



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-112-14-3
November 6, 2014

Deer Valley Village Planning Committee Meeting Date November 20, 2014
Planning Commission Hearing Date December 9, 2014
Request From: C-2 SP (13.52 Acres)
Request To: C-2 (13.52 Acres)
Proposed Use Removal of Special Permit (Z-SP-48-85, Z-SP-16-86 and Z-SP-29-96) to allow for a grocery store, fuel center and other commercial uses
Location Southwest corner of 14th Street and Bell Road
Owner Leelanlau Properties, LLC
Representative Ali Fakh, Sustainability Engineering
Staff Recommendation Approval

General Plan Conformity			
General Plan Land Use Designation		Commercial and Industrial	
Street Map Classification	Bell Road	Major Arterial	55-foot half street right-of-way
	14 th Street	Local	25-foot half street right-of-way
<p>LAND USE ELEMENT: GOAL 2: EMPLOYMENT AND POPULATION BALANCE: DEVELOPMENT OF EACH VILLAGE'S POTENTIAL SHOULD BE ENCOURAGED BY DISTRIBUTING A DIVERSITY OF EMPLOYMENT AND HOUSING IN A WAY THAT ACHIEVES A BALANCED CITYWIDE PLAN AND THAT IS CONSISTENT WITH COMMUTE TRAVEL PATTERNS AND THE CURRENT CHARACTER OF EACH DEVELOPED VILLAGE.</p> <p>Approval of this request will provide additional employment opportunities and services for those that work or live in the immediate area.</p>			
<p>LAND USE ELEMENT, GOAL 4: SUPPORT HEALTHY URBAN VILLAGES WITH A BALANCED MIX OF HOUSING, EMPLOYMENT OPPORTUNITIES, AND SERVICES AS A PRINCIPAL MEANS TO REDUCE VEHICLE TRIP LENGTH AND ASSOCIATED EMISSIONS.</p> <p>The Bell Road corridor is comprised of a mix of business and residential uses. The removal of the Special Permits will complement the corridor by allowing additional retail opportunities to those that work or live in the area and potentially reduce vehicle trip lengths and associated emissions.</p>			
Area Plan			
N/A			

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant auto dealership	C-2 SP
North	Mobile home park and subdivision	R-4A
South	Multiple-family residential (apartments)	R-3A
East	Restaurant, Multiple-family residential (condominiums)	C-2, R-3A
West	Vacant/Proposed residential condominiums, Multiple-family residential (apartments)	C-O/M-O (Approved R-3A), R-3A

C-2 District – Intermediate Commercial		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage		13.52 gross acres
Off-Street Parking	488 (1 space per 250 square feet of tenant leasable area, 95% of gross)	505 (met)
Building Setbacks		
Street sides	30-foot average, 25-foot minimum for 50% of structure	14 th St: 74 feet (met) Bell Rd: 53 – 450 feet (met)
West side	60 feet	61 - 82 feet (met)
South side	60 feet	68 feet (met)
Lot Coverage	50%	26.6% (met)
Building Height	2-stories/30 feet for main building	30 feet plus parapets (met)

Background/Issues/Analysis

1. This is a request to rezone a property from C-2 SP (Intermediate Commercial Special Permit) to C-2 (Intermediate Commercial) to allow for a grocery store, fuel center and other commercial uses (bank, restaurant, etc).
2. The General Plan Land Use Map depicts the subject property as Commercial and Industrial.
3. The subject 13.52-acre property is located at the southwest corner of 14th Street and Bell Road. The property is currently a vacant auto dealership. To the north of the property there is a mobile home park and subdivision, to the south and partial portions of the east and west are multiple-family residential developments. The remaining east portion is a vacant restaurant and remaining west portion is vacant land that is platted for residential condominiums.

