

# MISSOURI AVENUE LAND USE STUDY



*A Village Planning Study  
by the  
Camelback East Village Planning Committee*

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## **I. Existing Land Uses**

Missouri Avenue between 7th Street and 24th Street is an “older” (1950's to 1970's), established area of North Central Phoenix. Property in the area has developed or redeveloped with a mix of single-family, multi-family, professional offices, and limited other commercial and non-commercial uses. Single-family residential homes are scattered throughout the study area on land that ranges from large one and two acre lots (RE-35 zoning) to smaller 7500 square foot lots (R1-6 zoning). The majority of land use along this section of Missouri Avenue is residential.

Apartment and condominium/townhouse development occurred mostly in communities of less than 50 units each, primarily on the south side of Missouri Avenue but also some on the north side, and all are scattered throughout the study area.

Larger office buildings are limited and located at major intersections (7th Street and 16th Street), with most of the smaller office buildings (both C-O and R-O zoning) in heaviest concentration on the north side of Missouri Avenue between 10th and 16th Streets. The largest commercial/retail development is a 390,500 square foot shopping center located at the northeast corner of 7<sup>th</sup> Street and Missouri Avenue. Madison No. 1 Elementary School is at the northeast corner of Missouri Avenue and 16th Street. There are two churches and Fire Station No. 17 on the Avenue.

Missouri Avenue land uses are impacted by the fact that two major arterial streets, 7th Street and 16th Street, intersect the Avenue. Development has taken place at these intersections (large shopping center and multi-story office buildings) that is influenced by location on the major arterials. If these major arterials were not crossing Missouri Avenue (between Camelback and Bethany Home Roads, east-west arterials), the intensity of development at the intersections on Missouri Avenue would not exist.

### **A. “Inventory” and Comment on Existing Land Uses**

#### **1. Single family residential:**

There are at least 66 single-family residential structures with frontage on Missouri Avenue. The structures vary in size in proportion to each lot's land area, from the largest homes and lots located on the east end of Missouri Avenue from 20th to 24th Street (2-acre lots zoned RE-35), to the smaller single-family homes located at the west end of the study area, 8th Place to 10th Street. The homes in the west end of the study area were developed in R1-6 zoning on approximately 7,500 square foot lots, and are approximately 1,500 square feet or smaller in size.

With the exception of 4 or 5 easily identified houses, all of the single-family homes along the Missouri Avenue study area are in very good to excellent condition and appearance. Two single-family homes west of 15th Street on the south side of Missouri Avenue, within the last year, have undergone major expansion and substantial remodeling, accommodating their continued use as single-family residences. During the study, another single-family residential house on the south side between 14th and 15th Streets was observed to have a

large commercial dumpster in the front yard, indicating home improvement and remodeling affecting that property. (It is zoned residential and there has been no rezoning request.) Two homes on Missouri Avenue, one on the north side and one on the south side at approximately 23rd Street, have just completed substantial exterior improvements to both the residence and the landscaping.

There are two homes in the 900 block of Missouri Avenue on the south side that were the subject of a failed attempt to rezone from R1-6 to R-O. After the rezoning failed, there has been a substantial project of clean up and improvement begun and ongoing at the time of this study. The Committee believes that both properties are being brought back into appropriate condition and could be used as single-family residential homes.

Two residential properties on the south side of Missouri Avenue (1001 and 1007 E.) were substantially remodeled within the past few years. Neighbors were pleased to see the properties cleaned up and enhanced. The Neighborhood Services Department was notified that the owner was conducting a business from one of the homes. The owner pursued the remedy of rezoning to R-O and the application was successful.

There has been new single-family residential construction in the study area within the last 5 years. On the north side of Missouri Avenue at 15th Street (a new cul-de-sac street), twelve 2-story single-family houses best described as “zero-lot line” patio homes have been built, sold, and are now occupied. The land on which they were developed was narrow (on Missouri Avenue) and deep, so the homes are situated fronting on 15th Street or the cul-de-sac at the end of the street.

On Missouri Avenue in the Bartlett Estates Neighborhood new single-family residential construction includes: a “spec” home built on a 2-acre lot on the southeast corner of 22nd Street and Missouri Avenue, and offered for sale at approximately \$2 million (plus); and a 3-year old multi-million dollar home built at the southwest corner of 24th Street and Missouri Avenue.

None of the single-family homes fronting on Missouri Avenue have alley access, so they have driveway curb-cuts on Missouri Avenue. Parts of the front yards are driveway area. With the exception of 4 or 5 homes, all properties have substantial, mature, well-maintained landscaping in the front yards that serves as a buffer between the homes and the Missouri Avenue traffic. The landscaping “materials” vary from oleander hedges 5 to 6 feet high to large, full canopy trees and strategically placed shrubs, and all have year-round lawns. One property was observed to have just installed small plantings intended to develop into a hedge at the edge of the new sidewalk. [Within the last 6 months, the city of Phoenix has completed a project from Central Avenue to 24th Street along both the north and south side of Missouri Avenue where new curb, gutter, and sidewalk was needed, either to repair and replace broken areas or to install new where previously no sidewalks existed.]

As was mentioned previously, there are 4 or 5 homes along Missouri Avenue

that show signs of some neglect or lack of maintenance. This “needy” appearance, however, is nothing that could not be corrected with a coat of paint and a little bit of attention to front yard landscaping. There appears to be no physical deterioration of the exterior. Two of the properties in such condition (925 and 933 E. Missouri Avenue) were recently the subject of a failed R-O rezoning request. A third house, characterized as less than good exterior appearance, is another single-family structure at 1037 E. Missouri Avenue that was recently the subject of an R-O zoning request that succeeded. (See “Zoning” section.)

**2. Multi-family residential:**

The Committee combined both rental properties and owner-occupied condominiums under this category. From Missouri Avenue, one cannot easily distinguish with absolute certainty the difference between these properties based on their appearance. They are all relatively small developments with a well-maintained appearance and lush landscaping. It was also recognized that there are individually owned condos that could now be occupied by renters. The City estimated that there are approximately 270 multi-family units along Missouri Avenue. Most were built in the 1950's and 1960's, in projects of 50 units or smaller. The largest rental property, El Pueblo, contains 120 units. This property is physically well-maintained with excellent landscaping along Missouri Avenue. No signs of litter, graffiti, or landscape neglect were observed at any of the multi-family properties.

**3. Residential Office (R-O) Properties:**

There are 4 approved residential office properties in the study area. Three of them (1001, 1007 and 1037 E. Missouri Avenue) were previously mentioned above. (Also see “Zoning” section.) Of these three properties two have had significant exterior remodeling, however, they still haven't applied for a certificate of occupancy nor received final site plan approval from the Development Services Department.

