix Zoning Ordinance regarding body repair and painting in a closed building, dust-proofing of display parking, properly enclosed wall/fencing, and artificial lighting.

WATER

11. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development, however there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

FIRE

12. No fire code issues are anticipated with this case and the site and/or buildings shall comply with the Phoenix Fire Code.

FLOODPLAIN

13. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1760 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

AVIATION

14. The Aviation Department has noted that the site is within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace and is requiring that the developer record a Notice to Prospective Purchasers of Proximity to Airport. These requirements are addressed in Stipulation 7.

ARCHAEOLOGY

15. No known archaeological work is necessary for this project. 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. These requirements are addressed in Stipulation 8.

OTHER

16. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinances establishes standards to encourage the provision of recycling containers for multi family,

commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

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. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposed use is compatible with the surrounding commercial uses.
3. The proposal will bring the existing use into conformance and make improvements to the site which will contribute to the enhancement of the area.

Stipulations

1. Prior to the issuance of a permit for tenant improvements, the landscaping along the Cave Creek Road frontage shall be replenished to provide landscaping in accordance with C-2 zoning district standards for planting type, size and quantity, as approved by the Planning and Development Department. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians.
2. No outside amplification or speakers shall be installed.
3. The existing chain-link fence shall be removed and replaced with a decorative wall or fence, as approved by the Planning and Development Department.
4. There shall be no more than 30 cars for sale on the site at one time.
5. The striping for the queuing lane shall be obliterated.
6. That all vehicles offered for sale, excluding those displayed along the Cave Creek Road frontage, shall be positioned in designated and striped parking spots.
7. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners and 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
8. 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

