



**City of Phoenix**  
 Planning Department

**Staff Report: Z-107-08-8**  
 August 31, 2009

<b>South Mountain Village Planning Committee Meeting Date</b>	September 8, 2009
<b>Planning Commission Hearing Date</b>	September 9, 2009
<b>Request From:</b>	S-2 (2.75 Acres)
<b>Request To:</b>	PUD (2.75 Acres)
<b>Proposed Use</b>	Landscape Contractors Office
<b>Location</b>	Southeast corner of 26th Street and Southern Avenue
<b>Owner</b>	Georgio Brothers Partnership(c/o Gothic)
<b>Applicant/Representative</b>	Larry Lazarus, Lazarus & Associates, PC
<b>Staff Recommendation</b>	Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Mixed Use Agricultural	
<b>Street Map Classification</b>	Southern Avenue	Arterial	40-foot half street
	26th Street	Local	25-foot half street
<p><b><i>Neighborhood Element, Goal 2, Policy 3: 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 impacts on the residential properties.</i></b></p> <p>Many of the proposed development standards in the PUD are consistent with the development standards found in the Mixed Use Agricultural Zoning District. The result is development that will be compatible in both scale and character to the surrounding area.</p>			
<p><b><i>Land Use Element, Goal 2, Policy 11: Promote the development of jobs in employment centers identified on the "Employment Center and Village Cores" map.</i></b></p> <p>The subject property is located within the South Mountain Employment Center as identified on the "Employment Center and Village Cores" map on page 74 of the Land Use Element.</p>			

Area Plan
<b><u>BASELINE AREA MASTER PLAN AND BASELINE AREA OVERLAY DISTRICT</u></b>
See item # 3

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vehicle storage	S-2 BAOD
<b>North</b>	Single-family residential	R1-6
<b>South</b>	Single-family residential	S-2 BAOD
<b>East</b>	Nursery	S-2 BAOD
<b>West</b>	Single-family residential/vacant	S-2 BAOD

**Background**

1. The subject property is owned by Gothic Landscape Incorporated and has been utilized as a vehicle storage and loading area since Gothic purchased the property in 1996. In 2008 Gothic was issued citations for operating a commercial use in a residential district, and for parking vehicles on a non-dust proofed surface. Rezoning the property from S-2 BAOD to PUD BAOD would permit the vehicle storage and staging area to continue operating as well as allow for the development of a landscape contractor’s office.
  
2. This proposal was developed utilizing the PUD zoning district which allows an applicant to propose uses, development standards and design guidelines for the site. Use of the site for a combination of office, parking and warehouse uses would, at a minimum, require Commerce Park/General Commerce Park Zoning. The PUD has been utilized to restrict the types of uses permitted to only those associated with the landscape contractor’s business and to develop landscaping standards that will screen and buffer the uses from the adjacent properties. The submitted PUD Narrative date stamped August 24, 2009 is attached to this report (Attachment C).
  
3. The property is located within the boundaries of the Baseline Area Master Plan (BAMP). The BAMP land use map designates the property as Mixed Use Agricultural (MUA). The BAMP provides design policies for commercial sites that fall within the MUA land use classification. These policies address signage, building setbacks, elimination of parking between the street and any structures, the clustering of buildings, and use of open fencing.

Many of these design policies can also be found as development standards in the MUA Zoning District. However, the MUA Zoning District does not permit the uses proposed by the applicant so the MUA Zoning District is not a viable option for rezoning. In order to be generally consistent with the MUA character envisioned for the site, the proposal has met or exceeded a majority of the MUA Zoning District standards. Additional discussion of the proposed development standards in the PUD in comparison to the MUA development can be found later in this report.

4. The property is also located within the boundaries of the Baseline Area Overlay District (BAOD). A majority of the provisions of the BAOD relate to new residential subdivisions and large scale commercial projects, but there are two provisions of the BAOD that apply to this project. The first applicable requirement is that walkways be provided between all buildings and between the buildings and the perimeter streets. Second, fifteen percent of surface parking lots, exclusive of the required perimeter landscaping and front setbacks, shall be landscaped and maintained. The submitted PUD narrative meets both of these standards.