**4. Office Properties:**

The City has estimated that approximately 1,137,800 square feet of office space and 36,900 square feet of medical (professional) office space exists in the study area. The office properties within the area exist on land zoned C-O, C-1, and C-2. Approximately 70% of the office properties have prominently displayed signs along Missouri Avenue offering space for rent. Therefore, it would appear there is no shortage of opportunity to rent office space on Missouri Avenue.

The square footage figures provided by the City did not distinguish office space based on zoning categories. However, an observation made is as mentioned before. Major office developments, 3 and 4 stories in height, exist at the intersections of Missouri Avenue and arterial streets. At 7th Street and Missouri Avenue, there are two 3-story office structures in the southeast quadrant.

There is a large, multi-story, contemporary and attractive office structure at the southwest corner of 7th Street (an arterial) and Missouri Avenue. Both of these properties orient themselves to 7th Street, although they do have pleasant appearing elevations on Missouri Avenue. Both appear to be very well maintained with mature, trimmed landscaping.

At the intersection of 16th Street (an arterial) and Missouri Avenue, there is a modern 4-story office building in the southeast quadrant and a 3-story office building in the northwest quadrant. This building's primary orientation is to 16th Street. It is very well maintained both in physical condition and landscaping.

Scattered elsewhere along Missouri Avenue, with the heaviest concentration on the north side of Missouri Avenue between 10th and 16th Streets, are numerous smaller office structures, most of them one story but with a few 2-story buildings. All of these properties are well-maintained and are attractive in appearance and landscaping. Many of the buildings, although distinctly different from one another, have been designed and built with a sensitivity to their location and an awareness of the residential environment they are a part of. They could be mistaken for large estate homes or "high-end" residential condominium developments.

#### **5. Retail/grocery:**

There is a large retail shopping center located in the northeast quadrant of 7th Street and Missouri Avenue. This shopping center is designed in an "L" shape with a large area of surface parking in front of it. There are two restaurant pads on the same corner of 7th Street north of Missouri Avenue. The shopping center as originally constructed is oriented toward frontage on 7th Street (an arterial). There is very little building elevation on Missouri Avenue, and an acceptable landscape buffer is located between the sidewalk and parking surfaces. The shopping center is going through some transition. An ABCO Market grocery store has been replaced by an independent grocery operation. Until very recently, there was a large Walgreens Drug Store in the center. The vacated space is now being utilized by an Ace Hardware Store. However, occupancy is strong and the majority of businesses are ones that would be typically found catering to surrounding neighborhood needs.

There is other retailing fronting on Missouri Avenue, but it is all located around the major arterial intersections or 12th Street, a collector street. At 16th Street (an arterial) and Missouri Avenue, there is a gas station that has recently been closed, and a sign is offering the property for sale. This was an "older style" operation with gas pumps in front and 2 or 3 "mechanic on duty" service bays. There was very little building space for consumer convenience-type retailing such as is now typical of so many gas stations. There is a Circle K and a children's day care business located on the northwest corner of 7th Street and Missouri Avenue. A 7-11 convenience store is located at the southwest quadrant of Missouri Avenue and 12th Street, with an AM-PM gas and convenience store across the street in the southeast quadrant. All of the properties occupied by retail uses appear well-maintained.

## **6. Civic and Community Uses**

There are two churches, a public school, and a City of Phoenix Fire Station located along Missouri Avenue. Fire Station No. 17 is on the south side of the street just west of 16th Street and therefore has access north and south to that major arterial.

In the northeast quadrant of 16th Street and Missouri Avenue is the Madison #1 Elementary School, with most of the school structure oriented toward 16th Street. There is some school side elevation along Missouri Avenue, and east of the school are the playgrounds which butt up against the Squaw Peak Freeway walls. The Madison School District administration offices are immediately north of the school buildings fronting 16<sup>th</sup> Street.

A Church of Jesus Christ of Latter Day Saints is located on the south side at 1905 E. Missouri Avenue. The brick exterior of the Church is set well-back from the street with carefully maintained landscaping. The large, well-lit parking surface is in good condition, located behind the Church building, and on the east, west, and south sides is well-screened from adjoining residential neighborhoods by 6-foot walls. The other church in the area is at the northeast corner of 20th Street and Missouri Avenue. The building itself seems to be in a properly-maintained condition, although the desert landscaping which presents itself to Missouri Avenue and 20th Street could use attention. The parking surface, in need of some repair, is in an "L" shape furthest removed from the corner and well-screened from the residential property adjoining it.

## **7. Undeveloped Land**

There is some undeveloped land within the study area. The first parcel is a deep, narrow piece of land fronting on the north side of Missouri Avenue just west of the intersection of 16th Street and Missouri Avenue. At this time the land owner maintains a private residence on a large lot fronting 16th Street and at its rear yard, adjoining the land with Missouri Avenue frontage.

Other undeveloped land can be observed in the Bartlett Estates Neighborhood along the south side of Missouri Avenue between 20th and 24th Street. At 20th Street, what appears to be a vacant lot is actually part of a 2-acre parcel that contains a single-family structure in need of maintenance.

At the southwest corner of Missouri Avenue and 22nd Street, there are two 2-acre undeveloped lots which are owned by the same family who owns an adjoining 2-acre lot and single-family residence on the interior of Bartlett Estates at Georgia and 22nd Street. This property has not been offered for sale in the last 40 years. From time to time there have been proposals from prospective buyers who would use the 3 lots for something other than single-family residential construction, but the strong Neighborhood Homeowners Association, backed by Deed Restrictions that limit lot splits, has always raised



opposition even before such proposals could lead to rezoning efforts. The neighborhood is opposed to a use other than single-family residential.

One of the current property owners (24<sup>th</sup> St. and Missouri Ave.) consulted with the Neighborhood Association about his interest in combining his professional business operation and his personal residence on the same property. Recognizing the neighborhood's opposition to that, he agreed to use the property only for a single-family residence, which he then proceeded to construct.

**B. Character of Adjoining Neighborhoods (north and south of Missouri Avenue)**

Subcommittee members drove the streets beyond Missouri Avenue on both the north and the south to observe general land uses and conditions. It's the conclusion of the Committee that land use in these areas is overwhelmingly single-family residential except where impacted by major arterials such as Camelback on the south and Glendale on the north. There were a few multi-family rental properties and some townhouse/condominium properties also located within these areas. Properties are well-maintained.

The residential areas north and south of Missouri Avenue should be preserved and maintained to meet the needs of residents occupying their first homes and starting families, as well as more senior citizen members of the community desiring smaller, affordable single-family residential environments. Without knowing specifically, the subcommittee believes a high percentage of the single-family homes in the area are occupied by original homeowners and/or persons who have resided there for a substantial number of years while raising their families. We believe there is a transition occurring as those homes sell and are being occupied by residents seeking safe, single-family residential neighborhoods close to the Phoenix City Center. These residential neighborhoods should be preserved and maintained, filling a housing need for a substantial period of time into the future.

