



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-64-20-4**  
**February 19, 2021**

**Encanto [Village Planning Committee](#) Meeting Date:** March 1, 2021

**[Planning Commission](#) Hearing Date:** April 1, 2021

**Request From:** R-5 (Multifamily Residence District) (0.64 acres)

**Request To:** C-2 (Intermediate Commercial) (0.64 acres)

**Proposed Use:** Music Recording Studio

**Location:** Approximately 490 feet west of the northwest corner of 11th Avenue and Indian School Road

**Owner:** Randy and Laura Smith

**Applicant:** Randy and Laura Smith

**Representative:** Tom Galvin, Rose Law Group

**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 per acre	
<a href="#">Street Map Classification</a>	Indian School Road	Major Arterial	50-foot north half street
<p><b>CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian environment.</b></p> <p>The development situates the parking area behind the plane of the building and buffered by landscaping to allow for the creation of a comfortable pedestrian environment along the public street.</p>			

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The development, as stipulated, will add trees and shade to the site and, upon redevelopment, will create a streetscape with detached and shaded sidewalks along Indian School Road. Together, these improvements will help reduce the urban heat island effect and increase thermal comfort which will make the area more walkable, bikeable, and sustainable.

***CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.***

The development, as stipulated, includes bicycle parking that will serve both employees and guests in a manner that will support bicycling as a way of life.

**Applicable Plans, Overlays, and Initiatives**

[Tree and Shade Master Plan](#): Background Item No. 6.

[Complete Streets Guidelines](#): Background Item No. 7.

[Comprehensive Bicycle Master Plan](#): Background Item No. 8.

[Zero Waste PHX](#): Background Item No. 9.

**Surrounding Land Uses and Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Commercial	R-5
<b>North</b>	Vacant	R-5
<b>West</b>	Commercial	C-1
<b>East</b>	Multifamily	R-5
<b>South</b>	Residential	R-3

<b>C-2 (Intermediate Commercial)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions in the Site Plan Provided</u></b>
<i>Building Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	25 feet (Met)
West (adjacent to C-1)	Minimum 0 feet	Varies (Met)
East (adjacent to R-5)	Minimum 10 feet for 1-story	67 feet (Met)
North (Adjacent to R-5)	Minimum 10 feet	30 feet (Met)
<i>Landscaped Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	25 feet (Met)
West (adjacent to C-1)	Minimum 0 feet	Varies (Met)
East (adjacent to R-5)	Minimum 10 feet	0 feet (Not Met)*
North (Adjacent to R-5)	Minimum 10 feet	30 feet (Met)
Lot Coverage	Not to exceed 50%	Not provided
Building Height	2 stories, 30 feet	1 story
<i>*Variance or site plan adjustment may be required</i>		

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone 0.64 acres located approximately 490 feet west of the northwest corner of 11th Avenue and Indian School Road from R-5 (Multifamily Residence District) to C-2 (Intermediate Commercial) to allow for a music recording studio. The site is currently developed with a commercial office building which is proposed to be retained.

**SURROUNDING LAND USES AND ZONING**

2. The proposed zoning of C-2 (Intermediate Commercial) permits a maximum height of 30 feet which is comparable or less than the surrounding properties. The Zoning Sketch Map, included as an exhibit, depicts the zoning entitlements of the subject site and the surrounding area.

*East:* East of the subject site are a series of two-story multifamily buildings zoned R-5 (Multifamily Residence District). The current zoning permits multifamily at a maximum height of 48 feet and limited commercial and office uses at a maximum height of 30 feet.

*West:* West of the subject site is commercial building zoned C-1 (Neighborhood Retail). The current zoning permits multifamily at a maximum height of 48 feet and limited commercial and office uses at a maximum height of 30 feet.

