



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-15-15-4
October 27, 2015

Encanto Village Planning Committee Meeting Date	November 2, 2015
Planning Commission Hearing Date	November 10, 2015
Request From:	C-O (0.67 acre)
Request To:	C-1 (0.67 acre)
Proposed Use	Restaurant
Location	Approximately 210 feet south of the southwest corner of 7th Street and Monte Vista Road
Owner	Windsor Monte Vista, LLC
Applicant	Douglas Edgelow-Windsor Monte Vista LLC
Representative	Ted Luther
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation	Commercial		
Street Map Classification	7th Street	Major Arterial	43 feet west half
<p>CONNECT PEOPLE & PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</p> <p>The proposal to rezone from Commercial Office to Neighborhood Commercial will allow for a moderately increased level of intensity. The adjacent sites are commercial and additional parking to accommodate the restaurant use has been secured nearby.</p>			
<p>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; LOCAL & SMALL BUSINESS; LAND USE PRINCIPLE: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.</p> <p>The subject site has a vacant office building in an older part of the city. The proposal to adaptively reuse the building for a restaurant and an indoor garden is consistent with existing development in the 7th Street corridor. The restaurant is appropriately sized in relation to the indoor garden/school and sufficient parking is provided. The proposed use will contributed to the long term character and goals for the area.</p>			
<p>TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK, F. DISTRICT PLANNING, POLICY F.1. SUPPORT PEDESTRIAN-ORIENTED DESIGN STANDARDS, SHORT BLOCK SUBDIVISION STANDARDS, BICYCLE PARKING STANDARDS AND COMPLETE STREET STANDARDS IN ORDER TO IMPROVE WALKABILITY AND BIKEABILITY.</p>			

The frontage of the site is constrained as a result of the narrow lot width and minimal space between the existing structure and the sidewalk. The site will provide for bicycle parking and a pedestrian path will be identified from the 7th Street frontage to the building entrance.

Area Plan

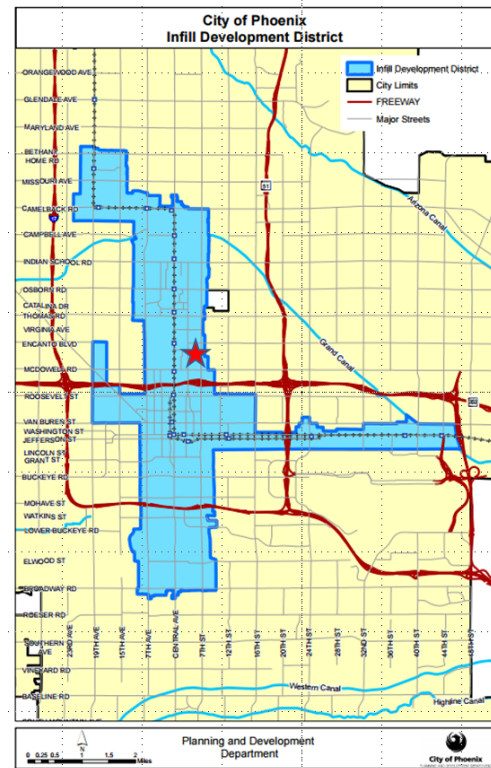
MIDTOWN TRANSIT ORIENTED DEVELOPMENT DISTRICT POLICY PLAN – The Midtown TOD District encompasses the area between 7th Avenue and 7th Street, from north of McDowell Road to Indian School Road. The subject site is on the eastern edge of this District and assists in promoting the goals of the plan by providing additional adaptive reuse opportunities and shade on 7th Street.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Commercial, vacant	C-O
North	Commercial, restaurant	C-1
South	Commercial, office and restaurant	C-O, C-1
East	Commercial, office	C-1
West	Single family Residential	R1-10 HP

Commercial		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
Lot Coverage	50% maximum	Met - Lot 1: 24.6% Met - Lot 2: 42.8%
Building Height/Stories	2 stories/30 feet	Met - 1 story existing
<i>Building Setbacks</i>		
Street - East	25 feet	Not Met – 20 feet (existing building)
Side – north against C-1	0 feet	Met – 28 feet
Side – south against C-1 & C-O	0 feet	Met – 5 feet
Rear- West	25 feet	Met – 68 feet
<i>Landscape</i>		
Street	Average 25 feet	Not Met – 20 feet (existing landscape)
Parking Lot Area	Minimum 10%	Not Met – 0%*
Parking	37 required	Met – 39 provided** (26 provided on site 13 provided off-site)
		*Variance Required ** Use Permit Required