#### PUD NARRATIVE

5. *Permitted Uses (Pg. 9)*: The PUD proposes four primary uses and two accessory uses that are all associated with a landscape contractor business. Providing for such a limited number of uses will restrict the property from being used for anything other than a landscape contractor's facility.
6. *Land Use Plan (Exhibit 8)*: The PUD proposes specific locations on the site for all of the permitted uses. The office and warehouse facilities comprise the front of the project and are located behind the landscape setback off of Southern Avenue. The parking and staging area is located behind the office and warehouse facilities and the outdoor storage area is restricted to a 900 square foot space in the southeast corner of the property. The proposed layout of uses locates the vehicular parking areas behind the buildings which is consistent with the policy guidelines of the Baseline Area Master Plan and provisions of the MUA Zoning District.
7. *Development Standards (pgs 10 – 22)*: The PUD proposes development standards that are based heavily on the development standards of the MUA Zoning District. The PUD meets or exceeds a majority of the MUA development standards. Exhibit 1 of the PUD Narrative provides a comparison table between the PUD proposed development standards and the MUA development standards.

The proposed *landscaped setbacks* of the PUD exceed those of the MUA Zoning District in both depth of the setback area and quantity of landscaping provided. The PUD also requires use of the MUA plant list within the setbacks. The setback will play a major role in screening the uses and establishing an agrarian character for the site.

8. *Design Guidelines (pgs 23 – 28)*: The PUD's design guidelines are again taken from the MUA Zoning District design guidelines for commercial development. One of the major differences is that the PUD makes all the design guidelines actual requirements while in the MUA Zoning District some guidelines are presumptions that can be overcome by other options.
9. *Phasing Plan (pg 33)*: The PUD proposes two development phases. The first phase will include dust proofing of the property, construction of the decorative masonry wall, and installation of all required landscaping within the setbacks and property interior. The presence of the office building will significantly contribute to the agrarian character of the site. To ensure the office building is constructed in a timely manner, a time stipulation has been included that requires construction of the office building to commence within 24 months of Phoenix City Council approval of the request.

#### MISCELLANEOUS

10. 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 proposal is consistent with the MUA character envisioned for the site in the General Plan and Baseline Area Master Plan.
2. The proposed screening requirements and limited number of permitted uses will promote long-term compatibility of the project with the surrounding properties.

#### **Stipulations**

1. That development shall be in conformance with the following exhibits as found in the City Council adopted PUD development narrative:
  - a. Site Plan (exhibit #9)
  - b. Building Elevations; Sign Plan; Wall Elevations (exhibit #10)
  - c. Landscape Plan (exhibit #11).

2. That the approval shall be conditioned upon development commencing within 24 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Phoenix Zoning Ordinance. (For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site).
3. That a ten-foot wide easement for a sidewalk and landscaping shall be dedicated for the south half of Southern Avenue, as modified or approved by the Development Services Department.
4. That right-of-way totaling 25 feet shall be dedicated for the north half of Lynne Lane as approved by the Development Services Department.
5. That at 15 foot right-of-way triangle shall be dedicated at the northeast corner of 26th Street and Lynne Lane, as approved by the Development Services Department.
6. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.

**Writer**

J. Bednarek

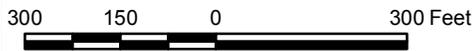
7/25/09

**Attachments**

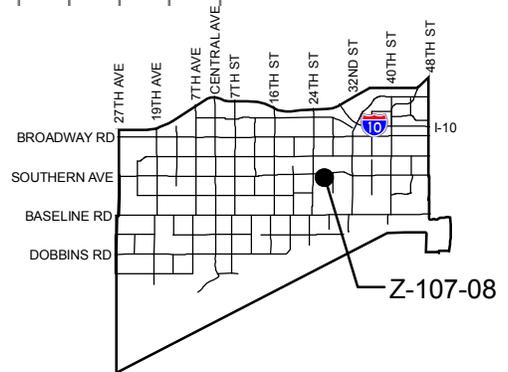
Attachment A: Sketch Map

Attachment B: Aerial

Attachment C: PUD Narrative Date Stamped August 24, 2009



CITY OF PHOENIX PLANNING DEPARTMENT  
**SOUTH MOUNTIAN VILLAGE**  
 CITY COUNCIL DISTRICT: 8



<b>APPLICANT'S NAME:</b> Larry Lazarus, Lazarus & Associates, PC		<b>REQUESTED CHANGE:</b> FROM: S-2 BAOD, (2.75 a. c.)  TO: PUD BAOD, (2.75 a. c.)			
<b>APPLICATION NO.</b> Z-107-08	<b>DATE:</b> 12/17/08 <small>REVISION DATES:</small>	<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 2.75 Acres			
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> Q3-33				<small>ZONING MAP</small> D-9	
<b>MULTIPLES PERMITTED</b> S-2 PUD		<b>CONVENTIONAL OPTION</b> 1 No Residential Units Per Application Submittal		<b>* UNITS P.R.D. OPTION</b> 3	

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

Attachment B