**II. Zoning**

**A. History of Zoning Violations (Also see Appendix A, Neighborhood Preservation Cases)**

The Committee obtained information from the City of Phoenix Neighborhood Services (NSD) Department pertaining to recently reported violations of Zoning Ordinance and other City statutes or codes. Dating back to a period beginning in 1995, there have been 13 situations that resulted in case investigations by NSD. Appendix A, shows that of the 13 cases, six property addresses are involved which had violations for operating a commercial business and another for running a home occupation. At some time following the investigation of a complaint, all of those 6 property owners filed a request for rezoning from their current single-family status (R1-6) to residential office (R-O). (A noticeable fact is that the citations of violations involved, among other things, using the property for commercial purposes. Generally, the property owner does not correct this situation but files for R-O zoning, trying to change the Zoning Ordinance rather than agreeing to conform to it.)

Notwithstanding complaints and notices of violations for conducting a business in a single-family residential district, sometimes combined with property neglect, properties on Missouri Avenue between 7<sup>th</sup> and 24<sup>th</sup> Streets are generally well-maintained and free of ordinance violation issues.

**B. History of Recent Rezoning Requests** (Also see Appendix B, Residential-Office Zoning History.)

According to City of Phoenix records, since 1995 there have been 6 cases that involved requests for rezoning on Missouri Avenue between 7<sup>th</sup> Street and 24<sup>th</sup> Street. All requested to allow a single-family residential structure (R1-6) to change to residential office (R-O).

In 1995, a single-family residential property at 1043 E. Missouri Avenue was approved for R-O because the property was immediately adjoining a larger office development and was directly across the street from another properly zoned office property. The other 5 requests for rezoning did not begin occurring until some time in early 1999, and all 5 requests occurred between 1999 and late 2001. In mid-1999, the property owner of 1001 and 1007 E. Missouri Avenue filed a request for rezoning from R1-6 to R-O. That rezoning was approved, but there is some question about the current status of that zoning now in the year 2002. (This property was the subject of several zoning violations prior to the request for rezoning. See Appendix A.)

Late in 1999, the owner of an R1-6 zoned single family residential property located at 1401 E. Missouri Avenue (with no prior zoning violations) applied for zoning change to R-O. Planning Department staff recommended denial of the application. There was residential neighborhood opposition to the request, and the matter was ultimately resolved when the City denied the change of zoning.

Early in the year 2000, an application was received to rezone 1037 E. Missouri Avenue (a property with prior zoning violations against it) from R1-6 to R-O. Planning Department staff recommended against the rezoning and with neighborhood opposition involved, the case proceeded through a Zoning Hearing Officer hearing in which the Hearing Officer also recommended denial. The case was withdrawn before it was heard by the Planning Commission.

Late in the year 2000, the owner of two single-family residential houses (925 and 933 E. Missouri Avenue) filed for rezoning of both parcels to R-O. (These properties also had several zoning violations against them prior to filing for R-O zoning. See Appendix A.) There was neighborhood opposition in addition to the fact that the Planning Department staff recommended against granting the rezoning. The Camelback East Village Planning Committee also recommended denial. The matter was to be next heard by the Planning Commission, but on the night of the Planning Commission hearing, the request was withdrawn.

In the year 2001, a request was made again for rezoning of 1037 E. Missouri Avenue from R1-6 to R-O. Once again, Planning Department staff refused to support the request. The Camelback East Village Planning Committee, in a divided vote,

supported the request and ultimately R-O zoning was approved.

### III. Missouri Avenue Traffic Conditions

#### A. Current

Missouri Avenue is designated as a collector street on the City of Phoenix Street Classification Map. A collector street, by definition, provides for short-distance traffic movement (less than 3 miles). Its primary function is to collect and distribute traffic between local streets or high volume traffic generators and arterial streets. A collector will provide direct access to abutting land and possibly some access control through raised medians and the spacing and location of driveways and intersections. Typically a collector is designed to accommodate from 5,000 to 30,000 vehicle trips a day.

The current physical street configuration of Missouri Avenue between 7th Street and 24th Street contains no medians, dividers, or separations between east- and west-bound traffic anywhere along the entire length. Most of the length of the Avenue is 4 lanes, 2 east-bound and 2 west-bound, with flares or increased lanes at certain intersections to allow for left turns. Left turn lanes east- and west-bound on Missouri Avenue exist at 7th Street, 12th Street, 16th Street, 20th Street, and 24th Street.

The primary or major intersections affecting Missouri Avenue are 24th Street (classified as an arterial), 20th Street (a collector), 16th Street (an arterial), 12th Street (a collector), and 7th Street (a major arterial). Between approximately 18th Street and 16th Street, the Squaw Peak Freeway (S.R. 51) passes under Missouri Avenue and there is no direct access to or from Missouri Avenue and the Freeway.

A primary distinguishing feature of Missouri Avenue is private access onto and off of Missouri Avenue. There are some sections where, because of the location of small property developments (whether single-family or office), there are a substantial number of private property entrances/exits (curb cuts) to and from Missouri Avenue. During heavy to average traffic flow in daylight hours, these can severely impede movement of traffic.

As an example, between 8th Place and 12th Street on the south side of Missouri Avenue, there are a total of 22 curb cuts. There are 17 curb cuts on the north side. This is a total of 39 potential entrance/exit points onto Missouri Avenue from private property. Additionally, there is traffic access onto and off of Missouri Avenue at the intersections of 8th Place, 10th Street, 11th Street, and 12th Street. Some of the 39 curb cuts provide access for the 120 unit apartment building and several other small multi-family and office properties. The number of curb cuts creates a potential to slow traffic.

According to the Traffic Count Division of the City of Phoenix Street Transportation Department, the average weekday traffic volume per a 24-hour period depicted on the 1999 Traffic Volume Map is as follows:

Missouri Avenue from 7th Street to 16th Street - 22,000 vehicles

## Missouri Avenue from 16th Street to 24th Street - 20,000 vehicles

Traffic on Missouri Avenue has remained constant from 1996 to 2000. In 1996, traffic counts on Missouri Avenue at 14th Place were 21,000. In 2000, counts at Missouri Avenue and 10th Street were 20,000. According to city standards, Missouri Avenue, as a collector, is handling a fairly high volume of traffic. It is city policy to conduct a neighborhood traffic study and consider traffic mitigation measures when collector streets experience more than 8,000 vehicles per day or 800 vehicles in a given hour.

Missouri Avenue ends at 24<sup>th</sup> Street. East of 24<sup>th</sup> Street is the access road to the Arizona Biltmore. This access is limited to Biltmore visitors and residents. Use of the access for cut-through and unauthorized traffic is discouraged.