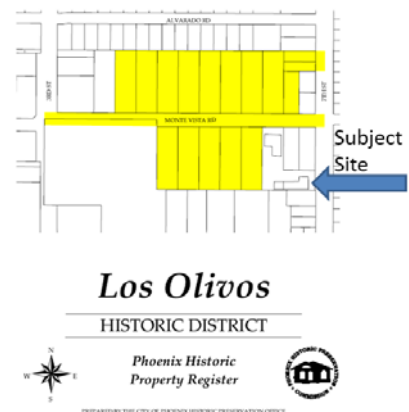
Background/Issues/Analysis

1. The subject site is currently developed with a vacant office building and is located along a major arterial street (7th Street), one lot south of Monte Vista Road. The overall site is L-shaped and contains two office buildings, one facing Monte Vista Road and one facing 7th Street. The surface parking is located between the buildings. In 2014 the applicant requested that the northern portion of the parcel be rezoned from C-O to R-2 to allow adaptive reuse of the building as two residential units (Z-125-14-4). The request for R-2 zoning has not received approval from the City Council. The subject site is located within the city's Infill Development District as shown on the map to the right. The proposal requires a rezoning as the uses as a restaurant/cafeteria and indoor garden are not allowed in the Commercial Office zoning district. The parcel will be subdivided from the adjacent office parcel to form the new lot as shown on the submitted plan.



2. The proposal is for a restaurant/cafeteria and indoor garden/school use within the 6,970 square foot office building. These uses are consistent with the Commercial General Plan Land Use Map designation,

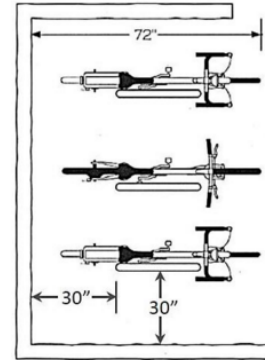
3. The property is adjacent to the Los Olivos Historic District which is generally located along Monte Vista Road between 3rd and 7th Streets. Construction commenced in Los Olivos in 1906 and continued until 1930. It is characterized by custom built homes on large lots with tall palm trees and olive trees that line the street. Property owners on Monte Vista Road have articulated in previous hearings that this commercial property should not have access to the local street, Monte Vista Road. The subject site does not include frontage on Monte Vista Road.



4. The subject site is located within the Midtown Transit Oriented Development District. Enhancing walkability, bikeability, providing adaptive reuse opportunities, and access to transit are goals of the plan for the area. The sidewalk area along 7th Street will be planted with a shade tree along the frontage which will contribute toward meeting the plan's goals. This is addressed in Stipulation # 2.

5. The site plan dated September 29, 2015 shows the existing office building being repurposed into a restaurant/indoor garden/school.

a. Bicycle parking is not indicated on the site plan. Many patrons of businesses/restaurants in this corridor arrive by bicycle and sufficient parking should be provided for them within 50 feet of the building entry. A bicycle rack should be a minimum of 30 inches from a wall or other obstruction and the minimum length for a bicycle parking space should be 72 inches. This is addressed in Stipulation #3.



b. An accessible route from the right-of-way to the building is not identified on the plan. The applicant will need to identify a way to comply with this requirement through the site plan review process. Such a route will also provide non-vehicular access to the site. This is addressed in Stipulation #5.

c. There are two trees existing at the front of the building. To the south is an olive tree and to the north is a large ficus tree. Neither of these trees provide shade for pedestrians on the sidewalk. If there is not an underground utility conflict (e.g. Salt River Project irrigation line), two shade trees should be planted with



● Location of new trees if no utility conflict
● Location of new tree if there is a utility conflict

the intent of shading the sidewalk (see image). If there is a utility conflict, one shade tree should be planted between the sidewalk and the building, centered between the south property line and the edge of the ficus tree canopy. Trees planted with the intent of shading the sidewalk should be a minimum of three-inch caliper. The provision of a shade tree is an essential component for contributing toward the goals of the Tree and Shade Master Plan as well as the Midtown Transit Oriented Development District Plan. This is addressed in Stipulation # 2.

d. The proposed restaurant/retail/indoor garden/school uses will require 37 parking spaces. The number of spaces provided on site is 26. Section 702.E.9. allows for up to 50% of required parking to be provided off-site when located in the Infill Development District and a Use Permit is obtained, subject to the following conditions.