Maja Brkovic

September 18, 2017

Team Leader

Joshua Bednarek

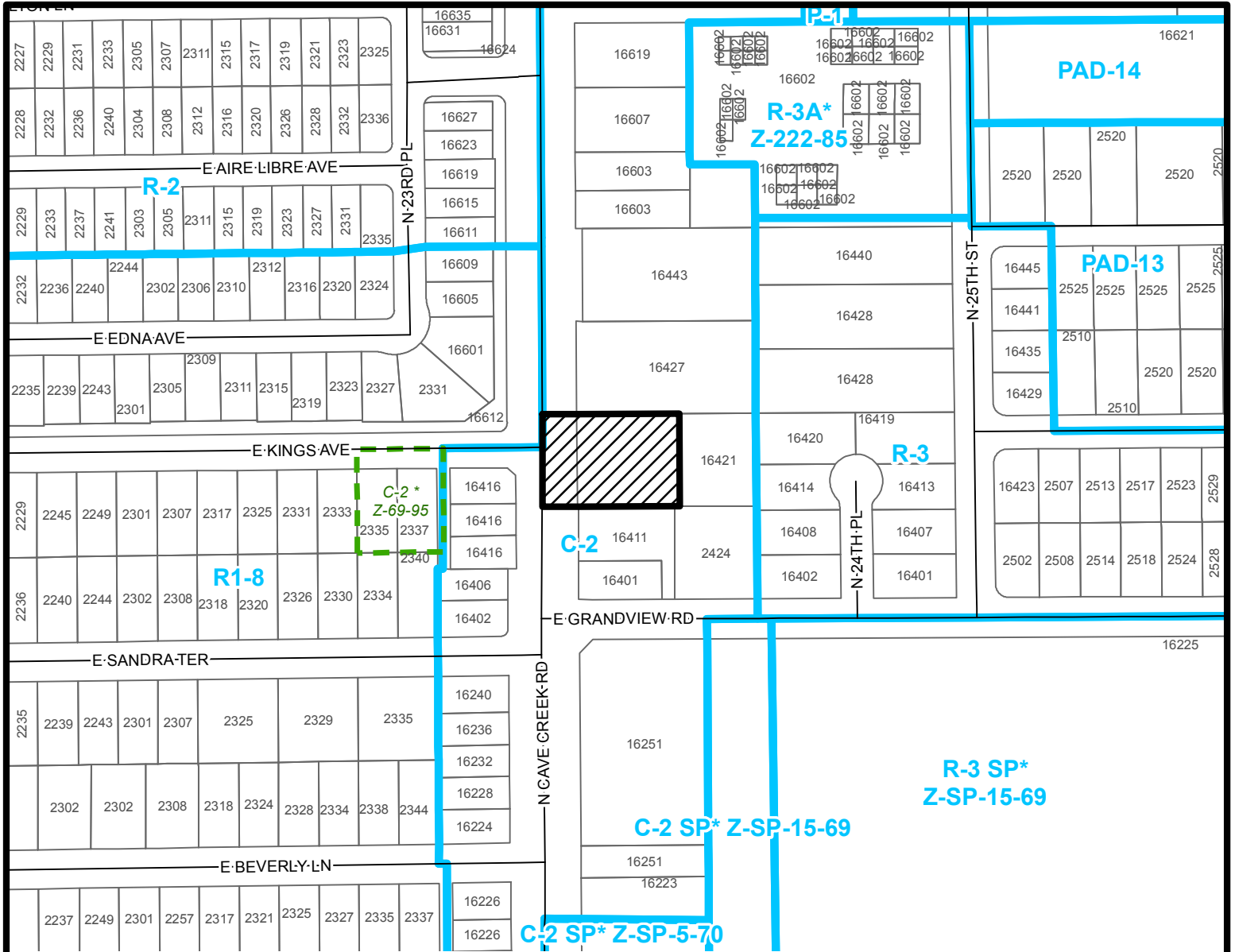
Exhibits

Zoning sketch

Aerial

Site Plan date stamped July 18, 2017

Parking layout dated stamped August 23, 2017



Feet

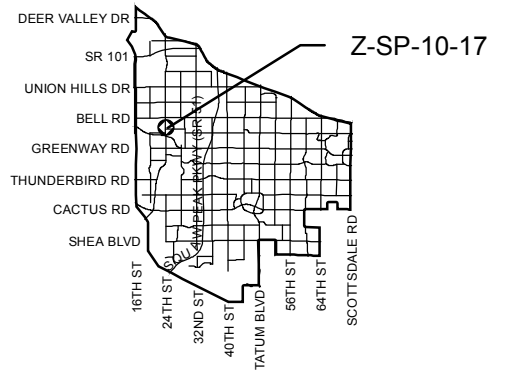
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PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Michael Lostetter

APPLICATION NO. Z-SP-10-17

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

0.71 Acres

DATE: 07/21/2017
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.
QS 36-33

ZONING MAP
M-9

REQUESTED CHANGE:

FROM: C-2 (0.71 a.c.)

TO: C-2 SP (0.71 a.c.)

