



City of Phoenix

Planning Department

Staff Report: Z-SP-7-09-3

July 14, 2009

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|---|---|
| North Mountain Village Planning Committee Meeting Date | August 5, 2009 |
| Planning Commission Hearing Date | August 12, 2009 |
| Request From: | C-2 (0.71 Acre) |
| Request To: | C-2 SP (0.71 Acre) |
| Proposed Use | Tattoo & piercing shop and all underlying C-2 uses |
| Location | Approximately 445 feet south of the Southeast corner of 19th Avenue & Thunderbird Road. |
| Owner | Pietrocarlo Enterprises |
| Applicant/Representative | Paula R. Hitzeman Aaron G. Stewart |
| Staff Recommendation | Approval, subject to stipulations |

| General Plan Conformity | | | |
|--|-------------|--------------------------------|-------------------|
| General Plan Land Use Designation | | Residential 3.5 to 5 du / acre | |
| Street Map Classification | 19th Avenue | Major Arterial | 40 foot east half |
| <p>LAND USE ELEMENT - GOAL 1 URBAN FORM: GROWTH SHOULD BE STRUCTURED INTO A SERIES OF URBAN VILLAGES CHARACTERIZED BY THE FIVE COMPONENTS OF THE URBAN VILLAGE MODEL: CORE, NEIGHBORHOODS, COMMUNITY SERVICE AREAS, REGIONAL SERVICE AREAS, AND OPEN SPACE. 3. INCLUDE A VARIETY OF LAND USES: OFFICE, RETAIL SHOPPING, ENTERTAINMENT AND CULTURAL, HOUSING, HOTEL AND RESORT, AND WHERE APPROPRIATE, SOME TYPES OF INDUSTRY.</p> <p>This specialized land use contributes to the mix of land uses in the North Mountain Village and provides a service to the community.</p> | | | |

NEIGHBORHOOD ELEMENT, GOAL 2: COMPATIBLE NEIGHBORHOOD DEVELOPMENT: NEW DEVELOPMENT AND EXPANSION, OR REDEVELOPMENT OF EXISTING DEVELOPMENT IN OR NEAR RESIDENTIAL AREAS SHOULD BE COMPATIBLE WITH EXISTING USES AND CONSISTENT WITH ADOPTED PLANS.

The new use will occupy an existing building within an existing commercial center.

| Surrounding Land Uses/Zoning | | |
|------------------------------|---------------------------|---------------|
| | <u>Land Use</u> | <u>Zoning</u> |
| On Site | Commercial retail | C-2 |
| North | Vacant, retail | C-2 |
| South | Single family residential | R1-8 |
| East | Single family residential | R1-8 |
| West | Commercial retail | C-2 |

| Commercial/Commerce Park/Industrial | | |
|-------------------------------------|---------------------|-----------------------|
| <u>Standards</u> | <u>Requirements</u> | <u>Met or Not Met</u> |
| <i>Building Setbacks</i> | | |
| Street | N/A | N/A |
| Side | N/A | N/A |
| Rear | N/A | N/A |
| <i>Landscaped Setbacks</i> | | |
| Street | N/A | N/A |
| Side | N/A | N/A |
| Rear | N/A | N/A |
| Lot Coverage | N/A | N/A |
| Building Height | N/A | N/A |
| Parking | N/A | N/A |

Background/Issues/Analysis

1. This is a request to rezone a 0.71 acre site from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial; Special Permit) to allow the establishment of a tattoo and body piercing shop and all other underlying C-2 uses.

The retail center has seven suites. The tattoo shop will occupy no more than 1,100 square feet in the northeast corner of the building. The owner will be required to process a change of occupancy with the Development Services Department and they will require that adequate parking is provided.

The other suites in the building currently house a chiropractor's office, an insurance office, a drafting services office and a hair salon. Two of the suites are vacant. Approval of this request will allow a tattoo shop to operate within one of the suites.

2. To protect neighborhoods from possible undesirable activities, the City Council, in 1991, amended the Zoning Ordinance to require that a Special Permit be obtained in order for those identified uses to be located in the C-2 zoning district. One of these uses is the establishment of a tattoo shop. The Special Permit process allows for monitoring of the use through the public hearing process. (A tattoo is an indelible design or marking made by the insertion of a pigment into punctures or cuts in the skin. In technical terms, tattooing is micro-pigment implantation).
3. The property to the north is zoned commercial (C-2) with a vacant parcel and then a CVS Pharmacy at the southeast corner of 19th Avenue and Thunderbird Road. The site is separated from the adjacent residential uses to the east by a 20 foot alley. The orientation of the existing commercial building is toward 19th Avenue and the adjacent commercial parcel to the north. The special permit use is situated on the property such that adjoining properties and tenants should not be negatively impacted by the operational characteristics of the proposed tattoo shop.
4. The existing C-2 zoning and the request for a Special Permit are not consistent with the Residential designation on the General Plan Land Use Map, however the size of the property is less than 10 acres so a General Plan Amendment is not required.
5. 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 proposed land use offers a specialized commercial service to the community that caters to the diverse needs of the community and should have no detrimental impact to the area.
2. The proposed land use is not consistent with the General Plan Land Use Map designation of Residential 3.5-5 du/acre, however a General Plan Amendment is not required.