- (1) The use is within 1,320 feet of a parking lot or garage to be used by patrons of the subject parcel. This shall be measured from the closest points from the parking area to the main entrance.
- (2) The owner of the subject parcel must provide an executed lease in a minimum five-year increment to the City demonstrating the right to use the off-site parking spaces, which spaces shall not have been counted for use by others, unless a shared parking model is approved for the site.
- (3) The lease must be renewable in a minimum of five-year increments. If at any time the lease is no longer in effect, the owner of the subject parcel shall notify the City in writing within 30 calendar days of this condition and provide the City a replacement executed lease for the required spaces. A copy of the executed recorded lease shall be provided by the applicant to the Planning and Development Department Traffic Engineer. If at any time a lease for necessary off-site parking is no longer in effect, it shall be considered a violation of the approved use permit.
- (4) The off-site parking area must be exclusively for use by patrons of the subject parcel and shall not eliminate required parking for any other use.
- (5) The use permit for infill development parking reductions may be revoked if any of the use permit stipulations are violated including the failure to obtain an executed lease.
- (6) Additional bicycle parking may be required as a condition of use permit approval.



The applicant has secured a lease for 13 off-site parking spaces, bringing the total number of spaces provided to 39. Although located within the Midtown Transit Oriented Development District, the site is 3,500 feet (walking distance) from the nearest light rail station at Encanto Boulevard.

There are additional notification procedures for the Use Permit which include identification of a Neighborhood Traffic Notification Zone determined by the Street Transportation Department, and an area meeting to discuss the proposal. The applicant is required to submit a written summary of the meeting, a detailed map of the spaces being leased, a summary of how the parking needs of all the sites will be met and any copy of a shared parking agreement. The applicant will need to work with the Street Transportation Department regarding the Neighborhood Traffic Notification Zone and apply for and successfully obtain a Use Permit.

6. Fire prevention does not anticipate any problems with this development but the site and/or building(s) shall comply with the Phoenix Fire Code.
7. The Water Services Department has commented that there is an existing 6-inch water main in Monte Vista Road and a 12-inch ACP and a 6-inch CIP water main in 7th Street. An 8-inch fire line is in 7th Street and there is a 1-inch service in 7th Street and Monte Vista Road. There is an 8-inch VCP sewer main in Monte Vista Road and a 10-inch VCP sewer main in 7th Street. There are three 4-inch sewer taps from Monte Vista Road and one 4-inch tap from 7th Street.
8. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2205 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
9. The Aviation Department has provided comments regarding this request. The property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation #4.
10. Development of the parcel will require that all improvements are required to comply with all Americans with Disabilities Act (ADA) standards. This is addressed in Stipulation #5.
11. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

Findings

1. The site is consistent with the General Plan Land Use designation of Commercial and with land use principles of the General Plan.
2. Adaptive reuse of the property is consistent with the recommendations of the Midtown Transit Oriented Development District Policy Plan.
3. The proposal assists in meeting the intent of the Tree and Shade Master Plan and the Midtown Transit Oriented Development District Policy Plan through the provision of shade at the street frontage.

Stipulations

1. The development shall be in general conformance to the site plan and elevations, date stamped September 29, 2015 as approved by the Planning and Development Department.
2. A minimum of three-inch caliper, umbrella formed trees as defined by Chapter 12 of the Phoenix Zoning Ordinance shall be planted in the landscape setback along 7th Street adjacent to the sidewalk in order to provide shade for pedestrians, as follows and as approved by the Planning and Development Department.
 - a. If there is no underground utility conflict, two (2) shade trees, a minimum of three-inch caliper adjacent to the sidewalk between the south property line and the south canopy edge of the existing ficus tree; or
 - b. If there is an underground utility conflict, one (1) shade tree, a minimum of three-inch caliper between the sidewalk and the building, centered between the south property line and the edge of the ficus tree canopy.
3. The development shall provide a minimum of four (4) bicycle parking spaces with an inverted-U design, within 50 feet of the building entry. A bicycle rack shall be a minimum of 30 inches from a wall or other obstruction and the minimum length for a bicycle parking space shall be 72 inches, as approved by the Planning and Development Department.
4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
5. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