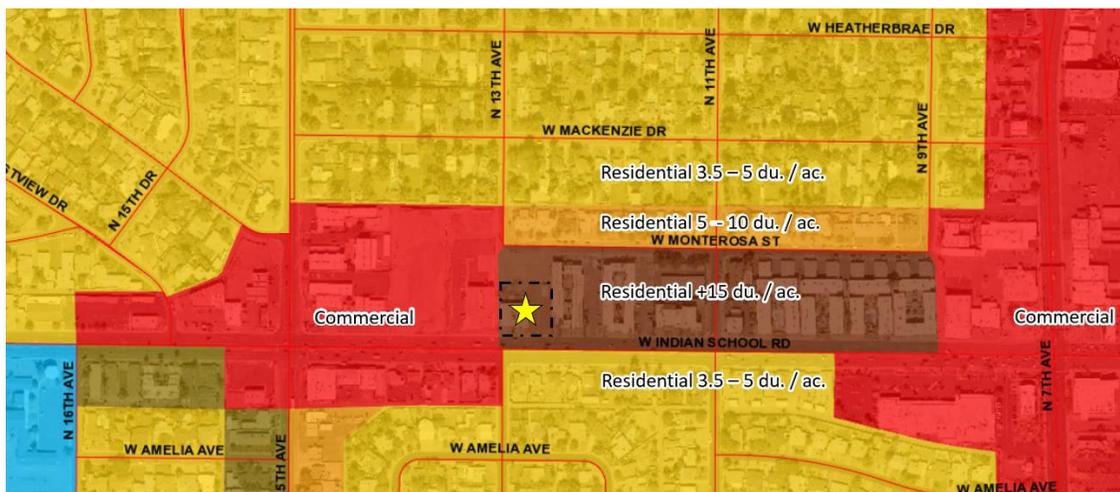
*North:* North of the subject site is a vacant lot zoned R-5 (Multifamily Residence District) which is under the same ownership as the multifamily complex to the east of the subject site. The current zoning permits multifamily at a maximum height of 48 feet and limited commercial and office uses at a maximum height of 30 feet.

*South (of Indian School Road):* South of the subject site across Indian School Road are a series of detached homes that are zoned R-3 (Multifamily Residence District). The current zoning permits a maximum height of 30 feet, up to 48 feet with additional setbacks.

#### GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map (included below) depicts a land use designation of Residential 15+ Dwelling Units Per Acre which is not consistent with proposed zoning.

The General Plan Land Use Map reveals a transition from commercial nodes at both 15th Avenue and 7th Avenue with the area in between being reserved for lower intensity uses. The subject site is adjacent only to commercial designations on the west, multifamily designations on the north and east, and Indian School Road on the south; as such, the intended transition will not be compromised by the proposed use.



General Plan Land Use Map Excerpt, Source: Planning and Development Department

4. The Encanto Village Character Plan was approved and adopted in the Phoenix General Plan through General Plan Amendment GPA-1-19. Each of the 15 Urban Villages have a Character Plan. The Encanto Village Character Plan includes a series of land use and design principles that are applicable to the Encanto area and has identified several opportunities for growth and investment. The proposed project is consistent with the following aspects of the Encanto Character Plan:

*Land Use Principle: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.* North of Indian School Road, the subject site is insulated from detached residential neighborhoods and is therefore compatible with the area.

*Land Use Principle: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.* The proposal is to retain the existing building for the purpose of a commercial music recording studio. The additional zoning entitlement at this location will preserve the existing structure.

*Opportunities for Growth and Investment: Adaptive Reuse. Encanto is rich with historic buildings that complement the neighborhoods. There is a desire to ensure that these buildings are adaptively reused, rather than demolished, to maintain the retro, unique character of the Encanto neighborhoods.* Per records from the Maricopa County Assessor, the existing building is approximately 50 years old and additional zoning entitlement at this location will preserve the existing structure.

## PROPOSAL

5. Site Plan

The site is currently developed with a commercial office building less than 20 feet in height and the applicant proposes to retain the building on site with no additional development at this time. The conceptual site plan, included as an exhibit, depicts enhanced landscape plantings along the street frontage and site perimeters.

Due to the existing building being retained on site, staff is proposing a series of stipulations to clearly govern which site improvements will be required with the first phase of development.

