



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-26-18-3

May 24, 2018

Paradise Valley [Village Planning Committee](#) Hearing Date June 4, 2018

[Planning Commission](#) Hearing Date August 2, 2018

Request From [C-O](#) (4.90 acres)

Request To [C-2](#) (4.90 acres)

Proposed Use Commercial retail center

Location Approximately 450 feet west of the northwest corner of Tatum Boulevard and Shea Boulevard

Owner Paradise Corporate & Medical Plaza, LLC

Applicant/Representative Stephen C. Earl; Earl, Curley & Lagarde

Staff Recommendation Deny as filed, approval of C-1, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Designation</u>	Commercial		
<u>Street Map Classification</u>	Shea Boulevard	Major Arterial	Varies - 47.36 to 60-foot north half street
<p><i>STRENGTHEN OUR LOCAL ECONOMY; ENTREPRENEURS/EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.</i></p> <p>Rezoning to neighborhood commercial will support opportunities for new businesses to develop in an emerging commercial center in close proximity to many community amenities.</p>			
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CLEAN NEIGHBORHOODS; DESIGN PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.</i></p> <p>The vacant site is adjacent to an existing single-family subdivision to the north and will provide additional neighborhood retail options for the surrounding area. As stipulated by staff, the request will be buffered to the residential uses to along the north.</p>			

CONNECT PEOPLE AND PLACES; OPPORTUNITY SITES; LAND USE PRINCIPLE:
Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

As stipulated by staff, the proposed development will be compatible to the existing shopping center to the east. The proposed development will be compatible with the existing single-family residential development to the north in specific regard the landscape stipulation and conditions placed upon potential drive-through establishments.

Applicable Plans, Overlays and Initiative

Tree and Shade Master Plan – see background item number 8 below.

Guiding Principles for Complete Streets – see background item number 8 below.

Bicycle Master Plan – see background item number 9 below.

Reimagine Phoenix – see background item number 16 below.

Surrounding Land Uses/Zoning

	<u>Zoning</u>	<u>Land Use</u>
On Site	C-O	Vacant
North	RE-35	Single-family residential
South	C-1 and PSC	Retail
East	C-1	Retail
West	C-O	Commercial office center

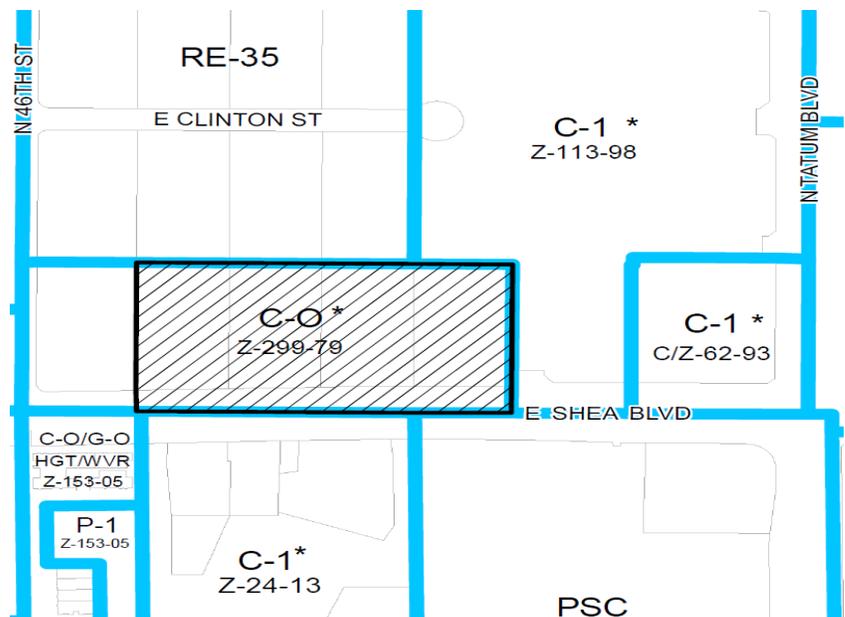
C-1 (Neighborhood Retail)

<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Building Setbacks</i>		
Street (Shea Boulevard)	Minimum 20 feet, Average 25 feet	+/- 75 feet (Exceeds)
Side	2 story (or 30 foot) building adjacent to C-O and C-1 property: 0 feet	West: 13 feet (Exceeds) East: Not provided
Rear	2 story (or 30 foot) building, adjacent to RE-35 zoned property:	+/- 63 feet (Exceeds)

	50 feet minimum	
<i>Landscaped Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	25 feet (Met)
Side	0 feet	Not provided
Rear	10 feet	14 feet (Exceeds)
Lot Coverage	50% Maximum	23.3% (Met)
Building Height	2 stories, 30 feet	1 story, 30 feet (Met)
Parking	General Retail: 1 per 300 square feet =117 spaces	160 (Met)