Writer

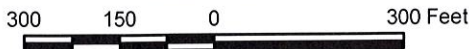
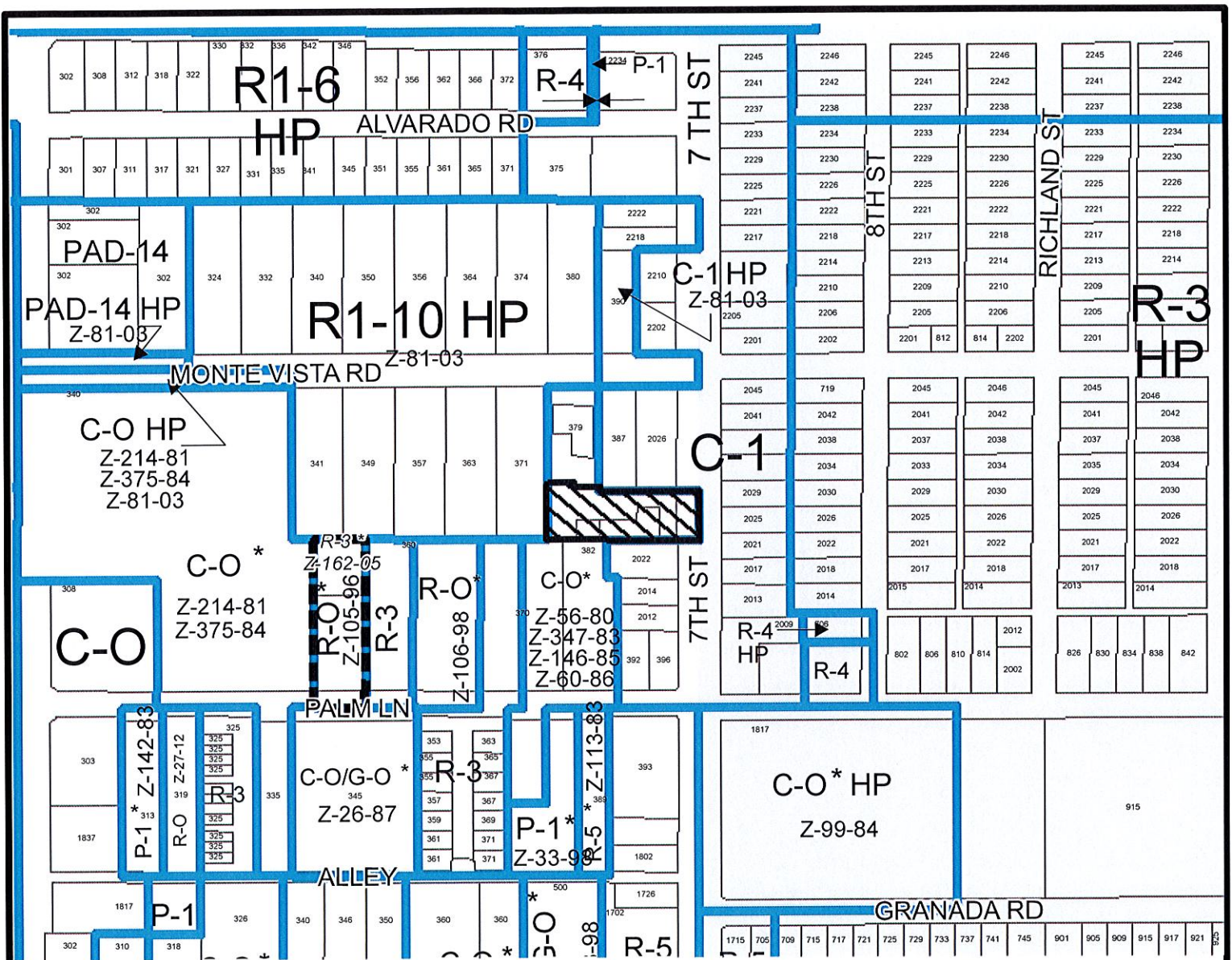
Katherine Coles
10/19/2015

Team Leader

Joshua Bednarek

Attachments

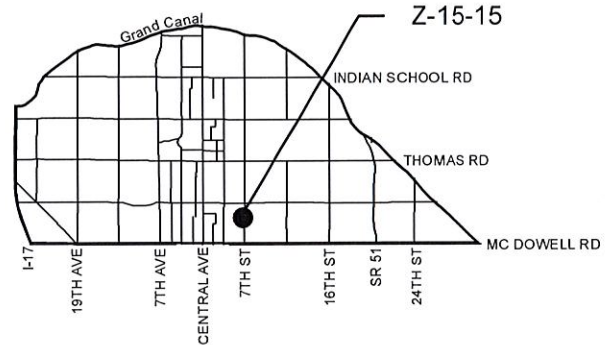
Zoning sketch
Aerial
Site plan dated September 29, 2015