- Stipulation No. 3: To require the area between the building and the street be planted with shade trees to create a more attractive and thermally comfortable streetscape and sidewalk.
- Stipulation Nos. 4 and 5: To require 10-foot landscape setbacks planted with shade trees along both the north and east property lines to promote compatibility with the multifamily to the east and the multifamily zoned property to the north.
- Stipulation No. 6: To require that rooftop equipment be screened from view to mitigate negative impacts from the surrounding areas.
- Stipulation No. 7: To require convenient bicycle parking for employees and guests to promote bicycling as a viable mode of transportation.

If the site redevelops in the future or undergoes significant alterations, staff is recommending Stipulation No. 1 to require detached sidewalks with trees planted in the landscape strip to create a more comfortable pedestrian environment.

## STUDIES AND POLICIES

### 6. **Tree and Shade Master Plan:**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. These issues are addressed in Stipulation Nos. 1 (shaded and detached sidewalks) and 3-4 (site perimeter plantings).

### 7. **Complete Streets Guidelines:**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. These issues are addressed in Stipulation Nos. 1 (detached sidewalks) and 7 (convenient bicycle parking).

### 8. **Comprehensive Bicycle Master Plan:**

The Comprehensive Bicycle Master Plan is a guide for creating a culture and environment conducive to bicycling as a viable mode of transportation. The proximity to high capacity transit underscores the importance of walking and bicycling in this area. These issues are addressed in Stipulation No. 7 (convenient bicycle parking).

9. **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 CORRESPONDENCE

10. As of the writing of this report, two letters of support have been received representing the property owners surrounding the subject site north of Indian School Road.

INTERDEPARTMENTAL COMMENTS

11. The Fire Department commented that the site plan must comply with the Phoenix Fire Code and further indicated there are no problems anticipated with the case. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
12. The Public Works Department, Floodplain Management Division determined the site is not in a Special Flood Hazard Area (SFHA), but is in a Shaded Zone X, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
13. The Water Services Department indicated that no zoning stipulations are required; however, commented that capacity is a dynamic condition that can change over time due to a variety of factors. The requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.
14. The Street Transportation Department provided Stipulation Nos. 2 (a sidewalk easement) and 8 (standard stipulation regarding the applicant being responsible for construction of adjacent streets). The Street Transportation Department commented on the importance of shaded public sidewalks and the inclusion of bicycle parking and these issues are addressed in Stipulation Nos. 1, 2, and 7.

OTHER

15. 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. 10.
16. Based on the proximity to Sky Harbor Airport, the Aviation Department is requiring Stipulation No. 9 to require recorded documents to disclose the existence of Sky Harbor Airport to future owners and residents.
17. Development and use of the site are 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 development, as stipulated, advances the purpose and intent of several core values from the Phoenix General Plan as well as policy documents such as the Tree and Shade Master Plan and the Complete Streets Policy.
2. The development, as stipulated, is appropriate at this location due to its compatibility with the surrounding land uses.
3. The development, as stipulated, enables the adaptive reuse and preservation of an existing office building in a manner consistent with several core values from the Phoenix General Plan.

### **Stipulations**

1. Upon any subsequent phase or phases of development that modify the cumulative floor area by more than 15 percent from that depicted on the site plan date stamped November 24, 2020, the sidewalk shall be detached from the back of curb by a landscape area of at least 5-feet in width which shall be improved to the below standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
  - a. Large canopy, single-trunk shade trees shall be placed 25 feet on center or in equivalent groupings. All required trees shall be a minimum 3-inch caliper.

- b. At tree maturity, the trees shall shade the sidewalk to a minimum 75 percent
  - c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
2. The developer shall dedicate a 10-foot sidewalk easement along the north side of Indian School Road, as approved by Planning and Development.
3. The south building setback along Indian School Road shall be planted with drought tolerant, minimum 3-inch caliper shade trees, placed 20 feet on center or in equivalent groupings and located to shade the public sidewalk, as approved by the Planning and Development Department.
4. A minimum landscape setback of 10 feet shall be required along the east property line and shall be planted with drought tolerant, minimum 2-inch caliper shade trees, placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. A minimum landscape setback of 10 feet shall be required along the north property line and shall be planted with drought tolerant, minimum 2-inch caliper shade trees, placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
6. All rooftop equipment, including existing equipment, shall be screened in accordance with the provisions of Section 507 Tab A of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. The developer shall provide a minimum of two Inverted-U bicycle racks located in close proximity to the primary building entrances and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
8. 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.
9. The property owner shall record documents that disclose the existence, and

operational characteristics of Phoenix Sky Harbor 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.

