

### Staff Report: Z-32-16-1

July 8, 2016

July 21, 2016
August 4, 2016
Ind. Pk. SP (4.14 acres)
Ind. Pk. (4.14 acres)
Remove Special Permit for health club (Z-SP-15-87)
Northeast corner of 29th Avenue and Greenway Road
29th Avenue and Greenway, LLC
Fennemore Craig, P.C., Michael J. Phalen
Approval

General Plan Conformity					
General Plan Land Use Designation		Industrial			
Street Map Classification	29th Avenue	Collector	38-foot east half street		
	28th Avenue	Local	33-foot south half street		
	Greenway Road	Arterial	65-foot north half street		

#### CONNECT PEOPLE AND PLACES CORE VALUE

# **OPPORTUNITY SITES; LAND USE PRINCIPLE:** Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The subject site has underlying Industrial Park zoning. It is reasonable to remove the special permit to allow additional industrial park/commerce park uses on the site. The site has been designed to be respectful of local conditions and the surrounding neighborhood, and there are zoning standards in place that will ensure that compatibility with surrounding uses will be maintained.

### STRENGTHEN OUR LOCAL ECONOMY CORE VALUE

EMPLOYERS (JOB CREATION); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.

#### ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

The proposed special permit removal provides an opportunity for growth of an employment generating new business within the North I-17 Employment Center.

#### CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE

CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

# 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.

The proposed special permit removal will allow for the site to be redeveloped for a medical office use. The site has been designed to be sensitive to surrounding uses and conditions, and there are adequate zoning standards in place that will ensure that compatibility with surrounding uses will be maintained. The proposal also allows for the opportunity for aesthetic enhancements to the building and landscaping which will contribute to the enhancement of the area.

#### Area Plan

#### BLACK CANYON/MARICOPA FREEWAY SPECIFIC PLAN

The subject site is located within the Black Canyon/Maricopa Freeway Specific Plan, which spans along the I-17 and I-10 freeways, between Pinnacle Peak Road to Pecos Road. This specific plan was adopted by City Council on June 30, 1999. The plan was created as a result of the Freeway Mitigation Program to study the area for blighting effects, plan for land uses and mitigating features, and provides policies and recommendations for each segment. Aptly, the plan specifically emphasizes areas where single-family residential lots are directly adjacent to the freeway. The plan provides mitigating features and/or recommendations related to circulation, noise, neighborhood safety and stabilization, landscape enhancement, neighborhood enhancement, and bicycle paths and recreational trails.

The subject site is within segment four (4) in the plan area. There are no specific mitigating features and/or recommendations that directly apply to the site. The plan does specifically state that there are no freeway mitigation land use changes recommended for segment four (4). In general, the plan encourages neighborhood safety and stabilization, landscape enhancements, and placement of bike paths and recreational trails. The site has been designed to consider neighborhood safety and stabilization by limiting access from and to the site from 28th Avenue only. The plan recommends providing enhanced

landscaping adjacent to residential areas, designed to provide focal points, as well as, soften and screen the visual impact of the freeway. The landscape standards required for the site will provide sufficient landscape enhancements to buffer residential uses from the freeway and other non-residential uses. The plan encourages placement of bike paths and recreational trails to allow for multi-modal transportation options. There is an existing bike lane along 29th Avenue, west of the site. Overall, the use provides a good buffer between the existing freeway and residential area.

Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Vacant building	Ind. Pk. SP		
North	Commerce park/office	Ind. Pk.		
South	Single-family residential	R1-6		
East	Education facility/office	Ind. Pk.		
West	Single-family residential	R1-8		

#### Industrial Park (Commerce Park District)

Property previously zoned Industrial Park, and developed under standards then in effect, shall be considered to be a conforming use under the Business Park option of the Commerce Park District.