MULTIPLES PERMITTED

C-2

C-2 SP

CONVENTIONAL OPTION

10

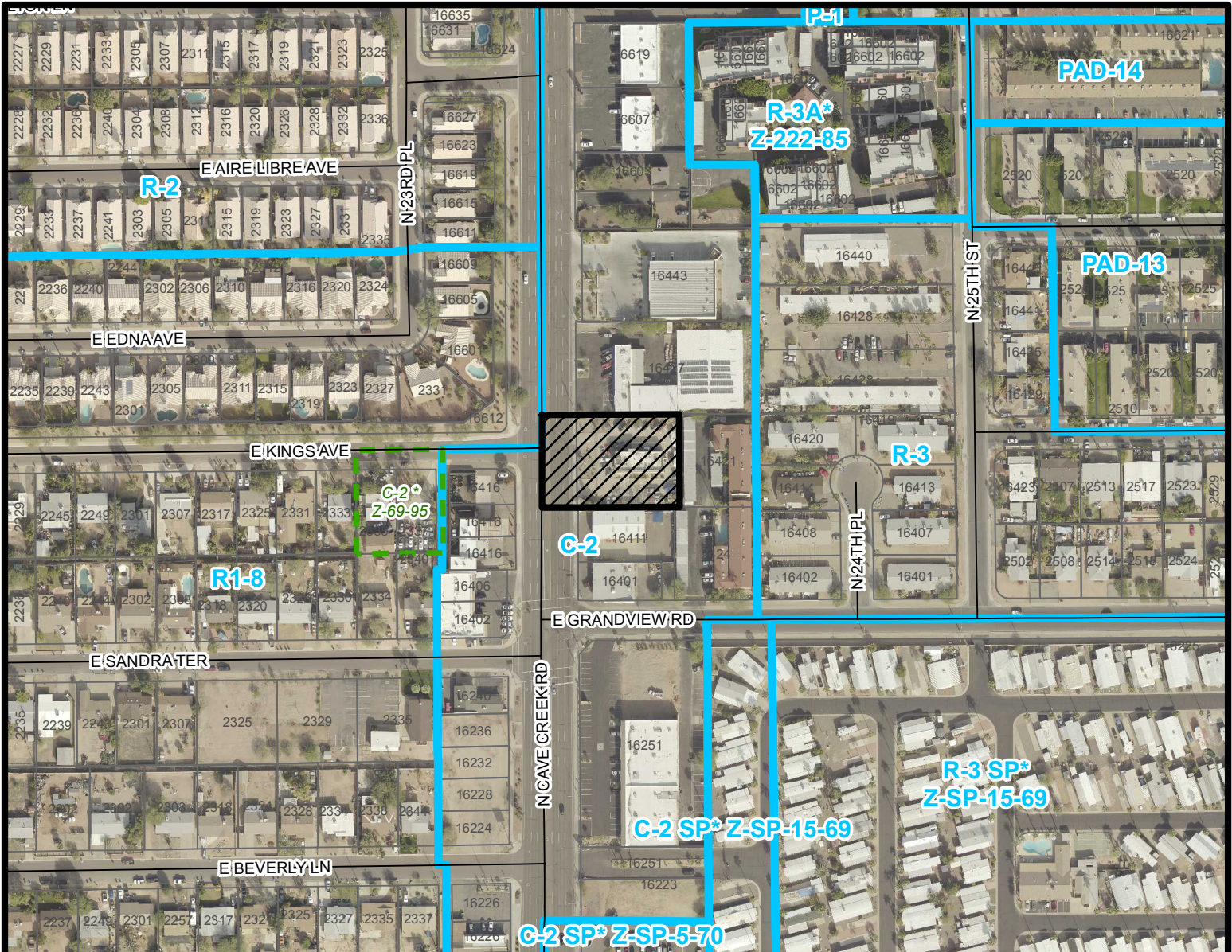
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*** UNITS P.R.D. OPTION**

12

12

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



Feet

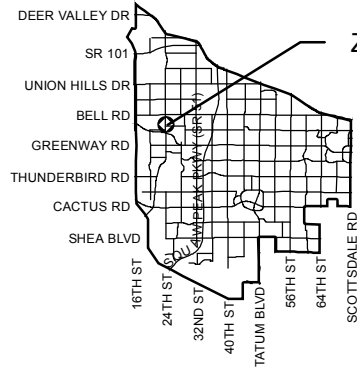
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City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