4. There are three (3) existing special permit cases applicable to the property to allow for automobile retail sales, rental and leasing; and also an expansion of an auto dealership for parking and body shop.
 - Z-SP-48-85 (Special Permit north of the Phelps Road alignment): approved by City Council with stipulations on September 4, 1985. Zoning from C-2 to C-2 SP to allow automobile retail sales, rental and leasing.
 - Special Permit located on a small triangular piece that is south the Phelps Road alignment:
Z-SP-16-66 approved by City Council with stipulations on May 14, 1986. Zoning from C-2 to C-2 SP to allow automobile retail sales, rental and leasing.
 - Special Permit located on a triangular piece that is largely south the Phelps Road alignment:
Z-SP-29-96 approved by City Council with stipulations on June 26, 1996. Zoning from C-2 to C-2 SP to allow an expansion of an auto dealership for parking and body shop.

As a result of these approvals, the Special Permits only allow for automobile retail sales, rental and leasing, parking for the auto dealership and body shop; and none of the other underlying uses in the C-2 zoning district. The primary purpose of the proposed rezoning request is to remove the Special Permit to allow for all of the underlying C-2 zoning uses. The proposed grocery store, fuel station, and bank are permitted in the C-2 zoning district.

5. There are stipulations from the previous C-2 rezoning cases (Z-39-85, Z-81-86, Z-65-96) relating to the property that will need to be modified through the Planning Hearing Officer process.
6. The site plan depicts a 123,000-square foot Fry's grocery store on the south portion of the property, a Fry's fuel center with 9 fuel pumps and a kiosk and restrooms on the northwest portion of the property, and a 5,000-square foot bank building on the northeast portion of the property. All of the required setbacks, building heights and landscaping requirements are met on the proposed site plan.
7. The site plan proposes a total of 505 parking spaces. The total number of required spaces is 488. The proposal meets the on-site parking requirements.
8. There is an existing eight (8) to 10-foot high block wall along the shared property boundary with the San Valencia Apartments, and a chain-link and wrought iron fence along portions of the shared property boundary to the west. The Zoning Ordinance requires a minimum eight-foot solid fence or wall along all common property lines shared with properties zoned for residential uses, except where in conflict with the street side setbacks or site visibility triangles.

9. The Zoning Ordinance requires a minimum 15-foot landscape setback along perimeter property lines adjacent to a residential use or zoning district.

A mixture of one (1) and two (2)-inch caliper trees are to be located within this landscape setback. The applicant will be required to meet these and all other requirements at the time of construction of the proposed structure.

10. The site plan proposes access on a local street (14th Street), however the Zoning Ordinance does not allow for large scale commercial retail developments to have access on a local street. Variance approval will be required to allow access onto 14th Street.
11. The site plan appears to be in compliance with these requirements.
12. The Water Services Department has stated that there are no water and/or sewer issues due to the existing infrastructure at and surrounding the property.
13. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1295 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
14. The subject property is in the Public Airport Disclosure area as defined and prepared in accordance to ARS Section 28-8486. It is recommended that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property.
15. 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 proposed request is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposed grocery store and other commercial uses will provide additional grocery and fuel products, and commercial services to those that work or live in the immediate area.

