



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report: Z-43-19-4**  
August 15, 2018

<b>Alhambra Village Planning Committee Meeting Date</b>	August 27, 2019
<b>Planning Commission Hearing Date</b>	September 5, 2019
<b>Request From:</b>	<a href="#">C-2 SP TOD-1</a> (0.57 acres)
<b>Request To:</b>	<a href="#">C-2 TOD-1</a> (0.57 acres)
<b>Proposed Use</b>	Removal of a Special Permit for car rental and leasing to allow C-2 commercial uses
<b>Location</b>	Approximately 140 feet east of the northeast corner of 3rd Avenue and Camelback Road
<b>Owner</b>	Purpose Driven Development - 138 and 140 West Camelback, LLC
<b>Applicant</b>	Purpose Driven Development - 138 and 140 West Camelback, LLC
<b>Representative</b>	Susan E. Demmitt, Gammage & Burnham, PLC
<b>Staff Recommendation</b>	Approval

<u><a href="#">General Plan Conformity</a></u>			
<u><a href="#">General Plan Land Use Map Designation</a></u>		Commercial	
<u><a href="#">Street Map Classification</a></u>	Camelback Road	Arterial, Light Rail Transit	50-foot north half street
<p><b><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></b></p> <p>The subject site is currently vacant. The proposed rezoning will allow for growth and offer greater opportunities for intermediate commercial uses.</p>			
<p><b><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></b></p>			

The proposal will allow the opportunity for a vacant site to redevelop with a commercial use within the Interim Transit Overlay District.

**Applicable Plans, Overlays, and Initiatives**

[Transit Oriented Development Strategic Policy Framework](#) – see analysis No. 5 below.

[Interim Transit-Oriented Zoning Overlay District One \(TOD-1\)](#) – see analysis No. 6 below.

[Uptown Transit Oriented Development Policy Plan](#) – see analysis No. 7 below.

[Infill Development District](#) – see analysis No. 8 below.

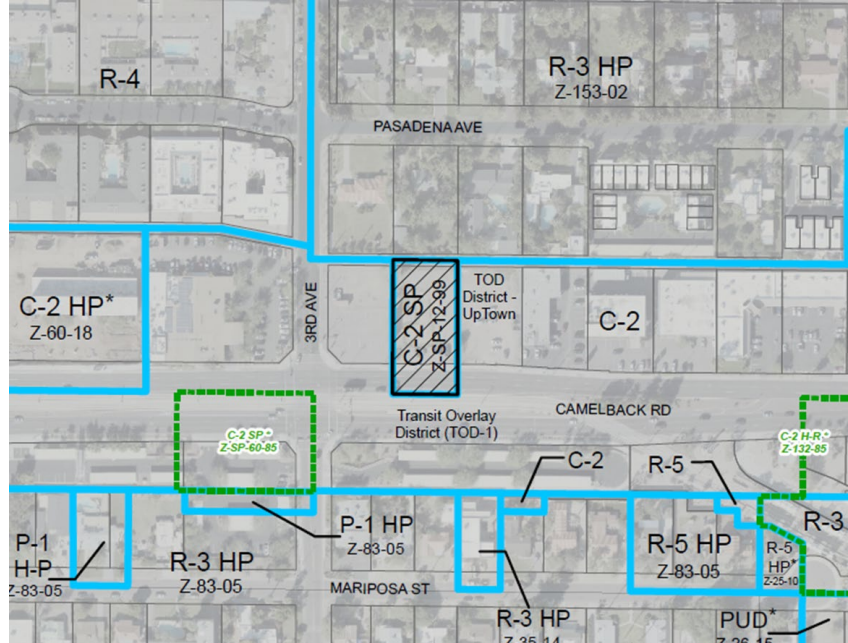
[Reimagine Phoenix Initiative](#) – see analysis No. 13 below.