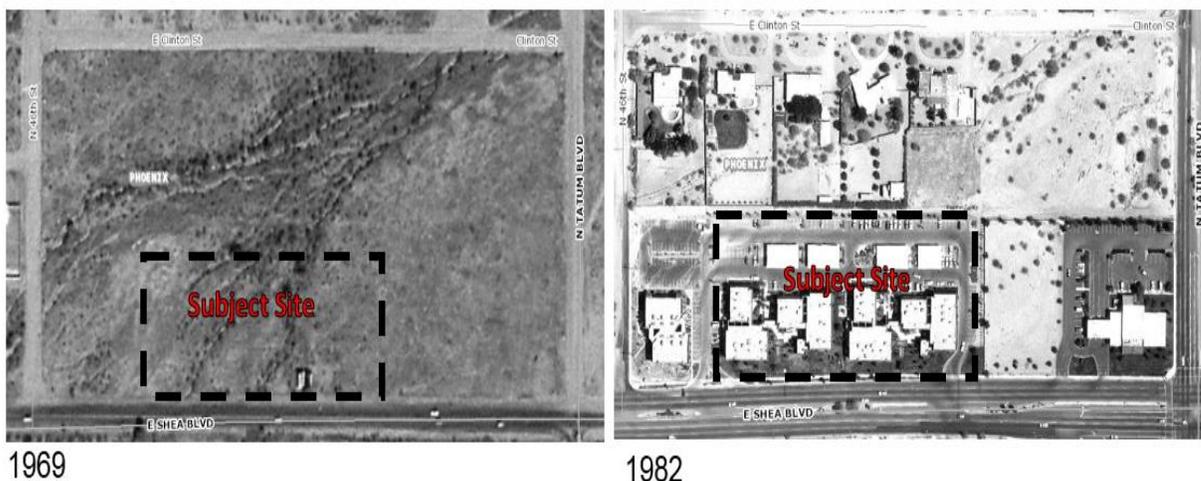
Background/Issues/Analysis

1. This request is to rezone 4.90 acres located approximately 450 feet west of the northwest corner of Tatum Boulevard and Shea Boulevard from C-O (Commercial Office District) to C-2 (Intermediate Commercial District) to allow a commercial retail center. Staff is not supportive of rezoning the subject site to C-2 and recommends C-1 zoning which is consistent with the adjoining land uses to the east and more compatible with the residential uses to north.



Source: City of Phoenix Planning & Development Department

- The subject site is an assemblage of four parcels under the ownership of the Paradise Corporate & Medical Plaza LLC. The subject site was annexed into the City of Phoenix in 1962 through Annexation No. 59. At that time, the majority of the area was vacant and Maricopa County Historical Aerial photographs illustrate that the subject parcels were not developed until 1982. The subject site and the parcel to the west of the subject site was previously rezoned from RE-35 (Residential Estate District) to C-O in 1979 per rezoning case no. Z-299-79 to allow commercial offices at a maximum height of 22 feet. Another rezoning case (Z-34-12) was filed for the site for C-1 zoning to allow for a medical plaza. The request did not proceed through the public hearing process.



Source: Maricopa County Historical Aerials

SURROUNDING ZONING AND USES

- North**
Directly to the north of the subject site are three single-family residential homes part of a larger subdivision known as Morningside Subdivision. The properties are zoned RE-35 (Residential Estate District), per Annexation No. 59 and developed in 1976. Also north of the subject site is a parking lot that is part of the larger Paradise Valley Marketplace, zoned C-1 per Rezoning Case No. Z-113-98 which began to develop in 2002.