10. 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**

Nick Klimek

February 22, 2021

**Team Leader**

Samantha Keating

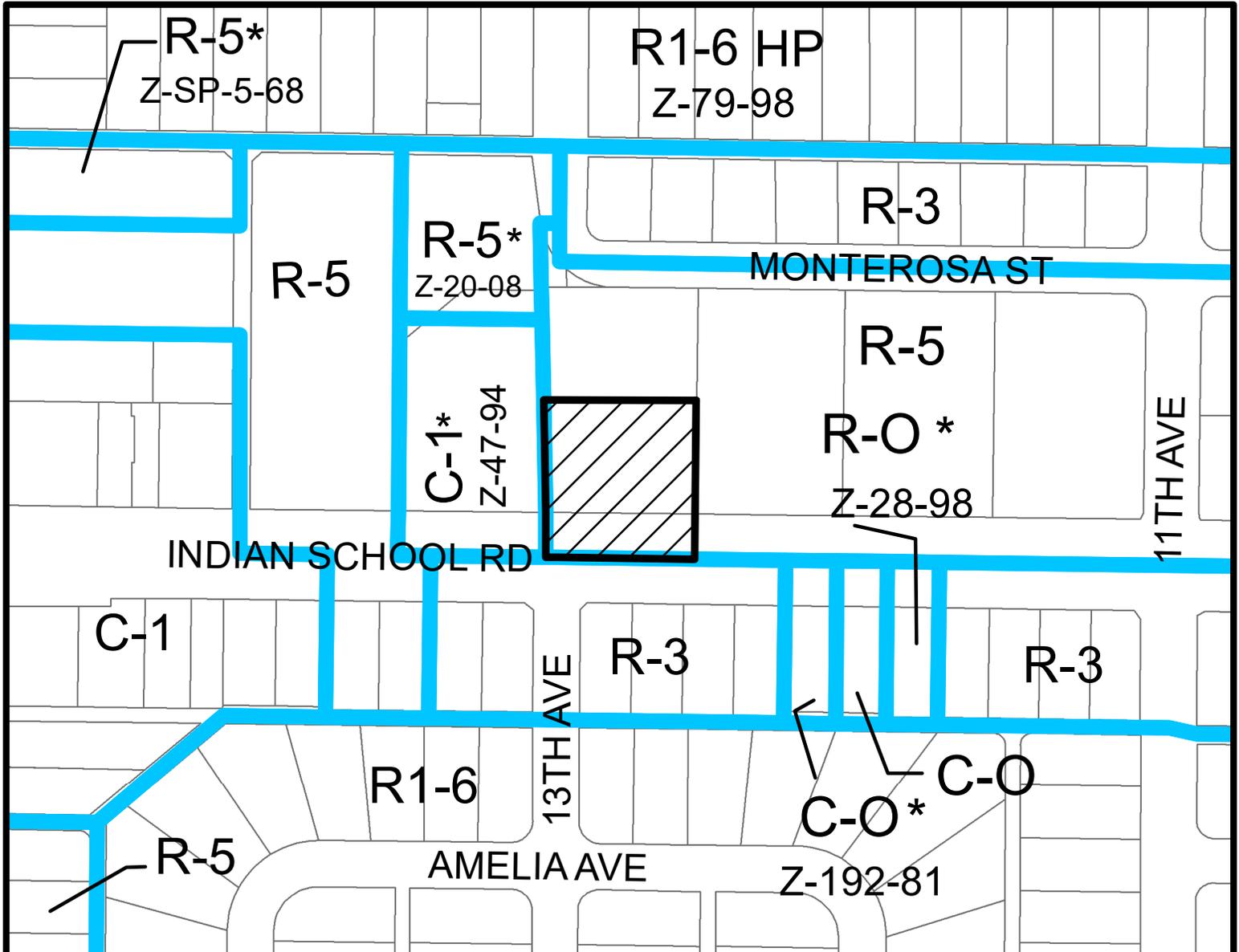
**Exhibits**

Zoning sketch map

