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FOR CITY COUNCIL PACKET  
FEBRUARY 4, 2014

**The February 4, 2014 Executive Session and Policy Session have been Cancelled**

**An Executive Session has been called for February 5, 2014**

**BACK-UP INFORMATION FOR THE WEDNESDAY, FEBRUARY 5, 2014 FORMAL AGENDA**

Boards Citywide	Page 1	Boards and Commissions - Mayor's Appointments
Items 19 & 20 Districts 2 & 6	Pages 21 & 25	Police Department Recommendations for Two Liquor License Applications: <ul style="list-style-type: none"><li>• Gus's New York Pizza and Bar</li><li>• Lola's Coffee</li></ul>
Item 23 District 8	Page 41	Public Hearing - Proposed 35th Avenue and Baseline Road Annexation
Item 29 District 2	Page 49	Ordinance G-5887 - Amend City Code - Rezoning Application Z-50-13-2
Items 50 & 51 District 7	Page 69	Public Hearings - Resolution 21196 (GPA-EST-1-13-7) and Ordinance G-5889 (Z-20-13-7) - 67th Avenue and Interstate 10
Item 52 District 4	Page 71	Public Hearing - Ordinance G-5890 (Z-47-13-4) - 3rd Avenue and Camelback Road
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Item 54 Citywide	Page 73	Public Hearing - Ordinance G-5892 (Z-TA-8-13) - Signage for Master Planned Developments for Sports, Entertainment, or Concert Venues with a Minimum of 4,000 Seats

Packet Date: January 30, 2014

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**CITY COUNCIL REPORT**

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**FORMAL AGENDA**

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TO: City Council AGENDA DATE: February 5, 2014  
FROM: Greg Stanton PAGE: 1  
Mayor  
SUBJECT: BOARDS AND COMMISSIONS

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**Human Relations Commission**

I recommend the following for appointment:

Jeffrey Brodin

Mr. Brodin is the founder of an employment law firm. He has previously served as the Board Chair for the Southwest Center for HIV/AIDs, the Vice-Chair of the Employment Committee of the Arizona Chamber of Commerce, and as a board member of the Contemporary Forum of the Phoenix Art Museum. This is his first term, which will expire June 30, 2016.

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**CITY COUNCIL REPORT**

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**FORMAL AGENDA**

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TO: Lisa Takata  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Cris Meyer  
City Clerk

ITEMS: 19 & 20 PAGES: 21 & 25

SUBJECT: POLICE DEPARTMENT RECOMMENDATIONS FOR TWO LIQUOR  
LICENSE ITEMS ON THE FEBRUARY 5, 2014 FORMAL AGENDA

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The attached memorandum supplements the Request for Council Action report for two liquor license items on the February 5, 2014 Formal Council Agenda. This memorandum provides the Council with additional information regarding the Police Department disapproval recommendations for the following items:

**New Business Items**

- **District 2, Gus's New York Pizza and Bar**
- **District 6, Lola's Coffee**

For further information regarding these items, please contact the City Clerk Department, License Services Section at 602-262-7003.

**Police Department Liquor License Disapproval Recommendation**

**Application Information**

<b>Business Name</b>	<b>Gus's New York Pizza and Bar</b>	<b>District</b>	<b>2</b>
<b>Business Location</b>	<b>19401 North Cave Creek Rd, Suite 15 &amp; 16</b>		
<b>Applicant Name</b>	<b>Farshad Dehghani</b>	<b>Series Type</b>	<b>12</b>

The Police Department recommends disapproval of this liquor license application for the following reasons:

- **The applicant is not reliable:**

Mr. Farshad Dehghani failed to respond to multiple attempts via telephone, US mail, and e-mail left by License Services between the dates of December 16, 2013 – January 2, 2014, requesting the required submission of the City of Phoenix Questionnaire. Due to the lack of response, the Police Department was unable to conduct a comprehensive review of Mr. Dehghani's request. This lack of response brings to question the qualifications, reliability and capability of this applicant to responsibly hold a liquor license in the city of Phoenix.

**This recommendation for disapproval is submitted by: Ida E. Alonge A4289**

<b>SIGNATURES</b>	
<b>Administrative Licensing Investigator</b>	
<b>Liquor Enforcement Detail Supervisor</b>	

**Police Department Liquor License Disapproval Recommendation**

**Application Information**

<b>Business Name</b>	<b>LOLA'S COFFEE</b>	<b>District</b>	<b>6</b>
<b>Business Location</b>	<b>5632 North 7th Street, Suite #101</b>		
<b>Applicant Name</b>	<b>Walter Clarke, Agent</b>	<b>Series Type</b>	<b>12</b>

Mr. Clarke, the agent for Lola’s Coffee, has applied for a restaurant series liquor license for the proposed business at 5632 North 7th Street Suite #101.

**The Police Department recommends disapproval of this liquor license application for the following reasons:**

- **The Police Department shares the following concerns of the area's neighborhood associations:**

Currently there are two restaurants that share the property at 5632 North 7th Street. Since the opening of these restaurants in 2013, the adjacent neighborhood has been negatively affected by a significant increase in traffic, parking violations, and noise. With the proposal to add another restaurant with liquor service, the neighborhood would experience further deterioration in their quality of life due to an increase in the severity of the existing issues.

Prior to the opening of the restaurants at 5632 North 7th Street, the building was previously occupied by the Ducati and Kawasaki Garage and Dealership. The current parking lot west of the restaurants was formerly an undeveloped and separate vacant parcel.

In 2011, WDP 7th Street LLC took ownership of the building and properties at both parcels with a plan to repurpose its use. Through a partnership with Fox Restaurant Concepts LLC, the redevelopment design was to transform the properties and building into a multi-restaurant complex with an adjacent parking lot. The initial tenant and anchor restaurant would be the “Culinary Dropout” with a future plan to add more restaurants. The complex in its entirety would include a common outdoor area and be dubbed “The Yard”.

In 2012, zoning variances were granted to allow for the redevelopment of the properties. Many of these variances pertained to the proposed parking lot which would be shared amongst all the businesses in the complex. The most notable variance was the reduction in the required number of parking spaces from 129 spaces to 80 spaces.

In February 2013, the “Culinary Dropout” restaurant opened for business followed shortly thereafter by “Little Cleo’s”. These two restaurants currently overlap in hours of operation, primarily at peak times, from 5pm – 9pm, six days a week. The certificate of occupancies issued to both restaurants allow for a combined maximum occupancy of 382 persons. However, the parking lot is only able to accommodate 80 parking spaces. Even if the restaurants operate below their maximum occupancies, the limited available

**Police Department Liquor License Disapproval Recommendation**

**Application Information**

<b>Business Name</b>	<b>LOLA'S COFFEE</b>	<b>District</b>	<b>6</b>
<b>Business Location</b>	<b>5632 North 7th Street, Suite #101</b>		
<b>Applicant Name</b>	<b>Walter Clarke, Agent</b>	<b>Series Type</b>	<b>12</b>

parking causes a spill-over of parked vehicles and traffic into the adjacent neighborhood. As a result, the residents filed several complaints in an attempt to address the issues. In response to the initial complaints, the City of Phoenix granted the residents several no parking zones for the neighborhood. When this failed to address the issue of no parking, the residents petitioned for and received “decal only” parking. This also failed to completely alleviate the problem so residents continue to call the Police to report violations.

From February 2013 through December 2013, the Phoenix Police Department received over 200 calls for service pertaining to the traffic, noise, and parking issues. This was a 725% increase in calls for service compared to statistics from 2012 when neither restaurant was open. The significant increase in calls for service became a constant drain on resources for the Desert Horizon Precinct.

The current proposal is to add the “Lola’s Coffee” restaurant with a maximum capacity of 54 persons and the targeted hours from 6am – midnight. When compared to the other two restaurants already in place, “Lola’s Coffee” would open earlier; however, from 5pm - midnight all the restaurants would be open at the same time. The additional patrons during these times, primarily peak hours, would further contribute to the unresolved issues of traffic, parking, and noise for the community.

Due to the aforementioned traffic, parking and noise issues, the best interest of the community would not be substantially served should another liquor establishment be added to this location. For this reason The Desert Horizon Precinct recommends denial of the liquor license.

**This recommendation for disapproval is submitted by: Detective E. Breindl #6135**

<b>SIGNATURES</b>	
<b>Administrative Licensing Investigator</b>	
<b>Liquor Enforcement Detail Supervisor</b>	

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**CITY COUNCIL REPORT**

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**FORMAL AGENDA**

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TO: Rick Naimark  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson  
Acting Planning & Development  
Director

ITEM:23 PAGE: 41

SUBJECT: PROPOSED 35TH AVENUE AND BASELINE ROAD ANNEXATION

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This report recommends the approval of the proposed annexation of 3 acres located at the 3443 West Baseline Road, APN: 300-14-002X.

THE REQUEST:

The applicant is annexing to develop 13 residential units subject to rezoning.

OTHER INFORMATION:

Planning Village:	Laveen
General Plan Designation:	Traditional Lot 2-3.5 du/acre
Current County Zoning District	RU-43
Equivalent Zoning District:	S-1
Proposed Zoning District:	A-2

Current Conditions

Current Land-Use:	Single-family dwelling and farming implements
To the North:	Agricultural farm, zoned S-1
To the South:	Vacant parcel, zoned S-1.
To the West:	Agricultural farm, horse stable with 2 single-family dwellings, zoned RU-43
To the East:	Vacant parcel zoned S-1.

Non-Conformities Present?	NONE PRESENT
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<u>PARCEL(S) HISTORY</u>	None
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ALTERNATIVES:

- Option A - Annex the land as requested:

The City of Phoenix will control rezoning requests in this area to ensure conformance with the General Plan Land Use Map. The City of Phoenix will capture property tax, utility tax, state shared revenue, and impact fees when applicable.

- Option B - Deny the request for annexation:

If annexed later, this site would have been developed under County zoning and development standards that may not be consistent with the General Plan, Land Use Map, zoning, and development standards.

RECOMMENDATION:

Located next to adjacent City of Phoenix lands, this annexation is supported by the General Plan, particularly the Land Use Element, Goal 10, Policy 2. This annexation is recommended for approval.

SUPPORTING INFORMATION:

I. Water and Sewer Service

The Water Services Department prefers a looped water system through a separate connection from Baseline Road or 32nd Drive through a water easement or a dedicated street. A second source of connection can address the concerns with water.

Water

There is a 12-inch water main in 35th Avenue and Baseline Road. There is also an 8-inch water main in 32nd Drive and Melody Drive, located approximately 930 feet east of the property.

Sewer

There is a 15-inch sewer main in 35th Avenue. There is also an 8-inch sewer main in Melody Drive south of 32nd Drive, located approximately 1,070 feet east of the parcel.

II. Fire Protection

Servicing Station:	Phoenix Fire Station 39 2276 West Southern Avenue
Station Capacity Level, Current:	94%
Station Capacity Level, After Annexation:	94%
Current Response Time:	4 Min.      0 Sec.
City Average Response Time:	4 Min.      39 Sec.
Difference From Typical Response Time:	0 Min.      -39 Sec.
Number Of Service Calls Expected:	3
Average Cost Per Service Call:	\$466
Estimated Total Annual Fire Service Costs:	<b>\$1,429</b>



III. Police Protection

Servicing Station: Estrella Mountain, Police Beat 334  
Number Of New Officers Required: 0.03  
Number Of New Patrol Cars Required: 0.01  
Estimated Total Annual Police Service Costs: **\$4,184**

IV. Refuse Collection

Number of New Containers Required: 13  
Cost for Refuse Containers, Each: \$48.45  
Cost for Recycling Containers, Each: \$48.45  
Total Start-Up Costs For Refuse Collection: **\$1,260**

*Note: Public refuse container costs not applicable for apartments, commercial, and industrial uses as such uses require private refuse services or contractual agreements with the City that are not determined at this time.*

V. Street Maintenance

Average Cost Per Acre For Street Maintenance: \$85  
Estimated Total Annual Street Maintenance Costs: **\$254**

VI. Public Transit

Servicing Routes: Local routes 35 (35th Avenue), 77 (Baseline), and 251 (51st Avenue). Bus stops are located approximately 1/2 mile from the parcel.

VII. Parks and Recreation

Neighborhood Park Demand In Acres: 0.12  
Community Park Demand In Acres: 0.06  
District Park Demand In Acres: 0.06  
Total Park Demand In Acres: 0.25  
Cost Per Acre, Annual Maintenance: \$11,000  
Total Annual Parks and Recreation Costs: **\$2,715**

VIII. Schools

Elementary School District:	Bernard Black Elementary
High School District:	Cesar Chavez
Total Expected Elementary School Students:	9
Total Expected High School Students:	5
Total Expected New Students:	14

IX. Revenues

Residential Impact Fees

Expected impact fee revenues in Laveen West are approximately \$9,680 per single-family dwelling (impact fee plus administration charges). Impact fee totals are based on a future build-out of 13 single-family dwellings. Projected revenues are based on current 2013 fee schedules only.

\* State Shared Revenue. Based on a 2014-15 build-out years and the two-year lag for receipt of state shared income tax revenues, collections would not be anticipated until FY 18/19. Approximate state shared revenue will be \$7,500 annually, and it is based on the assumption that the projected population is not already city of Phoenix residents.


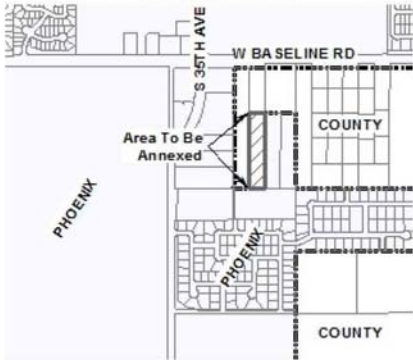
	Expected Total Impact Fees at Buildout:	\$125,840
Beginning Next Fiscal Year	Property Tax Income:	\$1,711
	Utility Fee Income:	\$1,625
	State Shared Revenue*:	\$0
	Solid Waste:	\$4,181
	Sales Tax Generated:	\$0
	Total Tax Related Income, Annually:	<b>\$7,517</b>
Beginning 2015 - 2016 Fiscal Year	Property Tax Income:	\$1,711
	Utility Fee Income:	\$1,625
	State Shared Revenue*:	\$0
	Solid Waste:	\$4,181
	Sales Tax Generated:	\$0
	Total Tax Related Income, Annually:	<b>\$7,517</b>

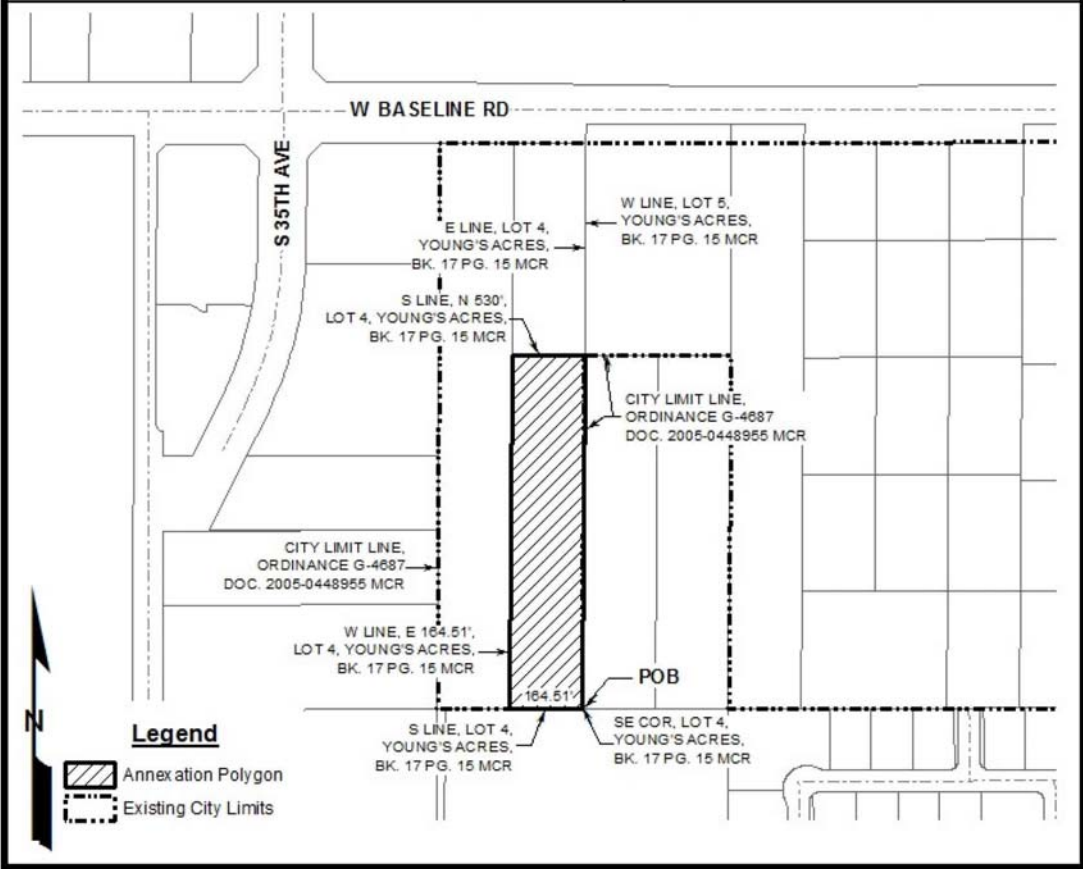
X. Total Costs

Revenue, First Year Only:	\$133,357
Revenue, Year Two to 2017:	\$15,034
Revenue, 2018 and Beyond*:	\$22,534
Expenses, First Year Only:	\$9,842
Expenses, Year Two:	\$8,582

Total Annual Revenue, First Year	\$123,515
Total Annual Revenue, Year Two	-\$1,065
Total Annual Revenue, 2018 and Beyond:	\$13,952

The above referenced numbers are projections only. Actual numbers may vary due to project scope and size, timing of permit issuance, and build-out.