Missouri Avenue is servicing the residential properties to the north and south as well as those properties along the Avenue itself. The existence of mid-block, small office properties increases the traffic on Missouri Avenue more than if those same land uses had been residential. (See Appendix C, Trip Generation Chart.) Major traffic-generating developments such as the shopping center at 7th Street and/or large office buildings in the area are located at intersections with arterials. Some of the traffic from these developments travels north and south on arterials and some east and west on Missouri Avenue.

Most residential areas north and south are protected against cut-through traffic leaving or accessing Missouri Avenue because, except for major collectors and arterials, cross streets (local streets) do not feed all the way through to another east or west-bound arterial or collector. The one exception is 10th Street, which is a residential/local street that does experience some cut-through traffic by persons traveling across Missouri Avenue to and from Camelback and Bethany Home Roads as a means of avoiding traffic on 12th Street or 7th Street.

### **B. Future Potential**

Missouri Avenue, in its current 4-lane configuration along with curb, gutter, and sidewalks, occupies all of the right-of-way currently available. At this time there are no plans we are aware of that would change the configuration from its current design.

There seems to be little possibility for reducing the volume and speed of traffic on Missouri Avenue. Therefore, great concern and regard should be shown in the future to the possibility of redevelopment/new construction and/or rezoning issues that would result in development that generates a greater volume of traffic than that which already exists.

To reinforce the Committee's opinion concerning the foregoing, it considered hourly traffic flow at different times of the day, on different days of the week. Generally, it was observed that the most substantial volume of traffic that uses Missouri Avenue occurs each day during daylight, "working/rush" hours, Monday through Friday. There are substantially different (lower) flows of traffic on weekends and during evening hours (see Appendix D).

## **IV. Findings**

### **A. Concerning Land Use**

1. The predominant land use along Missouri Avenue is residential.
2. Single-family residential properties exist on zoning categories of RE-35 or R1-6. The RE-35 district has typical lot sizes of 35,000 square feet or more with a maximum lot coverage of 25%. The R1-6 district has typical lot sizes of 6,000 square feet with a maximum lot coverage of 40%. Homes on the smaller lots in this area are approximately 1,500 square feet or smaller.
3. Of the approximate 66 single-family homes along Missouri Avenue, only 4 or 5 show need for exterior attention such as painting or improved landscape maintenance. There is no evidence of major physical deterioration.
4. Three homes on Missouri Avenue (in the 1400 block and 1500 block on the south side) have undergone or are undergoing expansion and/or substantial remodeling to enhance their continued use as single-family residential properties. The same is taking place or has been completed on two homes in the vicinity of 23rd Street and Missouri Avenue.
5. Two of the homes noted in the study as needing exterior attention, located in the 900 block of Missouri Avenue, are undergoing substantial clean-up at the time of this study (construction dumpster in the front yard).
6. In the Bartlett Estates Neighborhood between 20th Street and 24th Street on the south side of Missouri Avenue, two new houses have been constructed on RE-35 zoned land, and a third home has been substantially remodeled and improved.
7. Within the last 5 years on the north side of Missouri Avenue at 15th Street, there has been the construction, sale and occupancy of 12 single-family residential homes.
8. There are a number of multi-family properties along Missouri Avenue, both apartments for rent and developments constructed as owner-occupied condominiums. All of these were noted to be well-maintained, in good exterior condition with no evidence of litter, graffiti, or landscape neglect.
9. According to the City, there are 4 R-O zoned properties along Missouri Avenue. One was apparent to the Study Committee because of its current neglected appearance. However, the owner is currently going through the review process with the Development Services Department. Those improvements have not yet been undertaken. The other 3 R-O zoned properties are maintained in good appearance.
10. The City's records reveal 1,137,800 square feet of office space in the study area. The majority of that space is located in multi-story office buildings at the

intersections of 16th Street and 7th Street, both of which are arterials. The majority of these office developments front on the arterial street with nice-looking side elevations on Missouri Avenue.

11. Fronting on Missouri Avenue, primarily on the north side, are some office developments on land zoned C-O or C-1 that are good examples of the ability to design and construct office properties in character and appearance that blend with the residential environment of Missouri Avenue.
12. Over the period of the last 5 years, Committee members have observed that there have continuously been "For Rent" signs posted in conjunction with many of the office properties in the study area. There is no way of knowing exactly how many square feet are vacant and available for rent now, but 70% of all office properties do have signs posted offering office space for rent.
13. The largest retail land use in the study area is the 9-acre shopping center fronting on 7<sup>th</sup> Street with 113,000 square feet. The only other retail land uses exist in reference to major cross streets such as 7th Street, 12th Street, and 16th Street. There are two convenience stores and one combination gas station/convenience retail business. There is one gas station that used to offer on-site mechanical repair service but no convenience sales. The station is now closed and the property (on the southwest corner of 16th Street and Missouri Avenue) is offered for sale and may be subject to redevelopment.
14. Serving the residential land uses along Missouri Avenue and the neighborhoods to the north and south are the Madison #1 Elementary School and two churches. The City of Phoenix maintains Fire Station #17 on Missouri Avenue, west of 16th Street, giving the Station north-south access to that arterial.
15. There is a limited amount of undeveloped land in the study area. One parcel is west of 16th Street and Missouri Avenue and two lots are located between 20th Street and 22nd Street on the south side of Missouri Avenue. None of this vacant property is available for sale, as it is being used in conjunction with single-family homes located contingent to this land but fronting on other streets.
16. The properties along Missouri Avenue are well-maintained in good to excellent condition, (the exception being 4 or 5 single-family homes) with substantial attention to the maintenance of mature landscaping.
17. Disregarding the commercial developments fronting on or oriented to arterial streets, and taking into consideration two churches, an elementary school, and a fire station, it appears that at least 85% of all land along Missouri Avenue is used for residential or civic service of the residential environment.
18. If any characterization of transition or ongoing change can be identified on Missouri Avenue between 24th Street and 7th Street, it is the increase in single-family construction and renovation and/or expansion of single-family residential properties.

## **B. Concerning Zoning**

1. Considering the number of developed properties located in the study area, there have been few zoning and property maintenance violations reported to the City of Phoenix in the last 5 years.
2. The majority of all zoning violations that were reported dealt with small single-family houses that had been allowed to deteriorate in exterior appearance and/or landscape maintenance.
3. Since 1995, the only requests for rezoning in the study area have been a change from R1-6 to R-O (Residential Office).
4. The City of Phoenix Planning Department recommended denial of all 6 of the R-O rezoning requests. Two rezoning requests were approved, and four were denied or withdrawn, often times due to opposition from neighbors.
5. In the case of the two successful R-O rezoning requests, one was approved in January, 2002 but the property still stands vacant with no evidence of any work taking place to improve, change, or enhance its appearance. In the two years since the R-O zoning request was granted on the second property, the property owner has failed to obtain variance relief that was needed to successfully conform to R-O standards, and has not otherwise complied with stipulations set forth by the City of Phoenix.

