



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-36-21-6**  
**August 19, 2021**

**Camelback East [Village Planning Committee](#) Meeting Date:** September 7, 2021  
**[Planning Commission](#) Hearing Date:** October 7, 2021

**Request From:** [C-2 SP](#) (Intermediate Commercial, Special Permit) (0.27 acres)  
**Request To:** [R-3](#) (Multifamily Residential) (0.27 acres)  
**Proposed Use:** Multifamily Residential  
**Location:** Approximately 565 feet south of the southeast and southwest corners of 13th Place and Colter Street  
**Owner:** Koppinger, Kantak, and Parks  
**Applicant:** Bernard Jantak III and Elizabeth Koppinger  
**Representative:** Withey Morris, PLC, William F. Allison  
**Staff Recommendation:** Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Residential 15+ dwelling units/acre	
<a href="#">Street Map Classification</a>	13th Place	Local street	25-foot east and 25-foot west half street
<p><b>CONNECT PEOPLE &amp; PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</b></p> <p>The two parcels that are part of this request, will be rezoned to be consistent with the R-3 (Multifamily Residential) zoning to the north. If the parcels are developed with a residential use, the use will not only be less intense, but also provide increased housing choices adjacent to a commercial corridor.</p>			

***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; LAND USE PRINCIPLE: 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.***

Rezoning the parcels will provide consistency with the General Plan Land Use Map designation, Residential 15+ dwelling units per acre. If developed or redeveloped with single-family or multifamily residential, the site will be consistent with the character and identity of the surrounding neighborhood.

***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & 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.***

Rezoning the parcels from commercial to residential ensures that new development or redevelopment will adhere to R-3 standards, which will be consistent with the existing character of the neighborhood.

### Applicable Plans, Overlays, and Initiatives

[Camelback East Village Character Plan](#): See Background Item No. 5.

[Housing Phoenix](#): See Background Item No. 6.

[Zero Waste PHX](#): See Background Item No. 7.

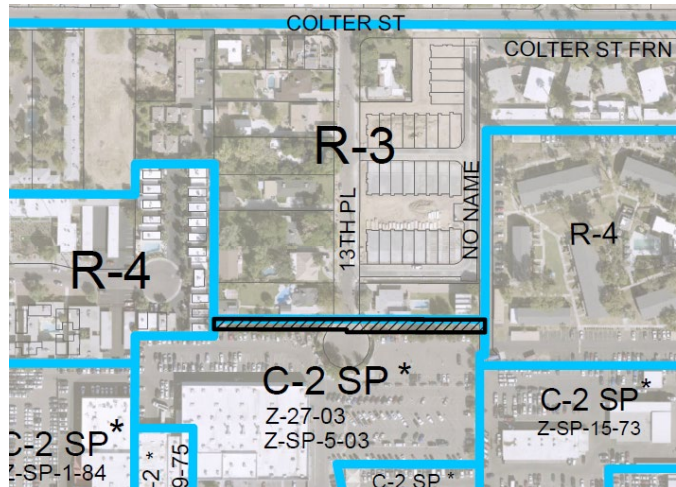
### Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Single-Family Residential	C-2 SP
<b>North</b>	Single-Family Residential	R-3
<b>West</b>	Multifamily Residential	R-4
<b>East</b>	Multifamily Residential	R-4
<b>South</b>	Automobile dealership	C-2 SP

## **Background/Issues/Analysis**

### REQUEST

1. This is a request to rezone a 0.27 gross acre site located approximately 565 feet south of the southeast and southwest corners of 13th Place and Colter Street from Intermediate Commercial, Special Permit (C-2 SP) for an automobile dealership to Multifamily Residential (R-3). The intent of the rezoning request is to have consistent zoning with the adjacent residential parcels to the north.