<b>ANNEXATION MAP</b>		 <b>City of Phoenix</b>
<b>35TH AVENUE &amp; BASELINE ROAD</b>		
<b>LEGAL DESCRIPTION</b> SECTION 2 T. 1 S., R. 2 E. G. & S. R. B. & M.		<b>VICINITY MAP</b>
ANNEXATION NUMBER: <b>XXX</b>	AREA IN SQUARE MILES <b>0.0047</b>	



**Legend**

-  Annexation Polygon
-  Existing City Limits

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## CITY COUNCIL REPORT

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### FORMAL AGENDA

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TO: Rick Naimark  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson  
Acting Planning & Development  
Director

ITEM: 29 PAGE: 49

SUBJECT: Z-50-13-2 LOCATED APPROXIMATELY 620 FEET WEST OF  
SOUTHWEST CORNER OF 56TH STREET AND LONE MOUNTAIN  
ROAD

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This report provides back-up information on Item 29 on the February 5, 2014, Formal Agenda.

#### THE ISSUE

A rezoning application has been submitted for approval to the City Council for a parcel located approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road. Application is being made by Ed Bull of Burch & Cracchiolo, P.A., on behalf of Melcor Developments Arizona, Inc.

#### OTHER INFORMATION

Rezoning case Z-50-13-2 is a request to rezone 16.84 acres from RE-35 to R1-18 to allow single-family residential.

The Desert View Village Planning Committee reviewed the application on January 9, 2014, and recommended approval per staff stipulations with 3 additional stipulations on a 9-0 vote.

The application was heard by the Planning Commission on January 14, 2013, and recommended for approval per the Desert View Village Planning Committee recommendation with one additional stipulation on a 6-0 vote.

The application was appealed by the opposition.

Attachments:

A – Staff Report Z-50-13-2



**City of Phoenix**  
 PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-50-13-2**  
 December 26, 2013

**Desert View Village Planning Committee Meeting Date** January 7, 2014  
**Planning Commission Hearing Date** January 14, 2014  
**Request From:** RE-35 (16.84 acres)  
**Request To:** R1-18 (16.84 Acres)  
**Proposed Use** Single-Family Residential  
**Location** Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road  
**Owner** Melcor Developments Arizona, Inc.  
**Applicant/Representative** Ed Bull/Burch & Cracchiolo, P.A.  
**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designations</b>		Residential 0 to 2 du/ac	
<b>Street Map Classification</b>	Lone Mountain Road	Arterial	65-foot south half street
<p><b><i>LAND USE ELEMENT, GOAL 1, URBAN FORM, NEIGHBORHOOD 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.</i></b></p> <p>Proposed project is consistent with the scale and density of the surrounding area.</p> <p><b><i>LAND USE ELEMENT, GOAL 11, GENERAL PLAN LAND USE MAP AND ZONING CONFORMITY: THE GENERAL PLAN LAND USE MAP SHALL SHOW THE GENERALIZED LAND USE PLAN FOR THE CITY AND THE PROPOSED STREET SYSTEM WITH THE EXCEPTION OF LOCAL STREETS. ZONING GRANTED SUBSEQUENT TO THE ADOPTION OF THE GENERAL PLAN OR ANY AMENDMENTS SHALL BE IN CONFORMITY WITH THE LAND USE CATEGORY SHOWN AND DEFINED ON THE GENERAL PLAN, AS FURTHER EXPLAINED BELOW.</i></b></p> <p>Both the residential density and the zoning district proposed for this site conforms to the General Plan Land Use Map and to the North Area Land Use Plan.</p> <p><b><i>NEIGHBORHOOD ELEMENT, GOAL 4, CHARACTER AND IDENTITY, POLICY 4: ENCOURAGE NEW DEVELOPMENT THAT RESPECTS AND ENHANCES THE NEIGHBORHOOD'S CHARACTER.</i></b></p> <p>Proposed development respects the desert landscape and theme from the surrounding area.</p>			

<b>Area Plan</b>
The North Land Use Map designates this area as Residential 0-1.5 du/ac. The plan recognizes the importance that the rural character and lifestyle play in determining appropriate land use densities. The proposed 1.48 du/acre project meets the intent of the North Land Use Plan density cap of 1.5 du/acre.

<b>Surrounding Land Uses/Zoning</b>		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant	RE-35
<b>North</b>	Single-Family Residential	R1-18 and S-1
<b>South</b>	Single-Family Residential/Horse Arena	RE-35
<b>East</b>	Large Lot Single-Family Residential	RE-35
<b>West</b>	Large Lot Single-Family Residential (Maricopa County)	Rural-43

<b>Single-Family</b>		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Development Option		PRD
Gross Acreage	N/A	16.84
Total Number of Units	34	25
Density	2.05 du/ac	1.48 du/ac (MET)
Typical Lot Size		10,400 square feet
Subject to Single Family Design Review	10% or more of the lots are equal or less than 65 feet in width	No
Open Space	Minimum 5%	30% (MET)

### **Background/Issues/Analysis**

#### **SUBJECT SITE**

1. This request is to rezone a 16.84-acre site located approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road from RE-35 to R1-18 for a single-family residential development. The site is vacant.
2. The General Plan Land Use Map designation is Residential 0 to 2 du/acre with a density cap of 1.5 du/acre. The request is consistent with the General Plan with a proposed density of 1.48 du/acre.

#### **SURROUNDING USES & ZONING**

3. Chaparral at Lone Mountain, a 74-unit single-family subdivision is located north of the subject site and is zoned R1-18. This development is approximately 55 acres in size with a density of 1.32 dwelling units per acre. Lots sizes range between 78-80 feet wide by 125-128 feet deep (9,750 to 10,240 square feet). The subject site is bounded on the west by predominately large lot single-family homes (an acre or larger in size) which are located in the unincorporated area of Maricopa County and zoned Rural-43. To the south of the subject site is also single-family residential with equestrian uses (i.e., horse arena) and zoned RE-35. To the east

is single-family residential and zoned RE-35.

#### PROPOSAL

4. The site plan depicts a total of 25 single-family custom lots (1.48 du/acre) on the 16.84-acre site. The typical lot size is 80 feet by 130 feet deep (10,400 square feet) with 30% open space. A gated community with private streets is proposed with access off of Lone Mountain Road.

#### STREETS

5. The Street Transportation Department indicated that there are right-of-way improvements needed for this site. Stipulations have been added to address these improvements.

#### OTHER

6. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in Shaded Zone X, on panel 890 L of the Flood Insurance Rate Maps (FIRM) dated September 30, 2005.
7. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

#### **Findings**

1. The General Plan Land Use Map designation is Residential 0 to 2 du/acre with a density cap of 1.5 du/acre. The request is consistent with the General Plan with a proposed density of 1.48 du/acre.
2. The development character respects the natural topography of the area and incorporates existing washes into the overall design.

#### **Stipulations**

1. The development shall not exceed 25 lots.
2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.
5. Right-of-way totaling a minimum of 65 feet shall be dedicated for the south half of Lone Mountain Road with half street improvements including curb, gutter, sidewalk, paving, appropriate drainage structures and incidentals for the length of the property, as approved by the Planning and Development Department. Provide Phoenix standard pavement transition tapers to all existing improvements.



6. Provide a striping and signing diagram per City of Phoenix Street Transportation Department Standards for Lone Mountain Road and a copy of paving plans for the Street Transportation review. Striping and signing plan must be drawn on separate sheets from paving plans and included as part of the complete set submitted to the Planning and Development Department at Central Log-in on the 2nd Floor of City Hall. Approval of striping and signing plans must be obtained from the Street Transportation Department (Zeke Rios 602-256-3409).
7. A minimum 40-foot wide private accessway entrance with 20-foot radius curb returns shall be provided on Lone Mountain Road. If gates or a median island are proposed, comply with Gate Control Access Requirements.
8. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings and incidentals on private accessways under City permit and with City inspection. Minimum five-foot wide attached sidewalks shall be constructed along all lot frontages adjacent to private streets, as approved by the Planning and Development Department. The curb at every curb return and at every entrance into a new subdivision is to be imprinted with the words "Private Street- No City Maintenance" in two-inch high letters.
9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
  - a. Public Water and Sewer;
  - b. Drainage;
  - c. Refuse Collection;
  - d. Emergency and Service Vehicle Access

**Writer**

Tricia Gomes  
December 26, 2013

**Team Leader**

Josh Bednarek

**Attachments**

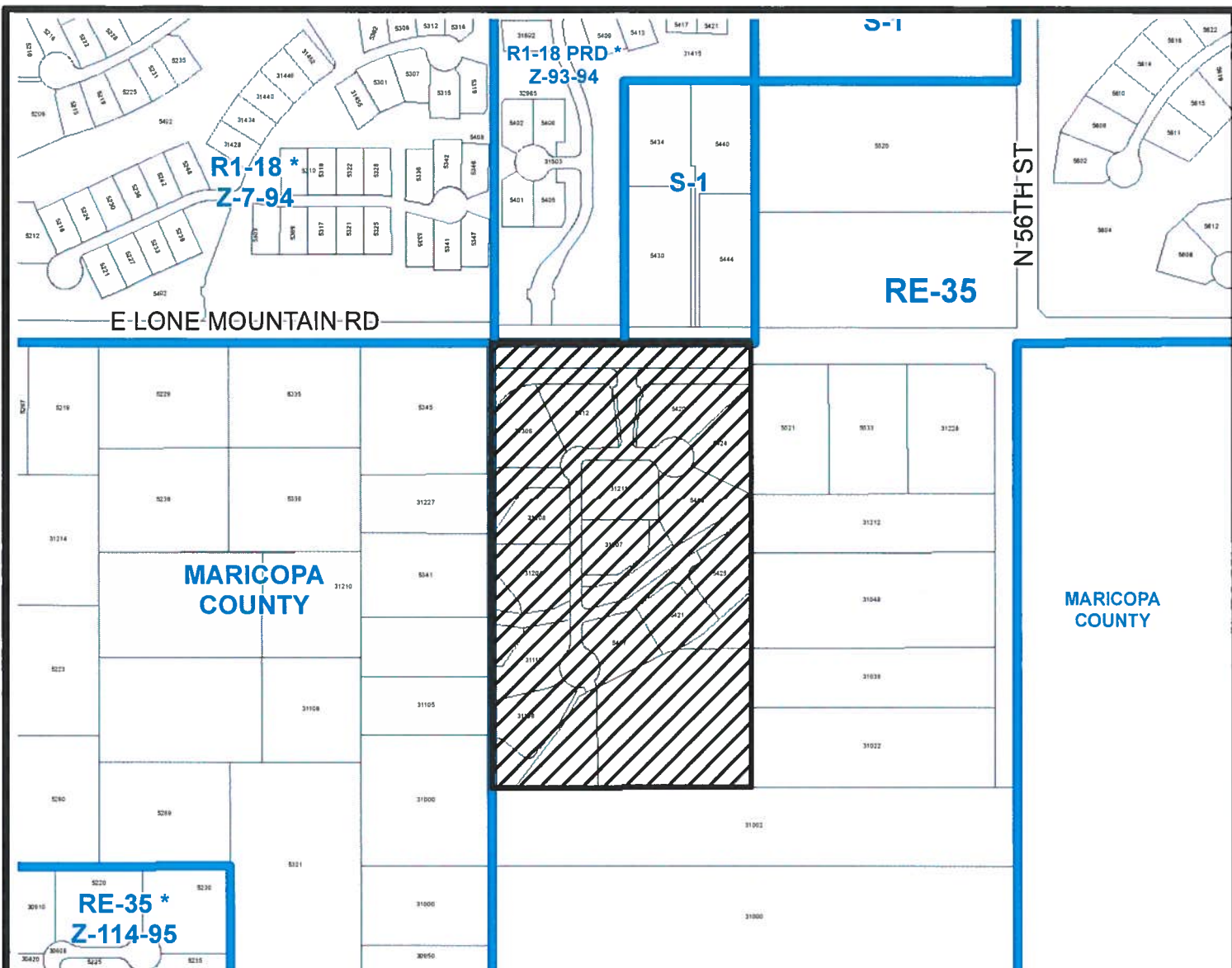
Aerial  
Sketch Map  
Site and date stamped December 10, 2013

Z-50-13-2



Z-50-13-2

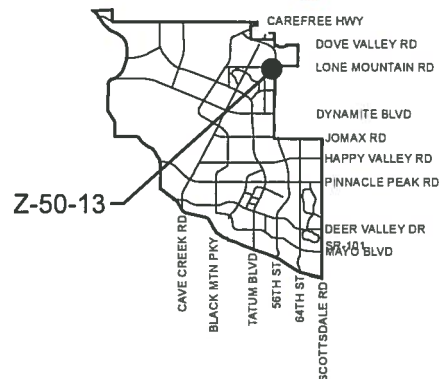




CITY OF PHOENIX PLANNING DEPARTMENT

**DESERT VIEW VILLAGE**

CITY COUNCIL DISTRICT: 2

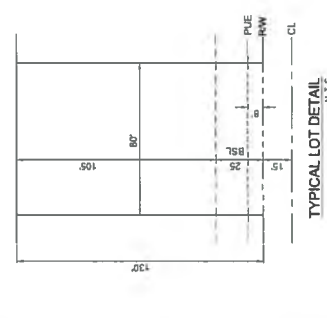
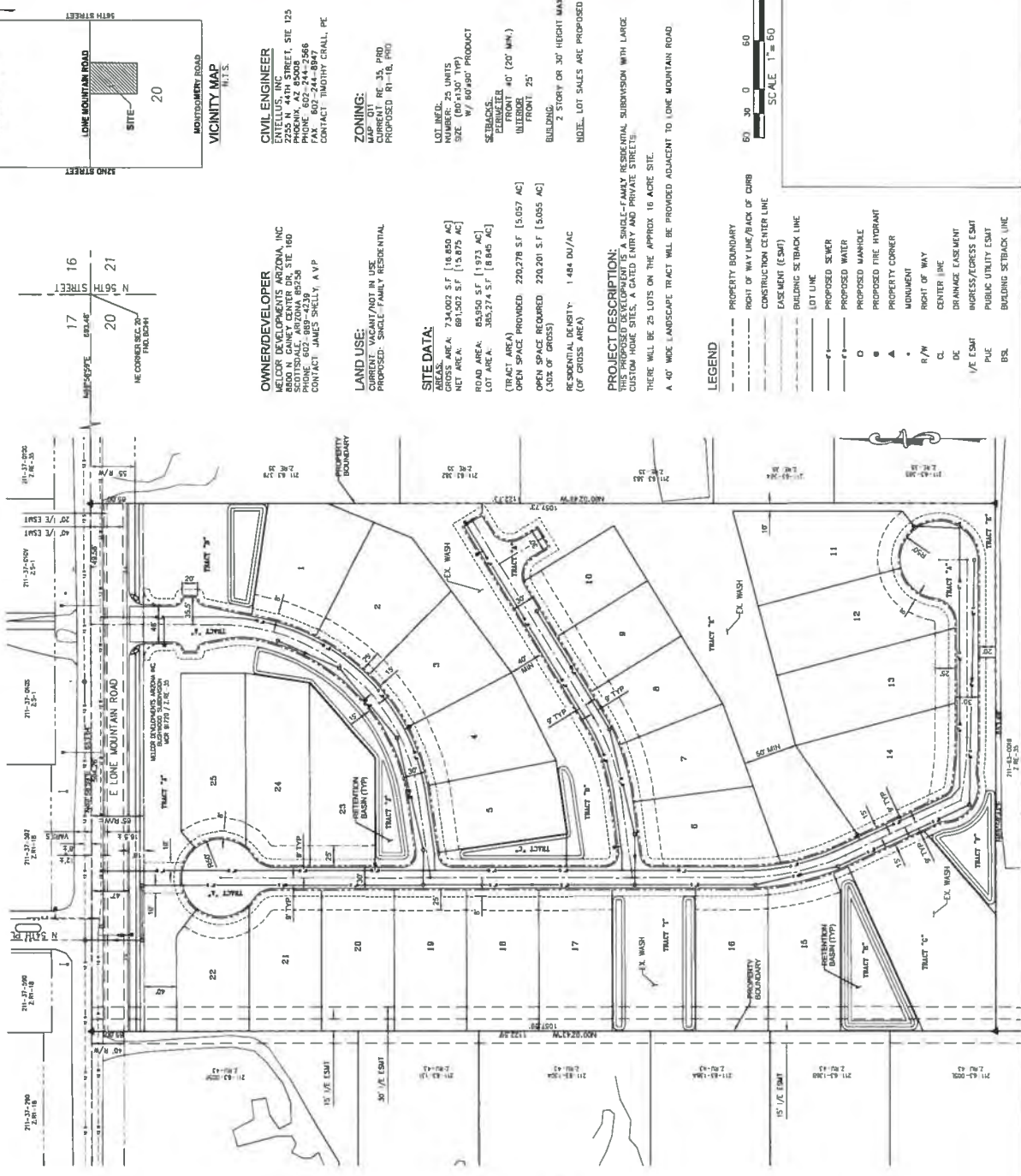


<b>APPLICANT'S NAME:</b> Ed Bull, Burch & Cracchiolo, P.A.		<b>REQUESTED CHANGE:</b> FROM: RE-35, (16.84 a. c.) TO: R1-18, (16.84 a. c.)	
<b>APPLICATION NO.</b> Z-50-13	<b>DATE:</b> 10/30/13 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 16.84 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 54-40	<b>ZONING MAP</b> Q-11	
<b>MULTIPLES PERMITTED</b> RE-35 R1-18	<b>CONVENTIONAL OPTION</b> 18 33		<b>* UNITS P.R.D. OPTION</b> 22 39

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

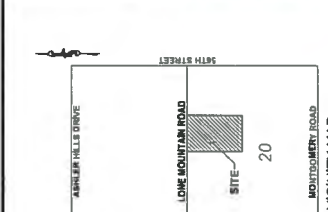
# BUSHWOOD - SITE PLAN

A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 4 EAST, OF THE GILBERT AND MARIKOPA COUNTY, ARIZONA.