## **C. Concerning Traffic**

1. Over the period of the last 5 years, Missouri Avenue traffic has remained stable in volume at approximately 20,000 cars per day.
2. The volume of traffic on Missouri Avenue, a collector street, is noted as being substantial enough according to City standards to motivate concern about its impact on surrounding residential area.
3. Right-of-way is not available for widening of Missouri Avenue. Therefore, it is unlikely that its current condition, without medians or east-west traffic flow separations and no mid-block center street turn lanes will be modified. The committee is not aware of any plans to change the street configuration.
4. There are some sections along Missouri Avenue that have a high number of curb cuts allowing access onto and off of Missouri Avenue to private property. During high traffic volume periods, smooth traffic flow on Missouri Avenue is impeded by drivers using these curb cuts.
5. Due to the relatively small change in the amount of traffic in the last two 5-year traffic counts, it could be extrapolated that:
  - a. the majority of the study area is built out, and
  - b. if there are no significant zoning or land use changes, the traffic volume

should remain constant.



## **V. Recommendations**

- A. Eighty-five percent of the existing uses along Missouri Avenue are residential or civic (school, churches, fire department). These conditions should be taken into consideration and given very strong weight whenever issues of preservation, development or redevelopment, or zoning change are considered. Particular vigilance should be shown to zoning and/or redevelopment issues that appear to be related only to 7th Street, 12th Street, or 16th Street frontage, because of the impact they can have on Missouri Avenue and the affect on traffic movement on Missouri Avenue. (See "Findings," A17, A18, C4, and C5.)
- B. Any future consideration of rezoning for commercial use and/or any review of site development and construction plans for commercially zoned property proposed to have frontage on an arterial street (7th Street or 16th Street) should have particular attention paid to the impact of the proposed use or development because of its side yard elevation on Missouri Avenue. (Issues of appearance, set-back, and access should be considered.) (See "Findings", A10, A11.)
- C. After careful analysis of each request, the City of Phoenix has consistently recommended denial of requests for R-O zoning along Missouri Avenue. The Committee desires that this careful analysis and diligence be continued. It is recommended that future reports from the City also emphasize the long term nature of a zone district change, noting that a variety of office uses and even a different building would be possible at any point after approval. (See "Findings," A9, B3, B4, and B5.)
- D. Vigilance should be maintained concerning the closed gas station property at the southwest corner of 16th Street and Missouri Avenue (62,346 sq. ft.). There is a strong likelihood that when the property is purchased, it will be with the idea of redeveloping it for possibly a very different use than what has existed on this land. Concern and attention to the impact on Missouri Avenue of any possible redevelopment must be considered. If the site has not undergone needed environmental remediation for possible leaking of underground fuel tanks, it is possible a Use Permit process will need to be pursued. (See "Findings," A13.)

## **VI. In Support of Recommendations**

### **A. General Plan**

The General Plan for Phoenix consists of 16 elements that address growth, conservation and redevelopment of all physical aspects of the city through goals, policies and recommendations. While every goal, policy, and recommendation cannot be accomplished within any specific time frame, the Plan provides guidance when making decisions regarding rezoning requests and can influence whether or not a request will be supported. The following elements are a few that would be referenced when determining the impact of a land use change.

## 1. Land Use Element

The Land Use element discusses the types of land uses needed in the City. The Executive Summary to the Land Use element states in part as follows:

Mixed land use patterns: promote mixed land use patterns to minimize travel distances.

Incompatible land uses: protect residents from incompatible land uses.

## 2. Neighborhood Element

The Neighborhood element of the General Plan recommends ways to promote strong, healthy neighborhoods and preserve their unique character. The General Plan Land Use Map designates this area as Residential (2-5 du/ac). Currently, Missouri Avenue between 7th Street and 24th Street has a variety of mixed land use. Typically this type of development occurs in Village Core areas, but is generally accepted as a desirable land use pattern and encouraged by the City of Phoenix.

- a. Goal 2 (Compatible Neighborhood Development): states that neighborhoods should be preserved, stabilized and/or upgraded, unless part of an area is planned to transition to another use.
  - (1) Policy 1: Encourage new land uses that are specifically supported by the General Plan or a City-adopted area or specific plan. Unless the proposed use is supported by an adopted plan, non-residential uses that do not serve the neighborhood and are not compatible in both scale and character with the surrounding residential area should not be permitted adjacent to planned or existing residential development.
  - (2) Policy 4 (Residential Conversion Policy): encourages properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for non-residential development. This policy establishes criteria that the City Council, Planning Commission, and other review bodies should consider when evaluating a request to rezone to a non-residential use. If the request is supported, the criteria listed below should be satisfied before converting existing neighborhoods to non-residential uses. These criteria should not be construed as the only relevant factors in deciding whether to allow non-residential conversion.
    - \* 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.

- \* The area is not viable for continued residential use because of a combination of factors such as deterioration, land use, or traffic conflict.
- \* Parking, traffic and other impacts of the proposed development will not adversely impact nearby residential uses.

- b. Goal 4 (Character and Identity): Neighborhood character and identity should be encouraged and reinforced.

Neighborhood character is difficult to define and can be different for every residential area. It is an important factor that gives a neighborhood its identity and its sense of place. Character is often a complex set of perceptions based on the area's location, geographic features, landscaping, building types, and other unique aspects.

- (1) Recommendation B, under Policy 1: Encourage using architectural features, building materials, landscaping materials, and building scale that are representative of the character of the area.

### **3. Conservation, Rehabilitation and Redevelopment Element**

The Conservation, Rehabilitation and Redevelopment element recommends strategies to protect stable areas, to rehabilitate those with moderate levels of deterioration, and to redevelop those areas that are very deteriorated or transitioning from their present land uses.

- (a) Goal 2 (Property Preservation): Preservation, maintenance and improvement of property conditions should be promoted to ensure Phoenix neighborhoods are attractive and desirable places to live.
  - (1) Policy 2: Strengthen and enforce compliance with the Neighborhood Preservation and zoning Ordinances and Codes to enhance neighborhood stability.

### **4. Housing Element**

The Housing element of the General Plan recommends ways to improve housing quality, variety and affordability in Phoenix. Although housing is relatively more affordable in Phoenix than in many other Valley cities or major metropolitan areas, the cost of the median price of new housing increased 33 percent from 1995 to 2000. Little affordable housing is being built in the growth areas of the city. Developed urban villages, such as Camelback East, will face

the challenges of preventing the deterioration of the existing, aging housing, and rehabilitating housing that has fallen into disrepair.

