



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-24-11-8
October 27, 2011

South Mountain Village Planning Committee Meeting Date	November 7, 2011
Planning Commission Hearing Date	December 14, 2011
Request	From: R-2 (1.16 Acres) To: C-1 (1.16 Acres)
Proposed Use	Day Care facility
Location	Approximately 1,000 feet west of the northwest corner of 44th Street and Baseline Road
Owner	Luz Rincon
Applicant/Representative	Ophelia Rincon
Staff Recommendation	Approval subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	Baseline	Major Arterial	40ft of ROW
<i>Land Use Element, Goal 2, Policy 11: Promote the development of jobs in identified employment centers.</i>			
The subject property falls within a designated Phoenix General Plan Employment Center. Rezoning to C-1 will allow the property to operate a commercial use with approximately 10 employees.			
<i>Neighborhood Element, Goal 2, Policy 1: Encourage new land uses that are specifically supported by the General Plan.</i>			
The subject property is designated Commercial on the General Plan Land Use Map.			

Area Plan
N/A

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Vacant (2 unoccupied buildings)	R-2
North	Single-Family Residential	R-5 SP (Mobile Home Subdivision)
South	Vacant/Commerce Park	R1-6/PCD
East	Single-Family Residential	R-5 SP (Mobile Home Subdivision)
West	Retail/Single-Family Residential	C-2/R1-6

Commercial/Commerce Park/Industrial		
Standards	Requirements	Met or Not Met
Building Setbacks		
Street	25' (min.)	120' (met)
Side	25' (Adj. to R1-6), 10" (Adj. to R-5)	175' (met), 14' (met)
Rear	10' (min.)	19' (met)
Landscaped Setbacks		
Street	Avg. 25' (20' min.)	0' (not met)
Side	10' (min.)	5', 0' (not met)
Rear	10' (min.)	5' (not met)
Lot Coverage	50% (max)	11% (met)
Building Height	30' (max)	14' 7" (met)
Parking	14 spaces	4 (not met)

Background/Issues/Analysis

1. The request for Neighborhood Retail (C-1) zoning is to allow for the establishment of a day care facility on a 1.16 acre site located west of the northwest corner of Baseline Road and 44th Street.
2. The property is zoned Multiple Family Residence District (R-2) and based on zoning adjustment records, has been used as a group home for the elderly. There is no active use on the property, and the two one-story buildings on the site are vacant.
3. The property is bordered by single-family homes to the north, east and west. The C-1 zoning district's list of permitted uses is more restrictive than other commercial zoning districts (i.e. C-2 and C-3) and is intended to be compatible with nearby residential uses. In addition, the C-1 zoning district contains building and landscape setback standards aimed at buffering the commercial use from surrounding residential properties. Several stipulations are included to further mitigate the impact of commercial uses next to existing single-family homes.

A stipulation has been included that limits the building height to 15 feet. The C-1 zoning district permits building height up to 30 feet. The intent of this stipulation is to preserve the neighborhood's views of South Mountain, as well as protect the privacy of adjacent homes. While the existing structures are only 14 feet 7 inches, the stipulation prevents any building additions or redevelopment in excess of 15 feet.

Placement of trash receptacles near residential uses can have negative impacts on the adjacent property's quality of life, from additional noise to odors from the receptacle. As such, all loading and trash areas should be a minimum of 25 feet from residential property lines.

A portion of the property abuts 42nd Place on the east. Forty-second Place is a residential street lined with single-family homes. A stipulation is included that restricts vehicular access to the site from 42nd Place to prevent vehicular traffic from ever utilizing this residential street to access the property.

4. 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. Several conditions on the site and submitted site plan do not meet minimum zoning standards. The conditions listed below will need to be addressed or variances and/or use-permits will be required.

