



City of Phoenix

Planning Department

Staff Report: Z-67-09-4

February 9, 2010

Alhambra Village Planning Committee Meeting Date	February 23, 2010
Planning Commission Hearing Date	March 10, 2010
Request From:	R-3 WSN SPD (.69 Acres)
Request To:	C-1 WSN SPD (.69 Acres)
Proposed Use	Restaurant & Retail
Location	SEC of Central Ave and Oregon Ave
Owner	Central Market LLC
Applicant/Representative	Central Market LLC/ Ben Patton, Triadvocates
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	Central Avenue	Arterial	50 ft east half street
	Oregon Avenue	Local	25 ft south half street (no dedication)
<p><i>NEIGHBORHOOD ELEMENT, GOAL 2: COMPATIBLE NEIGHBORHOOD DEVELOPMENT. NEW DEVELOPMENT AND EXPANSION OR REDEVELOPMENT OF EXISTING DEVELOPMENT IN OR NEAR RESIDENTIAL AREAS SHOULD BE COMPATIBLE WITH EXISTING USES AND CONSISTENT WITH ADOPTED PLANS.</i></p> <p>The proposed zoning change is consistent with the Commercial land use designation of the General Plan and with the provisions contained within the Windsor Square Neighborhood SPD.</p>			
<p><i>CONSERVATION, REHABILITATION, & REDEVELOPMENT ELEMENT, GOAL 2: PROPERTY PRESERVATION. PRESERVATION, MAINTENANCE AND IMPROVEMENT OF PROPERTY CONDITIONS SHOULD BE PROMOTED TO ENSURE PHOENIX NEIGHBORHOODS ARE ATTRACTIVE AND DESIRABLE PLACES TO LIVE.</i></p> <p>Improvement to the property will stabilize and beautify an older building within a historic district and allow uses that will create a walkable destination for neighborhood residents.</p>			

CONSERVATION, REHABILITATION, & REDEVELOPMENT ELEMENT, 4: ADAPTIVE REUSE OF OBSOLETE DEVELOPMENT. ENCOURAGE REUSE OF VACANT STRUCTURES AND SUBSTANTIAL REHABILITATION OF OBSOLETE BUILDINGS.

Approval of this request will allow the rehabilitation and beautification of an aging, underutilized, and deteriorating structure that will become an amenity in an area of renewed local investment.

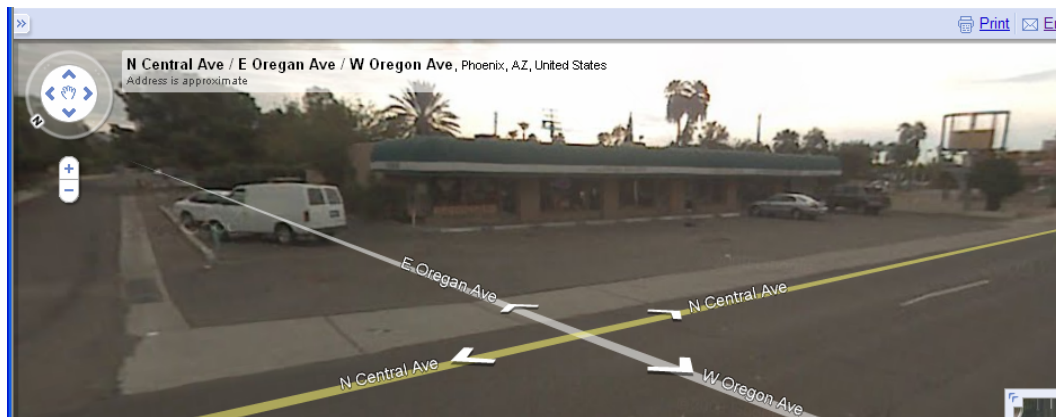
Area Plan
<u>WINDSOR SQUARE NEIGHBORHOOD SPD</u>
Consistent

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Retail	R-3
North	Office building	C-O
South	Vacant, former gas station	C-2
East	Multi-family Residential	R-3
West	Retail	C-1

Commercial/Commerce Park/Industrial		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Building Setbacks</i>		
Street	Average 25 ft; Minimum 20 ft permitted for up to 50% of the structure	40 ft to Central Avenue (Met) 32 ft to Oregon Avenue (Met)
Side	0	3 ft (Met)
Rear	25 ft	53 ft (Met)
<i>Landscaped Setbacks</i>		
Street	Average 25 ft; Minimum 20 ft permitted for up to 50% of the structure	18 ft (*Not Met)
Side	0	5 ft (Met)
Rear	Minimum 10 ft	4 ft (*Not Met)
Lot Coverage	N/A	14% (Met)
Building Height	2 stories/30 ft	1 Story, 12.5 ft (Met)
Parking	35 spaces	36 spaces (Met)

Background/Issues/Analysis

1. This is a request to rezone a small, existing retail strip for the purpose of adapting the site for new commercial uses. The site was developed in the 1940s before annexation to the city and has functioned as a retail center since that time. Although this site has been acknowledged as a nonconforming use, continued commercial operation can only continue in a very limited manner and cannot include the uses proposed herein. The proposed rezoning will remedy this longstanding problem and will allow the 4,027 square-foot structure (with 1,104 square foot outdoor rear patio) to be rehabilitated and reused for neighborhood-compatible retail/ and restaurant uses that will provide a walkable amenity to the Windsor Square Neighborhood.