- (a) Goal 2 (Housing Choice): states a diverse choice of housing should be provided in all villages of the city to meet the needs of all households. Housing choice involves a mix of quality housing types, sizes, and prices for owners and renters.

A recent report released by the Arizona State University Real Estate Center states, "There is an alarming trend occurring as the median price of a new single-family home in Phoenix increased 33 percent from 1995 to 2000, and the median price of a resale home increased 46 percent." (Phoenix Metropolitan Housing Study)

- (1) Policy 2: Preserve and increase housing opportunities for low and moderate-income households within the villages and throughout the city.

The housing market has not been able to meet the need for affordable housing for those with lower incomes. As housing prices increase, it will become increasingly important to retain the City's older housing stock as a form of affordable housing. Housing such as that found on portions of Missouri Avenue may serve as an affordable housing option within the East Camelback Village.

## APPENDIX A

### East Missouri Avenue Neighborhood Preservation Cases:

<b>Address</b>	<b>Violations</b>	<b>Date Open</b>	<b>Court Action</b>	<b>Closed</b>
925 E. Missouri	Trash, roof, vegetation	2/2000	No	5/2000
925 E. Missouri	Trash, roof, home occupation, vegetation	10/00	2 sets of tickets	4/02
933 E. Missouri	Outside storage, roof	7/98	No	12/99
933 E. Missouri	Commercial business, roof, dustproofing	2/00	No	7/2000
933 E. Missouri	Commercial business, roof, dustproofing	3/01	Tickets \$2100 fine	Still in violation
939 E. Missouri	Vegetation	3/02	No	3/12
1001 E. Missouri	Vegetation	3/98	No	5/98
1001 E. Missouri	Commercial business	9/98	No	8/99
1001 E. Missouri	Not meeting stipulations.	4/02	No	11/02
1007 E. Missouri	Vacant structure, dustproofing, roof	11/95	Tickets	11/96
1037 E. Missouri	Commercial business	1/99	No	1/99
1037 E. Missouri	Commercial business	6/99	No	9/2000
1037 E. Missouri	Vegetation	4/01	No	5/01

*Information provided by Neighborhood Services Department June 2002.*

**APPENDIX B**  
Residential-Office Zoning History

Zoning Case	Location	Request	Results	Notes
61-01	1037 E. Missouri Ave	from R1-6 to R-O	Approved	Staff not supportive of request stating there was no demonstrated need for more commercial in the area and the proposal could adversely impact adjacent residential. Staff indicated this is a stable residential area and this request would encourage similar requests and this area does not warrant non-residential zoning.
20-00	1037 E. Missouri Ave	from R1-6 to R-O	Withdrawn	Site being used illegally - Notice of Violation issued by Neighborhood Services. Staff recommended denial. The applicant appealed the denial by ZHO to the Planning Commission. However, before Planning Commission could hear the request the applicant withdrew.
73-00	925 & 933 E. Missouri Ave	from R1-6 to R-O	Withdrawn	Zoning request was for two parcels west of 10th Street on the south side of Missouri Avenue. Staff and the Camelback East Village Planning Committee recommended denial of the request. Before Planning Commission could hear the request, the applicant withdrew.
71-99	1401 E. Missouri Ave	from R1-6 to R-O	Denied	Staff recommended denial due to concern that approval would set a precedent and allow piecemeal commercial zoning in an area that supports a stable residential housing stock. Concerned residents expressed their opposition to the commercial zoning in this area stating "property values are rising and it's a desirable place to live."
18-99	1001 & 1007 E. Missouri Ave	from R1-6 to R-O	Approved	Request was prompted by Notice of Violation issued by Neighborhood Services for operating a business out of residential home. The request was approved based on stipulations that the property not vest until the development demonstrate compliance with commercial building codes and a certificate of occupancy has been obtained. To date property has not received approval from Development Services, has not filed for a change of occupancy and therefore is in violation.
36-95	1043 E. Missouri Ave	from R1-6 to R-O	Approved	The request was not supported by staff but was approved by the Village Planning Committee. The majority of the committee agreed that this was an excellent use of the property across from and adjacent to large office developments. The request met all the required R-O criteria according to the zoning ordinance.

**APPENDIX C**

Land Use	Vehicle Trips/Day Average	Per Unit
<b>COMMERCIAL</b>		
Office (general)	11	1000 sq. ft.
Office (medical)	36	1000 sq. ft.
Free Standing Discount Superstore (Retail + Grocery Store)	47	1000 sq. ft.
Free Standing Discount Store (Retail only)	57	1000 sq. ft.
Specialty Retail Center (small strip shopping centers)	41	1000 sq. ft.
Shopping Center	43	1000 sq. ft.
Restaurant (quality, sit down, not a chain, 1 hour or more turnover)	90	1000 sq. ft.
Restaurant (high turnover (1 hour or less) sit down)	130	1000 sq. ft.
Restaurant – Fast Food (w/drive thru window)	496	1000 sq. ft.
Convenience Market (open 24 hours – no fuel pumps)	738	1000 sq. ft.
Convenience Market (with fuels pumps as minor business)	846	1000 sq. ft.
Gasoline/Service Station (with convenience market as minor business)	163	Vehicle Fueling Positions
Bank (drive-in)	265	1000 sq. ft.
Bank (walk-in)	157	1000 sq. ft.
<b>RESIDENTIAL</b>		
Single Family Detached Housing	10	Dwelling Unit
Apartment	7	Dwelling Unit
Townhouse/Residential Condo	6	Dwelling Unit
<b>INDUSTIRAL</b>		
Industrial Park	7	1000 sq. ft.
Warehousing	5	1000 sq. ft.
Manufacturing	4	1000 sq. ft.
<b>INSTITUTIONAL</b>		
Elementary School	1	Student
Middle/Junior High School	1.5	Student
High School	2	Student
Church (weekday)	9	100 sq. Ft.
<b>OTHER USES</b>		
Golf Course	650	18 Hole Course
Golf Course	324	9 Hole Course
Hotel (w/convention site)	9	Room
Motel (no convention site)	9.1	Room
Business Hotel	7.3	Room
Park	2	Acre
Hospital	5.2	Employee
Hospital	12	Bed
Hospital	17	1000 sq. ft.