- ### SITE PLAN NOTES
1. ALL UTILITIES SHALL BE PLACED IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
  2. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND ALL UTILITIES SHALL BE PLACED IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
  3. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
  4. ANY LIGHTING SHALL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT PROPERTIES AND TO THE STREET. LIGHTING SHALL BE PLACED AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION.
  5. EACH LOT CONSTITUTES A BUILDING ENVELOPE AND ACCESSORY USES SUCH AS POOLS, PRIVATE WALLS AND ACCESSORY STRUCTURES ARE PERMITTED.
  6. ALL STRUCTURES SHALL BE MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
  7. ALL ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, SHALL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS TO BE MAINTAINED AND TRACTS OR FACILITIES INCLUDING PRIVATE DRIVEWAYS, STAIRS, ELEVATORS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.
  8. ALL HOODS, EQUIPMENT AND SATURITE DISKS SHALL BE SCREENED TO PREVENT OILS AND GREASE FROM ENTERING THE SEWER SYSTEM.
  9. STRUCTURES AND LANDSCAPING AT THE INTERSECTION OF PUBLIC STREETS AND PRIVATE ACCESSWAYS, WHEN A TRIANGLE MEASURING 33' ALONG THE PROPERTY LINE, SHALL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 10' ON EACH SIDE OF THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE PROPERTY LINE SHALL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'. UTILITY'S UTILITIES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
  10. STRUCTURES AND LANDSCAPING AT "T" TYPE PRIVATE ACCESSWAY INTERSECTIONS AND AT FOUR-WAY PRIVATE ACCESSWAY INTERSECTIONS SHALL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'. STRUCTURES AND LANDSCAPING AT "T" TYPE PRIVATE ACCESSWAY INTERSECTIONS SHALL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
  11. SMOKE, GAS, AND ODOR EMISSIONS SHALL COMPLY WITH REGULATION 10 OF THE ARIZONA AIR QUALITY STANDARDS.
  12. REPLACE ALL EXISTING BROKEN OR OUT-OF-DATE CURB AND SIDEWALKS AND IN THE ROW ADJACENT TO THE SITE IF NEW OR EXISTING CURB OR SIDEWALKS ARE DETERMINED TO BE IN NEED OF REPAIR OR REPLACEMENT PRIOR TO THE APPROVAL OF THE SITE.

**CITY OF PHOENIX**  
 DEC 10 2013  
 Planning Department



**CIVIL ENGINEER**  
 ENTELLUS, INC.  
 2255 N. 44TH STREET, STE 125  
 PHOENIX, AZ 85018  
 PHONE: 602-244-2568  
 FAX: 602-244-8949  
 CONTACT: JAMES SHELLY, A.P.E.

**OWNER/DEVELOPER**  
 MELCOR DEVELOPMENTS ARIZONA, INC.  
 8800 N. CAMEY CENTER DR, STE 160  
 PHOENIX, AZ 85028  
 PHONE: 602-889-4239  
 CONTACT: JAMES SHELLY, A.P.E.

**LAND USE:**  
 CURRENT: VACANT/NOT IN USE  
 PROPOSED: SINGLE FAMILY RESIDENTIAL

**SITE DATA:**  
 AREA: 734,002 SF (16.850 AC)  
 NET AREA: 691,502 SF (15.875 AC)  
 ROAD AREA: 65,500 SF (1.502 AC)  
 LOT AREA: 353,174 SF (8.040 AC)  
 (TRACT AREA)  
 OPEN SPACE PROVIDED: 220,278 SF (5.057 AC)  
 OPEN SPACE REQUIRED: 220,201 SF (5.055 AC)  
 (SIDE OF CROSS)  
 RESIDENTIAL DENSITY: 1.484 DU/AC  
 (OF GROSS AREA)

**PROJECT DESCRIPTION:**  
 THIS PROPOSED DEVELOPMENT IS A SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH LARGE CUSTOM HOME SITES, A GATED ENTRY AND PRIVATE STREETS. THERE WILL BE 25 LOTS ON THE APPROX 16 ACRE SITE.

A 40' WIDE LANDSCAPE TRACT WILL BE PROVIDED ADJACENT TO LONE MOUNTAIN ROAD.

**ZONING:**  
 MAP CITY RC 35, PRD  
 PROPOSED: R1-16, PRD

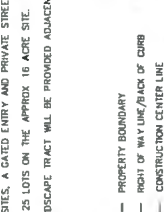
**LOT INFO:**  
 25 UNITS  
 SIZE (80'x130' TYP)  
 W/ 80'x90' PRODUCT

**SEWERAGE:**  
 FRONT YARD  
 UTILITY: 25'

**BUILDING:**  
 2 STORY OR 30' HEIGHT MAXIMUM  
 NOTE: LOT SALES ARE PROPOSED

**LEGEND**

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE/BACK OF CURB
- CONSTRUCTION CENTER LINE
- EASEMENT (CSM)
- BUILDING SETBACK LINE
- LOT LINE
- PROPOSED SEWER
- PROPOSED WATER
- PROPOSED MANHOLE
- PROPOSED FIRE HYDRANT
- PROPERTY CORNER MONUMENT
- RIGHT OF WAY CENTER LINE
- CL
- DC
- DRAINAGE EASEMENT
- INGRESS/EGRESS ESM
- PUBLIC UTILITY ESM
- PUE
- BSL
- BUILDING SETBACK LINE



**REVISIONS:**

NO.	DATE	DESCRIPTION
1	12/10/13	POST-APPLICATION MEETING

**VERSIONS:**

NO.	DATE	DESCRIPTION
1	12/10/13	POST-APPLICATION MEETING

**PRELIMINARY CONSTRUCTION**

**ENTELLUS**  
 2255 N. 44TH STREET, STE 125  
 PHOENIX, AZ 85018  
 PHONE: 602-244-2568  
 FAX: 602-244-8949  
 CONTACT: JAMES SHELLY, A.P.E.

**PRELIMINARY SITE PLAN**  
 CITY OF PHOENIX, ARIZONA

NO.	DATE	DESCRIPTION
1	12/10/13	POST-APPLICATION MEETING

**ENTELLUS**  
 2255 N. 44TH STREET, STE 125  
 PHOENIX, AZ 85018  
 PHONE: 602-244-2568  
 FAX: 602-244-8949  
 CONTACT: JAMES SHELLY, A.P.E.



## Village Planning Committee Meeting Summary Z-50-13-2

<b>Date of VPC Meeting</b>	January 7, 2013
<b>Request From</b>	RE-35
<b>Request To</b>	R1-18
<b>Proposed Use</b>	Single-Family Residential
<b>Location</b>	Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road
<b>VPC Recommendation</b>	Approval, subject to staff stipulations with 3 additional stipulations
<b>VPC Vote</b>	9-0

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

Ms. Tricia Gomes presented the details of the case.

Mr. Ed Bull represented on behalf of the property owner, Melcor. Mr. Bull explained that the subject site was acquired from a bank and assembled to develop a single-family subdivision. The proposed subdivision would consist of a 25-custom, gated community with access off of Lone Mountain Road. Mr. Bull stated that he agreed with all nine stipulations as proposed by staff as well as two additional stipulations that would limit the building height along the western property line and inclusion of a disclosure statement regarding the proximity to horse properties to address concerns raised by area residents.

Mr. Bull provided a brief overview of the proposed site plan. He explained that the sole point of access would be from Lone Mountain Road and the south half of Lone Mountain Road would be improved. The washes within the development would not be walled off. Mr. Bull noted that the property owner to the south would like a six-foot solid block wall along the adjoining property line up to the wash. Mr. Bull indicated that a six-foot solid block wall along the southern property line could be provided.

Mr. Robert Erickson inquired if the six-foot solid block wall along the south property line could be stipulated. Mr. Bull indicated that the wall could be stipulated.

Mr. Louis Lagrave inquired how privacy to the west was being addressed. Mr. Bull explained that the building height would be limited to one-story, 20-feet along the west property line and the homes would be located towards the front of the lot.

Ms. Deanna Chew inquired about the price range of the homes. Mr. Bull explained that it would only be an approximation at this time, but the homes could start at 1-million and up. Ms. Chew inquired about the future homebuilder. Mr. Bull explained that Melcor would not be developing the homes; just selling the custom lots. Ms. Chew inquired if it was anticipated that spec homes would be sold on the lots. Mr. Bull indicated that spec homes were not anticipated.

Vice Chairman Steven Bowser inquired if the proposed subdivision would be subject to single-family design review. Ms. Tricia Gomes explained that the proposed subdivision would not be subject to single-family design review since the lot widths within the subdivision were 80-feet in width. Single-family design review only applied to single-family residential lots that were 65-feet in width or less.

Mr. Robert Erickson inquired about the amount of lot coverage allowed. Ms. Tricia Gomes stated that the R1-18 zoning district, PRD development option allowed 25% lot coverage with an additional 5% of coverage for shade for a total of 30% lot coverage. Vice Chairman Steven Bowser clarified that the lot coverage was aggregated.

Mr. Walter Householder, area resident west of the subject site, spoke in opposition to the request. Mr. Householder stated he would like to maintain the desert, but understood that he could not stop progress. He requested that no streetlights or sidewalks be provided along the south side of Lone Mountain Road in order to maintain the dark sky and to eliminate a sidewalk that went nowhere. Ms. Tricia Gomes explained that since Lone Mountain Road was a public road that streetlights and sidewalks were required.

Mr. Bill Strohman, area resident east of the subject site, spoke in opposition to the request. Mr. Strohman expressed concern regarding lighting, density, building height and building setbacks.

Mr. Alain Munro, area resident east of the subject site, spoke in opposition to the request. Mr. Munro expressed concern regarding building height which should be limited to one-story to protect views and that there was not a minimum square footage requirement for the homes within the subdivision. Ms. Tricia Gomes explained that the Zoning Ordinance only required maximum lot coverage.

Ms. Lisa Strohman, area resident east of the subject site, spoke in opposition to the request. Ms. Strohman expressed concern regarding building height and would like to see the entire subdivision limited to one-story. In addition, Ms. Strohman expressed concern about flooding in the area and the potential impact the proposed development may have on surrounding properties. She inquired about what would happen if someone wanted to build more lots once the zoning was in place. Ms. Tricia Gomes explained an increase in the number of lots above the 25 stipulated lots would require a stipulation modification through the public hearing process.

Ms. Rebecca Layman Adams, area resident west of the subject site, spoke in opposition to the request. Ms. Adams expressed concern regarding potential complaints about adjacent horse properties from new residents of the proposed development. Ms. Adams stated that the proposed development was taking away from the existing open space and there were no gated communities near the proposed

development. She stated that the lots should be larger and the row of lots along the west property line should be broken up with additional open space.

Mr. Ed Bull, while in rebuttal, addressed the following concerns raised by area residents:

1. Density: The proposed development was stipulated to a maximum of 25-lots. An increase of lots would require a stipulation modification through the public hearing process.
2. Building Height: The building height along the west property line would be limited to one-story, 20-feet. The existing homes along the eastern property line were farther away; however Lots 1, 10 and 11 could be limited to one-story, 20-feet to minimize any potential impact to the property owners to the east.
3. Square footage of homes: It is anticipated that the lot costs would be close to \$150,000 (more for premium lots); therefore the minimum home square footage would be approximately 2,800 square feet. Mr. Bull noted that the subdivision would have private CC&R's that would include design criteria and minimum and maximum home sizes.
4. Horse Disclosures: A disclosure statement would be provided with the sale of the property and future sales of the property to inform purchasers that there were horse properties in the area.
5. Open Space: The proposed development has provided 30% of open space when the Phoenix Zoning Ordinance requires a minimum of 5% open space.

Mr. Louis Lagrave made a motion to approve Z-50-13-2, subject to stipulations as presented with three additional stipulations.

Mr. Steve Kruczek seconded. The committee voted 9-0 to approve the motion.

1. The development shall not exceed 25 lots.
2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.
5. Right-of-way totaling a minimum of 65 feet shall be dedicated for the south half of Lone Mountain Road with half street improvements including curb, gutter, sidewalk, paving, appropriate drainage structures and incidentals for the length of the property, as approved by the Planning and Development Department. Provide Phoenix standard pavement transition tapers to all existing improvements.



6. Provide a striping and signing diagram per City of Phoenix Street Transportation Department Standards for Lone Mountain Road and a copy of paving plans for the Street Transportation review. Striping and signing plan must be drawn on separate sheets from paving plans and included as part of the complete set submitted to the Planning and Development Department at Central Log-in on the 2nd Floor of City Hall. Approval of striping and signing plans must be obtained from the Street Transportation Department (Zeke Rios 602-256-3409).
7. A minimum 40-foot wide private accessway entrance with 20-foot radius curb returns shall be provided on Lone Mountain Road. If gates or a median island are proposed, comply with Gate Control Access Requirements.
8. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings and incidentals on private accessways under City permit and with City inspection. Minimum five-foot wide attached sidewalks shall be constructed along all lot frontages adjacent to private streets, as approved by the Planning and Development Department. The curb at every curb return and at every entrance into a new subdivision is to be imprinted with the words "Private Street- No City Maintenance" in two-inch high letters.
9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
  - a. Public Water and Sewer;
  - b. Drainage;
  - c. Refuse Collection;
  - d. Emergency and Service Vehicle Access
10. THE MAXIMUM BUILDING HEIGHT ALONG THE WEST PROPERTY LINE AND LOTS 1, 10, AND 11 AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, SHALL BE ONE-STORY, AND 20 FEET.
11. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO ALL PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT, THE PROXIMITY OF PROPERTIES WITH HORSES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY ATTORNEY.
12. A 6-FOOT SOLID BLOCK WALL SHALL BE CONSTRUCTED ALONG THE SOUTH PROPERTY LINE, UP TO TRACT G AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

Staff has no comments.

## REZONING CASES

Item #: 7  
Application #: Z-50-13-2  
From: RE-35  
To: R1-18  
Acreage: 16.84  
Location: Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road  
Proposal: Single-family residential  
Applicant: Ed Bull/Burch &Cracchiolo, P.A.  
Owner: Melcor Developments Arizona, Inc  
Representative: Ed Bull/Burch &Cracchiolo, P.A.

Ms. Tricia Gomes presented Z-50-13-2; a request to rezone 16.84 acres located approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road from RE-35 to R1-18 to allow single-family residential. The Desert View Village Planning Committee recommended approval per staff stipulations with three additional stipulations 9-0. Staff recommended approval per the recommendation of the Desert View Village Planning Committee with one additional stipulation:

13. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the city to be included in the rezoning application file for record.

Mr. Ed Bull stated the property acquired by Melcor Development had two parcels; the request was to put the two parcels together under one zoning and site plan package. The two parcels were set up to be a gated community with private streets and a maximum of twenty-five lots. Mr. Bull stated not only had they stipulated to the maximum of twenty-five lots but also to a minimum of thirty percent open space. They agreed with staff findings and stipulation recommendations and the additional stipulation to add the Proposition 207 Waiver of Claims.