Fences

- a. 6-foot block wall within the required street setback (along Baseline Road and 42nd Place). Maximum 40 inches permitted. (703.A.3.a)
- b. Chain link fence visible from public street. Chain link is not permitted to be visible from the street on commercial and multi-family properties. (507 TAB A.II.A.7.1)

Landscape

- c. No landscape setback along Baseline Road is provided. A minimum to average 25-foot landscape setback is required. (622.E.4.d)
- d. 5-foot landscaped setback provided along non-street property lines. Minimum 10-foot required. (622.E.4.d)
- e. No parking lot landscape is provided. Minimum 10% of the interior surface area of the parking lot is required to be landscaped. (622.E.4.d)

Parking

- f. 5 parking spaces provided. Minimum 14 required. (702.C)

Canal

- g. The southwest corner of the property is adjacent to the Highline Canal. Section 507 TAB A of the Phoenix Zoning Ordinance contains provisions that address how the property interfaces with the canal. Requirements include maintaining access between the property and the canal and restrictions on the types and designs of fences and walls in order to maintain visual accessibility. The site plan does not address the canal design provisions.

Findings

1. The site is designated Commercial on the General Plan Land Use Map and is located within a General Plan designated employment center.
2. The site is on a major arterial street (Baseline Road). C-1 Neighborhood Retail is an appropriate buffer between a major arterial and residential R-5 SP (Mobile Home Subdivision).
3. Rezoning of the property to C-1 provides flexibility for future neighborhood compatible commercial uses.

Stipulations

1. The maximum building height shall be 15 feet.
2. Loading bays and trash receptacles shall be located a minimum of 25 feet from the north, east and west property lines.
3. No vehicular access shall be provided along 42nd Place, as approved by the Planning and Development Department.
4. Right-of-way totaling 55 feet shall be dedicated for the north half of Baseline Road as approved by the Planning and Development Department.
5. 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. 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.