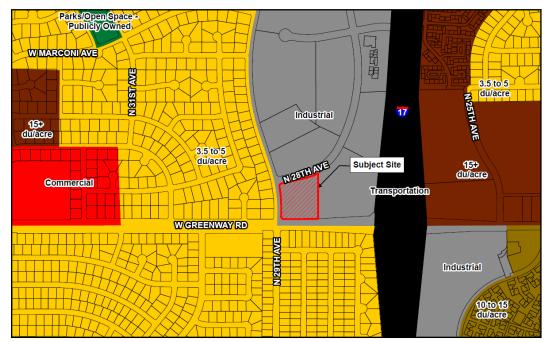
Standards	Requirements (CP/BP)	Provisions on the Proposed Site Plan
Gross Acreage		4.14 gross acres
Off-Street Parking	Minimum 123 spaces	Met – 203 spaces
Building Setbacks	•	
North (Interior Street)	Minimum 20'	Met – 90' +
South (Perimeter Street)	Minimum 30'	Met – 100' +
East (Interior)	Minimum 0'	Met – 123' +
West (Perimeter Street)	Minimum 30'	Met – 88' + (Approximately 74' to refuse enclosure)
Landscape Setbacks		
North (Interior Street)	Minimum 20'	Met – 20'
South (Perimeter Street)	Minimum 30'	Met – 30'
East (Interior)	Minimum 0'	Met – 0'
West (Perimeter Street)	Minimum 30'	Met – 30'
Lot Coverage	Maximum 40% plus 10% for parking canopies or structure	Met – 15%

Staff Report: Z-32-16-1 July 8, 2016 Page 4 of 9

Standards	Requirements (CP/BP)	Provisions on the Proposed Site Plan
Building Height	Maximum 18' within 30' of perimeter lot line; 1' increase per 3' additional setback, maximum 56'	Met – 28'-6" to top of parapet
	Based on existing building setbacks, the maximum height permitted is: South Perimeter: 42' West Perimeter: 36'	

#### Background/Issues/Analysis

- 1. The request is to rezone 4.14 gross acres from Ind. Pk. SP (Industrial Park, Special Permit) to Industrial Park to allow a medical office use. The approval of Special Permit Rezoning Case No. Z-SP-15-87-2 established the Ind. Pk. SP zoning on the site to allow a health club, subject to stipulations. The Special Permit limited the use of the property for health club use only. The Special Permit must be removed in order to allow any of the underlying industrial/commerce park uses on the site.
- 2. The General Plan Land Use Map depicts the site as Industrial. The existing Industrial Park zoning does not conform to the General Plan Land Use designation, however no change is proposed to the underlying zoning and the existing entitlements provide a more appropriate buffer to the surrounding residential uses.

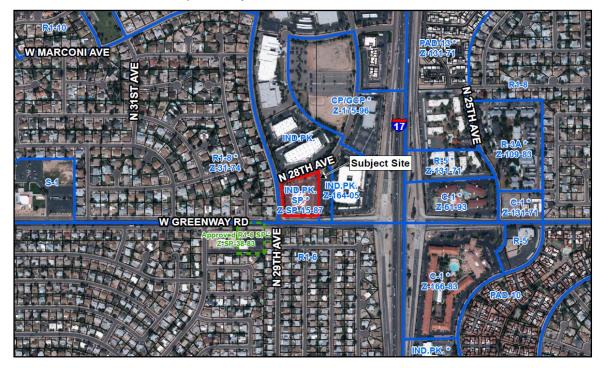


Staff Report: Z-32-16-1 July 8, 2016 Page 5 of 9

3. The subject site is located at the northeast corner of 29th Avenue and Greenway Road. The site includes a vacant building that was previously used as a health/fitness facility.