South

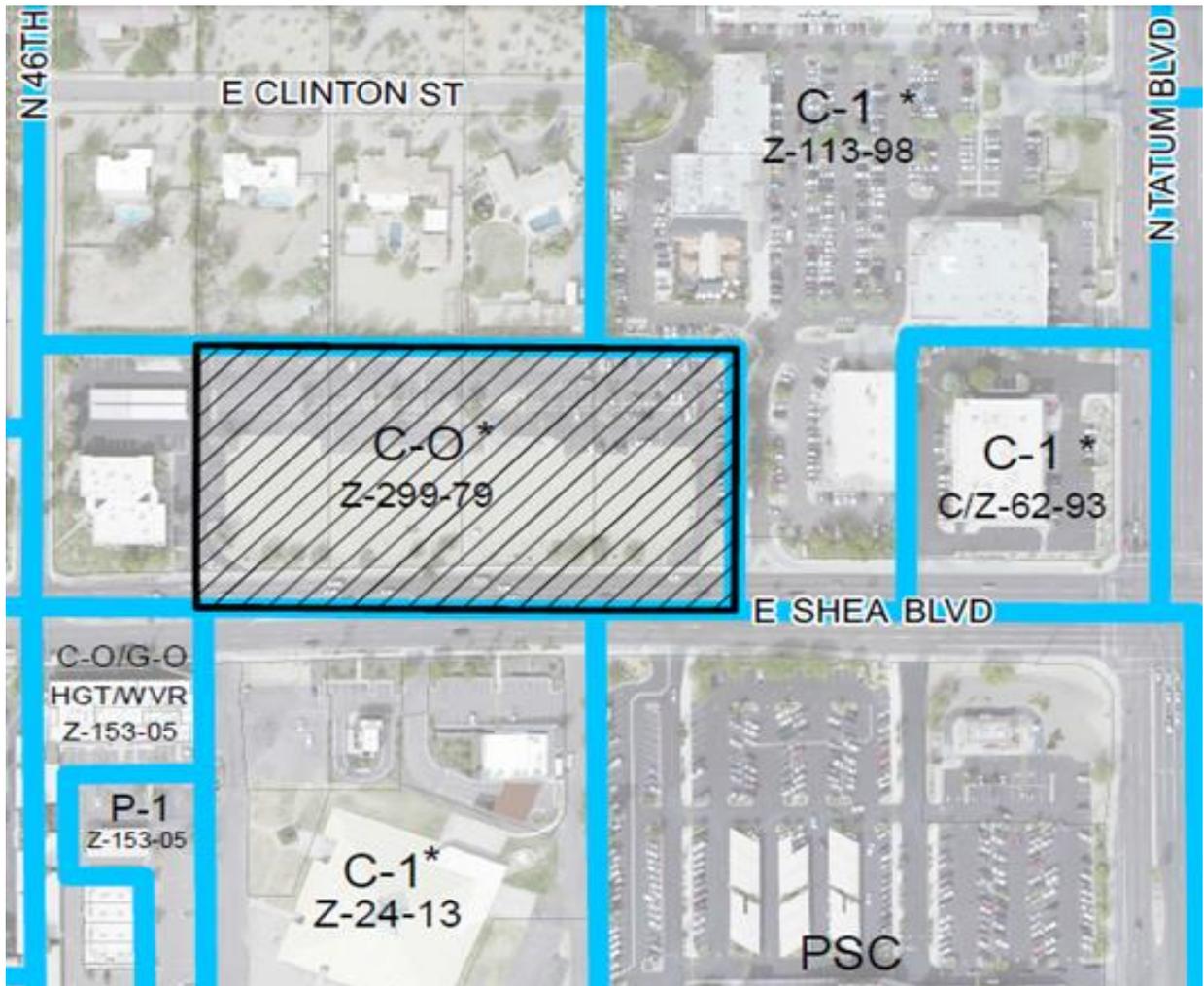
South of the subject site is Shea Boulevard, a major arterial street with two shopping centers across the road. To the southwest is a shopping center zoned C-1 per Rezoning Case No. Z-24-13 consisting of a Starbucks and Bank of America building. The remainder of the southern boundary is across a larger shopping center known as Fry's Signature Marketplace zoned PSC (Planned Shopping Center) per Rezoning Case No. Z-109-74 and built in 1979.

East

The eastern boundary is adjacent to the Paradise Valley Marketplace parking lot zoned C-1.

West

The western boundary of the site is adjacent to a commercial office building zoned C-O and built in 1982.



Source: City of Phoenix Planning & Development Department

- The General Plan Land Use designation for the subject parcels is Commercial. The proposed rezoning is consistent with the General Plan Land Use designation.

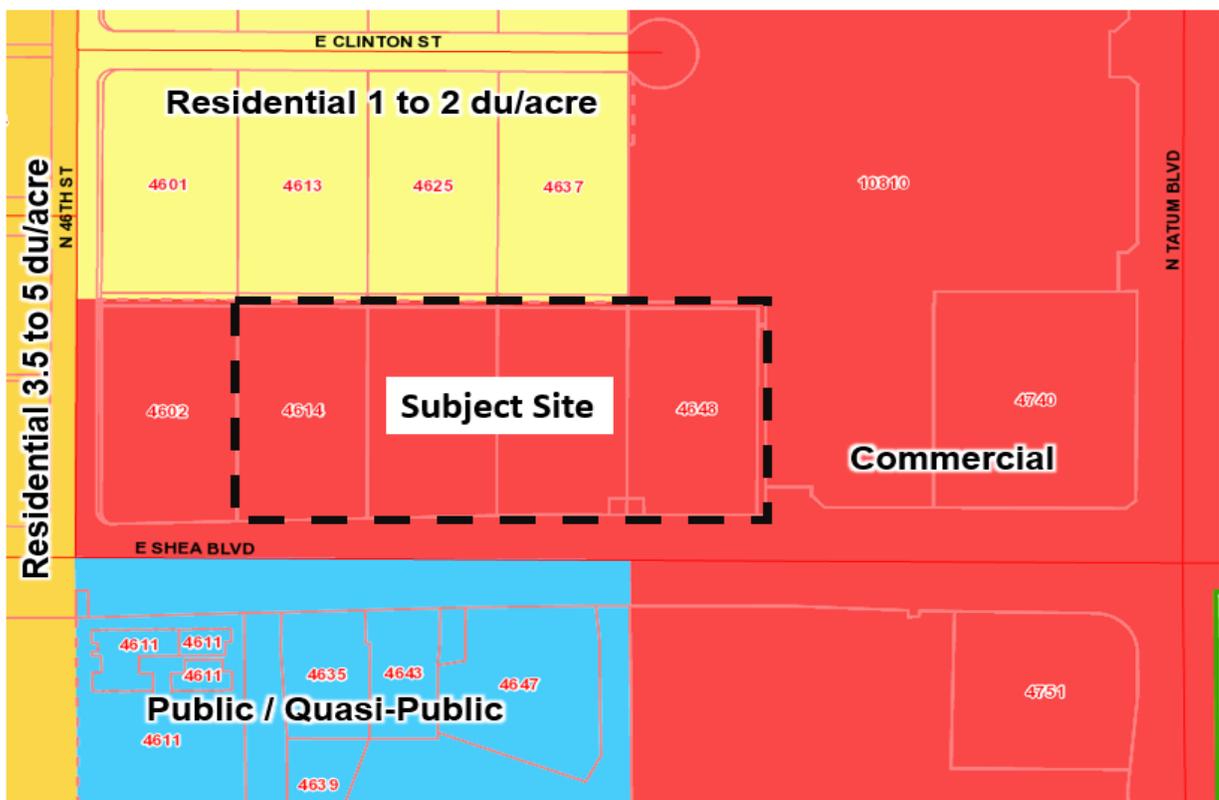
The following General Plan Land Use Map designations are surrounding the site:

North: Residential 1 to 2 dwelling units per acre and Commercial

South: Public / Quasi-Public

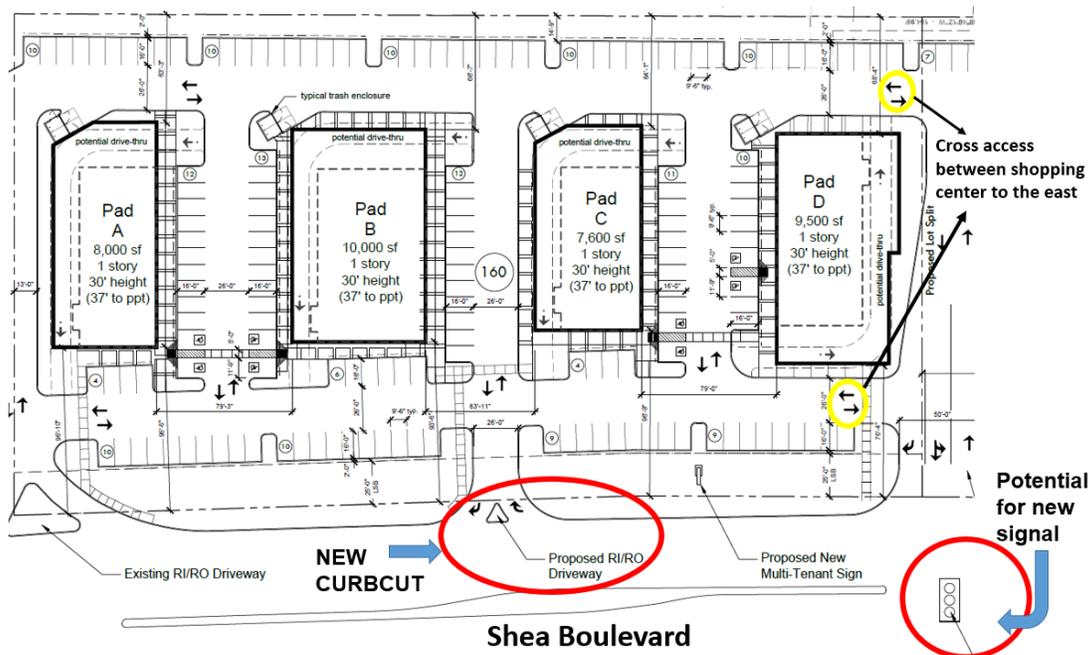
East: Commercial

West: Commercial



Source: City of Phoenix Planning & Development Department

- The proposed development includes four commercial PADs ranging from 7,600 square feet to 10,000 square feet fronting onto Shea Boulevard. The development will create a new curb cut along the center of the development. A potential signal is also proposed for easier access into the proposed development and adjacent shopping center. The development is also proposing a cross access agreement with the property to the east, which will allow for better traffic flow for the overall shopping center and for the addition of more parking spaces to the east. The requirement for a shared driveway and cross access agreement is addressed in Stipulation No. 9. The requirement for a new signal is addressed in Stipulation No. 10.



Source: Conceptual site plan provided by the applicant

- Due to the proximity of single-family residential zoning to the north, staff has recommended that a 14-foot minimum landscape setback be provided along the northern property line. Additionally, the existing trees will be supplemented with new trees in this area in order to create a buffer from the commercial uses. This is addressed in Stipulation No 1.
- The conceptual site plan depicts four potential drive-throughs on the subject site. Staff is recommending that all drive-through facilities be screened from Shea Boulevard and residential uses with a landscaped berm or a combination of a landscaped berm and 3-foot wall. Further, staff recommends that all drive-through windows be prohibited from facing Shea Boulevard and all residential uses. This is addressed in Stipulation Nos. 7 and 8.