Mr. Bull provided a brief overview of the proposed site plan. He explained per the stipulations they would dedicate and approve the south half and that all lots that abuts the east and west property lines were limited to one-story building height; not to exceed twenty feet. The washes within the development would not be walled off. Mr. Bull stated that they had met with neighbors and addressed their concerns.

Mr. William Strohman stated his issue was with the density. If this case were to be approved he would request that all of the lots be single story otherwise the view of the desert landscape would be ruined.

Ms. Lisa Strohman submitted various photos of her lot of 2.84 acres that looked out into the area to be developed if this were approved. The consistency that they as homeowners had been asked to maintain should also be required of the new development being requested. When they had purchased their lot they were informed

that the property directly behind them was a floodplain, thus an unbuildable area.

Chairwomen Katsenes asked if there were two-story homes in the abutting development in the photos.

Mr. Strohman stated the two-story home was on the east side with the new construction.

Mr. Alain Munro stated the areas surrounding the proposed subdivision were open with large lots. The proposed development did not fit the area and was not fair to the residents. Mr. Munro reiterated regarding the views of the mountains which they would no longer have if the two-story homes were built. He was not aware of any neighborhood support as mentioned by the applicant.

Mr. Ed Bull addressed the concerns raised by the area residents. The building height along the west property line would be limited to one-story, 20-feet. The existing homes along the eastern property line were farther away. Under the current zoning on the site; of right allows two-story homes with no zoning or old plat stipulations limiting any of the homes under any configuration. Per discussions with some of the neighbors it was agreed that the three lots that abut the eastern property line were limited to one-story.

Mr. Bull stated per the engineer they were not in a floodplain and would continue through the site plan review processes. In regards to lighting questions that were addressed through letters, they would do what the City Code required along the arterial frontage. Because this would be a gated community with private streets it was not required per the City Code or the City to have interior street lights.

Mr. Bull continued that the site was private land irrespective of who acquired what first and are in accordance with not only the City of Phoenix General Plan but also the North Land Use Plan. The density was less than 1.5 units per acre with 30% open space in a gated community with large size lots.

Commissioner Heck made a MOTION to approve Z-50-13-2 as recommended by the Desert View Village Planning Committee with one additional stipulation as read into the record by staff.

Commissioner Awai SECONDED.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 6-0. (Davis, Whitaker and Montalvo absent)

\* \* \*

Stipulations:

1. The development shall not exceed 25 lots.

2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.
5. Right-of-way totaling a minimum of 65 feet shall be dedicated for the south half of Lone Mountain Road with half street improvements including curb, gutter, sidewalk, paving, appropriate drainage structures and incidentals for the length of the property, as approved by the Planning and Development Department. Provide Phoenix standard pavement transition tapers to all existing improvements.
6. Provide a striping and signing diagram per City of Phoenix Street Transportation Department Standards for Lone Mountain Road and a copy of paving plans for the Street Transportation review. Striping and signing plan must be drawn on separate sheets from paving plans and included as part of the complete set submitted to the Planning and Development Department at Central Log-in on the 2nd Floor of City Hall. Approval of striping and signing plans must be obtained from the Street Transportation Department (Zeke Rios 602-256-3409).
7. A minimum 40-foot wide private accessway entrance with 20-foot radius curb returns shall be provided on Lone Mountain Road. If gates or a median island are proposed, comply with Gate Control Access Requirements.
8. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings and incidentals on private accessways under City permit and with City inspection. Minimum five-foot wide attached sidewalks shall be constructed along all lot frontages adjacent to private streets, as approved by the Planning and Development Department. The curb at every curb return and at every entrance into a new subdivision is to be imprinted with the words "Private Street- No City Maintenance" in two-inch high letters.
9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
  - a. Public Water and Sewer;
  - b. Drainage;
  - c. Refuse Collection;
  - d. Emergency and Service Vehicle Access

10. THE MAXIMUM BUILDING HEIGHT ALONG THE WEST PROPERTY LINE AND LOTS 1, 10, AND 11 AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, SHALL BE ONE-STORY, AND 20 FEET.
11. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO ALL PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT, THE PROXIMITY OF PROPERTIES WITH HORSES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY ATTORNEY.
12. A 6-FOOT SOLID BLOCK WALL SHALL BE CONSTRUCTED ALONG THE SOUTH PROPERTY LINE, UP TO TRACT G AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THAT PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

CITY OF PHOENIX  
PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b>			
<b>I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:</b>			
<b>APPLICATION NO./ LOCATION</b>	Z-50-13-2 Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		<b>opposition</b>	<b>X</b>
<b>APPEALED FROM:</b>	PC 1/14/14	William Strohman 480-220-4701	
	<i>PC/CC DATE</i>	<i>NAME / PHONE</i>	
<b>TO PC/CC HEARING</b>	CC 2/5/14	31022 N 56th Street Cave Creek, AZ 85331	
	<i>DATE</i>	<i>STREET ADDRESS/CITY/STATE/ZIP</i>	
<b>REASON FOR REQUEST: Letter attached</b>			
<b>RECEIVED BY:</b>	MM / LO	<b>RECEIVED ON:</b>	1/21/14

Larry Tom  
Diane Rogers  
Lilia Olivarez, PC Secretary  
Ken Black  
David Miller  
Courtney Gordon  
Ben Ernyei  
PLN All



City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JAN 21 2014

Planning & Development  
Department

The PLANNING COMMISSION agenda for January 14, 2014 is attached.

The CITY COUNCIL may approve the recommendation of the Planning Commission without further hearing unless:

- 1. A REQUEST FOR A HEARING by the CITY COUNCIL is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. January 21, 2014

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. January 21, 2014

- 2. A WRITTEN PROTEST is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. January 21, 2014.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A CONTINUANCE is granted at the PLANNING COMMISSION. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. January 28, 2014.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-50-13

APPLICATION NO.

LOCATION OF APPLICATION SITE

1/20/14

Chateaux

DATE APPEALED FROM

OPPOSITION  
 APPLICANT

PLANNER

(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

WILLIAM STROTHMAN

[Signature]

PRINTED NAME OF PERSON APPEALING

SIGNATURE

31022 N 56th St

1/20/14

STREET ADDRESS

DATE OF SIGNATURE

CAVE CREEK, AZ 85331

480-220-4701

CITY, STATE & ZIP CODE

TELEPHONE NO.

REASON FOR REQUEST Development contiguous to Preservation Lot (Dixon) Lot  
Letter attached.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

To : City of Phoenix  
RE: Case No Z-50-13 – Bushwood  
Vicinity of 54<sup>th</sup> St and Lone Mountain Road

We have been involved and attended all of the meetings concerning Z-50-13 - Bushwood. At each meeting we have brought up that the Dixon Place ( contiguous and to the east of the proposed rezoning and in which we live and has a preservation lot status and falls under the provisions of hillside-preservation guidelines ) is a **preservation lot**. And because of this –we have requested larger buffer and perimeters, sought only single story building and have wanted greater percentages of open land. We have requested this at the first neighborhood meeting, , village planning meeting and finally on Jan 14<sup>th</sup> at the City Planning commission.

It was only after the City Planning Commission in which we discovered the City of Phoenix Section 608 Residence Districts, Section 3, with aid from legal counsel.

*3. **Perimeter standards:** Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, **hillside preserve**, or existing golf course, the depth of which is at least forty feet.*

As proof that we fall under the preserve category, I have included our city permit information, Permit # CES-12015527. During our construction, we were required to revegetate 9000 sq ft of desert landscape given previous owners had overgraded the lot. This was the way we discovered this and our plans were forced to go through the hillside preservation approval.

We request, on the basis of City of Phoenix Zoning codes ( referring to Section 608 Residence Districts, secion3 ) that this development be forced to have a 40 foot perimeter noted in stipulations, in the least next to Dixon Lot – not sure how this provision in Section 608 applies to the other perimeters. And if there are other restrictions including all single story/open land be added to stipulations given this development is contiguous to Dixon Lot ( which is preservation land )

Thank you for your consideration.

Bill and Lisa Strohman  
31022 N 56<sup>th</sup> Street  
Cave Creek, AZ 85331  
Phone: 480-220-4701

[www.lifescapemed.com](http://www.lifescapemed.com)

8757 East Bell Road  
Scottsdale, Arizona 85260  
TEL: 480-860-5500  
FAX: 480-860-5511

Medical Associates, PC  
**Lifescape**





OFFICIAL WEB SITE OF THE  
**City of Phoenix**



**Development  
Services**

27-Sep-2012 06:58 PM

**Permit Information**      **Development Services Department**      **CIVIL ENVIRONMENTALLY SENSITIVE PERMIT**

**This is a representation of the information on the actual permit. This is NOT a valid permit to perform work.**

**Permit#** CES-12015527      **Issue Date** 9/6/12      **Expires** 9/6/14  
**Permit Description** STROHMAN RES 31022 NORTH 56TH STREET  
**Project** 99-946 DIXON PLACE SUBDIVISION

**Address** 31022 N 56TH ST CAVE CREEK AZ 85331-3032      **Zoning** RE-35  
L 7 B \* DIXON PLACE      **QS** Q54-40      **APN** 211-63-385      **Dist** 02

**Description/Scope of Work: ENVIRONMENTALLY SENSITIVE**

PLEASE CALL RESIDENTIAL INSPECTOR AT 602-262-7811 FOR FENCE CHECK PRIOR TO BEFORE REVEGETATING THE LOT.  
  
CONSTRUCTION FENCE MUST BE INSTALLED PER THE APPROVED PLAN AND INSPECTED BEFORE ANY CLEARING OR GRADING TAKES PLACE. THE CONSTRUCTION FENCE MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.  
  
THE CES PERMIT FEE PAYS FOR 2 FENCE INSPECTIONS. ADDITIONAL INSPECTIONS HAVE A FEE OF \$150 AN HOUR (MINIMUM 1 HOUR).  
  
NOTE: OWNER WILL ENSURE THAT NO DISTURBANCE OF ANY KIND WILL OCCUR BEYOND THE LIMITS OF THE EXISTING DISTURBANCE AND THE PROPOSED REVEGETATION AREAS AS SHOWN ON THIS PRESERVATION/GRADING AND DRAINAGE PLAN.

**Engineer Est:**      **Str Class** 730      **Units** 0      **Sq.Ft.** 0      **Cnst**      **Occ**

**Owner Information**

**Address** STROHMAN WILLIAM & LISA 31022 N 56TH ST CAVE CREEK, AZ 85331-3032      **Certificate of Occupancy Type:** **COFC**

**Contractor Information**

**Type**      **Contact Phone**  
**Name** VOX CONSTRUCTION LLC      **Ins**      **Exp**  
**Address** 5629 E WINDSTONE TRL      **City/St** CAVE CREEK AZ      **Phone**

**Instructions and Comments**

Inspections Required: GENERAL

Fee Code	Fee Desc	Fee Amount	Paid
SPEVRESPMT	RES-PRESERV LOT SALVAGE/FENCE RES PERMIT	\$360.00	<input checked="" type="checkbox"/>
	Permit Fee Total	\$360.00	\$360.00

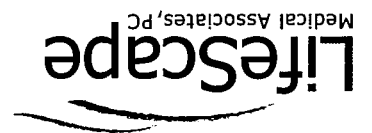
[Permit Inspection History](#)

[Hold/Conditions](#)

Return to: [Permit Search](#)    [Search Menu](#)

www.lifescapemed.com

8757 East Bell Road  
Scottsdale, Arizona 85260  
TEL: 480-860-5500  
FAX: 480-860-5511

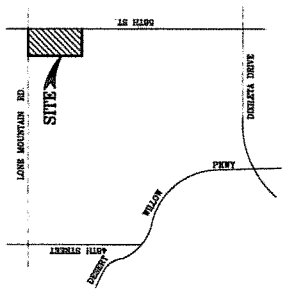


# DIXON PLACE

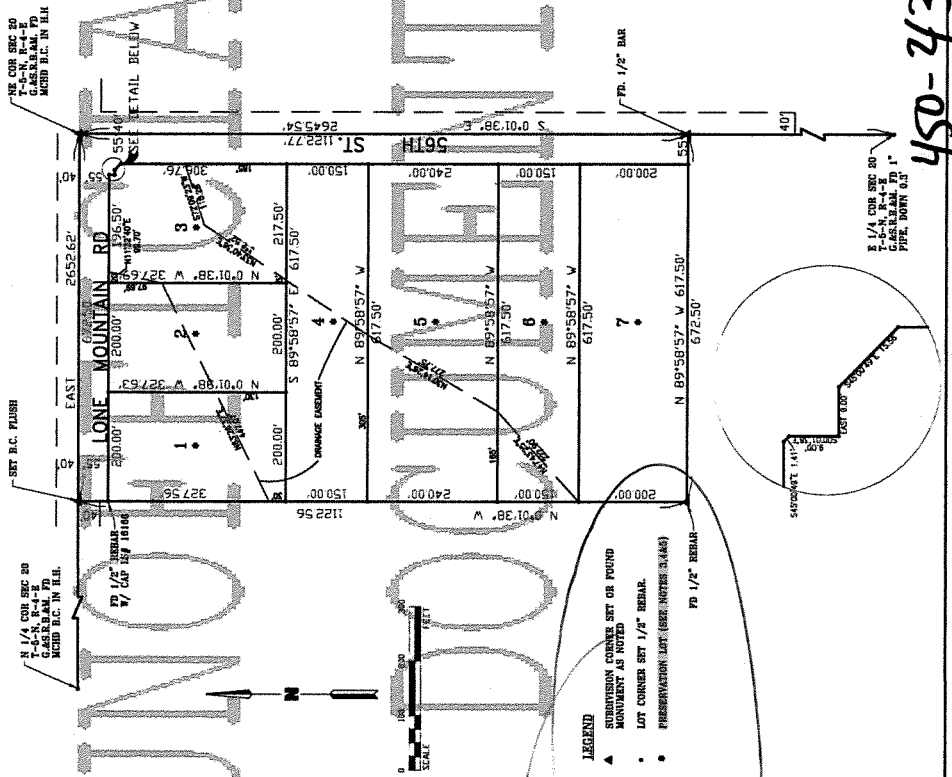
FINAL PLAT

A PORTION OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHEASTLY 1/4 SECTION 30 TOWNSHIP 35 S RANGE 12 E GLENN COUNTY, ARIZONA

PREPARED FOR:  
**JAMIE DIXON**  
1615 S. CENTRAL AVENUE  
TULSA, OKLA. 74106  
(918) 750-6613



VICINITY MAP



- NOTES
1. ALL SETS OR INDICATED UTILITIES WILL BE PLACED UNDERGROUND.
  2. THIS PRACTICE IS LOCATED IN THE LOT OF PRINCE WATER REPAIR. THIS AREA HAS BEEN DESIGNATED AS HAVING AN AERATED WATER REPAIR.
  3. THE PRINCE WATER REPAIR HAS AERATED WATER REPAIR. THIS REPAIR WILL BE PROVIDED FOR EACH LOT AND APPROVED BY THE CITY OF TULSA PRIOR TO ANY BUILDING CONSTRUCTION ON THE LOT.
  4. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF TULSA ZONING ORDINANCE.
  5. EACH LOT IS LIMITED TO THE AREA SHOWN IN THE APPROVED BRIDGELINE. EXCESS AREA SHALL BE RETURNED TO THE CITY OF TULSA AND CHANGING WILL BE CONSIDERED TO BE THE CITY'S RESPONSIBILITY.

- LEGEND
- ▲ SUBDIVISION CORNER SET OR FOUND MONUMENT AS NOTED
  - LOT CORNER SET 1/4" REBAR
  - PRESERVATION LOT (SEE INTERSECTION)

450-43

BOOK 450 PAGE 43  
MARIETTA, MISSOURI  
97-0662656  
01-140

ACKNOWLEDGMENT

I, THE UNDERSIGNED, JAMIE DIXON, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF ARIZONA, AND REQUESTED THAT I CERTIFY THE SIGNATURES OF THE PARTIES TO THIS INSTRUMENT AND THAT THE INSTRUMENT IS THE ACTUAL AND VOLUNTARY ACT AND DEED OF SAID PARTIES.

WITNESSETH THAT I HAVE SO CERTIFIED THE SIGNATURES OF SAID PARTIES AND THE INSTRUMENT IS THE ACTUAL AND VOLUNTARY ACT AND DEED OF SAID PARTIES.

APPROVED BY:

*Jamie Dixon*  
JAMIE DIXON  
NOTARY PUBLIC

APPROVED BY:

*[Signature]*  
[Name]  
CITY CLERK

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND PLAT OF THE FOREGOING UNDIVIDED TRACT OF LAND, HEREIN DESCRIBED, WAS PREPARED BY JAMIE DIXON, A LICENSED SURVEYOR IN THE STATE OF ARIZONA, AND THAT THE INSTRUMENT IS THE ACTUAL AND VOLUNTARY ACT AND DEED OF SAID PARTIES AND THAT THE INSTRUMENT IS THE ACTUAL AND VOLUNTARY ACT AND DEED OF SAID PARTIES.