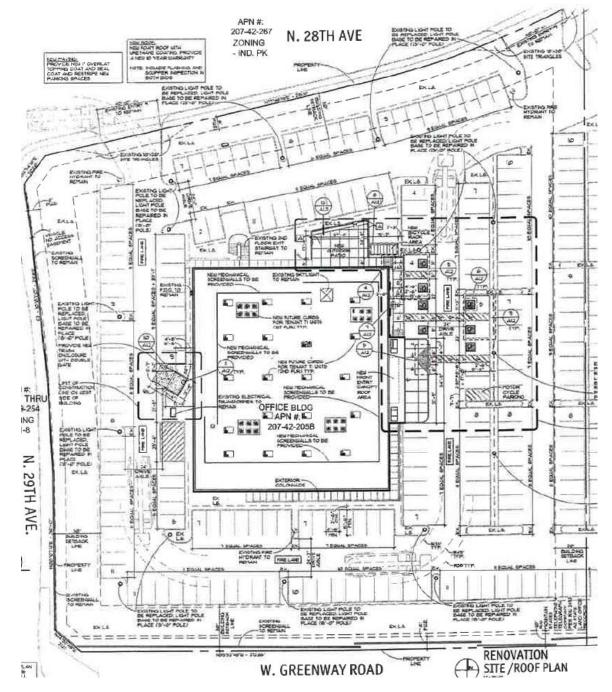
Areas north and east of the site is also zoned Industrial Park. The Northern Arizona University – North Valley Campus is located on the property to the east of the subject site and there are a mix of commerce park uses to the north such as, office, and research and deveopment uses.

There are single-family residential properties located to both the west and south, zoned R1-8 and R1-6, respectively.



Staff Report: Z-32-16-1 July 8, 2016 Page 6 of 9

4. The site plan depicts the existing building with improvements internal to the building as well as the building façade. The existing landscaping will be maintained and additional landscape material will be added to meet the current landscape standards. The existing building is centered in the property with parking and



landscaping surrounding the building on all sides. The primary entrance to the building is on the east side. The vehicular ingress and egress to the property is on the north side, off 28th Avenue.

- 5. Special Permit Rezoning Case No. Z-SP-15-87-2 was approved subject to the following stipulations:
  - That the exterior elevations including finish and roofing materials shall be of a character similar to the exterior materials of other buildings in the Industrial Park and complimentary to the residential development to the west as approved by Development Coordination Office.
  - 2) That there shall be no direct access from the site to 29th Avenue.
  - 3) That the entrance to the building be oriented to the east.
  - 4) That any right of way be necessary for roadways or trail networks be dedicated concurrently with final site plan review.

The only stipulation imposed with the Industrial Park zoning was a requirement for right-of-way dedications. All necessary right-of-way dedications have been completed.

A Special Permit authorizes a use not otherwise permitted in the underlying zoning district. In this case, the underlying zoning district is Industrial Park and as such, the current request is only to remove the Special Permit and utilize the existing Industrial Park zoning for a medical office use. No stipulations or conditions can be placed on this request to remove the Special Permit.

However, the site as currently configured and designed does meet the stipulations from the approved Special Permit. The elevations show proposed improvements to the building including enlargement of window openings, a second floor patio on the northeast side of the building, new metal screening and embellishments, and new paint on the exterior of the building. The roof is proposed to remain at the same height with new screen walls to screen roof mounted equipment. As far as exterior finishes and materials, the bulk of the building will not change in character. The improvements made to the building will still be in character with the other industrial park buildings in the area. The color scheme appears to be neutral or earth tones which will be complimentary to the residential development to the west. No direct access is proposed on 29th Avenue and the primary entrance of the building is still oriented to the east. There are no additional right-of-way dedications needed for the site.

- 6. The Archaeology Office has stated that no archaeological work is necessary, however if any materials are encountered then ground-disturbing activities shall cease and the Archaeology Office must immediately be notified.
- 7. The Aviation Department has reviewed the rezoning application submittal and requests that the following item be completed prior to approval:
  - 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.

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.

- It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in Shaded Zone X, on panel 1290 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
- 9. The Public Transit Department has requested the following improvements:
  - Construction of a bus stop pad on northbound 29th Avenue north of Greenway Road according to Standard Detail P1260. The pad should be located between 95 and 145 feet north of Greenway Road (Standard Detail P1258).
  - Accessible paths connecting the building to 28th Avenue and Greenway Road.
- 10. The Water Services Department has stated that there are no issues with the rezoning request and have provided existing water/sewer service and meter information.
- 11. 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. Although the proposed zoning is not in full conformance with the Industrial designation of the General Plan Land Use Map, the request is appropriate within close proximity to residential uses.
- 2. The proposed Special Permit removal provides an opportunity for a new business to locate in the area and to make improvements to the site which will contribute to enhancing the area overall.