CITY OF PHOENIX PLANNING DEPARTMENT

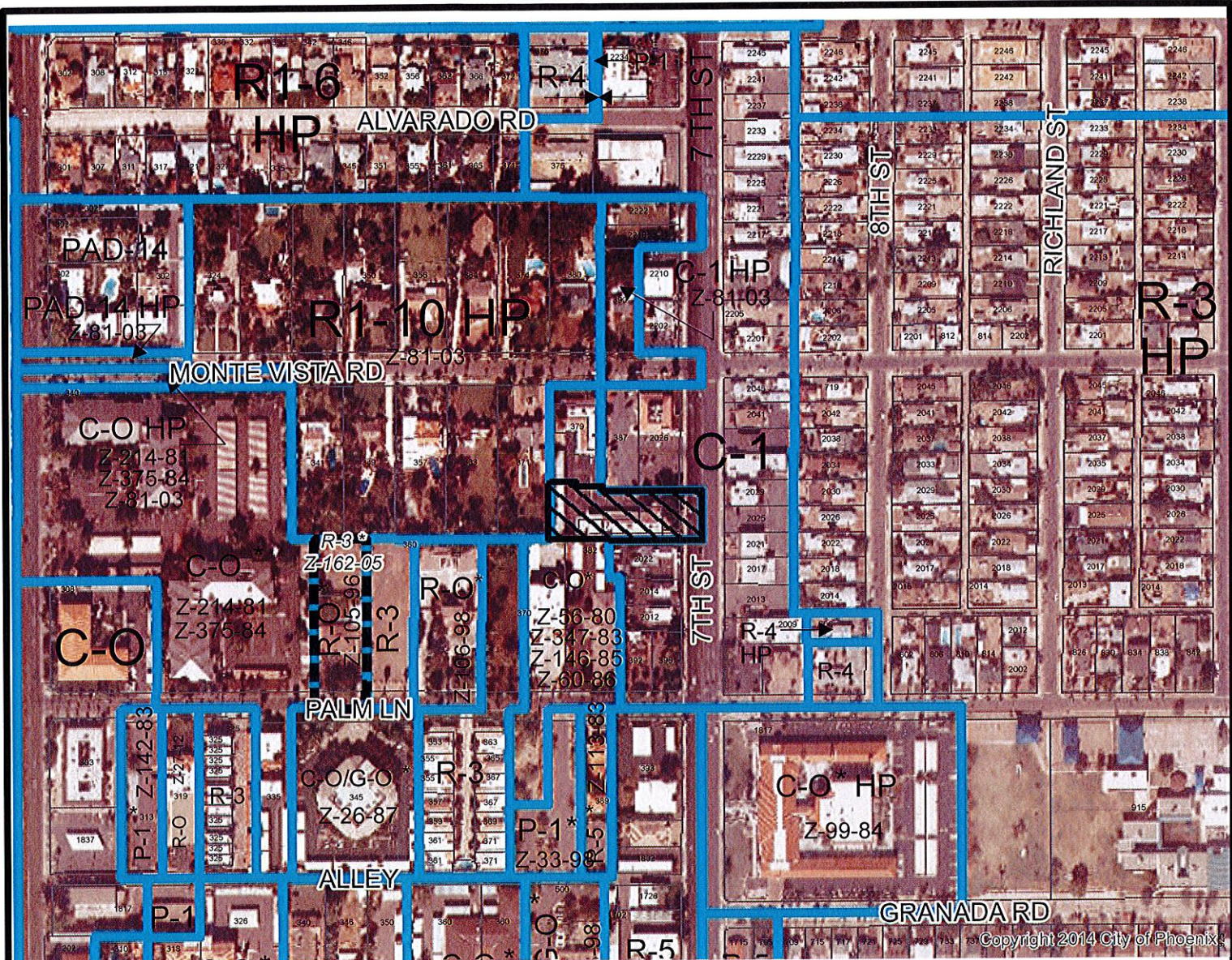
ENCANTO VILLAGE

CITY COUNCIL DISTRICT: 4

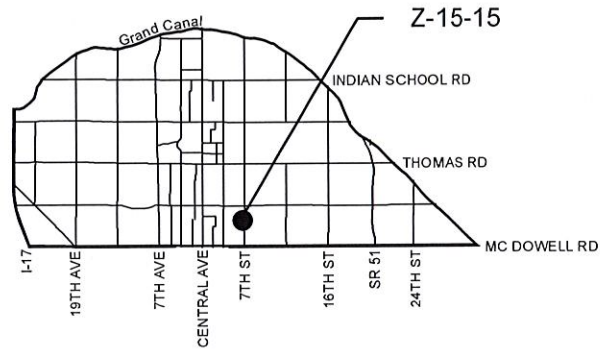
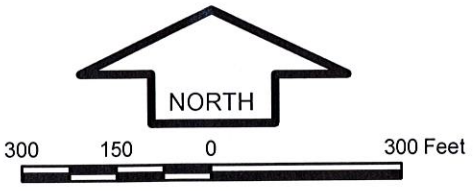


APPLICANT'S NAME: Doug Edgelow		REQUESTED CHANGE: FROM: C-O, (.67 a.c.) TO: C-1, (.67 a.c.)	
APPLICATION NO. Z-15-15	DATE: 4/22/15 REVISION DATES: 10/13/15		
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> .67 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 13-28	ZONING MAP G-8	
MULTIPLES PERMITTED C-O C-1	CONVENTIONAL OPTION N/A 9		* UNITS P.R.D. OPTION N/A 11

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



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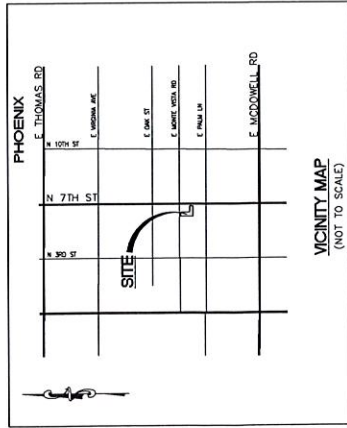
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ENCANTO VILLAGE
 CITY COUNCIL DISTRICT: 4

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		* UNITS P.R.D. OPTION N/A 11	

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

2024 N. 7TH STREET C1 REZONE

SITE PLAN



- LEGEND**
- EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - PROPOSED WATER VALVE
 - PROPOSED PARKING SPACES
 - SITE PLAN NOTES
