



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-55-17-6
November 13, 2017

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| Ahwatukee Foothills Village Planning Committee Hearing Date | November 27, 2017 |
| Planning Commission Hearing Date | December 7, 2017 |
| Request From: | C-1 (14.81 acres) |
| Request To: | C-2 (14.81 acres) |
| Proposed Use | Commercial uses |
| Location | Approximately 200 feet east of the southeast corner of 48th Street and Warner Road |
| Owner | David Maltzman, Maltzman Ahwatukee, LLC |
| Applicant | James Wallin |
| Applicant's Representative | Annette Kiefer |
| Staff Recommendation | Approval, subject to stipulations |

| General Plan Conformity | | | |
|---|-------------|----------|---------------------------|
| General Plan Land Use Designation | Commercial | | |
| Street Map Classification | 48th Street | Arterial | 55-foot east half street |
| | Warner Road | Arterial | 55-foot south half street |
| | Wakial Loop | Local | 25-foot west half street |
| <i>CONNECT PEOPLE AND PLACES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i> | | | |
| The proposal would allow for increased intensity that is consistent in scale and character with the surrounding zoning in the area while being mindful of the single-family residential subdivision south and east of the property. | | | |
| <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> | | | |
| The proposal would allow the establishment of new commercial businesses that are consistent with the Commercial General Plan Land Use designation in the surrounding area. | | | |

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining, and recreational options for residents.

The proposal promotes the expansion of commercial uses which will further diversify the types of business that will serve the residents in the area. Further, the proposed development is consistent with the scale, design, and zoning that has been approved in the surrounding area.

Area Plan

Tree and Shade Master Plan

See background item 5 below.

Reimagine Phoenix

See background item 6 below.

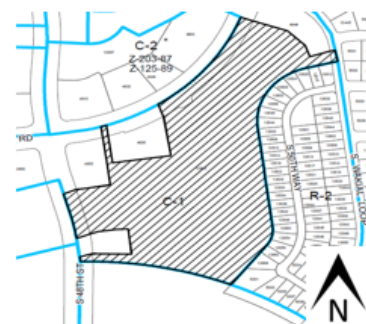
Surrounding Land Uses/Zoning

| | <u>Land Use</u> | <u>Zoning</u> |
|----------------|--|----------------------|
| On Site | Commercial shopping center | C-1 |
| North | Various commercial uses | C-2 |
| South | Apartments | R-3 |
| East | Commercial use and single-family residential | C-1, R1-6, and R-2 |
| West | Drive through restaurant, apartments, private open space | C-1, R-3A, and RE-35 |

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone approximately 14.81 acres located approximately 200 feet east of the southeast corner of 48th Street and Warner Road from C-1 (Neighborhood Retail District) to C-2 (Intermediate Commercial District) to allow a bar as well as other commercial uses.



Source: City of Phoenix Planning and Development Department

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

The following General Plan Land Use Map designations surround the site:

North: Commercial

South: Residential 15+ du/acre

East: Commercial, Residential 3.5 to 5, and 5 to 10 du/acre

West: Residential 15+ du/acre, Parks/Open Space-Private, and Commercial



Source: City of Phoenix Planning and Development Department

SURROUNDING USES AND ZONING

- The subject site is developed as a commercial shopping center and currently zoned C-1. There are four outlying pads adjacent to the north, west, and east boundaries of the site that are not included in this rezoning request, and will remain zoned C-1.

North of the subject site are various commercial uses such as a shopping center, restaurants, gas station, auto repair garage, and a tire shop, all of which are zoned C-2.



Source: City of Phoenix Planning and Development Department

West of the subject site is an apartment complex, Vista Sureno Apartments, which is zoned R-3A. There is also a privately owned open space parcel which is zoned RE-35.

South of the subject site is an apartment complex, the Lore South Mountain Apartments, which is zoned R-3.

East of the subject site are two single-family subdivisions Ahwatukee FS-10, zoned R1-6, and Ahwatukee FTV-2, zoned R-2.

4. The subject site is an existing development known as the Ahwatukee Palms Shopping Center which was developed in the late 1980s. The request to rezone to C-2 is to allow for a bar use in one of the strip center suites; however, the request to rezone the entire parcel to C-2 will allow for the establishment of additional commercial businesses within the development. The C-2 zoning district allows for an increase in both scale and intensity, and permits additional retail uses as well as limited wholesale and service uses.

There are four outlying pads that are not included in this zoning request. Further, no new development is being proposed on the subject site at this time. The subject site has frontage on two arterial streets, 48th Street and Warner Road, and a local street, Wakial Loop. Existing ingress and egress is provided with three driveways along 48th Street, three driveways along Warner Road, and one driveway along Wakial Loop.

5. 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. In addition, a vision in the master plan is to raise awareness by leading by example. The site is already developed with landscaping planters throughout the plaza. In order to further accomplish the vision and goal of the policy document, staff has added Stipulation 1 to require that the developer replenish all existing landscape planters with trees and shrubs, per the C-2 planting standards, prior to the issuance of any tenant improvement permits or building permits.
6. 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 rezoning request submittals.

STREETS

7. The Street Transportation Department has indicated that the developer shall update all existing adjacent streets to current ADA guidelines. This is addressed in Stipulation 2.

FLOODPLAIN

8. 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).

WATER

9. The Water Services Department indicated that the site is surrounded with existing water mains that can potentially serve the development. A sewer main extension may be required.

FIRE

10. Fire prevention does not anticipate any problems with this case. But the site or/and building(s) shall comply with the Phoenix Fire Code. The water supply (gpm and psi) is not known at this site.

PUBLIC TRANSIT

11. Public Transit Department did not have any comments for this request.

ARCHAEOLOGY

12. No known archaeological work is necessary for this project. 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. This is addressed in Stipulation 3.

OTHER

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 actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The request conforms to the General Plan Land Use designation of Commercial.
2. The proposed zoning is consistent in scale and character with the development in the surrounding area.
3. The proposal will increase the range of services accessible to area residents and businesses.

Stipulations

1. The developer shall replenish all existing landscape planters with trees and shrubs per the C-2 zoning district minimum planting standards, prior to the issuance of any tenant improvement permits for a C-2 use, or building permits for any new buildings or additions, as approved by the Planning and Development Department.

2. The developer shall update all streets 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.
3. 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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Team Leader

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Exhibits

Sketch Map

Aerial Map

Site Plan date stamped August 22, 2017