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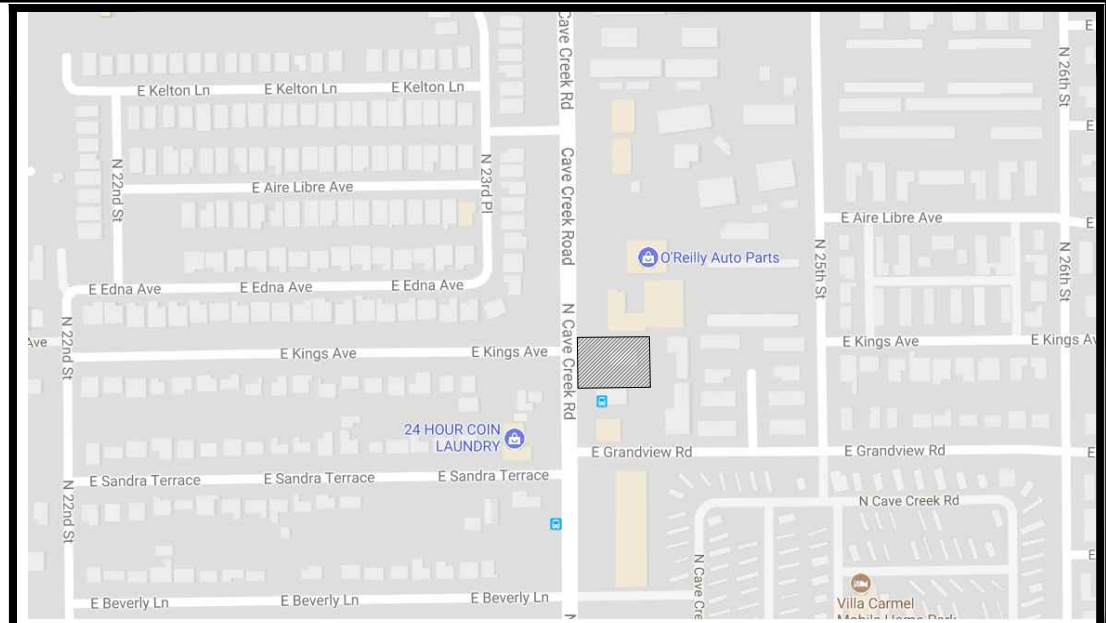
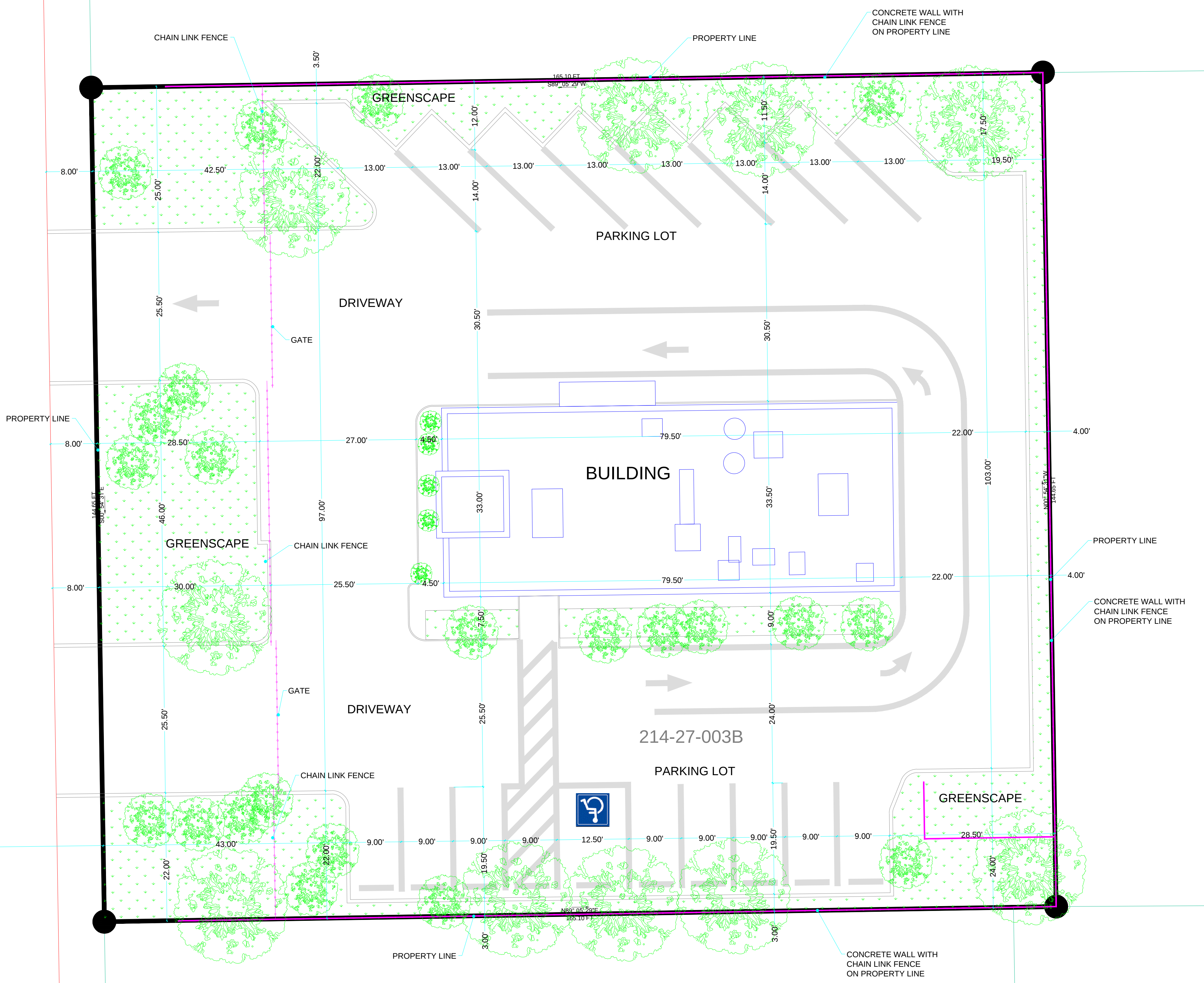
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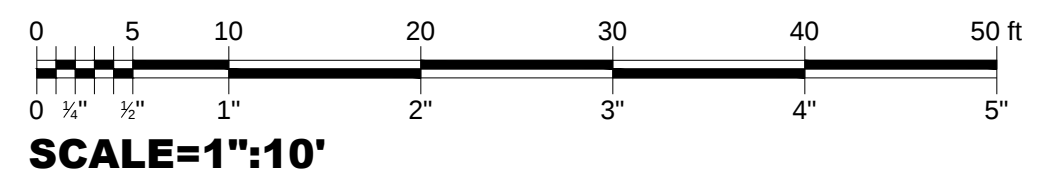
N CAVE CREEK RD