## **APPENDIX D**

### **Traffic Counts**

**Missouri Avenue – 7<sup>th</sup> Street to 24<sup>th</sup> Street  
Missouri Avenue and 10<sup>th</sup> Street**



### Missouri 7th Street to 24th Street Counts

Rec. ID	Count Date	N/S Street	E/W Street	Volume	Count Type	Direction	Description	File	District(s)	Count Station
42766	03/13/1996	14TH PL	MISSOURI AVE	11551	MID2	West Bound	Volume Map	148	6	
38958	03/13/1996	14TH PL	MISSOURI AVE	10187	MID2	East Bound	Volume Map	148	6	
		<b>TOTAL</b>		<b>21738</b>						
42897	03/11/1998	18TH PL	MISSOURI AVE	10549	MID2	West Bound	Volume Map	044	6	2254
39196	03/11/1998	18TH PL	MISSOURI AVE	10017	MID2	East Bound	Volume Map	044	6	2254
		<b>TOTAL</b>		<b>20566</b>						
46938	02/23/2000	10TH ST	MISSOURI AVE	9624	MID2	East Bound	Volume Map	056	6	3261
46939	02/23/2000	8TH PL	MISSOURI AVE	11367	MID2	West Bound	Volume Map	056	6	3261
		<b>TOTAL</b>		<b>20991</b>						
49118	11/29/2000	10TH ST	MISSOURI AVE	10605	APP4	West Bound	SigWar	206	4	
49117	11/29/2000	10TH ST	MISSOURI AVE	9656	APP4	East Bound	SigWar	206	4	
		<b>TOTAL</b>		<b>20261</b>						

### 10th Street and Missouri Counts

Rec. ID	Count Date	N/S Street	E/W Street	Volume	Count Type	Direction	Description	File	District(s)	Count Station
41734	10/14/1997	10TH ST	MISSOURI AVE	1155	APP2	South Bound	SigWar	024	4	
40930	10/14/1997	10TH ST	MISSOURI AVE	1161	APP2	North Bound	SigWar	024	4	
49116	11/29/2000	10TH ST	MISSOURI AVE	843	APP4	South Bound	SigWar	206	4	
49115	11/29/2000	10TH ST	MISSOURI AVE	681	APP4	North Bound	SigWar	206	4	

Volume Listing Adjusted for Month and Day of Count

File 96VMAP#1.148

Location of count Missouri & 12 - 16 St

District 6

Hour of Count	Northbound		Southbound		Site 10307 Eastbound		Site 10308 Westbound	
	-No Data-		-No Data-		Avg	Max	Avg	Max
1:00					39	40	45	42
2:00					24	28	30	26
3:00					13	14	13	9
4:00					8	9	7	7
5:00					19	21	12	13
6:00					91	85	56	52
7:00					338	317	228	243
8:00					797	778	792	833
9:00					906	857	746	801
10:00					560	526	539	582
11:00					503		532	532
12:00					710	683	705	722
13:00					797	768	817	842
14:00					671	648	824	844
15:00					682	723	844	863
16:00					741	778	902	949
17:00					750	743	1130	1103
18:00					897	912	1325	1298
19:00					504	583	727	751
20:00					377	399	406	424
21:00					252	274	321	305
22:00					220	221	239	230
23:00					138	137	167	156
24:00					70	69	94	90

24 Hour Average Directional Totals  
Northbound = 10187  
Southbound = 0  
North-South Total = 0  
Location Total = 21738

Eastbound = 10187  
Westbound = 11551  
East-West Total = 21738

96 VMAP 148

Location of count: W of Bicycle Collision # 0 & Maroon T

District: 4

Hour of Count		Date # 11-29-0		Site 10533		Hour of Count		Date # 11-29-0		Site 10533	
Count	Thru	Thru	Thru	Count	Thru	Count	Thru	Count	Thru	Count	Thru
1:00	28	0	31	26	0	1:00	58	0	55	46	0
2:00	14	0	15	14	0	2:00	15	0	15	15	0
3:00	12	0	14	10	0	3:00	14	0	10	10	0
4:00	9	0	8	11	0	4:00	8	0	6	11	0
5:00	39	0	34	43	0	5:00	16	0	13	20	0
6:00	142	0	149	136	0	6:00	66	0	68	64	0
7:00	389	0	404	374	0	7:00	211	0	208	214	0
8:00	878	0	924	832	0	8:00	658	0	699	618	0
9:00	834	0	900	769	0	9:00	583	0	597	569	0
10:00	526	0	524	517	0	10:00	489	0	512	467	0
11:00	493	0	475	512	0	11:00	516	0	535	498	0
12:00	619	645	641	602	0	12:00	654	662	660	642	0
13:00	696	705	688	697	0	13:00	706	768	788	803	0
14:00	665	657	675	0	0	14:00	755	788	722	0	0
15:00	672	671	673	0	0	15:00	822	884	855	0	0
16:00	696	714	674	0	0	16:00	995	992	999	0	0
17:00	764	778	751	0	0	17:00	1160	1146	1175	0	0
18:00	802	828	824	0	0	18:00	1030	1100	961	0	0
19:00	515	530	501	0	0	19:00	645	650	641	0	0
20:00	327	332	323	0	0	20:00	373	414	332	0	0
21:00	225	224	224	0	0	21:00	296	270	323	0	0
22:00	164	161	168	0	0	22:00	235	233	238	0	0
23:00	99	94	105	0	0	23:00	137	136	139	0	0
24:00	54	48	60	0	0	24:00	84	81	60	0	0

24 Hour Average Directional Totals

Eastbound = 9656 Westbound = 10605

Location Total = 21785 East-West Total = 20261

Location of count Missouri Av (5500n) & E=10st(1000e) W=8pl(850e)

District 6 3261

Volume Listing Adjusted for Month and Day of Count

Site 20099

Site 20100

Hour of Count	Eastbound Date * 2-23-00	Westbound Date * 2-23-00	Hour of Count	Eastbound Date * 2-23-00	Westbound Date * 2-23-00
1:00	30	0	1:00	47	0
2:00	15	0	2:00	20	0
3:00	8	0	3:00	15	0
4:00	11	0	4:00	11	0
5:00	29	0	5:00	23	0
6:00	102	0	6:00	72	0
7:00	441	0	7:00	258	0
8:00	902	0	8:00	738	0
9:00	788	0	9:00	710	0
10:00	522	0	10:00	513	0
11:00	495	0	11:00	516	0
12:00	627	711	12:00	711	721
13:00	677	725	13:00	815	813
14:00	676	657	14:00	734	680
15:00	653	632	15:00	830	828
16:00	710	720	16:00	1014	1015
17:00	719	701	17:00	1232	1212
18:00	748	779	18:00	1236	1219
19:00	555	561	19:00	741	734
20:00	338	325	20:00	366	344
21:00	328	245	21:00	300	315
22:00	185	184	22:00	223	223
23:00	106	114	23:00	147	148
24:00	59	59	24:00	90	94