STANLEY CONSULTANTS, INC.  
PUBLIC UTILITY SURVEY (UTS) #3 3800  
SHEET 1 OF 1  
PLAT NO. 97-0662656  
DATE 01-14-01

## To Tricia Gomes and desert view village planning members

- As resident / homeowner parcel # 211-63-130a or 31209 sunrise ranch road and adjacent to the rezone proposal Z -50-13 for a 25 home gated community on the approximately 17 acres east of my property of 18 years ask for help in opposing such a change on this land. I worked very hard and chose desert rural life style for many reasons and while this is contradictory to most of them the one that concerns me the most is the intense density directly on my rear property line which is 213' in length. The new zoning will allow 2 homes, lots 17 and 18 of the proposal directly abutting my line and lot # 16 within approximately 25 feet to southeast corner and another lot # 19 approximately 25 feet from northeast corner and continuing north 3 more lots 20, 21, 22 it would also change the side setbacks of these lots to in essence construct a barrier of homes and effectively destroy the distinctive qualities of this area. My entire east boundary would be in complete contrast of what I have reasonably expected. It is not consistent with a well-established rural area or even attempt to gently blend into a neighborhood. This lotting pattern was explained to me as similar shaped lots and uniform by melcor attorney Mr. bull . With this logic or reasoning on what is compatible why have zoning of any kind have. I have since researched the area and cannot find one instance where any adjacent property owner has been so adversely affected by zoning changes.my property is at least 20% of his west boundary where as he wants to construct practically 25% of his community within a stone's throw of mine .my neighbor to the south is perfectly content with trees in his lawn as a shield I will not put trees in my horse arena. I would not need a shield under current zoning.melcor builds lots 17- 22 ,under existing zoning it would at least might be considered a gentle blend .melcor would still have three more homes than the 19 he stated he could build under current designations.

12/28/2013 rebecca layman adams

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## CITY COUNCIL REPORT

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### FORMAL AGENDA

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TO: Rick Naimark  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson  
Acting Planning & Development  
Director

ITEMS: 50 & 51 PAGE: 69

SUBJECT: GPA-EST-1-13-7 AND Z-20-13-7 LOCATED AT THE SOUTHEAST  
CORNER OF 67TH AVENUE AND INTERSTATE 10

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This report provides back-up information on Items 50 and 51 on the February 5, 2014, Formal Agenda.

#### THE ISSUE

A General Plan Amendment and companion rezoning application have been submitted for approval to the City Council for a parcel located at the southeast corner of 67th Avenue and Interstate 10. Application is being made by Paul Gilbert of Beus, Gilbert PLLC, representing Estrella Vista Commerce Park, LLC.

#### OTHER INFORMATION

General Plan Amendment case GPA-EST-1-13-7 is a request to change the General Plan land use designation on 84.91 acres from Residential 5-10 (26.83 acres), Residential 15+ (25.48 acres), Commercial (16.63 acres), and Residential 3.5-5 (15.97 acres) to Mixed-Use (Commercial & Commerce/Business Park) to reflect the current Commerce Park zoning and to correspond with an application to rezone to PUD.

Rezoning case Z-20-13-7 is a request to rezone 100.90 acres from CP/GCP (86.51 acres) and R-3 (14.39 acres) to PUD to allow commercial, warehouse, and industrial uses.

The Estrella Village Planning Committee did not review the applications on December 17, 2013, due to lack of a quorum.

The application was heard by the Planning Commission on January 14, 2013, and recommended both cases for approval on a 6-0 vote.

#### Attachments:

- A – Staff Report GPA-EST-1-13-7
- B – Staff Report Z-20-13-7



**GENERAL PLAN AMENDMENT  
STAFF ANALYSIS**

- Application: GPA-EST-1-13-7
- Applicant: Paul Gilbert, Beus Gilbert PLLC
- Location: Southeast corner of 67th Avenue and I-10
- Acreage: 84.91 +/-
- Current Plan Designation: Residential 3.5 to 5 du/ac (15.97 acres)  
Residential 5 to 10 du/ac (26.83 acres)  
Residential 15+ du/ac (25.48 acres)  
Commercial (16.63 acres)
- Requested Plan Designation: Mixed-Use (Commercial & Commerce/Business Park)
- Reason for Requested Change: To allow for a mixed use development.
- Companion Rezoning Case: Z-20-13-7
- Village Planning Committee Date: Estrella Village – December 17, 2013
- Staff Recommendation: Approval
- Findings:
- 1) The proposed General Plan Land Use Map designation of Mixed-Use (Commercial & Commerce/Business Park) is compatible with the uses developed and planned in the vicinity of the property.
  - 2) The request will not dramatically alter the desired land use pattern in the area.
  - 3) Mixed-Use (Commercial & Commerce/Business Park) is an appropriate land use accessible by an arterial roadway and freeway.

**BACKGROUND**

The subject site is located along an arterial street and directly adjacent to a freeway corridor. This request would amend the existing General Plan Land Use Map designation from Residential 3.5 to 5 du/ac, Residential 5 to 10 du/ac, Residential 15+ du/ac, and Commercial to Mixed-Use (Commercial & Commerce/Business Park).

Rezoning case Z-20-13-7, a companion case to this one, is running concurrently and is a request to rezone the parcel to PUD to allow for an industrial type development to be constructed.

The subject site is currently vacant. An existing single-family residential development zoned R1-6 is located to the south and east, also to the east is the Sunridge Elementary School, to the north is Interstate 10 and to the west across 67th Avenue are two industrial parcels zoned A-1.

## **RELATIONSHIP TO GENERAL PLAN GOALS AND POLICIES**

### **NEIGHBORHOOD ELEMENT**

- **GOAL 2: 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**

**Policy 3: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.**

The proposed development, via accompanying rezoning case Z-20-13-7, will be sensitive in scale and character to the surrounding neighborhoods and uses.

### **NEIGHBORHOOD ELEMENT**

- **GOAL 1, POLICY 22: PROTECT AND ENHANCE THE CHARACTER OF EACH NEIGHBORHOOD AND ITS VARIOUS HOUSING LIFESTYLES THROUGH NEW DEVELOPMENT THAT IS COMPATIBLE IN SCALE, DESIGN AND APPEARANCE**

The proposed industrial development is consistent with the zoning pattern along 67th Avenue and Interstate 10. Via rezoning case Z-20-13-7 building design and layout techniques will be incorporated into the future development to ensure compatibility with the adjacent single family neighborhood located to the south and east.

### **LAND USE ELEMENT**

- **GOAL 2 – EMPLOYMENT AND POPULATION BALANCE: DEVELOPMENT OF EACH VILLAGE’S POTENTIAL SHOULD BE ENCOURAGED BY DISTRIBUTING A DIVERSITY OF EMPLOYMENT AND HOUSING IN A WAY THAT ACHIEVES A BALANCED CITYWIDE PLAN AND THAT IS CONSISTENT WITH COMMUTE TRAVEL PATTERNS AND THE CURRENT CHARACTER OF EACH DEVELOPED VILLAGE.**

The proposed Mixed-Use designation encourages the development of commercial, industrial and retail uses that will create jobs to balance population and employment near predominately single-family residential areas.

The proposed amendment has no significant effect on the following General Plan Elements:

**COST OF DEVELOPMENT  
CIRCULATION  
BICYCLING  
RECREATION  
OPEN SPACE ELEMENT  
PUBLIC SERVICES AND FACILITIES ELEMENT  
CONSERVATION, REHABILITATION AND REDEVELOPMENT ELEMENT  
ENVIRONMENTAL PLANNING ELEMENT  
NATURAL RESOURCES CONSERVATION ELEMENT  
WATER RESOURCES ELEMENT  
PUBLIC BUILDING ELEMENT  
SAFETY ELEMENT**

## **CONCLUSION AND RECOMMENDATION**

Staff recommends that the request be approved.

Approval of this General Plan Amendment will further the goals of the General Plan. Approval is consistent with the recent development patterns along the Interstate 10 corridor and 67th Avenue.

Approval of this amendment will allow a mix of uses adjacent to a freeway corridor that will support the dynamic growth in the West Valley and help Estrella Village achieve employment and population balance. The staff proposed stipulations will improve the project to ensure that future development is compatible with the neighborhood to the north.

December 2, 2013

Attachments:  
Sketch Map  
Aerial











# GENERAL PLAN AMENDMENT

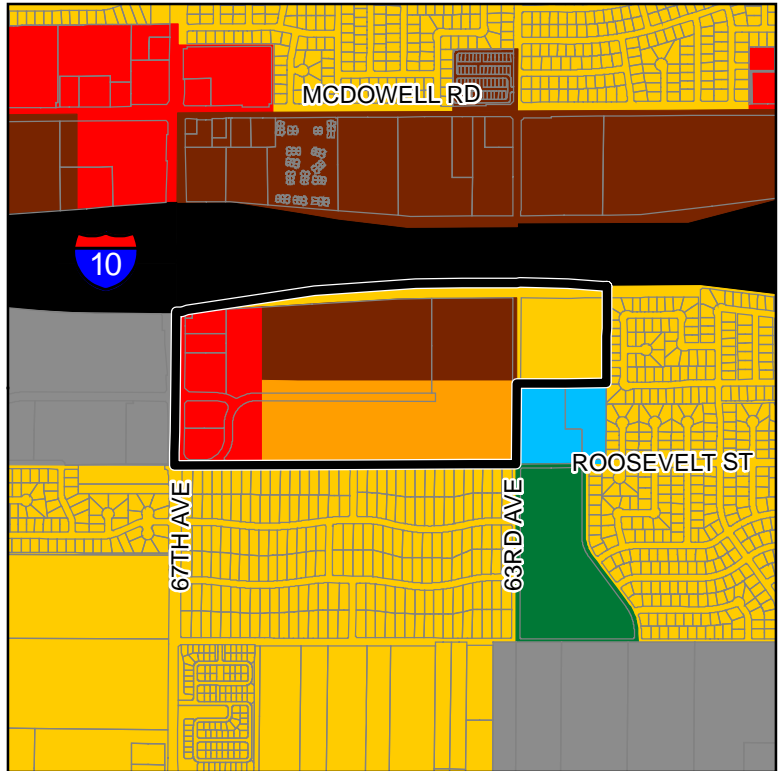
CITY OF PHOENIX ♦ PLANNING DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-EST-1-13-7	ACRES: 84.91 +/-
VILLAGE: Estrella	COUNCIL DISTRICT: 7
APPLICANT: Irwin Pasternack	

## EXISTING:



- Residential 3.5 to 5 du / acre (15.97 +/- Acres)
- Residential 5 to 10 du / acre (26.83 +/- Acres)
- Residential 15 du / acre (25.48 +/- Acres)
- Commercial (16.63 +/- Acres)

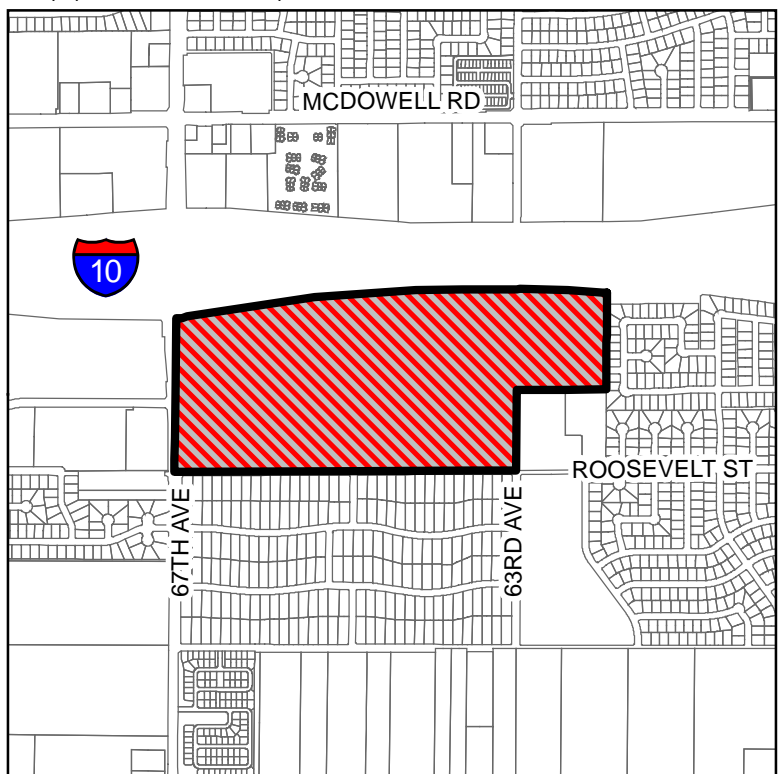
-  Proposed Change Area
-  Residential 3.5 to 5 du / acre
-  Residential 5 to 10 du / acre
-  Residential 15+ du / acre
-  Commercial
-  Parks / Open Space-Public
-  Industrial
-  Transportation



## PROPOSED CHANGE:

- Mixed-Use (Commercial & Commerce/Business Park) (84.91 +/- Acres)

-  Proposed Change Area
-  MU (Commercial & Commerce/Business Park)





Site

W BELLVIEW ST  
W MORELAND ST  
W JAMES PL  
W ALATHAM ST  
N 62ND DR



## Village Planning Committee Meeting Summary

GPA-EST-1-13-7

<b>Date of VPC Meeting</b>	December 17, 2013
<b>Request From</b>	<b>Residential</b> (3.5-5, 5-10 and 15+ du /acre) <b>Commercial</b>
<b>Request To</b>	Mixed Use (Commercial and Commerce Park/Business Park)
<b>Proposed Use</b>	Commercial and Industrial Uses
<b>Location</b>	Southeast corner of 67 <sup>th</sup> Avenue and Interstate 10
<b>VPC Recommendation</b>	NO QUORUM
<b>VPC Vote</b>	NO QUORUM

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

The Estrella VPC was unable to obtain quorum therefore no meeting was held.

## GENERAL PLAN AMENDMENTS AND COMPANION REZONING CASES

Item # 2  
Application #: GPA-EST-1-13-7 (Companion case Z-20-13-7)  
Request: Map Amendment  
From: Residential 5-10  
Residential 15+  
Commercial  
Residential 3.5-5  
To: Mixed-Use (Commercial & Commerce/Business Park)  
Acreage: 84.91  
Location: Southeast corner of 67<sup>th</sup> Avenue and Interstate 10  
Proposal: To reflect the current Commerce Park zoning and to correspond with an application to rezone to PUD  
Applicant: Paul Gilbert

Ms. Tricia Gomes presented items 2 and 3 together, but separate motions were made.

GPA-EST-1-13-7; a general plan amendment for 84.91 acres located at the southeast corner of 67<sup>th</sup> Avenue and Interstate 10 from Residential 3.5-5 du/ac, Residential 5-10 du/ac, Residential 15+ du/ac, and Commercial to Mixed-Use (Commercial and Commerce/Business Park). The Estrella Village Planning Committee did not review the request due to lack of quorum. Staff recommended approval of GPA-EST-1-13-7.

Z-20-13-7; a request to rezone 100.90 acres located at the southeast corner of 67<sup>th</sup> Avenue and Interstate 10 from CP/GCP and R-3 to Planned Unit Development. The Estrella Village Planning Committee did not review the request due to lack of quorum. The applicant made changes to the sign section of the PUD. Staff recommended approval of Z-20-13-7 per the staff Addendum A dated January 14, 2014.

Ms. Peggy Eastburn expressed concern regarding traffic congestion due to truck stops in the area and the proximity to Interstate 10. Ms. Eastburn stated that she has continued to work with the Street Transportation Department to make this area safe for traffic. However, Ms. Eastburn opposes the left in turn from 67<sup>th</sup> Avenue onto Latham Street and traffic should be diverted to the signal at Roosevelt Street. Ms. Eastburn noted that the traffic study indicated that the left in turn onto Latham Street was safe, but she did not agree. She pointed out that there should be signs posted that limited the hours that left in turns were permitted from 67<sup>th</sup> Avenue onto Latham Street, but acknowledged that not everyone reads and follows the signs that are posted. There are no truck signs throughout the neighborhood; however the 18-wheelers still access the residential streets to get from one truck stop to the other. Ms. Eastburn stated that she was working with Mr. Pasternack on detours for the trucks since Roosevelt Street was a residential street from 67<sup>th</sup> Avenue and 59<sup>th</sup> Avenue that passes Sunridge Elementary School and Sunridge Park.

Chairwoman Katsenes clarified that Ms. Eastburn was in attendance as a resident and not representing the Estrella Village Planning Committee.

Ms. Eastburn noted that the request was not reviewed by the Estrella Village Planning Committee due to lack of quorum.

Mr. Paul Gilbert stated both cases were presented to the Estrella Village Planning Committee as informational items.

Commissioner Heck made a MOTION to approve GPA-EST-1-13-7 as recommended by staff.