SITE PLAN
PARCEL #:214-27-003B
16421 N CAVE CREEK RD, PHOENIX, AZ 85032
AREA=23,026.00 sqft (0.53 acres)



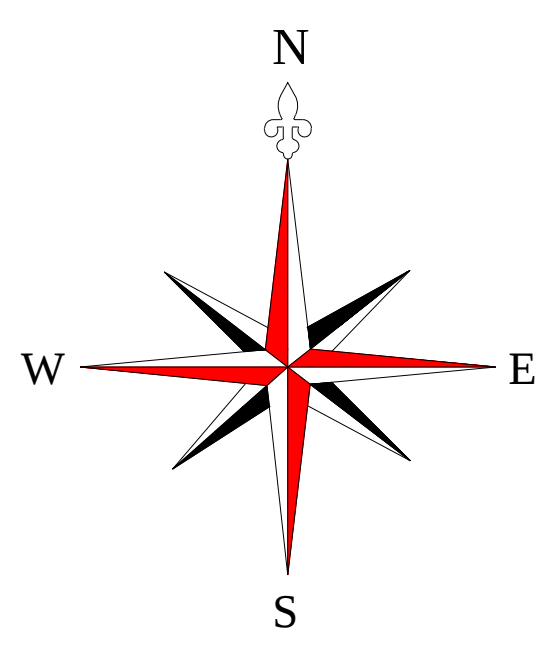
VICINITY MAP

16421 N CAVE CREEK RD, PHOENIX, AZ 85032			
Lot Area	23026.00 sqft	0.529 acres	100%
Floor Size	2288.00 sqft	0.053 acres	9.94%
Driveway	12099.52 sqft	0.278 acres	52.55%
Parking spots	2916.00 sqft	0.067 acres	12.66%
Greenscape	5722.48 sqft	0.131 acres	24.85%
Total Area=	23026.00 sqft	0.529 acres	100%
Scale	1"=10'		



SCALE=1"=10'