Stipulations

1. That the special permit for a tattoo shop use shall be limited to no more than 1,100 square feet of the building, as approved by the Development Services Department.

Writer

K. Coles

06/02/2009

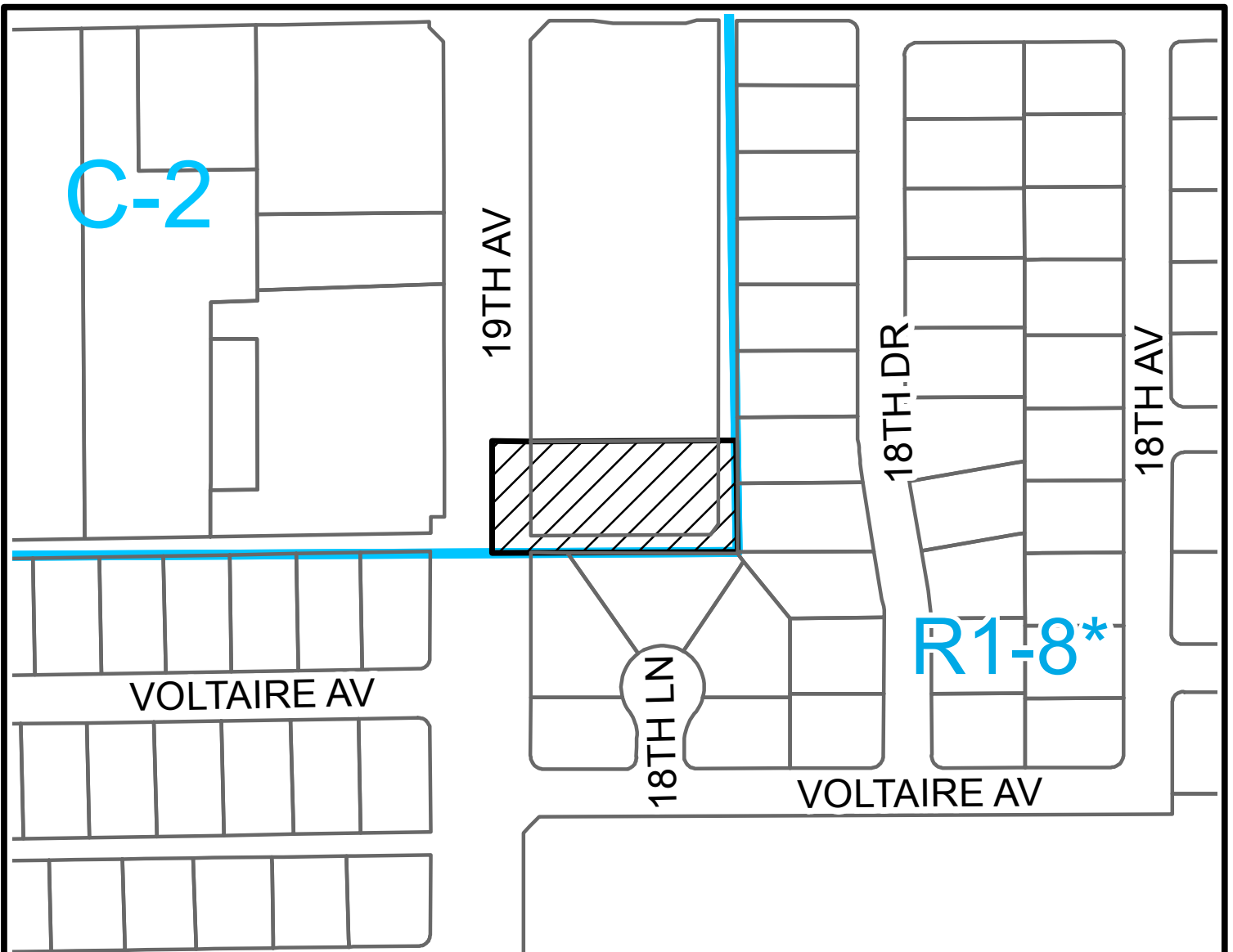
J. Bixler

Attachments

Zoning Sketch Map

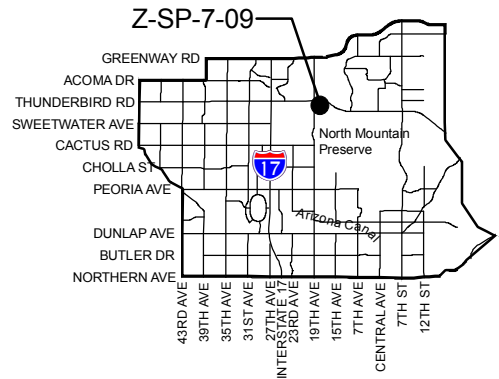
Aerial

Site Plan (date stamped 3/23/09)