Stipulations

None

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Writer

Racelle Escolar

10/31/2014

Team Leader

Joshua Bednarek

Attachments

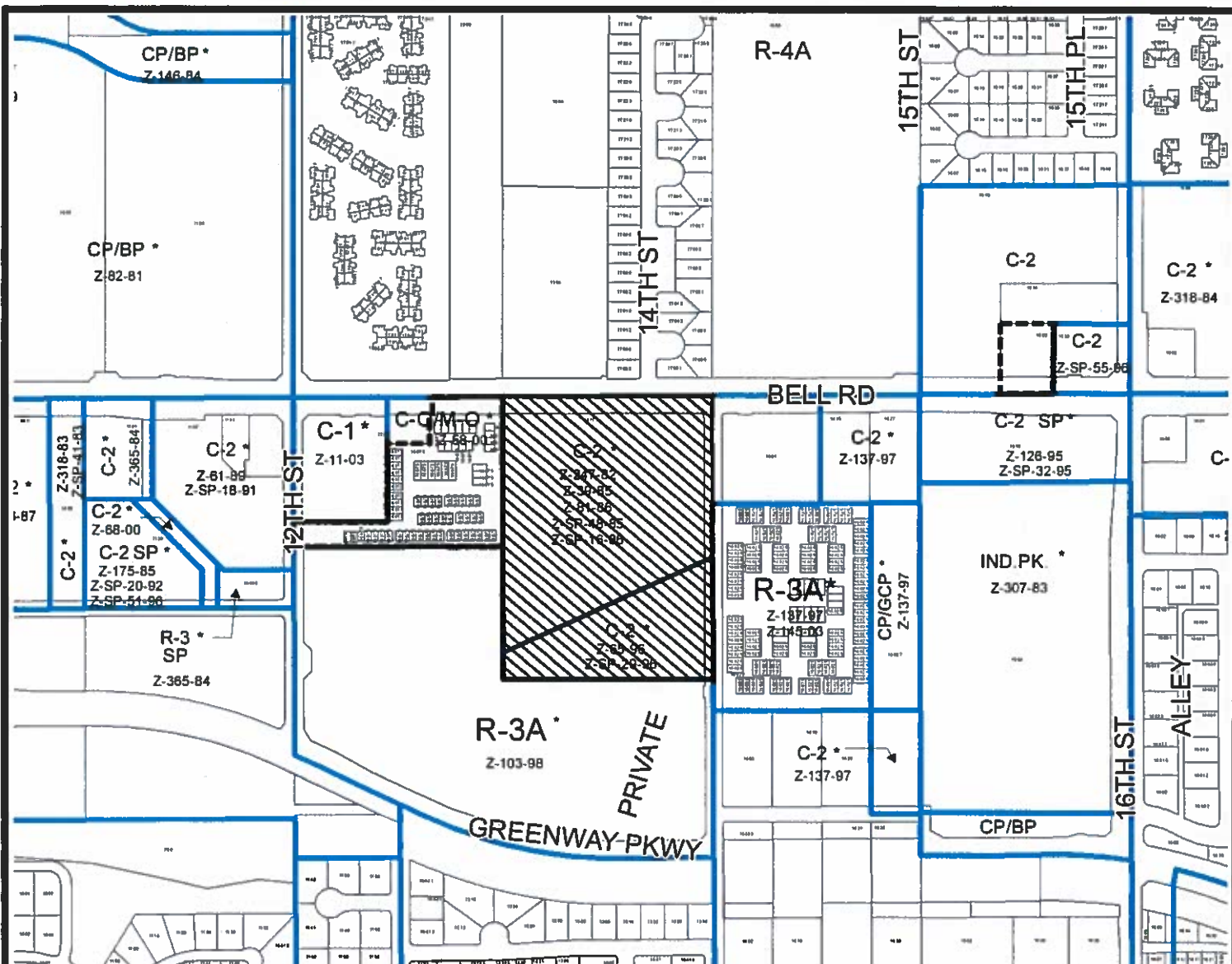
Sketch Map

Aerial

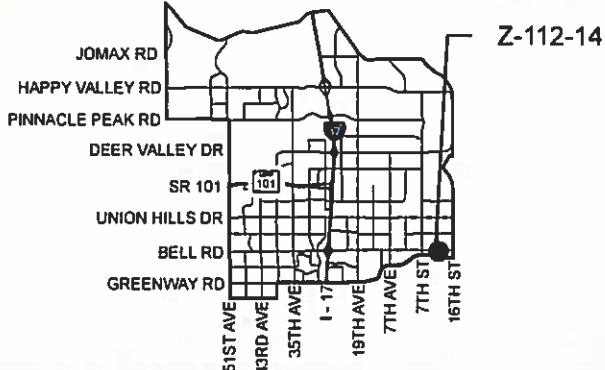
Site Plan (date stamped 9/9/2014)