 - PROPOSED ZONE BOUNDARY LINE
 - RIGHT OF WAY LINE
 - EXISTING EASEMENT LINE
 - PROPOSED DOMESTIC WATER LINE
 - PROPOSED FIRE LINE
 - PROPOSED TRANSFORMER
 - PROPOSED CATCH BASIN
 - EXISTING SANITARY SEWER MANHOLE
 - PROPOSED STORM DRAIN MANHOLE
 - TAPPING SLEEVE AND VALVE
 - PROPOSED STORM DRAIN
 - FIRE DEPARTMENT CONNECTION
 - PROPOSED STORM DRAIN
 - EXISTING STORM DRAIN
 - EXISTING GAS LINE
 - EXISTING WATER LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING PAULK TO REMAIN
 - EXISTING DRIVEWAY TO REMAIN
 - EXISTING DRIVEWAY TO REMAIN
 - EXISTING PHYSICAL TO REMAIN
 - EXISTING ORNAMENTAL TO REMAIN
 - EXISTING STYAMORE TO REMAIN

- SITE PLAN NOTES:**
- 1 EXISTING PARKING TO REMAIN
 - 2 EXISTING DRIVEWAY ENTRANCE TO REMAIN
 - 3 ADA ACCESSIBLE ROUTE

DISCLAIMER

COLE ENGINEERING & PLANNING IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS PLAN. ALL INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE IN NATURE. ALL INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE IN NATURE. A SURVEY SHALL BE PERFORMED BEFORE THE START OF ANY AND ALL WORK TO ENSURE THERE WILL BE NO DISCREPANCIES AND/OR CONFLICTS ON THE SITE.