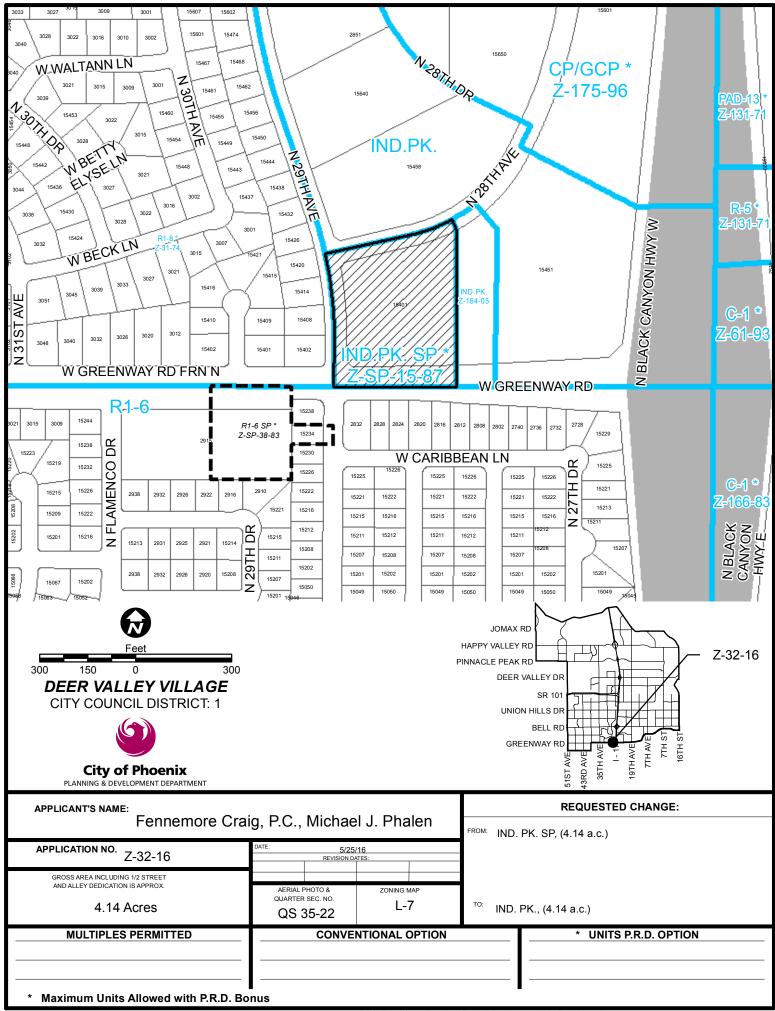
#### **Stipulations**

None.

<u>Writer</u> Racelle Escolar 7/8/2016

Team Leader Josh Bednarek Staff Report: Z-32-16-1 July 8, 2016 Page 9 of 9

Attachments Sketch Map Aerial Site Plan date stamped May 18, 2016 Elevations date stamped May 18, 2016