Elevations (date stamped 9/9/2014)

Map of existing special permits, ZA-SP-48-85, Z-SP-16-86, and Z-SP-29-96



CITY OF PHOENIX PLANNING DEPARTMENT
DEER VALLEY VILLAGE
 CITY COUNCIL DISTRICT: 3



APPLICANT'S NAME: Ali Fakh, Sustainability Engineering		REQUESTED CHANGE: FROM C-2 SP, (13.52 a.c.) TO C-2, (13.52 a.c.)	
APPLICATION NO. Z-112-14	DATE: 9/24/14 <small>REVISION DATES</small>		
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 13.52 Acres	<small>AERIAL PHOTO & QUARTER SEC NO.</small> QS 36-30	<small>ZONING MAP</small> M-9	
MULTIPLES PERMITTED C-2 C-2	CONVENTIONAL OPTION 196 196		* UNITS P.R.D. OPTION 235 235

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



N 14TH ST

BELL RD

N 14TH ST

GREENWAY PKWY



SITE PLAN

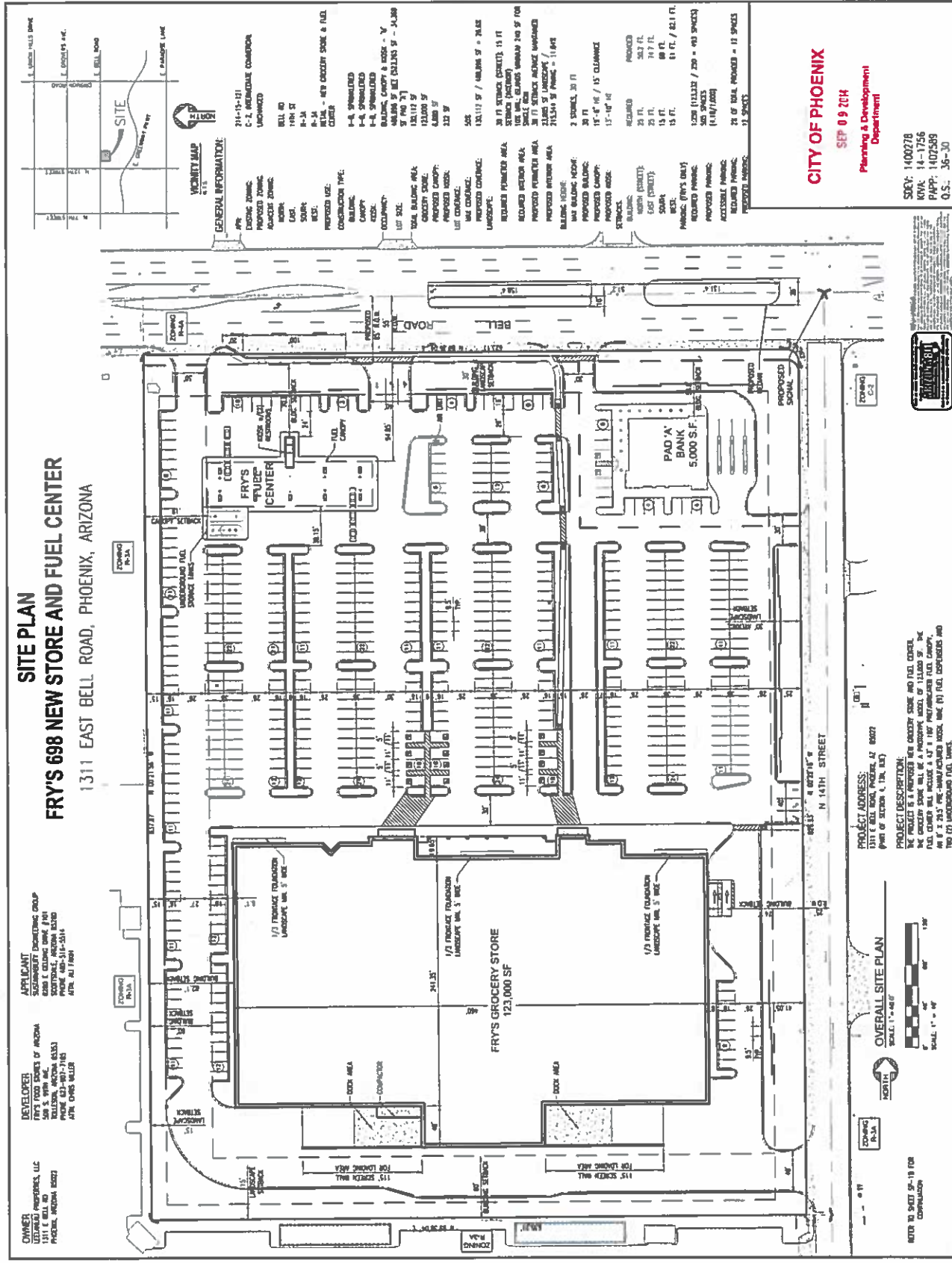
FRY'S 698 NEW STORE AND FUEL CENTER

1311 EAST BELL ROAD, PHOENIX, ARIZONA

OWNER: KROGER FOOD STORES OF ARIZONA
 1000 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85007

DEVELOPER: KROGER FOOD STORES OF ARIZONA
 1000 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85007
 PHONE: 602-381-7143
 A/E: CHRIS WELLS

APPLICANT: SUSTAINABILITY ENGINEERING GROUP
 2001 E. COLLEGE AVENUE, SUITE 100
 SCOTTSDALE, ARIZONA 85260