**Surrounding Land Uses/Zoning**

	<u>Zoning</u>	<u>Land Use</u>
<b>On Site</b>	C-2 SP TOD-1	Vacant commercial pad
<b>North</b>	R-3 HP	Single-family residences
<b>South</b>	C-2 TOD-1 (across Camelback Road)	Park and ride facility
<b>East</b>	C-2 TOD-1	Vacant commercial pad
<b>West</b>	C-2 TOD-1	Parking lot

### Background/Issues/Analysis

1. This request is to rezone 0.57 acres located approximately 140 feet east of the northeast corner of 3rd Avenue and Camelback Road from C-2 SP TOD-1 (Intermediate Commercial, Special Permit, Interim Transit-Oriented Zoning Overlay District One) to C-2 TOD-1 (Intermediate Commercial) to allow for commercial uses.



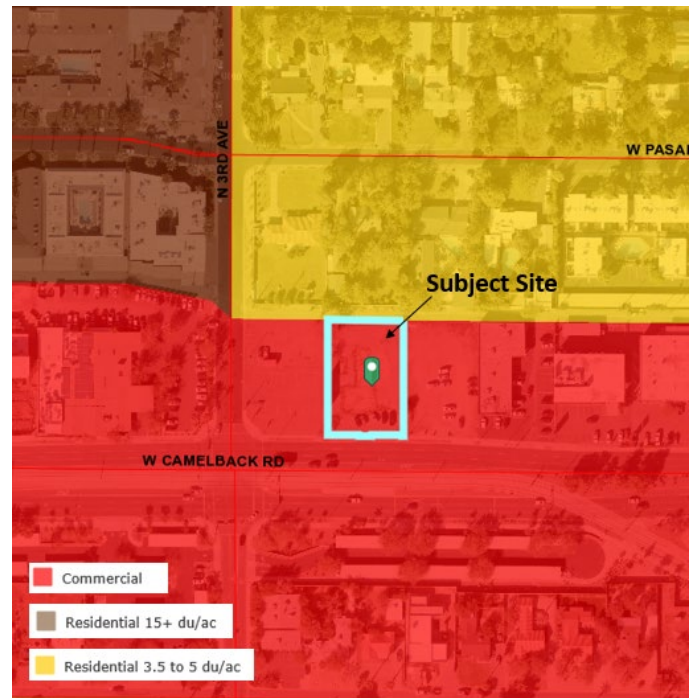
Source: Planning and Development Services

2. The General Plan Land Use Map designation for the subject site is Commercial. The underlying C-2 zoning designation is consistent with the land use map designation.

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

**South, East and West:**  
Commercial

**North:** Residential 3.5 to 5 dwelling units per acre.



Source: City of Phoenix Planning and Development Department

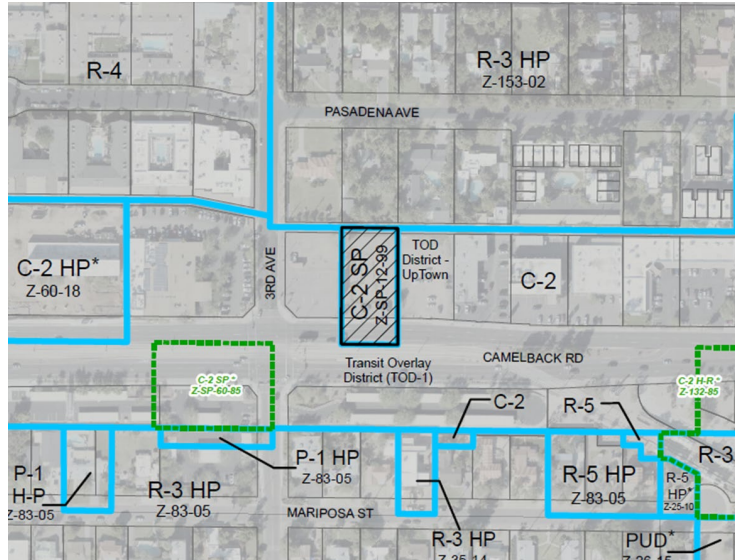
## SURROUNDING USES AND ZONING

### 3. North:

Directly to the north of the subject site is a single-family subdivision, South Medlock Place, zoned R-3 HP (Multifamily Residence District, Historic Preservation Overlay).