**Zoning Aerial Map, Source: City of Phoenix Planning and Development Department**

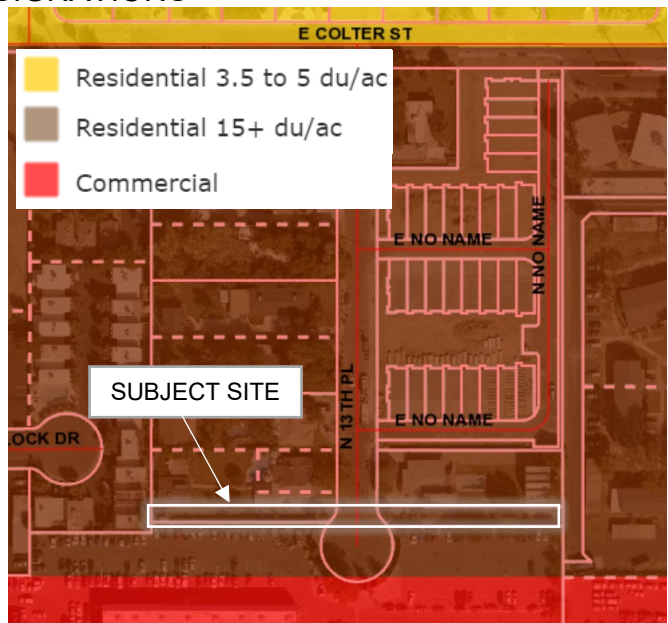
### SURROUNDING USES AND ZONING

2. The properties to the north are zoned R-3 and include single-family and proposed multifamily residential uses. The properties to the east and west are zoned Multifamily Residential (R-4) and include multifamily residential developments. The property to the south is zoned C-2 SP. The approval of Rezoning Case No. Z-27-03 established the C-2 zoning and Rezoning Case No. Z-SP-5-03 established the Special Permit designation for an automobile dealership with outdoor display.

### GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site and directly adjacent parcels is Residential 15+ dwelling units per acre.

The R-3 zoning requested is consistent with the General Plan Land Use Map designation and compatible with existing land uses in the area.



*General Plan Land Use Map, Source: City of Phoenix Planning and Development Department*

### SITE HISTORY

4. The subject site was included in Rezoning Case Nos. Z-27-03 and Z-SP-5-03. The parcels were intended to be a landscape buffer between the auto dealership and the single-family residential to the north. The developer was expected to maintain the landscaping to provide screening.

The subject site was sold to adjacent property owners to be incorporated into private yard areas. The site currently consists of two separate tracts, Tract A and Tract B of the ABC Nissan Expansion Commercial Subdivision Plat.

If the site were to be redeveloped with multifamily residences, per the recently passed text amendment, Z-TA-5-15, regarding landscape maintenance in the City, the developer would be subject to the appropriate landscape removal, inventory, salvage, installation, and maintenance requirements. The provisions would ensure that the existing landscaping would be maintained or replaced, as appropriate.

### CAMELBACK EAST VILLAGE CHARACTER PLAN

5. The Camelback East Village is characterized by long-standing established neighborhoods with diverse residential character, which should be preserved despite development. The Camelback East Village Character Plan identifies principles that protect residential areas through compatible land uses that are comparable in scale, design, and appearance. Rezoning the parcels from

commercial to residential ensures that new development or redevelopment will adhere to standards consistent with the existing character of the neighborhood.

#### CITYWIDE STUDIES AND POLICIES

##### 6. **Housing Phoenix**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. If the site is developed with a residential use, it will support the plan's goal of preserving or creating 50,000 housing units by 2030 and contribute to a variety of housing types that will address the supply shortage.

##### 7. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the City's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance 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.

#### COMMUNITY INPUT SUMMARY

8. At the time the staff report was written, staff had not received any community correspondence.

#### INTERDEPARTMENTAL COMMENTS

9. The Street Transportation Department commented that the developer construct all roadway infrastructure to code standards, which is addressed in Stipulation No. 1.
10. The Water Services Department commented that the property has existing water and sewer mains that can potentially serve the development. The Department noted that capacity is a dynamic condition that can change over time due to a variety of factors and the City is only able to provide assurance of water and sewer capacity at the time of preliminary site plan approval. For any given property, these requirements may vary over time to be less or more restrictive depending on the status of City infrastructure.

11. The Floodplain Management group, Public Transit Department, and Fire Department had no comments regarding the request.

#### OTHER

12. 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. 2.
13. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal action such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The development is consistent with the Phoenix General Plan Land Use Map designation of 15+ dwelling units per acre.
2. If approved, the R-3 zoning district will allow development or redevelopment that is consistent in scale and character with the neighborhood.
3. The development is consistent with principles outlined in the Camelback East Village Character Plan regarding protection of existing neighborhood character.

#### **Stipulations**

1. 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.
2. In the event archaeological 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**

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August 19, 2021

**Team Leader**

Samantha Keating

**Exhibits**

Zoning sketch map

Aerial sketch map