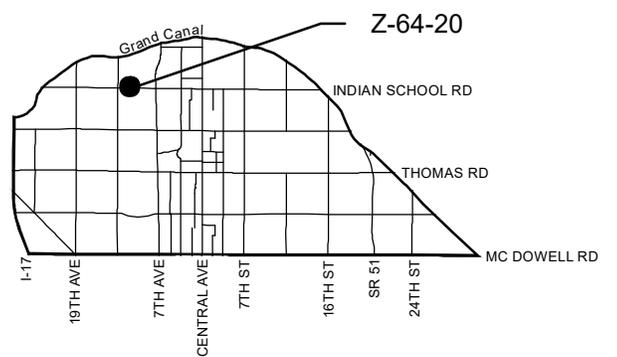
Aerial sketch map

Conceptual Site Plan date stamped November 24, 2020

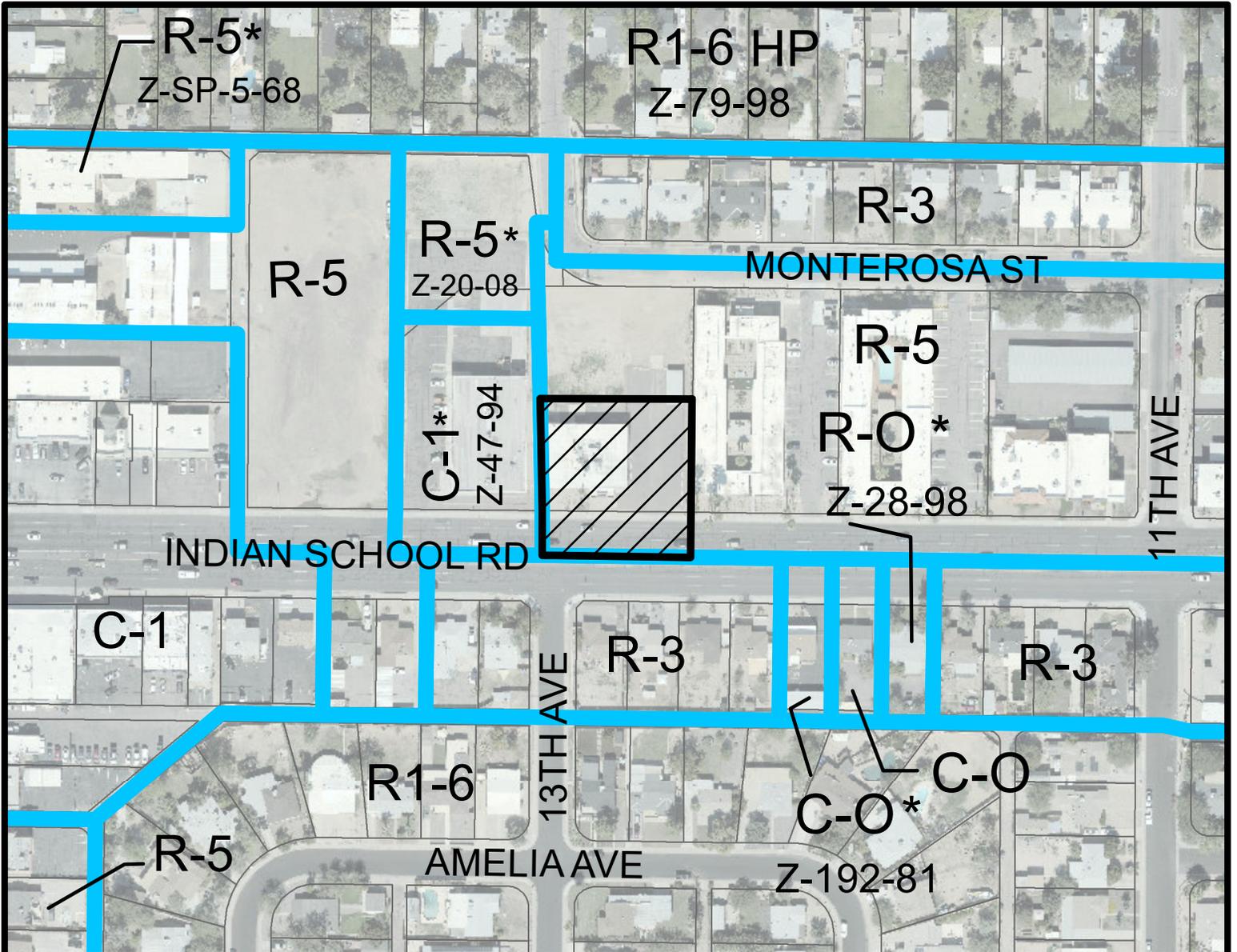
Community Correspondence (2 pages)