### South:

Directly to the south of the subject site, across Camelback Road, is a park and ride facility for the light rail zoned C-2 TOD-1.



Source: City of Phoenix Planning and Development Department

### East:

Directly to the east of the subject site is vacant land zoned C-2 TOD-1.

### West:

Directly to the west of the subject site is a paved parking area zoned C-2 TOD-1.

- Rezoning Case No. Z-SP-12-99 established the Special Permit to allow car rental and leasing. The site contained a single-family house that was converted to a car rental office. The site operated as an Enterprise Rental Car from approximately 1999 through 2011. The structure on the site was demolished in 2016.



2011



2015



2018

- A Special Permit authorizes a use not otherwise permitted in the underlying zoning district. In the current proposal, the underlying zoning district is C-2 TOD-1 and as such, the current request is only to remove the special permit and utilize C-2 TOD-1 zoning. No stipulations or conditions can be placed on this request to remove the Special Permit.
- The primary purpose of the Interim Transit-Oriented District One (TOD-1) is to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the Central Phoenix/East Valley (CP/EV) Light Rail Corridor and promote alternative modes of transportation to the automobile. The secondary purpose of the TOD-1 is to decrease auto-dependency and mitigate the effects of

congestion and pollution. These regulations seek to achieve this type of development by providing a pedestrian, bicycle, and transit supportive environment development integrating auto uses with a complementary mix of land uses, where streets have a high level of connectivity and the blocks are small, all within a comfortable walking and bicycling distance from light rail stations. The removal of the Special Permit will promote development in accordance with the Interim TOD-1 Overlay.



Source: City of Phoenix Planning and Development Services

7. The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The identified environment for the Central Avenue and Camelback Road light rail station area is between Medium Urban Center and Historic Neighborhood Center. Medium Urban Center is a place type characterized by medium intensity with building heights typically from three to six stories with incentive heights of up to 10 stories. Historic Neighborhood Center is a place type characterized by low intensity with building heights typically from two to four stories with incentive heights of up to 5 stories. Land uses may include balanced commercial and residential, retail destination, entertainment destination, and some employment. The request for the removal of the Special Permit to allow underlying C-2 uses is consistent with these designations.
8. The site is located within the Uptown TOD (Transit Oriented Development) District, the boundaries for which are 15th Avenue and 7th Street, with Missouri Avenue as its northern boundary, and Indian School Road as its southern boundary. The policy plan adopted for the Uptown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services. This proposal is consistent with goals and policies of the plan due in part by it spurring the redevelopment of vacant land.

#### COMMUNITY INPUT SUMMARY

9. At the time this staff report was written, staff received correspondence from one individual and one letter from the Medlock Historic Association regarding the request. Concerns include clean air, noise, traffic, pedestrian safety, compatibility

with the Walkable Urban Code (WU Code), shade, contaminants on the site from the previous use and building height.

#### INTERDEPARTMENTAL COMMENTS

10. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
11. The Floodplain Management Division of the Public Works Department indicated that the parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
12. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve a 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.

#### OTHER

13. 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 containers was not addressed in the applicant's submittals.
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 request is consistent with the General Plan Land Use Map designation of Commercial.
2. The C-2 TOD-1 zoning district will allow development that is consistent in character with the surrounding developments, and compatible with the existing light rail line.
3. The request would support the development of a vacant and underutilized property.

#### **Stipulations**

None.

