



**City of Phoenix**  
Planning Department

**Staff Report Z-37-07-2**

**Paradise Valley Village Planning Committee Meeting Date** July 9, 2007  
**Zoning Hearing Officer Date** July 23, 2007  
**Request From:** RE-24 (3.68 Acres)  
**Request To:** R-O (3.68 Acres)  
**Proposed Use** R-O (Residential Offices)  
**Location** Southwest Corner of Sweetwater & Scottsdale Road  
**Owner** Judy A. Bund  
**Applicant/Representative** Kevin Kirkwood  
 William F. Allison/ Gallagher & Kennedy  
**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Residential 1 to 2 du / acre	
<b>Street Map Classification</b>	Scottsdale Road	Major Arterial	130-feet
	Sweetwater Avenue	Minor Collector	60-feet
<b>LAND USE ELEMENT, GOAL 1 - URBAN FORM, POLICY 2: PROTECT AND ENHANCE THE CHARACTER OF EACH NEIGHBORHOOD AND ITS VARIOUS HOUSING LIFESTYLES THROUGH NEW DEVELOPMENT THAT IS COMPATIBLE IN SCALE, DESIGN, AND APPEARANCE.</b>			
The proposed rezoning would provide an opportunity for limited office while maintaining the residential character of not only the subject properties, but also protect the surrounding residential neighborhood.			
<b>LAND USE ELEMENT, GOAL 1 URBAN FORM, NEIGHBORHOOD POLICIES 5: PROVIDE SUPPORT SERVICES SUCH AS SCHOOLS, PARKS, SMALL-SCALE OFFICES AND STORES COMPATIBLE WITH THE NEIGHBORHOOD RESIDENTIAL CHARACTER.</b>			
The conversion of these five lots to office will provide the surrounding neighborhoods basic services which will maintain the residential character and compatibility of the area.			

**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 conversion of the five properties from single family residential to residential office will not negatively impact the adjacent residential neighborhood. The subject properties will be required to maintain the residential character of the area, and provide landscaping to buffer the use from public view.

Area Plan
None

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Single Family Residential	RE-24
<b>North</b>	Single Family Residential	RE-24
<b>South</b>	Single Family Residential	RE-24
<b>East</b>	Jewish Community Center (Synagogue)	R1-35 (City of Scottsdale)
<b>West</b>	Single Family Residential	RE-24

Commercial/Commerce Park/Industrial		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<b><i>Building Setbacks</i></b>		
Street	20 feet	Average 30-feet (Met)
Side	10 feet	10- and 40-feet (Met)
Rear	25 feet	Minimum 68 feet (Met)
<b><i>Landscaped Setbacks</i></b>		
Street	5-foot	(Met with added stipulations)
Side	N/A	0- to 10-feet provided (Met)
Rear	N/A	0- to 10-feet provided (Met)
Lot Coverage	30% Exclusive of Carports	30% Maximum (Met)
Building Height	15 ft at setback (up to 25-ft/2-stories)	Maximum 2-stories (Met)
Parking	38 spaces	47 provided (Met)

## **Background/Issues/Analysis**

### REASON FOR THE REQUEST

1. The request is for approval to rezone five lots from RE-24 (Single Family Residential) to R-0 (Residential Office). The subject properties are located at the southwest corner of Scottsdale Road and Sweetwater Avenue.

### LAND USE TRENDS

2. The five lots are designated as Residential 1 to 2 dwelling units per acre on the General Plan Land Use Map. While the proposed use is not consistent with the General Plan Land Use Map Residential designation, a General Plan Amendment is not needed since the five lots do not exceed 10-acres.
3. Properties to the north, south and west are also zoned RE-24. Property to the east is located within the City of Scottsdale with R1-35 zoning and is developed with a Jewish Community Center/Synagogue.
4. The Residential Conversion Policy encourages properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development. This policy establishes criteria that the City Council, Planning Commission and other review bodies should consider in evaluating a request to rezone, to a nonresidential use, existing developed residential land or vacant land within a residential neighborhood. The criteria listed below should be satisfied before converting existing neighborhoods to nonresidential uses. These criteria should not be construed as the only relevant factors in deciding whether to allow nonresidential conversion. The criteria include:
  - The proposed use change is compatible with and helps to implement the General Plan or other adopted plans.
  - There is a substantial need in the immediate future to use the land for a commercial or industrial purpose that cannot be accommodated in an existing commercial or industrial zone.