 PHONE: 480-511-5114
 A/E: ALI HAJI



PROJECT ADDRESS: 1311 EAST BELL ROAD, AZ 85027
 (PART OF SECTION 4, T1R, S1R)

PROJECT DESCRIPTION:
 THE PROJECT IS A PROPOSED NEW GROCERY STORE AND FUEL CENTER. THE GROCERY STORE WILL BE APPROXIMATELY 123,000 SF. THE FUEL CENTER WILL BE APPROXIMATELY 10,000 SF. THE BANK PAD WILL BE APPROXIMATELY 5,000 SF. THE PROJECT WILL ALSO INCLUDE A DRIVE AISLE AND PARKING LOT.

OVERALL SITE PLAN
 SCALE: 1/8" = 1'-0"

REFER TO SKETCH 54-19 FOR COMPLETION

OWNER: KROGER FOOD STORES OF ARIZONA
 1000 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85007

DEVELOPER: KROGER FOOD STORES OF ARIZONA
 1000 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85007
 PHONE: 602-381-7143
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PROJECT: FRY'S 698 NEW STORE AND FUEL CENTER
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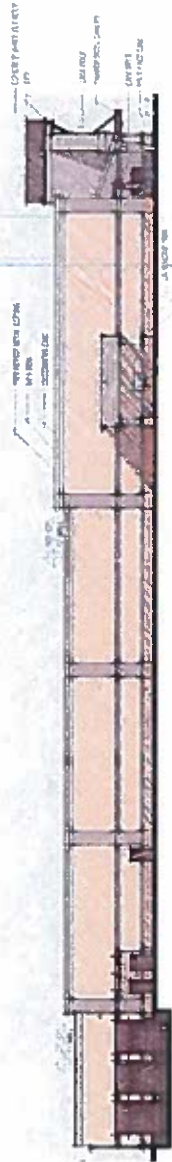
DATE: 08-20-2011

SCALE: 1/8" = 1'-0"

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NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

CITY OF PHOENIX

SEP 09 2014

Planning & Development
Department



August 11, 2014

Fry's Store FRY698

Phoenix, AZ
514505 04



SPECIAL PERMIT EXHIBIT