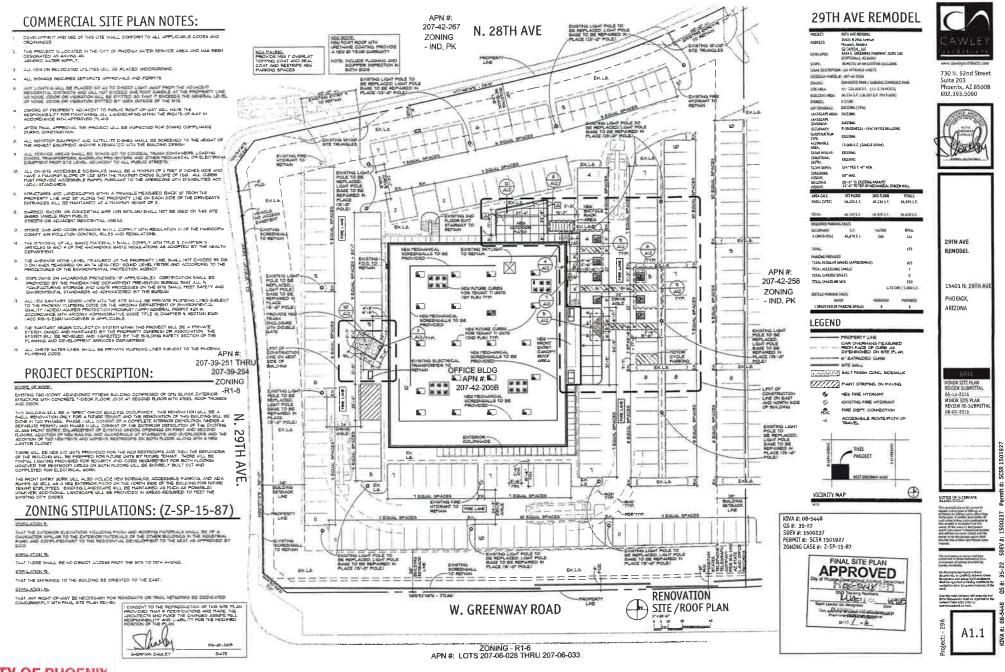
R:\IS\_Team\Core\_Functions\Zoning\sketch\_maps\2016\Z-32-16.mxd

## Z-32-16-1 Aerial Map



RE 6/28/2016 Aerial Date:

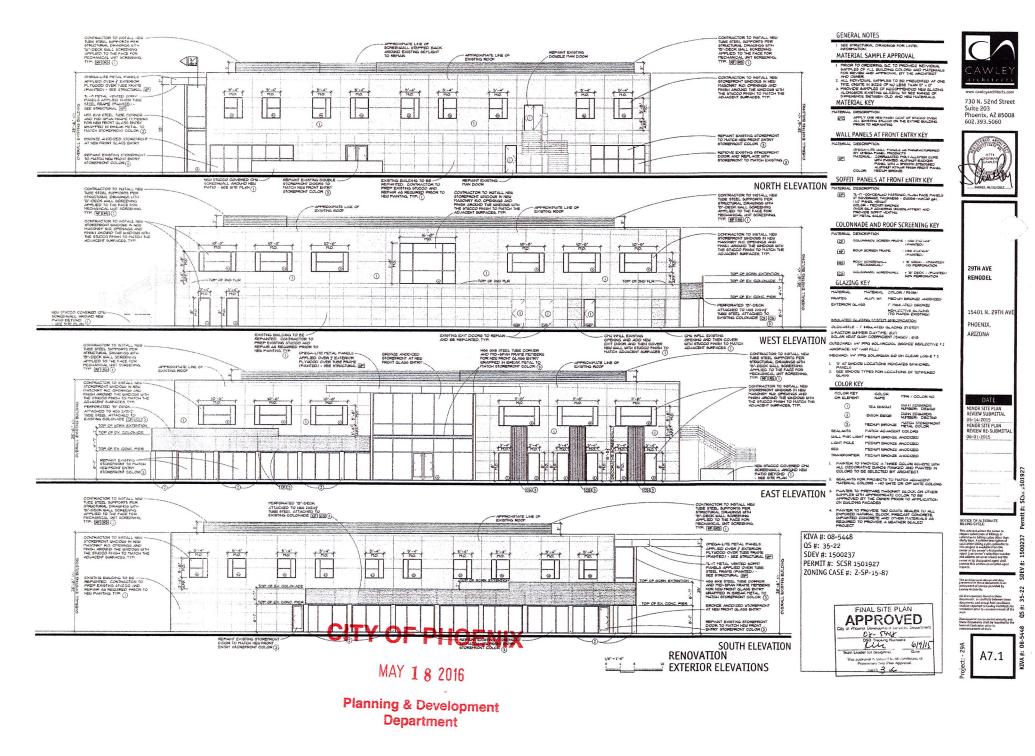
2014



#### CITY OF PHOENIX

MAY 1 8 2016

Planning & Development Department



and the second s