Writer

Joshua Bednarek

09/26/2011

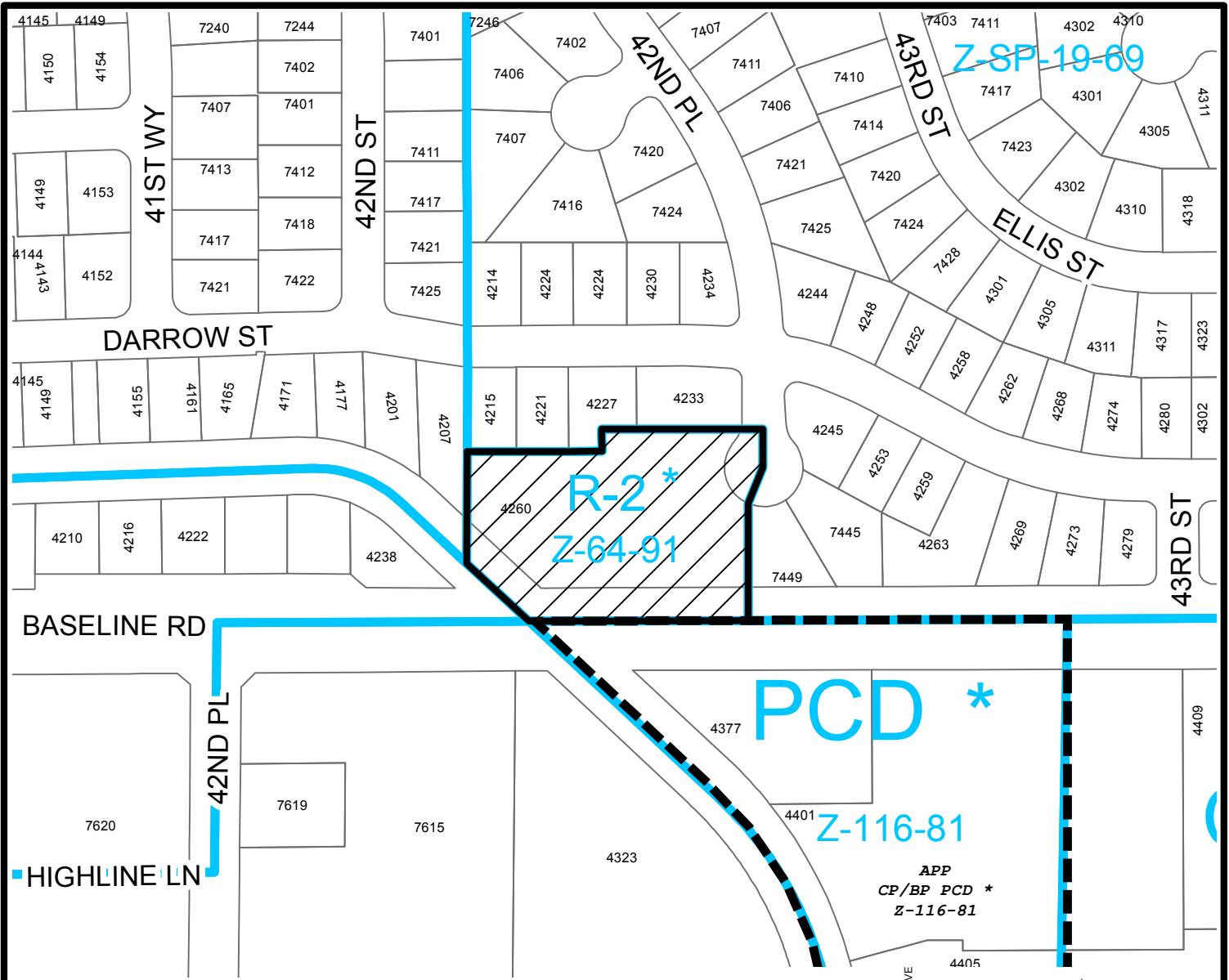
Attachments

Attachment A: Zoning Sketch Map

Attachment B: Aerial

Attachment C: Site plan date stamped August 17, 2011

Attachment D: Elevation date stamped August 17, 2011



Z-SP-19-69

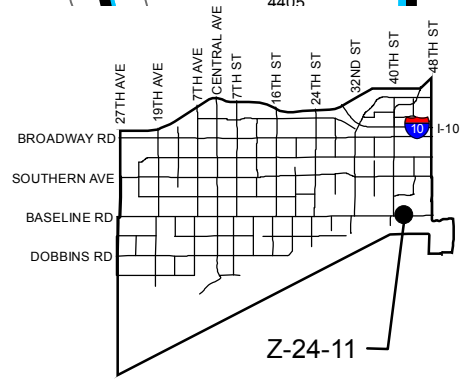
R-2 *
Z-64-91

PCD *
Z-116-81
APP
CP/BP PCD *
Z-116-81



200 100 0 200 Feet

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



Z-24-11

APPLICANT'S NAME: Ophelia Rincon		REQUESTED CHANGE: FROM: R-2, (1.63 a. c.) TO: C-1, (1.63 a. c.)	
APPLICATION NO. Z-24-11	DATE: 9/14/11 REVISION DATES: 9/23/11		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.63 Acres	AERIAL PHOTO & QUARTER SEC. NO. Q1-37	ZONING MAP D-10	
MULTIPLES PERMITTED R-2 C-1	CONVENTIONAL OPTION 16 23	* UNITS P.R.D. OPTION 19 28	