PERTINENT DATA

OWNER: WINDSOR MONTE VISTA, LLC
 SITE ADDRESS: 2701 E. CAMELBACK RD. PHOENIX, AZ 85004

NET ACREAGE OF EXISTING CO ZONE: 43,897.41 S.F. OR 1.00 AC

NET ACREAGE OF PROPOSED C1 ZONE: 33,115.24 S.F. OF 0.76 AC

LOT COVERAGE: 27%

EXISTING ZONING: C1

PARKING: 118-53-088, 118-53-089, 118-53-091

HEIGHT: 56'

PROPOSED USE: RESTAURANT/SCHOOL/RETAIL/VARM

PARKING CALCULATIONS

7TH STREET UNIT:

RESTAURANT: 1250 S.F./50 = 25 P.S.
 RETAIL: 400 S.F./200 = 2 P.S.
 SCHOOL: 800 S.F./400 = 2 P.S.
 PERISHABLE/NON-PERISHABLE STORAGE: 4000 S.F. = 0 P.S.

TOTAL PARKING STALLS REQUIRED: 37 P.S.
 TOTAL PARKING STALLS PROVIDED: 13 P.S.
 2 OF TOTAL P.S. (OFF SITE) = 39 P.S.

MONTE VISTA UNIT:

EXISTING ZONING: CO

PROPOSED USE: OFFICE

OFFICE: 5882 S.F./200 = 19.6 P.S.
 TOTAL PARKING STALLS REQUIRED: 20 P.S.
 TOTAL PARKING STALLS PROVIDED: 20 P.S.

PROJECT DESCRIPTION

- CHANGE EXISTING COMMERCIAL BUILDING ZONING FROM CO TO C1

- SITE TO USE EXISTING LANDSCAPING.

OWNER:

WINDSOR MONTE VISTA, LLC
 2701 E. CAMELBACK RD.
 PHOENIX, AZ 85004
 PH: 602-840-0559
 CONTACT: DOUG EDELOW

ARCHITECT:

WINSLOW - PARTNERS
 99 E. VIRGINIA AVE.
 PHOENIX, AZ 85004
 PH: 602-296-7860
 CONTACT: PAUL WINSLOW

ENGINEER/PLANNER:

COLE ENGINEERING & PLANNING, INC.
 2701 E. CAMELBACK RD.
 SUITE 175
 PHOENIX, AZ 85006
 CONTACT: TED LUTHER, PE

LEGAL DESCRIPTION OF PROPOSED ZONING:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 14, BLOCK A, LOS OLIVOS BESUBDIVODED, ACCORDING TO BOOK 6 OF MAPS, PAGE 23, RECORDS OF MARICOPA COUNTY, ARIZONA, TO THE TRUE POINT OF BEGINNING,

THENCE NORTH 89 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 248.34 FEET;

THENCE NORTH 0 DEGREES 8 MINUTES 5 SECONDS WEST A DISTANCE OF 112.18 FEET;

THENCE SOUTH 89 DEGREES 54 MINUTES 10 SECONDS EAST A DISTANCE OF 47.71 FEET;