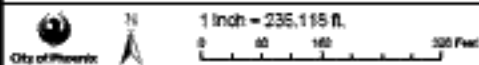
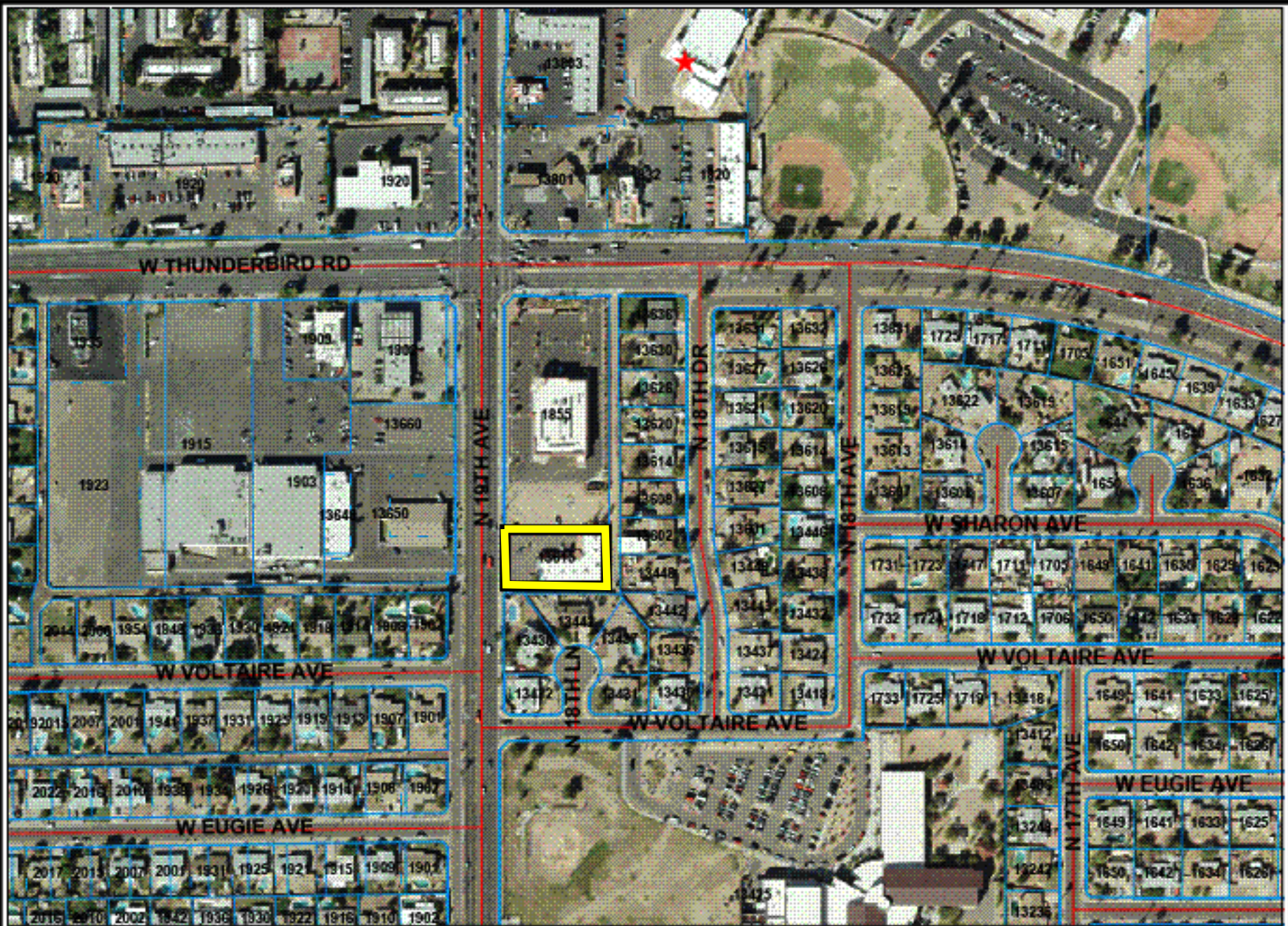


150 75 0 150 Feet

CITY OF PHOENIX PLANNING DEPARTMENT
NORTH MOUNTIAN VILLAGE
 CITY COUNCIL DISTRICT: 3



| | | | |
|--|--|---------------------------------|--|
| APPLICANT'S NAME: Paula R. Hitzeman | | REQUESTED CHANGE: | |
| APPLICATION NO. Z-SP-7-09 | | FROM: C-2, (0.71 a. c.) | |
| <small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 0.71 Acres | | TO: C-2 SP, (0.71 a. c.) | |
| MULTIPLES PERMITTED | | CONVENTIONAL OPTION | |
| _____ _____ _____ | | _____ _____ _____ | |
| * Maximum Units Allowed with P.R.D. Bonus | | * UNITS P.R.D. OPTION | |
| _____ _____ _____ | | _____ _____ _____ | |



Development Services

The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary.