Staff Report: Z-43-19-4  
August 15, 2019  
Page 7 of 7

**Writer**

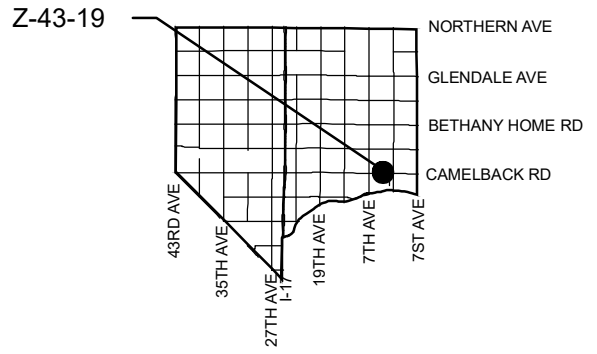
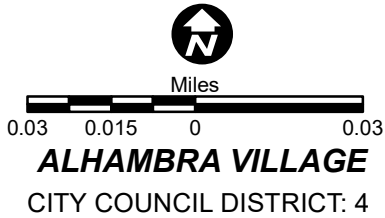
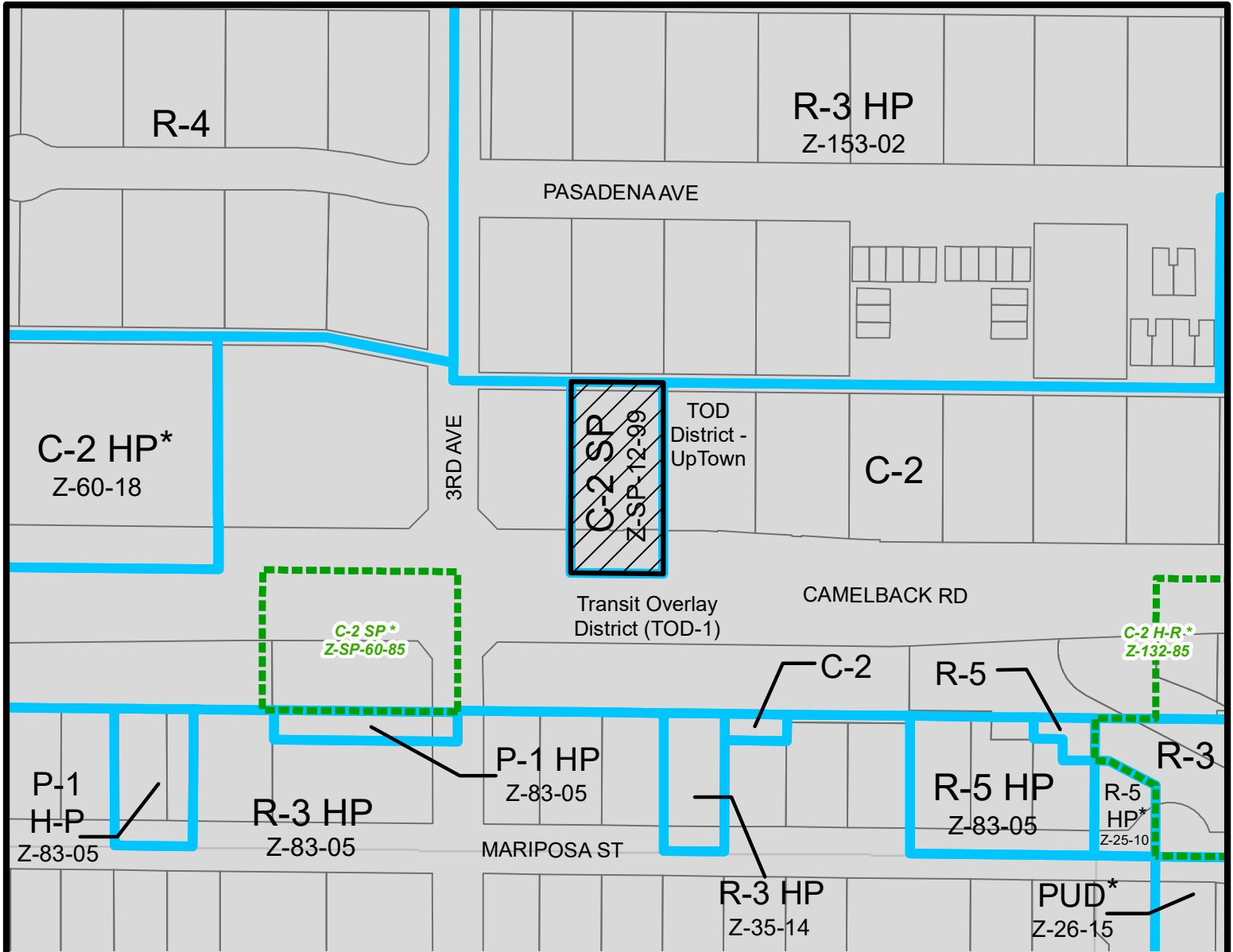
David Simmons  
August 15, 2019