2. The General Plan Land Use Map designation for the site is Commercial, which reflects the long-term retail use on the site. The property is also located within and subject to the provisions of the Windsor Square Neighborhood Special Planning District (WSN SPD). This document, adopted in 1987, serves as the policy guide for development within this historic district. The WSN SPD provides strong support for the reuse of the subject structure as a commercial facility in the following ways. First, the WSN SPD land use map identifies the site for "General Commercial" land uses. Second, a stated goal of the document is to "Encourage redevelopment that upgrades the value and appearance of commercial and/or residential properties."
3. The site is located within the Camelback Road/Central Avenue activity node that is developing near the light rail station at the southwest corner of that intersection. There is commercial development on all remaining corners and along both sides of Central Avenue extending north from Camelback Road beyond the subject site. Although the site is not located within the light rail station's ¼ mile Transit Overlay District, it is, nevertheless, within walking distance of the station. The restaurant/retail use is representative of the new commercial investment activity that is evident in the area, which is also developing as a nexus for a growing number of new locally owned restaurants.

4. The site is located on the east side of Central Avenue, an arterial street, and is bordered by commercial uses on three sides. There are office buildings to the north and west and a (vacant) gas station remediation site to the south. Residential zoned R-3 developed as a duplex abuts the site on the east.

The existing retail structure on the site will remain but will be renovated and adapted for new uses that will include new retail spaces and a restaurant with an outdoor dining patio. The site improvements will include additional landscaping that exceeds those required in a C-1 zoning district, new signage, parking surface repairs, defined access points, and façade enhancements. A portion of the shed at the rear of the structure will be removed, but the walls will be reused to completely enclose the outdoor patio.

5. The site plan date stamped December 15, 2009 by the Planning Department depicts the same 4,027 square-foot building footprint as the existing 12.5-foot high retail structure. The rear shed area is shown as a 1,104 square-foot outdoor dining area. Use permits will be required for the outdoor dining accessory use and for the sale of alcoholic beverages.

Landscaping on the site plan identifies 15 trees located around the edges of the property. Although not specified on the site plan, the applicant has stated that these will be Acacia Aneura trees. The Windsor Square Neighborhood Special Planning District (WSN SPD) specifies the use of "mature" trees where commercial is adjacent to residential yards. There is a 10-foot landscape setback along the east perimeter (rear) and 40-foot "greenbelt" extending along the rear of the building adjacent to the patio. The site plan shows trees along the eastern perimeter within the parking spaces positioned beyond the 10-foot landscape setback. Additional landscaping features on the west and north sides of the site are provided. A detailed landscape plan will be reviewed by the Development Services Department and implemented by the applicant at the time the building is rehabbed and open for business.

The front landscape setback does not indicate the required detached sidewalk to match the adjacent north and south sidewalks. This requirement will be addressed through the Development Services Department review process. Additionally, a 40-inch high screen wall or combination wall/hedge will be required to separate the front landscape setback and sidewalk area from the front drive aisle and parking areas. This requirement addresses not only the issue of visual separation of pedestrian and automobile spaces but also that of safety.

The site plan shows a single entry-only access driveway on Central Avenue thereby eliminating the existing flat, drive-up surface access and parking system. There is also an ingress/egress driveway on Oregon Avenue.

The site plan depicts 36 parking spaces, including two ADA spaces, which exceeds the required 35 spaces required on the site. Parking requirements under the WSN SPD regulations are defined as one space per 150 square feet of retail use. Additional parking, when needed, will be made available via a five-year renewable, non-cancelable shared parking agreement for overflow parking with the property owner on the adjacent C-O site to the north per Zoning Ordinance Section 702.D.5.A.5.b. Shared Parking Model. Valet service will also be provided for customers of the proposed restaurant.

The site plan does not indicate the placement, type, and size of sign(s) and lighting features. Also, the existing rear solid wall is not identified on the site plan. These omissions will be addressed through the Development Services Department review process. The dumpster at the rear of the site extends into the eastern perimeter landscape setback. A variance will be required.

6. The north side of the property extends 25 feet into the public right-of-way along Oregon Avenue, which will remain a half street through an agreement with the Street Transportation Department at the request of the Windsor Square Neighborhood. The applicant will be required to file a subdivision ordinance appeal to modify the right-of-way requirement.

The Street Transportation Department has requested that in addition to the standard required improvements, a 20 foot by 20 foot sidewalk easement triangle be dedicated at the southeast corner of Central Avenue and Oregon Avenue.

7. 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 abandonment may be required.

Findings

1. The request is consistent with the General Plan Land Use Map designation of Commercial and with the provisions contained within the Windsor Square Neighborhood Special Planning District.
2. Approval of this request will allow the necessary investment in property stabilization, rehabilitation, and beautification of an older, deteriorating commercial building in a stable and increasingly active area of central Phoenix.
3. Improvement to the property will stabilize and beautify an older building within a historic district and allow uses that will create a walkable destination for neighborhood residents.

Stipulations

1. That the development shall be in general conformance to the site plan date stamped December 15, 2009, as approved or modified by the Development Services Department.
2. That a 40-inch high screen wall, hedge, or landscape hedge/ wall combination shall be provided within the landscape setback on Central Avenue adjacent to the parking lot/drive aisle, as approved by the Development Services Department.
3. That the eastern perimeter landscaping shall consist of four-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Development Services Department.
4. That a 20-foot by 20-foot sidewalk easement triangle shall be dedicated at the southeast corner of Central Avenue and Oregon Avenue.
5. That the developer shall construct curb, gutter, detached sidewalk, curb ramps, streetlights, landscaping and other incidentals along Central Avenue as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.
6. That the applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

Writer

Susan Sargent

12/15/2009

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Attachments

Zoning Sketch

Aerial Map

Site Plan date stamped December 15, 2009

Informal Interpretation dated May 27, 2009 (2 pages)