This area is in need of small scale office uses which will blend in with surrounding residential uses. Full scale commercial development in this area would negatively impact surrounding residential properties. However, small scale office located within existing residential structures would provide office type services without creating additional negative impacts associated with large scale commercial development.

- The area is not viable for continued residential use because of a combination of factors such as deterioration, land use or traffic conflict.

Traffic along Scottsdale Road impacts the residential properties fronting on Scottsdale Road. The reduction in driveways and access points may help mitigate traffic concerns.

- Parking, traffic and other impacts of the proposed development will not adversely impact nearby residential uses.

Stipulations to increase landscaping screening and abandon the alleyway have been included to mitigate negative impacts which would otherwise adversely affect nearby residential uses.

5. Residential offices are a viable development option within the community with minimal impact to the area. As illustrated below, an R-O property along 44th Street provides a good example of office development that has been integrated into the residential neighborhood.



Both photos are of the Northeast Corner 44th Street and Earl Drive

#### SITE PLAN ISSUES

6. The applicant does not anticipate any modifications or additions to the existing homes at this time. The site plan shows an ingress/egress point on the southern side of lot 5 and the northern side of Lot 3 which would connect behind the lots. This U-shaped drive would provide the access and parking for lots 2 through 5. Lot one's parking and ingress/egress needs would be provided off Sweetwater Avenue. A cross access easement will need to be created between lots 2 through 5.
7. All five lots exceed the Zoning Ordinance minimum R-O area requirements of 24,000 square feet.

8. Proposed parking spaces on Lots 1, 3, and 5 should be relocated eastward approximately 6 to 10 feet to accommodate a landscape buffer. This buffer will decrease visibility from the residential neighborhood to the west through increased landscape screening. Stipulations have been added to address this issue.
9. The location of the ingress/egress onto Sweetwater Avenue for Lot 1 is less than 150-feet to the Scottsdale Road Sweetwater Avenue intersection. Therefore, the area proposed for parking on Lot 1 shall be removed and landscaping shall be provided to buffer the office use from public view. A pedestrian pathway shall be constructed from Lot 3 northward behind Lot 2. Parking spaces for Lot 1 shall be provided within the parking area on lots 3, 4 and 5.
10. Existing driveways onto Scottsdale Road will be required to be abandoned and replaced with landscaping when the new access points are constructed.

#### OTHER

11. A bus bay will need to be constructed and the necessary right-of-way dedicated to the City of Phoenix.
12. Vehicles, specifically delivery trucks, make use of the alley entrance on Scottsdale Road to “cut-through” to the neighborhood to the west behind the subject properties. The alley must be abandoned to satisfy staff’s concerns and comply with stipulation #6.
13. 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 request will provide basic office services to the area without negatively impacting the neighborhood.
2. The conversion of these residential properties to office uses will remain residential in character and reduce the number of access points onto Scottsdale Road.

#### **Stipulations**

1. That development shall be in general conformance to the site plan date stamped on March 28, 2007 as approved or modified by the Development Services Department.

2. That a minimum 6 to 10 foot wide landscape setback along the entire west property line of all lots shall be provided. Required landscape materials planted in this landscape buffer shall include a mix of minimum 2 and 3 inch caliper trees placed 20 feet on center or equivalent groupings as approved by the Development Services Department.
3. That a minimum 6-foot wide landscape setback shall be provided along the north property line of Lot 1. Required landscape materials shall include a mix of minimum 2 and 3 inch caliper trees placed 20 feet on center or equivalent groupings as approved by the Development Services Department.
4. That cross access and parking agreements for lots 2, 3, 4 and 5 shall be created and recorded prior to preliminary site plan approval as approved by the Development Services Department.
5. That right-of-way shall be dedicated to the city and a bus bay constructed along Scottsdale Road south of Sweetwater Avenue according to city of Phoenix Detail P1256-1 and a transit pad shall be installed according to city of Phoenix Detail P1261 as approved by the Transit Department.
6. That the applicant shall file for and pursue abandonment of the alley, south of Lot 5.

**Writer**

JGC

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4/18/2007

**Attachments**

1. Zoning Sketch
2. Aerial
3. Site Plan date stamped March 28, 2007