**Team Leader**

Samantha Keating

**Exhibits**

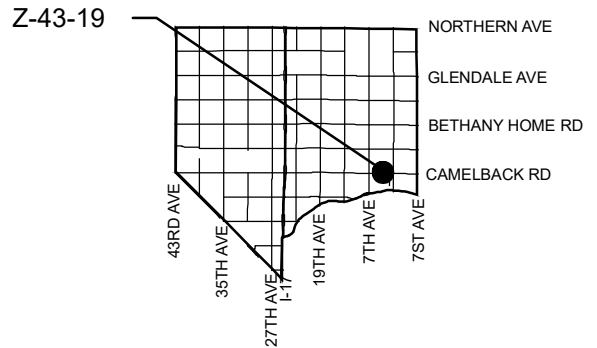
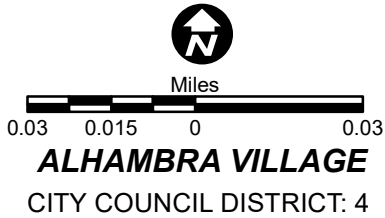
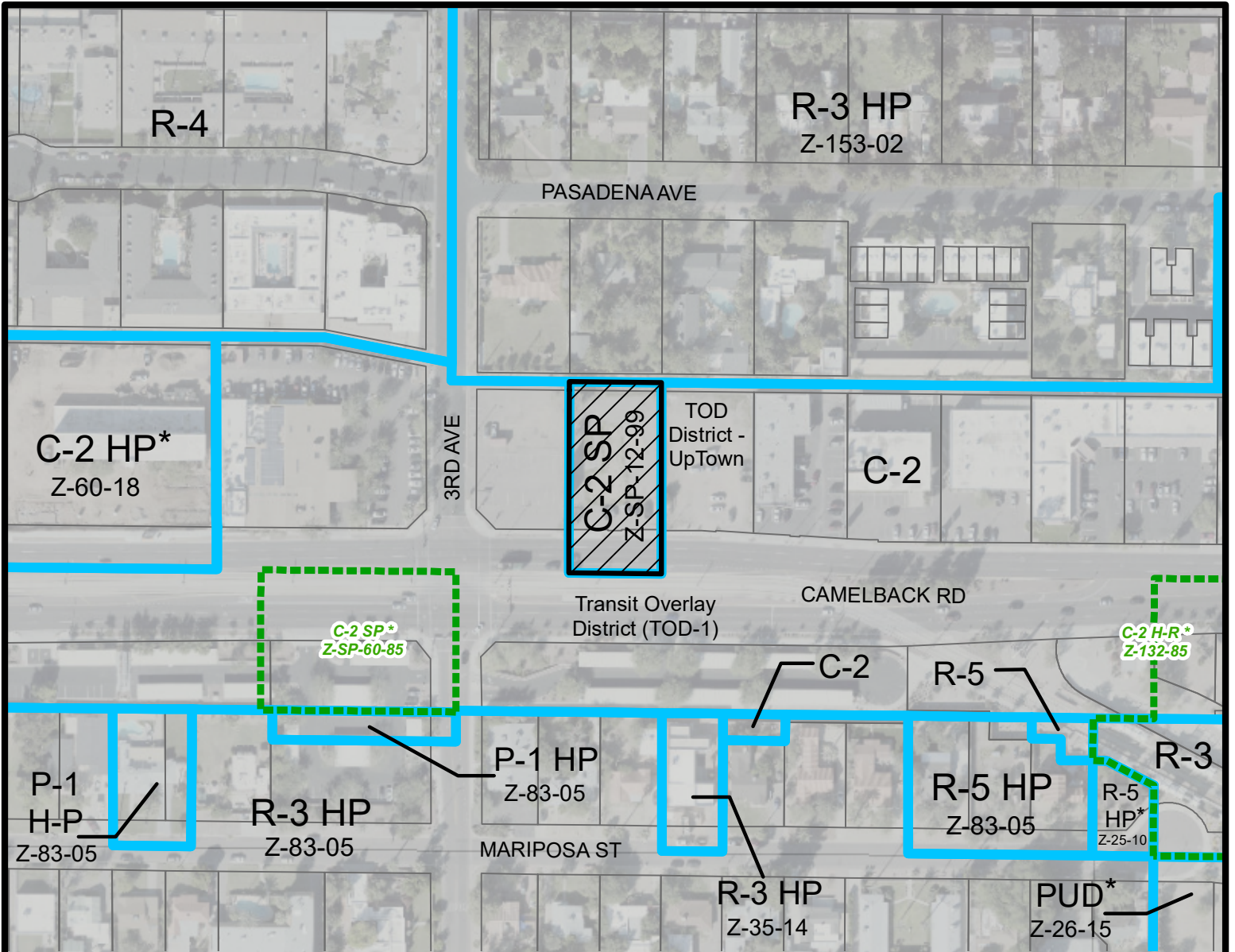
Sketch Map  
Aerial  
Community Correspondence (2 pages)