**ENCANTO VILLAGE**  
CITY COUNCIL DISTRICT: 4



<b>APPLICANT'S NAME:</b> Randy and Laura Smith		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-64-20		<b>FROM:</b> R-5 ( 0.64 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>0.64 Acres</b>		<b>TO:</b> C-2 ( 0.64 a.c.)	
<small>DATE:</small> 12/23/2020 <small>REVISION DATES:</small>		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> QS 17-26	
<small>MULTIPLES PERMITTED</small>		<small>CONVENTIONAL OPTION</small>	
R-5		28	
C-2		9	
<small>* UNITS P.R.D. OPTION</small>		33	
<small>* Maximum Units Allowed with P.R.D. Bonus</small>		11	



Miles

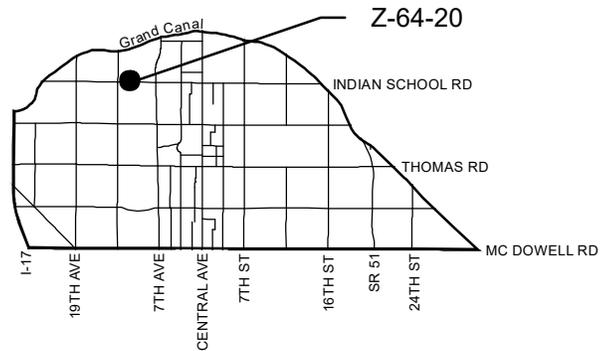
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**ENCANTO VILLAGE**

CITY COUNCIL DISTRICT: 4



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Randy and Laura Smith

**REQUESTED CHANGE:**

FROM: R-5 ( 0.64 a.c.)

APPLICATION NO. Z-64-20

DATE: 12/23/2020  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

0.64 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.  
QS 17-26

ZONING MAP  
H-8

TO: C-2 ( 0.64 a.c.)

**MULTIPLES PERMITTED**

R-5

C-2

**CONVENTIONAL OPTION**

28

9

**\* UNITS P.R.D. OPTION**

33

11

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



October 9, 2020

City of Phoenix  
Planning and Development Department  
200 W. Washington Street  
Phoenix, AZ

Dear Mayor, Councilmembers and City Staff,

As the District Manager of Kelly Paper please accept this letter as our formal support for Premier Studios, LLC and their request to rezone their property located at 1142 W. Indian School Rd to the C-2 zoning district. Our businesses are located on highly trafficked Indian School Rd which is appropriate for commercial zoning. Premier Studios has been a good neighbor and community member and we encourage their continued operation and success!

Dustin Donovan, District Manager  
Kelly Paper  
1302 W. Indian School Rd

A handwritten signature in black ink, appearing to read "Dustin Donovan", is written over the printed name and address of the District Manager. The signature is fluid and cursive, extending across the width of the text block.

October 9, 2020

City of Phoenix  
Planning and Development Department  
200 W. Washington Street  
Phoenix, AZ

Dear Mayor, Councilmembers and City Staff,

I'm the owner of Duo Apartments located at 1130 W. Indian School Rd which is located adjacent to Premier Music Studios. Please accept this letter as our formal support for Premier Studios and their request to rezone their property to the C-2 zoning district. Premier Studios has been a good neighbor and community member and we encourage their continued business operation and success!

Jason Buxbaum, Owner  
Duo Apartments  
1130 W. Indian School Rd

DocuSigned by:  
  
99FFC2E6A7394C9...

managing member and owner