Commissioner Johnson SECONDED.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 6-0. (Davis, Whitaker and Montalvo absent)

\* \* \*



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**ADDENDUM A**  
**Staff Report Z-20-13-7**  
January 14, 2014

<b>Estrella Village Planning Committee Meeting Date</b>	December 17, 2013 (No Quorum)
<b>Planning Commission Hearing Date</b>	January 14, 2014
<b>Request From:</b>	CP/GCP (86.51 Acres) R-3 (14.39 Acres)
<b>Request To:</b>	PUD (100.90 Acres)
<b>Proposed Use</b>	Planned Unit Development to allow for commercial/commerce park development
<b>Location</b>	Southeast corner of 67th Avenue and I-10
<b>Owner</b>	Estrella Vista Commerce Park LLC
<b>Applicant/Representative</b>	Paul Gilbert/Beus Gilbert PLLC
<b>Staff Recommendation</b>	Approval, subject to stipulations

This addendum is to revise the Development Narrative stipulations. The applicant has been working with staff and both parties have agreed to address and revise the development standards as they pertain to signage.

**Revised Stipulations**

1. An updated Development Narrative for the Z-20-13-7 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 4, ~~2014~~2013, AS MODIFIED BY THE FOLLOWING STIPULATIONS:
  - A. PAGE 32, I.1<sup>ST</sup> PARAGRAPH, LAST SENTENCE: APPLICANT SHALL INSERT "THERE WILL BE A TOTAL OF 3 FREEWAY PYLON SIGNS AND 3 OFF-PREMISE ADVERTISING SIGNS."
  - B. PAGE 32, I.3: APPLICANT SHALL REVISE THE FIRST SENTENCE TO READ "OFF-PREMISE ADVERTISING SIGNS AND PYLON SIGNS SHALL ALLOW A MAXIMUM OF ~~750~~ 450 SQUARE FEET OF SIGN AREA."

- C. PAGE 32, I.4, LAST SENTENCE: APPLICANT SHALL INSERT "OFF-PREMISE ADVERTISING SHALL BE LIMITED TO 3 SIGNS THAT COMPLY WITH ALL STANDARDS OF THE ZONING ORDINANCE.
- D. PAGE 33. TABLE I.1: APPLICANT SHALL RE-ALPHABETIZE THE TABLE PER ATTACHMENT A.
- E. THE APPLICANT SHALL UPDATE ALL EXHIBITS WITHIN THE ESTRELLA VISTA COMMERCE PARK PUD WITH THE UPDATED SIGNAGE REQUIREMENTS.

**Attachments**

Sign Section date stamped January 14, 2014

## I. Signage

These signage standards will address the needs of the industrial and retail tenants while preserving the needs for privacy and safety of the adjacent residential neighborhoods. In an effort to unify the center and suggest that all of the buildings are part of a single development, a Comprehensive Sign Plan will be prepared to supplement the provisions of the PUD.

In concept, the industrial properties, which form the majority of the development, need a primary monument sign located at 67<sup>th</sup> Avenue and Latham Street that identifies the Industrial companies that are located along Latham Street. Such a sign will go a long way in keeping unwanted traffic out of the center and limit the number of drivers looking for something that is located elsewhere. Such a sign would also help people who are looking for specific users. This is an important consideration in light of the current and expected traffic on 67<sup>th</sup> Avenue.

Each industrial user will be allowed a ground sign which identifies their business name and/or logo. Multiple tenants in one building must share the single ground sign allowed per building site. As such there may be a need for a ground sign which uses the full eighty (80) S.F. allowable sign area.

Site 1, containing the Living Spaces showroom, will be the exception to the general rules for all signage. The site is nearly twenty five (25) acres and the building contains both retail and warehouse uses. Site 1 is allowed an 80 square foot ground sign, as well as building signage. The west portion of the building is a large furniture showroom which faces directly west toward 67<sup>th</sup> Avenue. The building will be blocked by the retail pads along 67<sup>th</sup> Avenue when they are fully constructed. Therefore it will be necessary to mount the sign as high as possible for the store identification to be seen. The building has a curving free standing wall at the main entry where the sign will be placed. The sign area needs to be calculated from the west main building face to get enough sign area to have a sign on the south and the west faces of the building. The Living Spaces showroom and warehouse will be the premier tenant of the entire center. While the space required for a showroom is quite large, the actual number of people visiting the building will be fairly light compared to retail stores like Costco or IKEA. Visible signage will go a long way in ensuring business comes to the building.

The retail pads along 67<sup>th</sup> Avenue will all have building signage consistent with the current building signage ordinance. We are requesting each pad be allowed to have a ground sign in addition to the building signage. The ground signs will be placed one hundred feet apart and one hundred and fifty feet from the Primary sign for the industrial developments on Latham. Large tenants will be allowed an 80 S.F. sign whereas most users will be limited to a 50 S.F. sign.

We are also proposing freeway off-premise advertising and pylon/monument signs. Whereas the code limits the potential sign users to only properties fronting the freeway, we want to include all properties within the development. This will include the retail and industrial users



south of Latham and north of Roosevelt. ***There will be a total of 3 freeway pylon signs and 3 off-premise advertising signs.***

The off-premise advertising signs will be spaced one thousand feet apart pursuant to the zoning ordinance standard. These will alternate with the pylon signs and will be alternatively placed at five hundred feet apart. The heavy mature landscape on the freeway, the overpasses along with a high berm that parallels our north property line must be considered when evaluating height and placement for each proposed sign.

The sign site plan identifies the approximate locations where the proposed signs will go. As many of the sites are conceptual at this point there may be some modification to the final sign locations. Each project will need to be reviewed and evaluated on a case by case basis for sign locations.

We believe our sign proposal will unify the site and provide the best identification for the affected properties while limiting intrusion into adjacent residential neighborhoods. A city approved Comprehensive Sign Plan will be submitted at a later date to outline the type, size, and quantity of signs allowed. Signs shall be permitted as outlined below.

1. The sign site plan shows the currently anticipated layout for all ground signs. Ground signs include freeway signs, monument signs, and tenant ground mounted signs.
2. Freeway signs include off-premise and freeway pylon monument signs adjacent to the freeway.
3. Freeway pylon monument signs shall allow a maximum of 450 square feet of sign area. Freeway pylon signs shall be allowed a maximum height of 75 feet.
4. Freeway signs shall be available for lease. The western most sign shall be reserved for the retail tenants along 67<sup>th</sup> Avenue. Owners within the Estrella Vista Center shall be able to rent sign space on a Freeway pylon sign. Off-premise advertising will be limited to ~~2~~**3** signs that comply with all standards of the zoning ordinance.
5. A center monument sign on 67<sup>th</sup> Avenue is proposed near the Latham Street entry for identification of the industrial users in the center. Eight double sided panels are available for lease. Reference exhibit S-3 for a conceptual elevation of this sign.
6. Each industrial tenant shall be allowed one illuminated building sign facing the street. Tenants adjacent to the freeway shall be allowed one additional sign facing the freeway. This sign may be illuminated as well. Tenants of buildings adjacent to Roosevelt shall only be allowed illuminated signage facing Latham Street. Only non-illuminated signage will be allowed facing any residential area. No signage is required on these south facing walls, but non-illuminated signs are allowed. Industrial tenant building signs shall be limited to 84” in height. The minimum sign letter size is 24”. Building signs are limited in area to 1.50 square feet of sign for every 1 foot of tenant frontage, but no tenant shall have less than 50 square feet of allowable building signage. Each industrial tenant shall be allowed not less than 1 ground sign and 1 wall sign.

7. Each retail tenant shall be allowed not less than one ground sign and one wall sign. Size and location are depicted in the Sign Matrix.
8. Miscellaneous on-site signage shall be permitted. These shall include but not be limited to such signs as menu boards, directional signs, traffic signs, parking signs and signs noting any hazards. All ADA related signs are permitted as well.
9. No audible, flashing signs, or moving signs shall be allowed. Pylon monument freeway signs and billboards may have changing signs as allowed by the City of Phoenix Sign Ordinance and may be double-faced.
10. Living Spaces (the Anchor Tenant) signage shall be excepted from the general sign limitations in paragraphs 6 and 7, and the Sign Matrix. Living Spaces signage is depicted on pages of this section I.

**Table I 1**

SIGN DESIGNATION REFERENCE SITE PLANS										
	Sign Type	Location	Quantity	Sign Face Size	Sign Area	Sign Box Size	Fonts	Letters	Background	Illumination
A	Ground	Street	1 Per	10'-0"W.X8'-0"  10'-0"W. X5-0"	80 S.F. *1 50 S.F.	14-8"W X 11'-0"H	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Internal Illumination
B	Freeway	<i>Freeway</i>	3	NA	450	Embellish ments	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Leds Or Internal Illumination
C	<b>Off-premise</b>	<b>Freeway</b>	3	Per code	Per Code	Per Code	Varies			
D	Monument	Street	1	10'-0" W.X15'-0" H.	150 S.F. *2	15-8"W X 17'0"H	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Internal Illumination
E	Ground	Drive-thru	1 Per Drive- Thru Rest.	3'-0"H.X3'-0" W."W.	9 S.F.	5'-0"W X 5'-0"H	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Internal Illumination
F	Retail Shops	Building Fascia	1 Per Suite * **	1.25 S.F. Per 1'-0" Suite Front	Per Code	NA	Varies	Individu al Plex- Face/ Metal Pan	Wall	Internal Neon Or Led
G	Building	Wall	1 Per Tenant	Maximum 500 S.F.	Varies With Sign	Varies With Sign	Varies	Backlit Acrylic Panel,	Metal Frame	Varies With Sign
H	Shingle Signs	Canopy Soffit	1 Per Suite	1' X 4' Per Details	As Detailed	Na	Varies	Varies	Varies	None
I	Window Sign	Entry Door Window	1 Per Tenant	12" X 12"	144 Sq.In.	Na	Varies	Varies	Glass	None
J	Directional Sign	On Site If Needed	As Needed	2' X 3'	6 S.F.	Na	Varies	Varies	Acrylic/ Metal	None
K	Industrial Tenant	Wall	1 Per Tenant	Maximum 500 S.F.	Varies With Sign	Varies With Sign	Varies	Backlit Acrylic Panel,	Metal Frame	Varies With Sign

- \* SIGN COLORS ARE NOT LIMITED. END CAP TENANTS MAY HAVE SECOND SIGN, IF IT FACES A STREET OR INTERIOR COURT.  
TENANTS BEHIND DIAGONAL MINI-TOWERS MAY HAVE SIGNS ON BOTH EXPOSED DIAGONAL FACES OF THE TOWER.
- \*\* 50 S.F. MINIMUM SIGN AREA ALLOWED AND MAXIMUM TO 150 S.F.
- \*1 LARGER SIGN AREA RESERVED FOR TENANTS OVER 5,000 S.F.
- \*2 SIGN RESERVED FOR INDUSTRIAL TENANTS OR LARGE RETAIL USERS

**SIGN MATERIALS FOR A, B, C, D**

SIGNS SHALL HAVE CAST IN PLACE CONCRETE FOOTINGS WITH A 4"-8" DIAMETER SUPPORT STEEL POST AS REQUIRED.

SIGN SURROUND SHALL BE CONSTRUCTED FROM REINFORCED MASONRY AND SHALL HAVE A FAUX STONE VENEER TO MATCH BUILDING.

SIGN BOX SHALL HAVE STEEL FRAME WITH EXTERIOR SIGN BOX TO BE CONSTRUCTED FROM SHEET METAL WITH STAINLESS STEEL REVEALS AND TRIM.

SIGN BOX SHALL HAVE PAINTED MONTEX FINISH. TENANT PANEL SIGN FACES SHALL BE MADE OF WHITE PLEX WITH VINYL CUT OUT LETTERS MATERIALS ARE CALLED OUT ON THE INDIVIDUAL SIGN ELEVATIONS.

The locations of major signs are identified on following Exhibits S-1 and S-2.



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-20-13-7**  
December 5, 2013

**Estrella Village Planning Committee Meeting Date** December 17, 2013

**Planning Commission Hearing Date** January 14, 2014

**Request From:** CP/GCP (86.51 Acres)  
R-3 (14.39 Acres)

**Request To:** PUD (100.90 Acres)

**Proposed Use** Planned Unit Development to allow for commercial/commerce park development

**Location** Southeast corner of 67th Avenue and I-10

**Owner** Estrella Vista Commerce Park LLC

**Applicant/Representative** Paul Gilbert/Beus Gilbert PLLC

**Staff Recommendation** Approval, subject to stipulations

<b>General Plan Conformity</b>			
<b>General Plan Land Use Designation</b>		Residential 5 to 10 du/a Residential 15+ du/ac Commercial	
<b>Street Map Classification</b>	67th Avenue	Arterial	46-52 foot half street
	Roosevelt Street	Minor Collector	30 foot half street
<p><b>NEIGHBORHOOD ELEMENT. GOAL 2. POLICY 3:</b> CREATE NEW DEVELOPMENT THAT IS SENSITIVE TO THE SCALE AND CHARACTER OF THE SURROUNDING NEIGHBORHOODS AND INCORPORATES ADEQUATE DEVELOPMENT STANDARDS TO PREVENT NEGATIVE IMPACT(S) ON THE RESIDENTIAL PROPERTIES.</p> <p>By complying with staff stipulations the proposed Commercial/Commerce Park development will be compatible with the existing and adjacent single family neighborhood to the south.</p>			
<p><b>NEIGHBORHOOD ELEMENT: GOAL 1, POLICY 22:</b> PROTECT AND ENHANCE THE CHARACTER OF EACH NEIGHBORHOOD AND ITS VARIOUS HOUSING LIFESTYLES THROUGH NEW DEVELOPMENT THAT IS COMPATIBLE IN SCALE, DESIGN AND APPEARANCE.</p> <p>The proposed Commercial/Commerce Park development is consistent with the zoning pattern along the I-10 corridor. Building design and layout techniques will be incorporated into the future development to ensure compatibility with the adjacent single family neighborhood to the south.</p>			

**LAND USE ELEMENT: GOAL 2 – EMPLOYMENT AND POPULATION BALANCE:** DEVELOPMENT OF EACH VILLAGE'S POTENTIAL SHOULD BE ENCOURAGED BY DISTRIBUTING A DIVERSITY OF EMPLOYMENT AND HOUSING IN A WAY THAT ACHIEVES A BALANCED CITYWIDE PLAN AND THAT IS CONSISTENT WITH COMMUTE TRAVEL PATTERNS AND THAT CURRENT CHARACTER OF EACH DEVELOPED VILLAGE.

The proposed Mixed-Use (Commercial and Commerce Park) designation encourages the development of Commercial/Industrial uses that will create jobs to balance population and employment near predominately single-family residential areas.

#### **Area Plan**

This request is consistent with the Estrella Village Plan. The Estrella Village Plan focuses on two key growth concepts for this part of Phoenix: encouraging the development of new residential neighborhoods and industrial areas, and the collection of impact fees to provide for future city services. The plan addresses land use policies and design guidelines that encourage new development to be compatible with the surrounding character of the area.

The subject property is located along a major arterial, freeway corridor and similar uses. The proposed project will generate employment opportunities in close proximity to two freeway corridors.

### **Background/Issues/Analysis**

#### **SUBJECT SITE**

1. This request is to rezone a 100.90 acre site located at the southeast corner of 67th Avenue and I-10 from R-3 (14.39 acres) and CP/GCP (86.51 acres) to PUD (100.90 acres) to allow for commercial and commerce park uses.
2. The General Plan Land Use Map designation for the subject parcel is Residential 15+ du/acre, Residential 5 to 10 du/acre and Commercial. The applicant is required to pursue a Minor General Plan Amendment to modify the land use designation to Mixed-Use (Commercial and Commerce/Business Park). GPA-EST-1-13-7 is running concurrently with this rezoning request.

#### **SURROUNDING USES & ZONING**

3. **North**  
Interstate 10 abuts the subject parcel to the north. The I-10 frontage road for eastbound freeway traffic also abuts the parcel on the northern property line.

#### **West**

Across 67th Avenue to the west are two industrial parcels zoned A-1. The uses are oriented towards heavy trucking traffic for fuel, food, vehicle washes, oil changes, etc.

#### **South**

To the south and across Roosevelt Street is a single family neighborhood zoned R1-6. The residential homes front onto Roosevelt Street.

**East**

Sunridge Elementary School and a single family residential subdivision is located to the east of the subject property.

**PROPOSAL**

4. The proposal was developed utilizing the PUD zoning designation, which allows an applicant to propose uses, development standards, and design guidelines for a site. A primary goal of this process is to allow the applicant to develop standards that respond to the surrounding environment more so than conventional zoning districts allow. The end result is property rezoned with standards crafted specifically for the site that allows for increased development flexibility, while simultaneously providing enhanced development standards that could otherwise be developed through conventional zoning tools.