<b>APPLICANT'S NAME:</b> Purpose Driven Development - 138 and 140		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-43-19		<b>FROM:</b> C-2 SP TOD-1 ( 0.57 a.c.)	
<b>DATE:</b> 8/6/2019 <small>REVISION DATES:</small>		<b>TO:</b> C-2 TOD-1 ( 0.57 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>0.57 Acres</b>		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 19-27</b>	<small>ZONING MAP</small> <b>H-8</b>
<b>MULTIPLES PERMITTED</b>		<b>CONVENTIONAL OPTION</b>	
C-2 SP TOD-1		8	
C-2 TOD-1		8	
		<b>* UNITS P.R.D. OPTION</b>	
		10	
		10	

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





<b>APPLICANT'S NAME:</b> Purpose Driven Development - 138 and 140		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-43-19		<b>FROM:</b> C-2 SP TOD-1 ( 0.57 a.c.)	
<b>DATE:</b> 8/6/2019 <small>REVISION DATES:</small>		<b>TO:</b> C-2 TOD-1 ( 0.57 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>0.57 Acres</b>		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 19-27</b>	<small>ZONING MAP</small> <b>H-8</b>
<b>MULTIPLES PERMITTED</b>		<b>CONVENTIONAL OPTION</b>	
C-2 SP TOD-1		8	
C-2 TOD-1		8	
		<b>* UNITS P.R.D. OPTION</b>	
		10	
		10	

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

## David O Simmons

---

**From:** Ellen Marple Bilbrey <ellenbilbrey2011@gmail.com>  
**Sent:** Tuesday, August 6, 2019 2:18 PM  
**To:** Michelle Dodds  
**Cc:** David O Simmons; Samantha Keating; Racelle Escolar  
**Subject:** Re: Special Permit Removal for 140 W Camelback- Neighborhood Meeting  
**Attachments:** Medlock-140-SpecialUsepermitLetter.docx

Hi Michelle.