CITY OF PHOENIX
JUL 18 2017
Planning & Development
Department



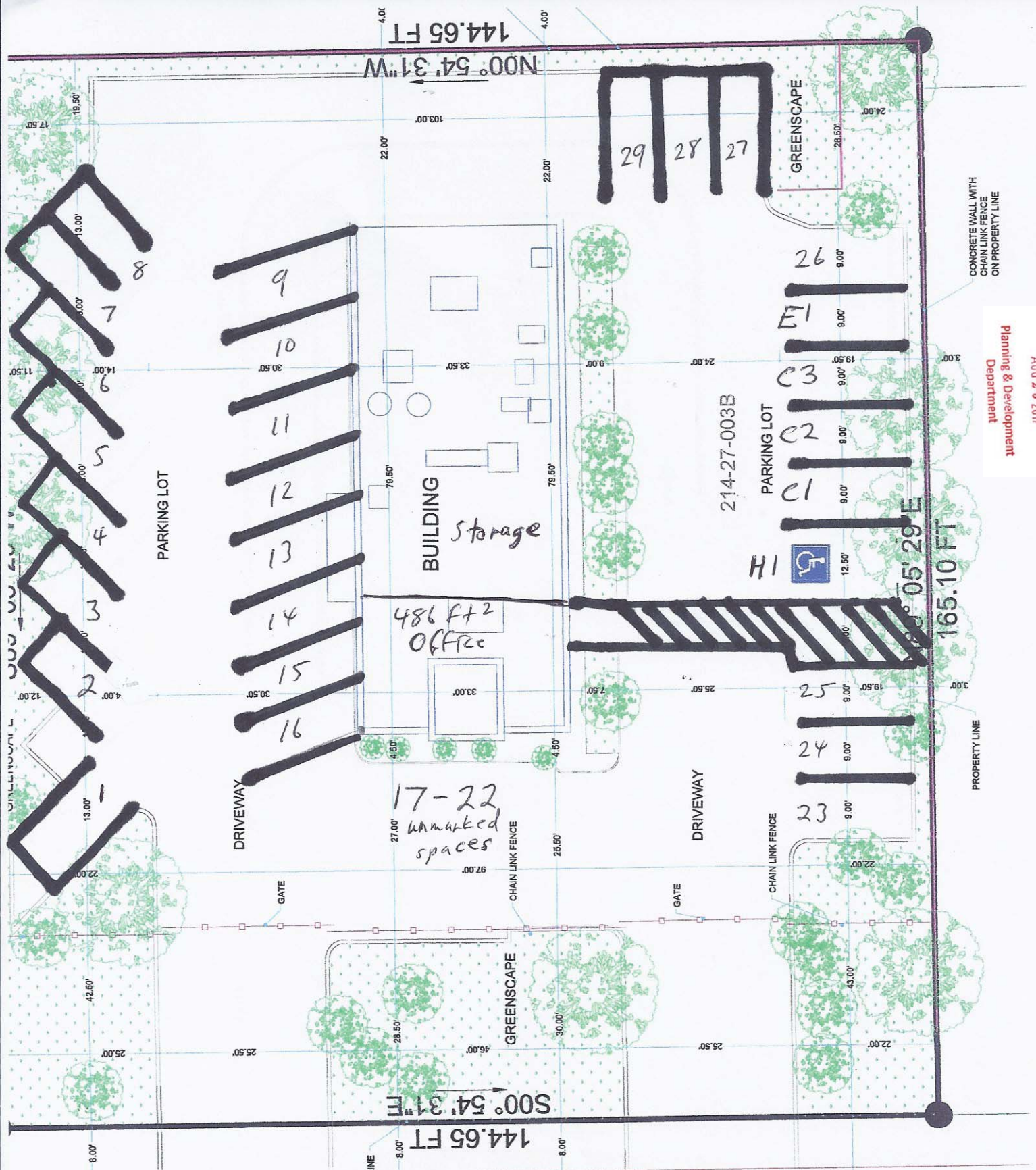
214-27-002C

214-27-002D

214-27-003A

214-27-003B

214-27-001A



Office

486 ft²

= 2 spaces

Employees

1 =

1 space

Outdoor Display

5,145 ft²

= 1 space

Requirements

1 employee space : E1

3 customer spaces : C#

1 accessible space : H1