Where the PUD narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

5. Below is a summary of the proposed standards for the subject site as described in the attached PUD narrative date stamped December 4, 2013, Attachment B. Many of the proposed standards were derived from the standards of the Commerce Park/General Commerce Park zoning district.

**Land Use**

The narrative permits a wide range of commercial, warehouse, storage, retail sales and manufacturing as permitted uses.

All uses outlined in the PUD must occur within an enclosed building unless specifically outlined in the list of uses section of the narrative. In addition multiple uses require the applicant to secure a use permit pursuant to section 307 of the Zoning Ordinance. Outdoor dining, patron dancing and outdoor recreational uses and service of alcoholic beverages when combined with outdoor dining is subject to obtaining a Use Permit if located within 200 feet of a residential zoning district. Staff has no concerns with the proposed list of uses.

**Development Standards**

The maximum permitted building height for structures on site is 56 feet. For structures within 50 feet of Roosevelt the maximum height is 24.5 feet.

The perimeter setbacks are as follows:

- 100-foot building setback adjacent to all single family residential
- 50-foot landscape setback along Roosevelt Street
- 30-foot landscape and building setbacks along 67th Avenue
- 10-foot building and landscape setback along the north property line
- 30-foot building setback along the east property line north of Latham
- 20-foot building setback south of Latham.

### **Landscaping Standards**

A mix of landscaping will be provided within the proposed setbacks along the perimeter of the property.

The perimeter setbacks are as follows:

- Along the east property line adjacent to the single family residential, a mix of 2-inch caliper trees (25%) and 1-inch caliper trees (75%) will be provided 20-foot on center with 5 shrubs per tree.
- Along 67th Avenue, 2-inch caliper trees (25%) and 1-inch caliper trees (75%) will also be provided with 5 shrubs per tree every 20 feet of frontage.
- Along Roosevelt Street 1, 24-inch box tree will be planted every 40 feet of frontage with 5 shrubs per tree.
- Along the north property line adjacent to the freeway 1, 1-inch caliper tree will be planted per 60 feet of frontage with 2.5 gallon shrubs per tree.

### **Parking**

The minimum number of required parking spaces shall be as set forth in Section 702 of the Zoning Ordinance.

In addition the applicant is proposing a 15% parking reduction from the minimum ordinance requirement.

### **Shading**

The narrative proposes that a minimum of 25 percent of sidewalks shall be shaded via shade trees and landscaping.

### **Design Guidelines**

The Development Narrative does not propose any new design guidelines with the exception of landscape standards; therefore, all applicable design guidelines outlined in the Guidelines for Design Review section of the Zoning Ordinance will apply.

### **Phasing**

The first phase will consist of the Living Spaces warehouse and retail component of the PUD while the second phase will be at a later date. Both phases will construct adjacent street improvements.

### **Signage**

A comprehensive sign plan will be created to govern the on and off site premise signage for this PUD. In the event that the PUD is silent regarding a specific sign standard, the city of Phoenix Zoning Ordinance prevails.

### **Sustainability**

The narrative discusses salvaging existing trees on site in addition to the addition of infrastructure such as street improvements for the area.

## STREETS AND TRAFFIC

6. All phases of development are contingent upon implementation of the mitigation improvements related to the 67th Avenue and Latham intersection and the 67th Avenue and Roosevelt intersection as approved by the November 2013 traffic impact analysis.

## MISCELLANEOUS

7. Water for the proposed development will be provided to the site through an existing 12-inch main in 67th Avenue, a 8-inch line in Roosevelt Street and a 8-inch line in 63rd Avenue.

Sewer service for the proposed development will be provided to the site through an existing 33-inch main in 67th Avenue, and an existing 8-inch main in Roosevelt Street.

8. The Planned Unit Development zoning district allows applicants to create development standards but cannot alter city processes or modify regulations governed by the Zoning Ordinance. This PUD submittal follows City of Phoenix processes.
9. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

## **Findings**

1. The proposal is not consistent with the General Plan Land Use Map and therefore a Minor General Plan Amendment is required.
2. The proposed uses will bring employment opportunities to the surrounding area and the Estrella Village.
3. The proposed staff stipulations will ensure the PUD rezoning request is compatible with surrounding zoning patterns and land use in the area.

## **Stipulations**

1. An updated Development Narrative for the Z-20-13-7 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 4, 2014.

## **Writer**

Marc Thornton  
December 2, 2013



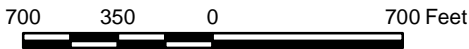
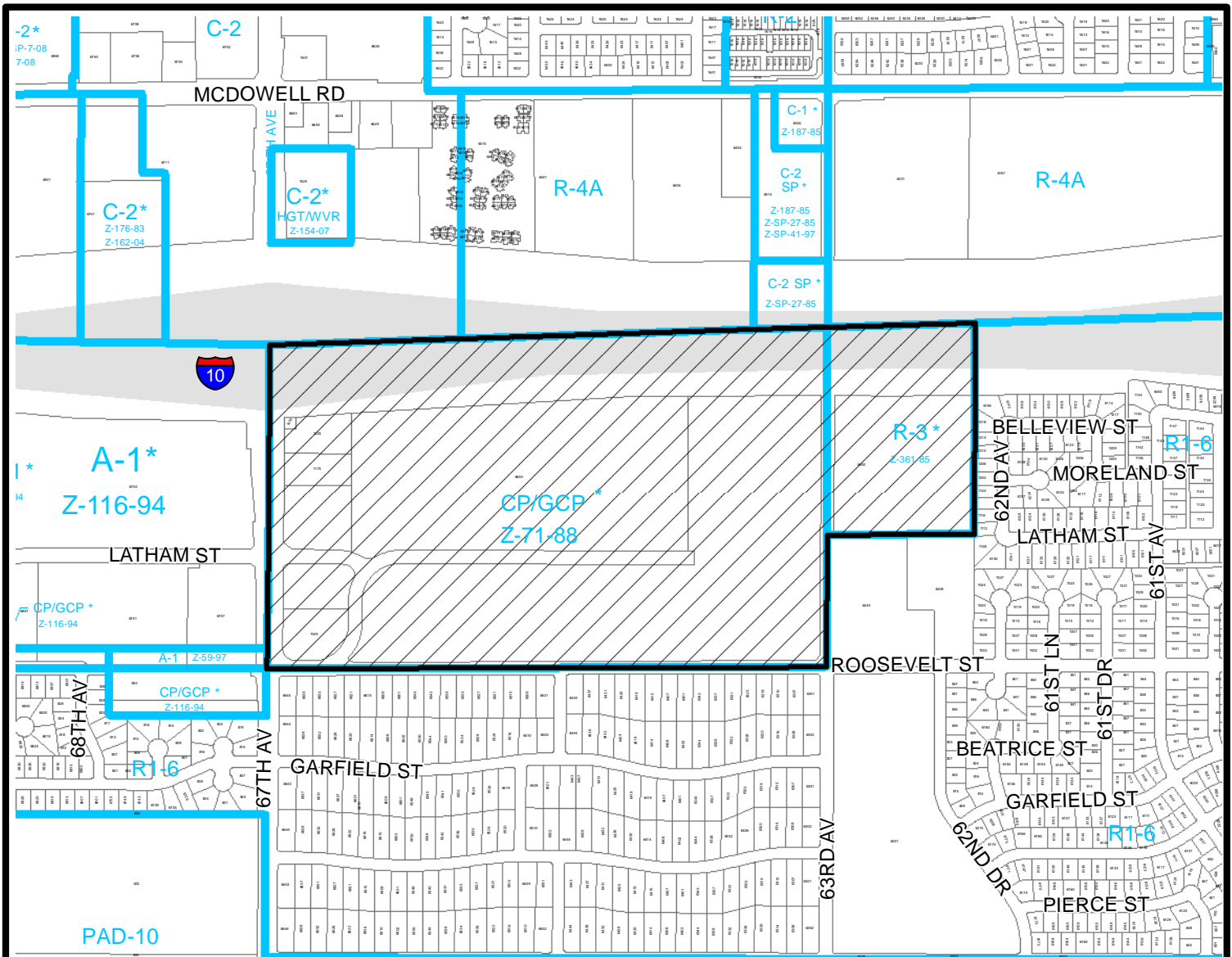
**Team Leader**

Josh Bednarek

**Attachments**

Attachment A: Sketch Map

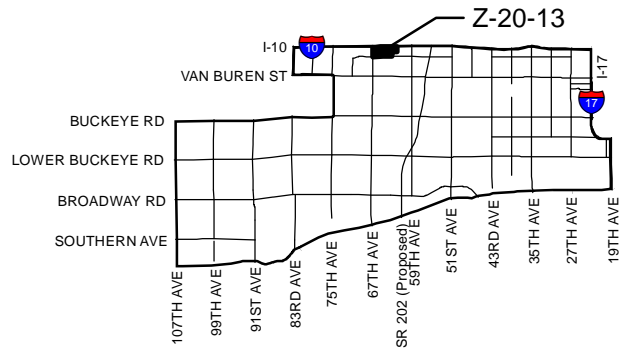
Attachment B: Z-20-13-7 PUD Narrative date stamped December 4, 2013



CITY OF PHOENIX PLANNING DEPARTMENT

**ESTRELLA VILLAGE**

CITY COUNCIL DISTRICT: 7



<b>APPLICANT'S NAME:</b> Beus Gilbert, PLLC		<b>REQUESTED CHANGE:</b> FROM: CP/GCP, (86.51 a. c.) R-3, (14.39 a. c.) TO: PUD, (100.90 a. c.)	
<b>APPLICATION NO.</b> Z-20-13	<b>DATE:</b> 05/20/13	<b>REVISION DATES:</b>	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 100.90 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> Q12-13, Q12-14	<b>ZONING MAP</b> G-4, G-5	
<b>MULTIPLES PERMITTED</b> CP/GCP, R-3 PUD	<b>CONVENTIONAL OPTION</b> NA, 208 N/A	<b>* UNITS P.R.D. OPTION</b> N/A, 250 N/A	

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



## Village Planning Committee Meeting Summary

Z-20-13-7

<b>Date of VPC Meeting</b>	December 17, 2013
<b>Request From</b>	CP/GCP, R-3
<b>Request To</b>	PUD
<b>Proposed Use</b>	Commercial and Industrial Uses
<b>Location</b>	Southeast corner of 67 <sup>th</sup> Avenue and Interstate 10
<b>VPC Recommendation</b>	NO QUORUM
<b>VPC Vote</b>	NO QUORUM

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

The Estrella VPC was unable to obtain quorum therefore no meeting was held.

Item #: 3  
Application #: Z-20-13-7 (Companion case GPA-EST-1-13-7)  
From: CP/GCP  
R-3  
To: PUD  
Acreage: 100.90  
Location: Southeast corner of 67<sup>th</sup> Avenue and Interstate 10  
Proposal: Planned Unit Development to allow commercial, warehouse  
and industrial uses  
Applicant: Beus Gilbert, PLLC  
Owner: Estrella Vista Commerce Park, LLC  
Representative: Paul Gilbert

Ms. Tricia Gomes presented items 2 and 3 together, but separate motions were made.

GPA-EST-1-13-7; a general plan amendment for 84.91 acres located at the southeast corner of 67<sup>th</sup> Avenue and Interstate 10 from Residential 3.5-5 du/ac, Residential 5-10 du/ac, Residential 15+ du/ac, and Commercial to Mixed-Use (Commercial and Commerce/Business Park). The Estrella Village Planning Committee did not review the request due to lack of quorum. Staff recommended approval of GPA-EST-1-13-7.

Z-20-13-7; a request to rezone 100.90 acres located at the southeast corner of 67<sup>th</sup> Avenue and Interstate 10 from CP/GCP and R-3 to Planned Unit Development. The Estrella Village Planning Committee did not review the request due to lack of quorum. The applicant made changes to the sign section of the PUD. Staff recommended approval of Z-20-13-7 per the staff Addendum A dated January 14, 2014.

Ms. Peggy Eastburn expressed concern regarding traffic congestion due to truck stops in the area and the proximity to Interstate 10. Ms. Eastburn stated that she has continued to work with the Street Transportation Department to make this area safe for traffic. However, Ms. Eastburn opposes the left in turn from 67<sup>th</sup> Avenue onto Latham Street and traffic should be diverted to the signal at Roosevelt Street. Ms. Eastburn noted that the traffic study indicated that the left in turn onto Latham Street was safe, but she did not agree. She pointed out that there should be signs posted that limited the hours that left in turns were permitted from 67<sup>th</sup> Avenue onto Latham Street, but acknowledged that not everyone reads and follows the signs that are posted. There are no truck signs throughout the neighborhood; however the 18-wheelers still access the residential streets to get from one truck stop to the other. Ms. Eastburn stated that she was working with Mr. Pasternack on detours for the trucks since Roosevelt Street was a residential street from 67<sup>th</sup> Avenue and 59<sup>th</sup> Avenue that passes Sunridge Elementary School and Sunridge Park.

Chairwoman Katsenes clarified that Ms. Eastburn was in attendance as a resident and not representing the Estrella Village Planning Committee.

Ms. Eastburn noted that the request was not reviewed by the Estrella Village Planning Committee due to lack of quorum.

Mr. Paul Gilbert stated both cases were presented to the Estrella Village Planning Committee as informational items.

Commissioner Heck made a MOTION to approve Z-20-13-7 per the staff Addendum A dated January 14, 2014.

Commissioner Awai SECONDED.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 6-0. (Davis, Whitaker and Montalvo absent)

\* \* \*

Stipulations:

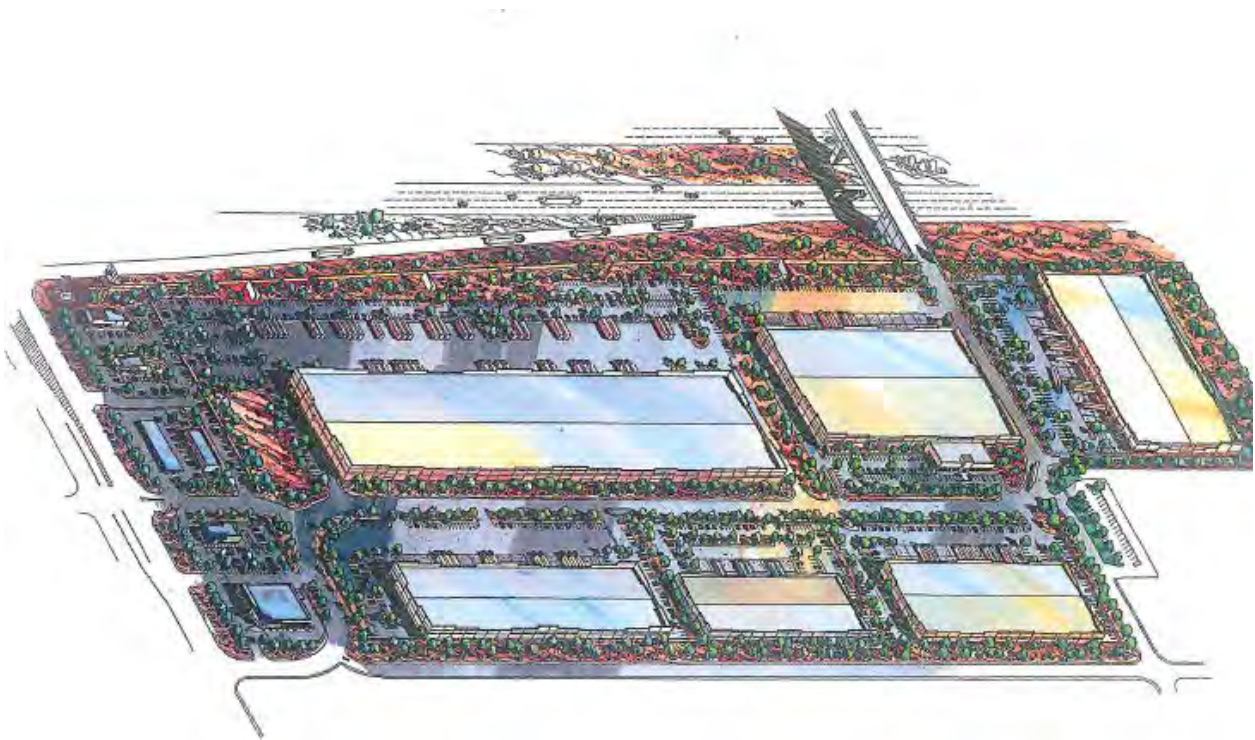
1. An updated Development Narrative for the Z-20-13-7 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 4, ~~2014~~2013, AS MODIFIED BY THE FOLLOWING STIPULATIONS:
  - A. PAGE 32, I.1<sup>ST</sup> PARAGRAPH, LAST SENTENCE: APPLICANT SHALL INSERT "THERE WILL BE A TOTAL OF 3 FREEWAY PYLON SIGNS AND 3 OFF-PREMISE ADVERTISING SIGNS."
  - B. PAGE 32, I.3: APPLICANT SHALL REVISE THE FIRST SENTENCE TO READ "OFF-PREMISE ADVERTISING SIGNS AND PYLON SIGNS SHALL ALLOW A MAXIMUM OF ~~750~~ 450 SQUARE FEET OF SIGN AREA."
  - C. PAGE 32, I.4, LAST SENTENCE: APPLICANT SHALL INSERT "OFF-PREMISE ADVERTISING SHALL BE LIMITED TO 3 SIGNS THAT COMPLY WITH ALL STANDARDS OF THE ZONING ORDINANCE."
  - D. PAGE 33. TABLE I.1: APPLICANT SHALL RE-ALPHABETIZE THE TABLE PER ATTACHMENT A.
  - E. THE APPLICANT SHALL UPDATE ALL EXHIBITS WITHIN THE ESTRELLA VISTA COMMERCE PARK PUD WITH THE UPDATED SIGNAGE REQUIREMENTS.