Thanks so much for sending me everyone's name that this letter should go to regarding the Special Use permit for 140 West Camelback. We have an important traffic meeting tonight, so may not get many people to attend the lawyers' meeting at 6:00 pm.

This property is adjacent to single-family historic homes so future plans for this property should be considered from every aspect for those residents' safety and daily quality of life in regard to clean air, noise, traffic and height.

Thanks..

Ellen Bilbrey, President  
Medlock Place Historic Neighborhood Association  
602-432-7941

On Tue, Aug 6, 2019 at 2:07 PM Michelle Dodds <[michelle.dodds@phoenix.gov](mailto:michelle.dodds@phoenix.gov)> wrote:

Ellen-

Samatha Keating is filling in as the village planner for the Alhambra Village until they fill the position. David Simmons is the planner writing the report and preparing the file. Racelle Escolar staffs the Planning Commission. Staff typically does not attend the neighborhood meeting. I spoke with David and he said you could send a letter/email with your concerns to him and he will make sure it is placed in the file. I let him know you had another meeting to attend this evening.

Michelle Dodds, AICP

Historic Preservation Officer

City of Phoenix

602-262-7468

**City of Phoenix Planning:  
Re: Re-zoning Case No. Z-43-19-4**

**The Medlock Place Historic District Association opposes the "Special Permit" release request for 140 West Camelback based on it not being tied to a specific planned development and the lack of a transition to the Walkable Urban Code.**

Since all new land use in a city should consider preserving the quality of life for existing and future residents, one of our key concerns is a large-scale drive-through business being considered for 138/140. We understand this business could accommodate forty idling vehicles. Therefore, the Special Permit removal should be tied to a specific project compatible with the TOD, Walkable Urban Code, and the historic neighborhood. Furthermore, it is the City's policy that re-zoning requests of parcels within a TOD be accompanied by placement into the Walkable Urban Code.

A drive-through business with one exit onto Camelback will cause high traffic concentrations that will impact the Federally-designated Historic Districts of Medlock Place and Pierson Place where cut-thru traffic will flood the streets. Third Avenue going both North and South of Camelback is the City's premier Scenic bikeway and a Key Corridor for bicycle/pedestrian use. We are also working with the City to improve the safety of this route for pedestrians and bicycles.

The dramatic air quality degradation from idling cars would contribute to the ozone and CO<sub>2</sub> in Central Phoenix air. Other states have passed vehicle idling laws, however Phoenix has not and is ranked 7th in the nation for the most ozone pollution. Many cities take air quality seriously and prohibit these idling car-centric businesses within the air containment areas. Federal Light Rail recommendations in towns like Tucson, also prohibit car centric drive-throughs in the downtown area. The Phoenix City Council designated the Central and Camelback corner within ¼ mile in a circle as a Neighborhood Historic Transit-Oriented Development and Walkable Zone. That property should be planned for walkability, bike-ability, effects on the historic neighborhood, and shade. A thousand cars a day crossing the sidewalk between Central and 3<sup>rd</sup> Ave. along Camelback is the antithesis of a walkable zone.

The former occupancy of this property for many years was an Enterprise Leasing Rental business with vehicles on site. We are concerned that the property may have absorbed chemicals, solvents, or other petroleum products. We suggest the City require the property owners obtain an environmental inspection to determine if the property contains contaminants, as a condition of the rezone. That inspection report should then be released to the public before there is consideration of this property receiving relief from the existing special use zoning.

Like previous rezoning cases, we ask the City of Phoenix to require this Special Permit rezone be tied to a specific project proposal that is both sensitive to and compliant with Transit Oriented Development standards and be legally included into the Walkable Urban Code. Your consideration is sincerely appreciated.

Thank you:  
Medlock Place Historic Neighborhood Association