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

Attachment B



RIDGE RD

41ST WAY

42ND ST

42ND PL

43RD ST

POLLACK LN

ELLIS ST

DARROW ST

43RD PL

BR HIGHLINE CANAL

43RD ST

BASELINE RD

HIGHLINE CANAL

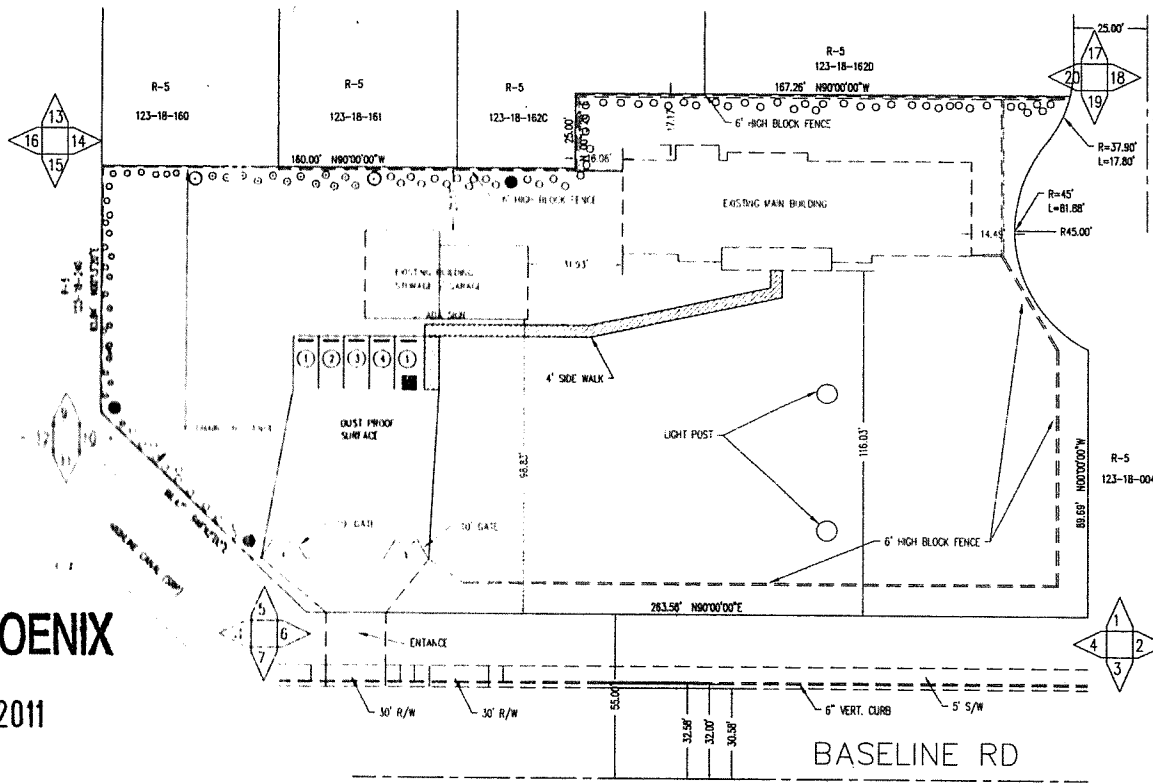
42ND ST

42ND PL

N

Attachment C

CONTEX PLAN FOR RINCON LEARNING CENTER 4250 E. BASELINE RD.



PROJECT DATA
 APN: 108-18-162G
 D.S. 1-37

SCOPE OF WORK
 REZONE THE PARCEL FROM RESIDENTIAL R2 TO COMMERCIAL C3. THE EX. BUILDING TO OBTAIN A CERTIFICATE OF OCCUPANCY. THERE IS A PREVIOUS REZONING CASE Z-64-91

SITE GROSS AREA: 50,563.72 S.F./1.16 ACRES
SITE NET AREA: 50,563.72 S.F./1.16 ACRES

(E)AVAILABLE AREA: 3837 S.F.
 (E)PATIO AREA: 288 S.F.
 (E)BUILDING FOOTPRINT: 4,125 S.F.

(E)SHADE COVER: 750 S.F.
 (E)STORAGE AREA: 750 S.F.
 (E)STORAGE & SHADE: 1,500 S.F.

TOTAL ROOF COVERAGE: 5,625 SF

LOT COVERAGE: 5,625 S.F./50,563 S.F. = 11%

BUILDING HEIGHT: 14'-7"

ZONING: R2 TO C3

OWNER / REPRESENTATIVE:
 RITO RINCON
 ADDRESS: 2215 W. DOBBINS
 PHOENIX, AZ 85041
 PHONE: 602-323-2690

OCCUPANCY GROUP:
 DAY CARE CENTER
 10 EMPLOYEES

OCCUPANCY LOAD:
 10 EMPLOYEES OCCUPANTS

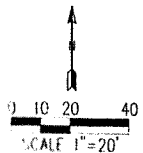
PARKING REQUIRED: 10 EMP./3 = 3.3 STALLS
PARKING PROVIDED: 4 STALLS
ADA PARKING STALLS PROVIDED: 1

BUILDING SETBACK:
 EX. BUILDING 1 STORY SET BACK=0'

CITY OF PHOENIX

AUG 17 2011

Planning Department



SITE PLAN FOR RINCON LEARNING CENTER 4250 E. BASELINE RD.		SHEET 1
DESIGN	SCALE	OF 1
DRAWN		
CHECKED		