24 Hour Average Directional Totals

Eastbound = 9424

Westbound = 11767

East-West Total = 20991

Location Total = 20991

Volume Listing Adjusted for Month and Day of Count

District 6

Location of count Missouri & SR51 - 20 St

Hour of Count	Site 10189 Eastbound				Site 10190 Westbound					
	Date	Avr	*Wed	Thr	Fri	Date	Avr	*Wed	Thr	Fri
1:00	20	0	17	23	23	42	0	34	51	51
2:00	11	0	12	11	11	23	0	22	24	24
3:00	6	0	5	8	8	7	0	8	7	7
4:00	6	0	4	8	8	5	0	6	5	5
5:00	21	0	25	18	18	13	0	13	13	13
6:00	84	0	81	88	88	40	0	39	41	41
7:00	407	0	438	376	376	179	0	200	158	158
8:00	1034	0	1069	1000	1000	611	0	625	598	598
9:00	864	0	926	803	803	677	0	749	605	605
10:00	559	0	593	526	526	466	0	493	439	439
11:00	504	0	493	515	515	479	0	486	472	472
12:00	677	0	711	644	644	568	0	566	570	570
13:00	733	732	735	0	0	676	644	708	0	0
14:00	673	666	680	0	0	761	716	806	0	0
15:00	600	615	585	0	0	715	701	729	0	0
16:00	686	692	680	0	0	957	913	1002	0	0
17:00	760	743	778	0	0	1141	1133	1150	0	0
18:00	844	823	866	0	0	1262	1228	1296	0	0
19:00	601	638	564	0	0	753	740	767	0	0
20:00	344	331	358	0	0	381	392	371	0	0
21:00	248	238	259	0	0	302	342	262	0	0
22:00	197	196	199	0	0	249	257	242	0	0
23:00	97	90	104	0	0	167	173	162	0	0
24:00	41	35	47	0	0	75	81	70	0	0

24 Hour Average Directional Totals

Eastbound = 10017

Westbound = 10549

East-West Total = 20566

Location total = 20566

## APPENDIX E

### Position Statement

If Phoenix is to avoid the deterioration that can destroy large cities, it is necessary that the City limit the collective number of commercial and non-residential uses within a given residential area.

Currently there is no limit to the number of non-residential uses allowed in residential areas (whether by right, special-use permit, variance, or as a non-conforming use). While some may not be objectionable in a single instance, collectively they present a destabilizing factor--the impetus of an evolutionary process resulting in the eventual erosion and potential loss of viable residential living.

Neighborhoods will continue to thrive only if the City takes an active role in upholding their residential character. Homeowners should not be required to continuously defend their neighborhoods from those who wish to profit financially by altering a home to business use. Nor should the City be required to continuously hear requests brought by businesses seeking to invade residential areas. Phoenix does not lack centrally located property that is appropriately zoned for business.

### Requirements and/or Processes Recommendations

The following recommendations relate to Zoning and/or Development Services Department requirements and/or processes, and are made with the awareness that there may be issues raised about the legality of the recommendation or the appropriateness of that recommendation in view of the current Zoning Ordinance and City of Phoenix policies and procedures. Notwithstanding that, the Committee is making the recommendations in hopes that they will be followed, or if that is not possible, that some action can be taken to adjust the Zoning Ordinance or City policies and procedures to accommodate the acceptance of these recommendations.

- A. Any proposal for R-O zoning is required to go through a pre-application Development Services Department review of the proposed site plan and use to determine if there is a reasonable possibility that the proposed use and structure will be able to meet the requirements of the R-O zoning ordinance. It is recommended that this requirement be enforced prior to acceptance of an application for R-O zoning.

Once an application for rezoning has been accepted, the Planning Department staff report should clearly and in detail indicate the extent to which immediately identifiable variances are going to have to be requested to accommodate the proposed use.

- B. In R-O zoning cases, where so much sensitivity and/or concern must be shown to the impact of the rezoning on neighboring residential properties, the R-O zoning should be approved, if at all, on a contingent or conditional basis. It is recommended that a maximum period of 12 months be stipulated (in accordance with Section 506B.1.) for the property owner to bring their property into conformance with the requirements of the R-O zoning and obtain a

Certificate of Occupancy. Upon expiration of the time limit, if the applicant has not requested an extension, the conditional R-O zoning should automatically be removed or revoked and the property should revert to its zoning designation prior to the rezoning request.

- C. The Study Committee believes that the R-O Zoning Ordinance language is flawed in that it does not require that the property be used subject to R-O zoning. The ordinance states that the district: *permits new development at a residential scale, or conversion of residential structures for use as professional offices or other limited service uses. It also permits continuation of residential uses or reconversion to residential uses.* The Committee recommends that in order to maintain residential quality, converted residential structures or new structures must conform in character, appearance, and/or design in a manner that is compatible with the existing residential environment.
- A. Great care should be shown in reviewing and considering R-O rezoning and the proposed R-O use, to be sure that surrounding residential properties are protected from negative impact, particularly as relates to parking of vehicles in conjunction with the R-O and the amount of traffic generated by the R-O. A request for R-O should not receive a recommendation for approval if access cannot be accommodated from a major or collector street. Adequate screening should be provided for the parking area to protect residential properties from inappropriate noise, odor, and light trespass.
- E. If a site plan is offered by the applicant as part of a request for rezoning, before any rezoning is approved that site plan should be subject to whatever stipulations are deemed appropriate, including a stipulation that the development be in substantial (if not exact) conformance with the site plan including incorporation of appropriate stipulations. Further, any construction drawings presented to Development Services Department for approval must contain on them a complete presentation of all stipulations.
- F. In any R-O zoning case, attention should be paid to the proposed front yard and landscaping so that it may be stipulated to be complementary to the appearance, character, and nature of landscaping that exists on adjacent properties as well as in the surrounding residential area.
- G. A stipulation to be associated with an R-O rezoning should be an instruction that the total square footage of any structure used in accordance with R-O zoning must be considered, along with other appropriate concerns, when the number of required car parking spaces is determined. A residential property being converted to a commercial use should not be given square footage credit or allowance for the fact that a portion of the property is not proposed to be used for commercial purposes or is being used as a private residence. A current user requesting rezoning may represent that they are going to live on the premises and, therefore, rooms such as a bedroom, bathroom, and kitchen should be excluded from the area required to be counted for determining commercial parking requirements. That circumstance applies only to that user and will not necessarily apply to other users of the R-O property in the future. Parking should be required on the basis of the total square footage of the structure.

- H. It is recommended that no rezoning applications for R-O be accepted until the property has completed one year with no city-issued violations related to a non-residential use.
  
- I. Section 506A.5. of the Zoning Ordinance states that if an application is denied by City Council or if it is withdrawn after the Planning Commission hearing, the Commission has the authority to refuse another application for the same property within a year of the filing of the previous application. It is recommended that this provision be expanded for R-O so that if an application is withdrawn after any public hearing on the matter, then it should not be resubmitted for one year.