STUDIES AND POLICIES

- 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. A vision in the master plan is to raise awareness by leading by example. To accomplish the vision and goal of the policy document, Stipulation Nos. 2, 3, 4 and 5 require that the developer provide landscaping that will create a comfortable and pedestrian friendly environment for the shopping center. The proposed stipulations require that the detached sidewalks along Shea Boulevard remain and be replenished with 50% live ground cover. In addition, staff recommends that trees be planted close to the sidewalk and that the trees provide a minimum 75% shade of the adjacent sidewalk at maturity. Lastly, staff recommends that the shopping center provide 50% shade along pedestrian pathways in the shopping

center through a combination of landscaping and/or overhangs and canopies. As stipulated, this design is consistent with the City Council adopted Guiding Principles for Complete Streets, one tenet of which is to make Phoenix more walkable.



Source: Landscape illustration provided by applicant

9. 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. While the conceptual site plan does not depict bicycle parking on-site, staff recommends that a minimum of one inverted-U bicycle rack be provided and located near the entrance to each building. The bicycle racks should be an inverted-U design where both ends of the “U” are affixed to the ground and installed per the requirements of Walkable Urban Code in Chapter 13 of the Phoenix Zoning Ordinance. This provision is addressed in Stipulation No. 6.



Inverted-U bicycle rack, where both ends of the “U” reach the ground.

COMMUNITY INPUT

10. At the time this staff report was written, staff had not received any public correspondence regarding the request.

INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department has indicated that the developer shall update all existing off-street improvements to current ADA guidelines. This is addressed in Stipulation No. 11.
12. 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 1755 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
13. The City of Phoenix Water Services Department has noted the site 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.
14. No fire code issues are anticipated with this case and the site and/or buildings shall comply with the Phoenix Fire Code.
15. 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. 12.

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 multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling is not addressed in the rezoning request.
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 Commercial General Plan Land Use designation.
2. As stipulated, the proposal is compatible with the surrounding land uses.
3. The development is consistent with elements of both Tree and Shade Master Plan and the Guiding Principles of Complete Streets.

Stipulations

1. Minimum 2-inch caliper trees, placed 20-feet on center, or in equivalent groupings, shall be planted in a minimum 14-foot setback along the northern property line to provide screening for adjacent residences, as approved by the Planning and Development Department. When possible, the developer should use existing trees to meet this landscaping requirement.
2. All required trees in the Shea Boulevard landscape setback shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.
3. A minimum of 75% of the sidewalk along Shea Boulevard shall be shaded at maturity, as approved by the Planning and Development Department.
4. The sidewalk along Shea Boulevard shall remain detached. The existing landscaped strip located between the sidewalk and back of curb shall be planted to provide a minimum of 50% live ground cover, as approved by the Planning and Development Department.
5. A minimum of 50% shade shall be provided, through a combination of landscaping and/or overhangs and canopies that integrate into the building design, along pedestrian thoroughfares, as approved by the Planning and Development Department.
6. A minimum of one inverted-U bicycle rack shall be provided and located near the entrance to each building and installed per the requirements of Section 1307.H.4. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. No drive-through facility shall locate its drive-through window facing a residential use or Shea Boulevard, as approved by the Planning and Development Department.
8. Drive-throughs shall be screened from view of residential uses and Shea Boulevard with a landscaped berm, or a combination of a wall and landscaped

berm at least 3 feet in height, as approved by the Planning and Development Department.

9. The developer shall provide a recorded cross access and common driveway agreement for parcels 167-73-027, 167-73-028, 167-73-029A, 167-73-030A and 167-73-034A, to allow the proposed uses to function as a commercial center. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
10. The proposed traffic signal shall only be installed when warrants and conditions are met, as approved by the Street Transportation Department and at no cost to the City.
11. 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.
12. 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 Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer

Maja Brkovic

May 24, 2018

Team Leader

Samantha Keating

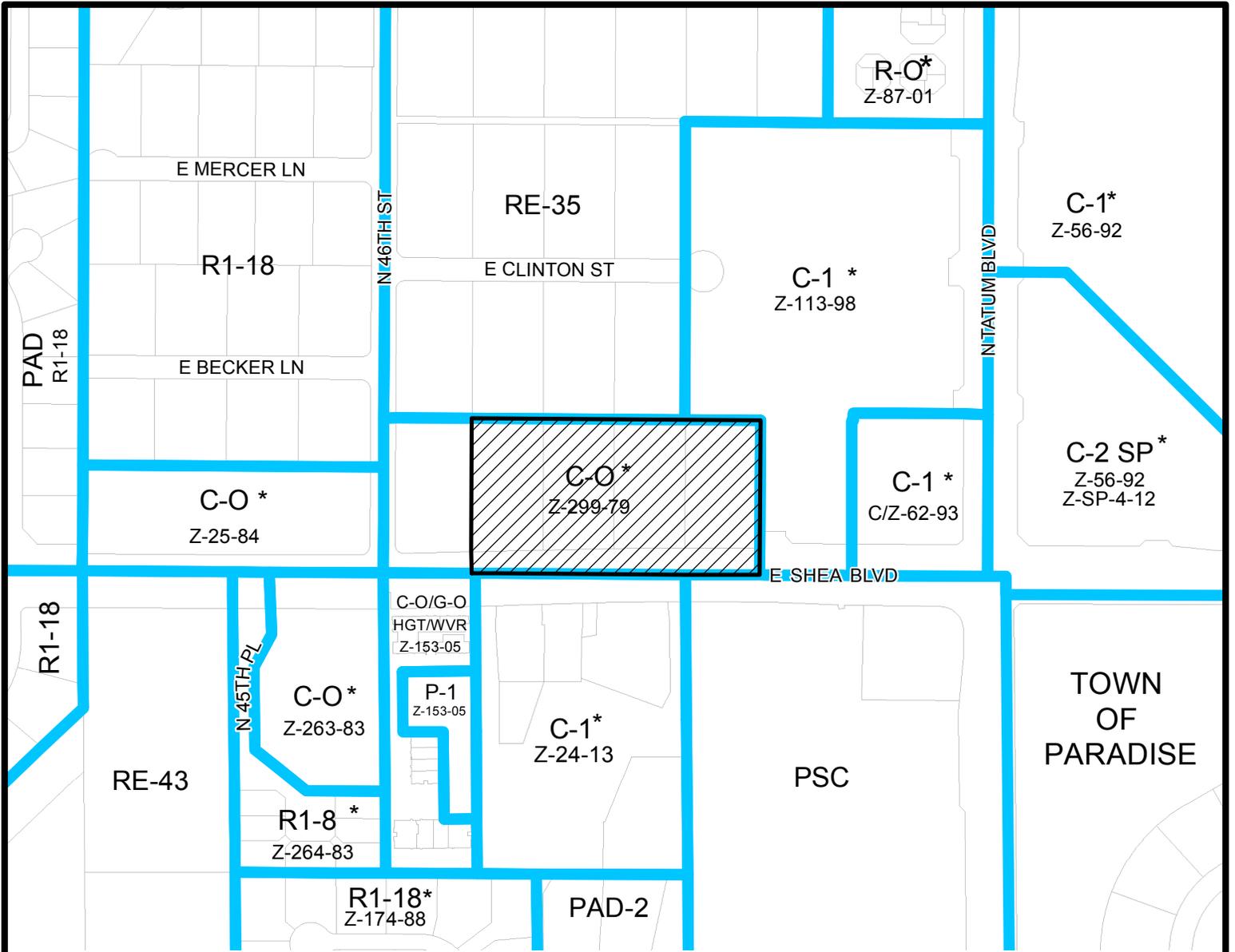
Exhibits

Sketch Map

Aerial

Conceptual Site Plan date stamped May 30, 2018

Conceptual Elevations date stamped April 9, 2018 (3 pages)