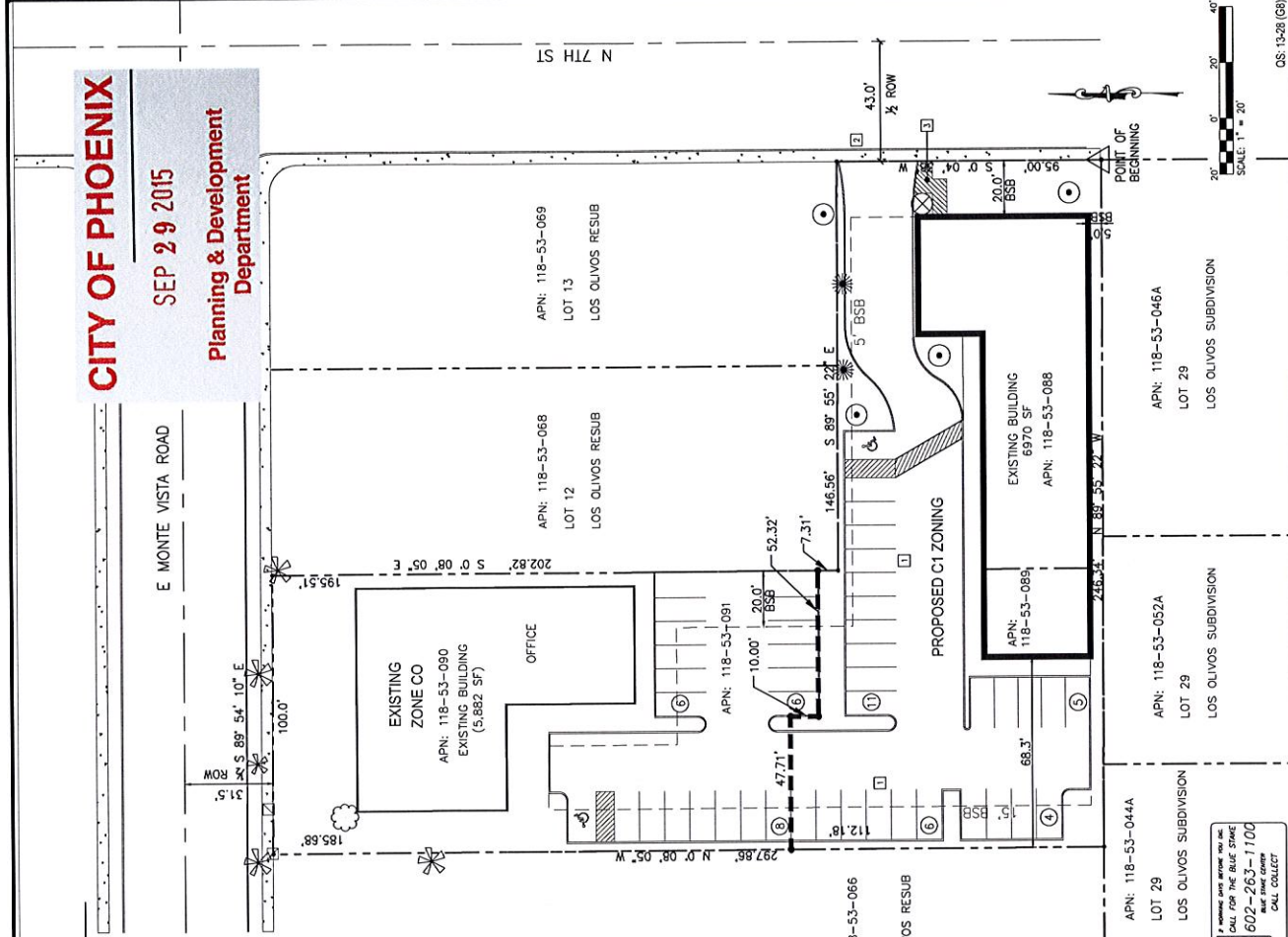
THENCE SOUTH 0 DEGREES 8 MINUTES 5 SECONDS EAST A DISTANCE OF 10.00 FEET;

THENCE SOUTH 89 DEGREES 55 MINUTES 22 SECONDS EAST A DISTANCE OF 52.32 FEET;

THENCE SOUTH 0 DEGREES 8 MINUTES 5 SECONDS EAST A DISTANCE OF 7.31 FEET;

THENCE SOUTH 89 DEGREES 55 MINUTES 22 SECONDS WEST A DISTANCE OF 146.56 FEET;

THENCE SOUTH 0 DEGREES 4 MINUTES 38 SECONDS WEST A DISTANCE OF 95.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 24,615 SQUARE FEET OR 0.57 ACRES MORE OR LESS.



CITY OF PHOENIX

SEP 29 2015

Planning & Development Department

APN: 118-53-088
 EXISTING BUILDING
 6970 SF
 APN: 118-53-088

APN: 118-53-089
 EXISTING BUILDING
 5,882 SF
 APN: 118-53-089

APN: 118-53-091
 OFFICE
 5,882 SF
 APN: 118-53-091

APN: 118-53-068
 LOT 12
 LOS OLIVOS RESUB

APN: 118-53-069
 LOT 13
 LOS OLIVOS RESUB

APN: 118-53-044A
 LOT 29
 LOS OLIVOS SUBDIVISION

APN: 118-53-052A
 LOT 29
 LOS OLIVOS SUBDIVISION

APN: 118-53-046A
 LOT 29
 LOS OLIVOS SUBDIVISION

WINDSOR MONTE VISTA, LLC
 2701 E. CAMELBACK ROAD
 PHOENIX, AZ 85004
 602-840-0559

COLE ENGINEERING & PLANNING / ARCHITECTURE
 2701 E. CAMELBACK RD.
 PHOENIX, AZ 85004
 602-840-0559

2024 N. 7TH ST. C1 REZONE
 PHOENIX, AZ 85004

DATE: 09/01/2015

SCALE: 1" = 20'

15-0042

SP-1

OS: 13-28