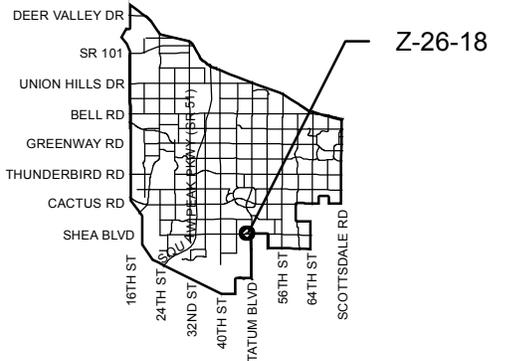


Feet



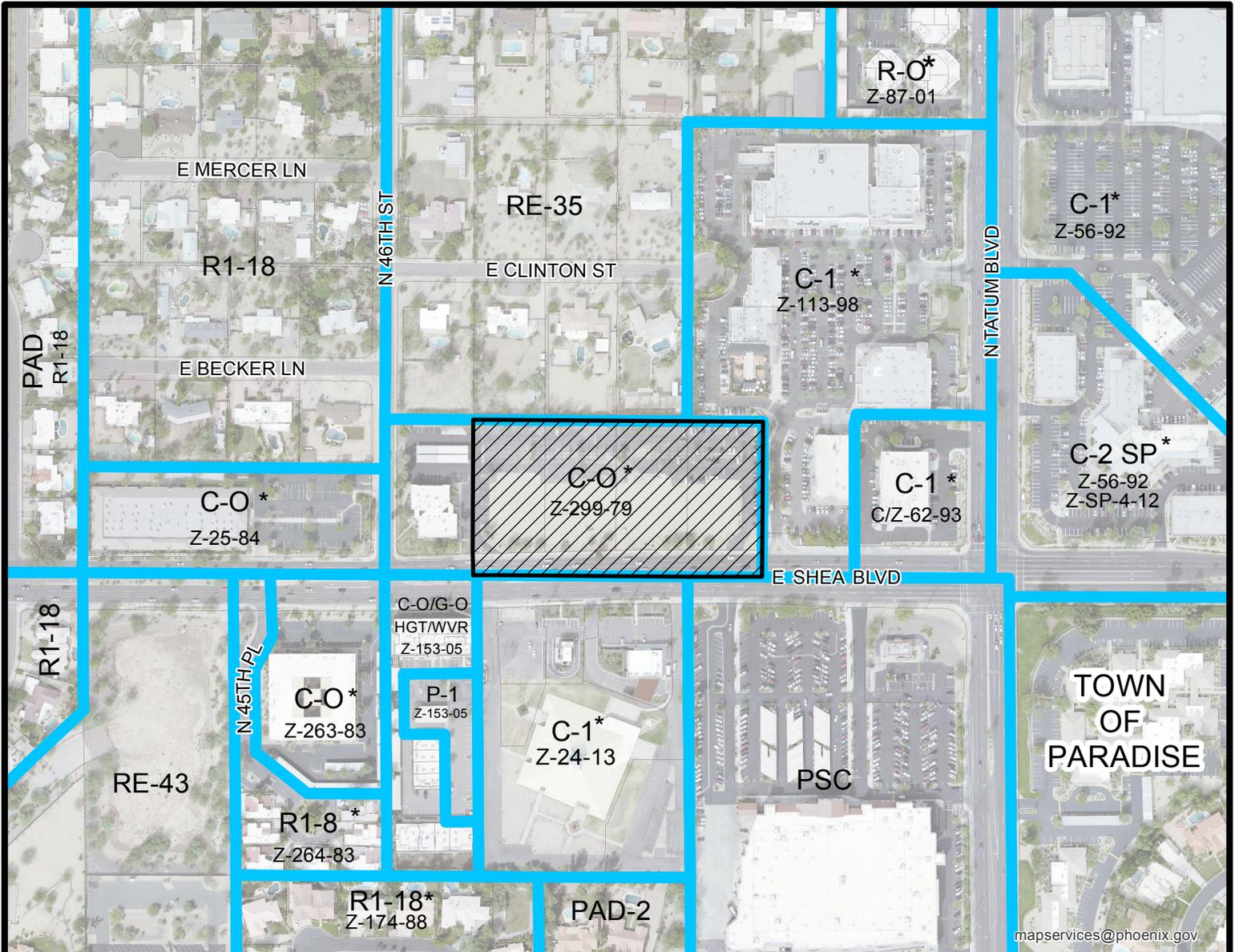
PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



APPLICANT'S NAME: Stephen C. Earl of Earl, Curley & Lagard		REQUESTED CHANGE:	
APPLICATION NO. Z-26-18		FROM: C-O (4.9 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 4.9 Acres		TO: C-2 (4.9 a.c.)	
<small>DATE:</small> 4/13/2018 <small>REVISION DATES:</small>			
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 29-38		<small>ZONING MAP</small> K-11	
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
C-O		N/A	
C-2		85	

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



Feet

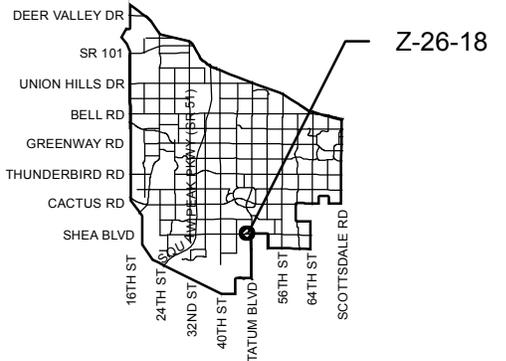


PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Stephen C. Earl of Earl, Curley & Lagard**

REQUESTED CHANGE:

FROM: **C-O (4.9 a.c.)**

APPLICATION NO. **Z-26-18**

DATE: **4/13/2018**
REVISION DATES:

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

4.9 Acres

AERIAL PHOTO & QUARTER SEC. NO. **QS 29-38**
ZONING MAP **K-11**

TO: **C-2 (4.9 a.c.)**

MULTIPLES PERMITTED

C-O
C-2

CONVENTIONAL OPTION

N/A
71

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

N/A
85

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



Geller, Inc

Phoenix, Arizona

Shops at PV Marketplace

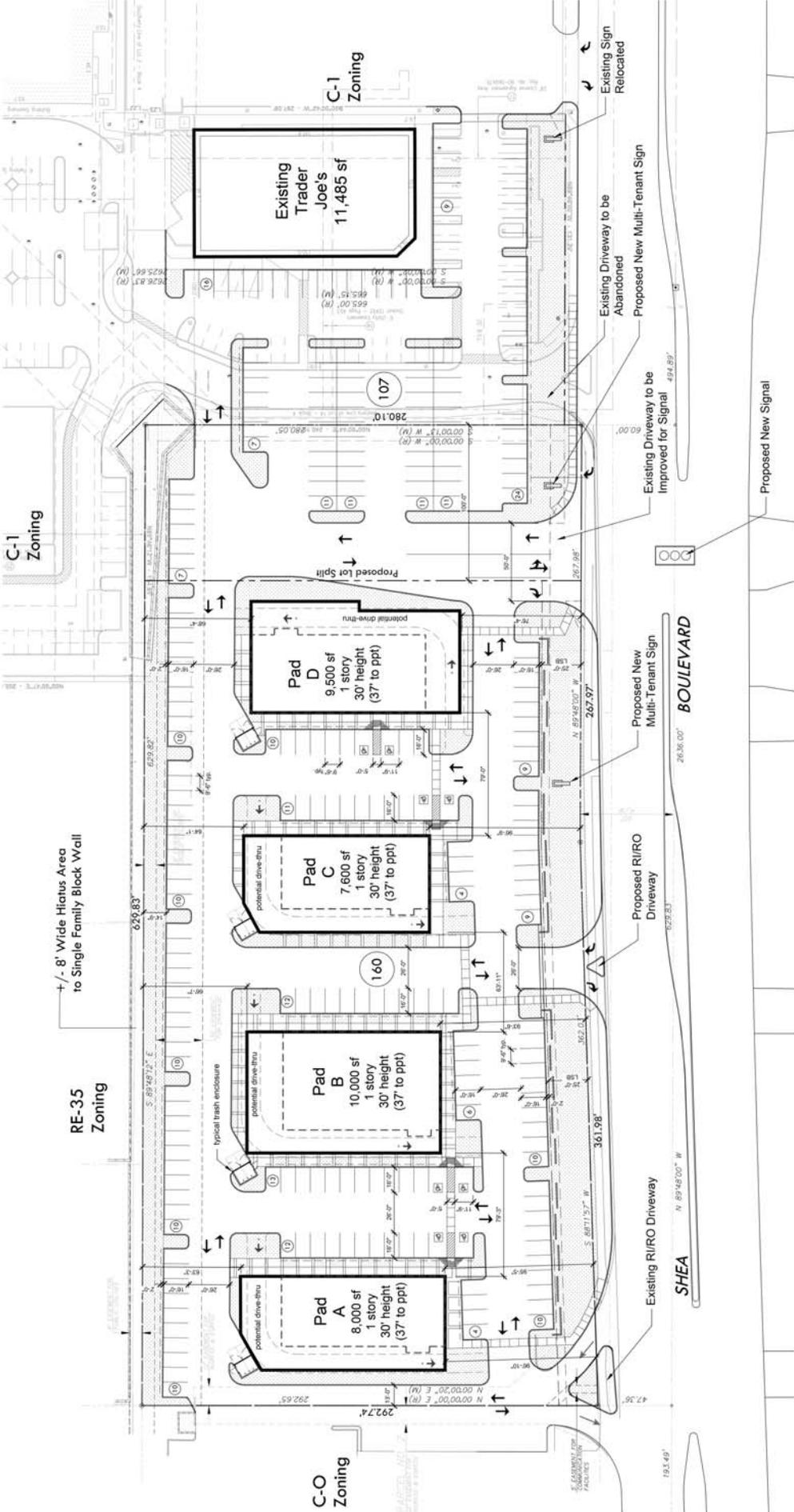
- ▲ Development Review Set
- ▲ Bill Set
- ▲ City Submittal
- ▲ Construction Set

Revisions:

Ownership of Instruments of Service:
 No drawings shall be used or reproduced without the consent of SUI SITE Architects + Planners, Inc. The instruments of service shall remain the property of SUI SITE Architects + Planners, Inc.

Sheet
 Date: May 21, 2018
 Project Number: #053
 Drawn By: dm/10h
 Sheet Number

MSP.1



Project Data

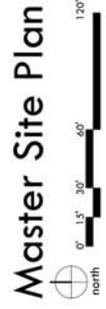
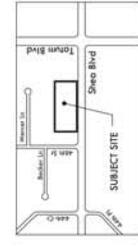
Existing Zoning	C-0
Proposed Zoning	C-2
Net Site Area	150,656 sf 3.46 ac
GLA	35,100 sf
Lot Coverage Allowed	50.0 %
Lot Coverage Provided	23.3 %
Parking Provided	160 sp (4.5/1000)

CITY OF PHOENIX

MAY 30 2018

**Planning & Development
 Department**

*Shops at PV Marketplace**
 *working file, subject to change





Disclaimer
 These images are preliminary design concepts which are subject to change based on city approvals and tenant customization

* working title, subject to change

CITY OF PHOENIX

APR 09 2018

Planning & Development
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Shops at PV Marketplace*





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Shops at PV Marketplace*

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APR. 09 2018

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Shops at PV Marketplace*

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