# ESTRELLA VISTA COMMERCE PARK

**REZONE REQUEST FROM CP/GCP AND R-3 TO PLANNED UNIT DEVELOPMENT  
CASE NO: Z-20-13**

**1<sup>ST</sup> Submitted May 6, 2013**

**Resubmitted August 30, 2013**



SUBMITTED BY: Paul Gilbert  
Beus Gilbert PLLC  
701 N. 44<sup>th</sup> Street  
Phoenix, AZ 85008

## **PRINCIPALS AND DEVELOPMENT TEAM**

### **APPLICANT REPRESENTATIVE/LEGAL:**

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npascoe@beusgilbert.com

### **OWNER:**

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Phoenix AZ 85014  
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### **ARCHITECT/PLANNING & LANDSCAPE ARCHITECTURE**

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**CIVIL ENGINEERING:**

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## **PLANNED UNIT DEVELOPMENT DISCLAIMER**

*A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited, to right-of-way abandonments.*

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## **A. PURPOSE AND INTENT**

### ***Project Overview and Goals***

Estrella Vista Commerce Park is a property of approximately 85 acres located on the south side of the I-10 Freeway between 67<sup>th</sup> and 63<sup>rd</sup> Avenues. Its size and freeway orientation result in an opportunity for infill development that provides substantial employment and generates economic activity on a large scale. Conceptually, the project will offer retail convenience services along 67<sup>th</sup> Avenue with small to large retail, distribution, warehouse, wholesale, and assembly operations within the interior. At the same time, this is an infill project with existing residential, school, and park uses adjacent to the project perimeter. As a consequence the project must be context-sensitive, providing large buffers, diverting truck traffic away from homes and schools, and providing pedestrian connectivity where appropriate.

### **Overall Design Concept**

- To promote an aesthetically pleasing campus with appropriate consideration given to building materials, design and site layout.
- Establish a commerce/ business park with a presence along the I-10 freeway with distribution facilities and showrooms.
- Respect agreements with surrounding neighborhoods as to buffers, setbacks, street design, and building height.
- To promote neighborhood stability by diverting truck traffic away from homes and schools, and by providing pedestrian connections to Sunridge Elementary School and Sunridge Park
- Provide convenience retail services along 67<sup>th</sup> Avenue to serve the industrial park, the public, and the surrounding neighborhoods.
  
- Provide a significant spatial and landscape buffer between the campus and adjacent residential districts to reduce any perceived negative impacts between dissimilar land uses.

## **B. LAND USE PLAN**

### **Vehicular Access**

67<sup>th</sup> Avenue provides access into the campus at Latham Street and an intersection with Roosevelt Street. These streets converge at a single interior point as Roosevelt Street realigns north to the Latham alignment, and Roosevelt Street continues southeast as an exclusively residential street segment. This creates a buffer between the more intense uses in Estrella Vista Commerce Park and the residential areas south of the Roosevelt alignment. It also diverts truck traffic away from Sunridge Elementary School and Sunridge Park. The School District has also requested the developer abandon 63<sup>rd</sup> Avenue between Latham and Roosevelt streets to further reduce traffic adjacent to Sunridge School. The proposed street widths within the PUD are depicted in the Appendix in the section entitled Thematic Street Cross Sections, and reflect the approved final plat of Estrella Vista Commerce Park.

## **Landscape Design**

A key component of the site design is to provide a landscape buffer between Estrella Vista and adjacent homes. The buffer also will offer pedestrian connections to Sunridge School and Sunridge Park via a sidewalk along the north side of Roosevelt Street, helping to maintain a unified and cohesive neighborhood. In addition to landscaping on the north side of Roosevelt Street resulting from the realignment there will be a 50-foot building and landscape setback imposed along Roosevelt Street on lots east of 66<sup>th</sup> Drive. The landscaping and setback will provide a significant buffer to the homes south of Roosevelt Street and a neighborhood amenity. Plant materials will be indigenous or low water use plants and will contain trees that will, in time, provide shade and a visual screen from the south.

To the north, adjacent to the I-10 Freeway and Arizona Department of Transportation (“ADOT”) property, a smaller landscape setback is proposed. A tall berm on ADOT property blocks any view from the freeway. The area in question cannot be seen from outside the site and landscaping there would be difficult to maintain. In addition, vegetation there would create a security issue by providing hiding places for unsavory activities.

In the case of the internal streets, most of the right of way is taken by street improvements to accommodate the expected truck traffic and streetscape planting will be limited.

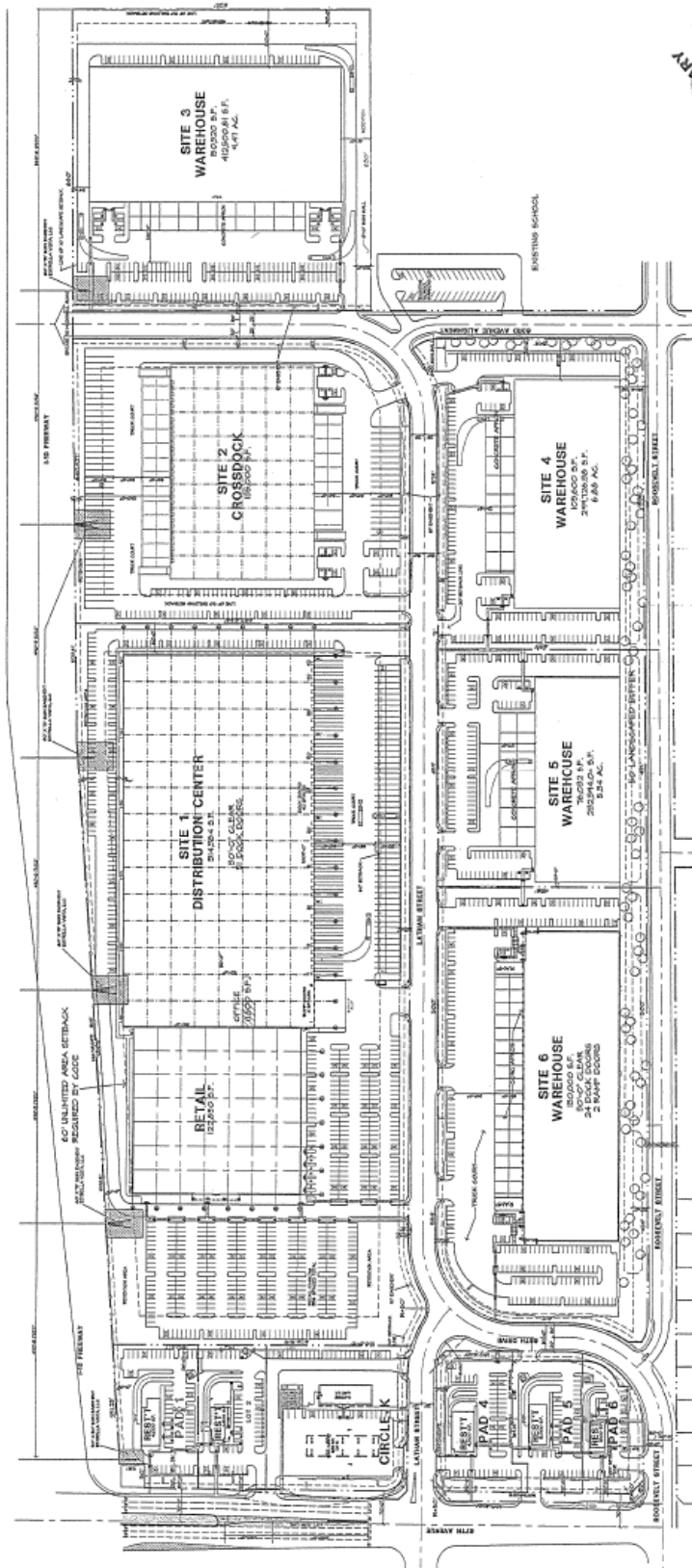
The concept is to concentrate the landscaping to the south and east where it buffers and enhances the surrounding residential neighborhood with targeted landscaping on the interior focused on locations where it can be most effective. These strategies will enhance the livability of the neighborhood while accommodating infill development that offers the public significant financial benefit in terms of jobs and sales taxes.

## **Use Categories**

In general, the uses that will be allowed are based on the C-2 (Intermediate Commercial) and CP/GCP (Commerce Park General Option) zoning districts. These provide for a broad range of retail, service, warehouse, wholesale, and assembly activities. Living Spaces, a furniture showroom and warehouse facility with a combined floor area of approximately 437,000 square feet, will be located in the interior of the project in Phase 1. Phase 1 will also include retail pads along 67<sup>th</sup> Avenue. Future phases will be improved based on the demand for space. It is expected the future phases will be comprised largely of warehouse, wholesale, and distribution facilities. A complete list of permitted uses is reflected on Exhibit F-1.

The conceptual site plan is located on the following page.

# CONCEPTUAL SITE PLAN



PAD 1 RESTAURANT		
SITE AREA (AROUND BUILDING AREA)	40,000 SF (1.08 AC)	
% OF COVERAGE	8.0%	
PARKING REQUIRED	40 SPACES	
PARKING PROVIDED	40 SPACES	
PAD 2 RESTAURANT		
SITE AREA (AROUND BUILDING AREA)	30,000 SF (0.68 AC)	
% OF COVERAGE	6.0%	
PARKING REQUIRED	30 SPACES	
PARKING PROVIDED	30 SPACES	
PAD 3 RESTAURANT		
SITE AREA (AROUND BUILDING AREA)	30,000 SF (0.68 AC)	
% OF COVERAGE	6.0%	
PARKING REQUIRED	30 SPACES	
PARKING PROVIDED	30 SPACES	
PAD 4 RESTAURANT		
SITE AREA (AROUND BUILDING AREA)	30,000 SF (0.68 AC)	
% OF COVERAGE	6.0%	
PARKING REQUIRED	30 SPACES	
PARKING PROVIDED	30 SPACES	
PAD 5 RESTAURANT		
SITE AREA (AROUND BUILDING AREA)	30,000 SF (0.68 AC)	
% OF COVERAGE	6.0%	
PARKING REQUIRED	30 SPACES	
PARKING PROVIDED	30 SPACES	
PAD 6 RESTAURANT		
SITE AREA (AROUND BUILDING AREA)	30,000 SF (0.68 AC)	
% OF COVERAGE	6.0%	
PARKING REQUIRED	30 SPACES	
PARKING PROVIDED	30 SPACES	
CONVENIENCE/GAS		
SITE AREA (AROUND BUILDING AREA)	20,000 SF (0.45 AC)	
% OF COVERAGE	4.0%	
PARKING REQUIRED	20 SPACES	
PARKING PROVIDED	20 SPACES	
GENERAL		
SITE AREA (NET)	82,000 SF (1.88 AC)	
% OF COVERAGE	16.4%	
PARKING REQUIRED	820 SPACES	
PARKING PROVIDED	820 SPACES	
SITE 1 WAREHOUSE		
WAREHOUSE AREA	120,000 SF (2.74 AC)	
% OF COVERAGE	24.0%	
PARKING REQUIRED	120 SPACES	
PARKING PROVIDED	120 SPACES	
SITE 2 CROSSDOCK		
WAREHOUSE AREA	100,000 SF (2.28 AC)	
% OF COVERAGE	20.0%	
PARKING REQUIRED	100 SPACES	
PARKING PROVIDED	100 SPACES	
SITE 3 WAREHOUSE		
WAREHOUSE AREA	100,000 SF (2.28 AC)	
% OF COVERAGE	20.0%	
PARKING REQUIRED	100 SPACES	
PARKING PROVIDED	100 SPACES	
SITE 4 WAREHOUSE		
WAREHOUSE AREA	100,000 SF (2.28 AC)	
% OF COVERAGE	20.0%	
PARKING REQUIRED	100 SPACES	
PARKING PROVIDED	100 SPACES	
SITE 5 WAREHOUSE		
WAREHOUSE AREA	100,000 SF (2.28 AC)	
% OF COVERAGE	20.0%	
PARKING REQUIRED	100 SPACES	
PARKING PROVIDED	100 SPACES	
SITE 6 WAREHOUSE		
WAREHOUSE AREA	100,000 SF (2.28 AC)	
% OF COVERAGE	20.0%	
PARKING REQUIRED	100 SPACES	
PARKING PROVIDED	100 SPACES	

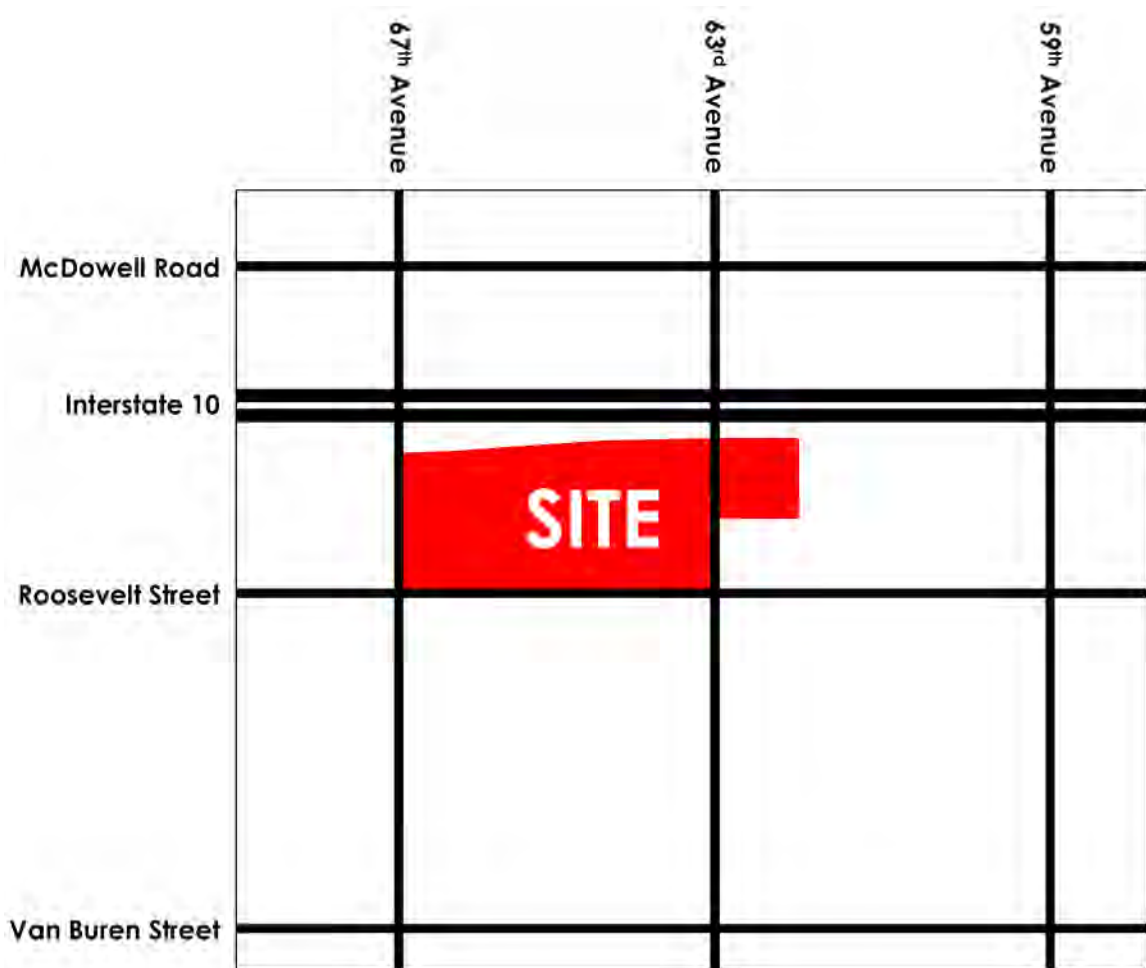
67TH AVENUE AND ROOSEVELT SITE

**C. SITE CONDITIONS AND LOCATION**

The site is a vacant parcel of approximately 85 net acres. The land is virtually flat, with no significant topographic features or major watercourses. Estrella Vista is located in the Estrella Village, and is surrounded by a variety of uses including single-family homes, Sunridge School, Sunridge Park, the I-10 Papago Freeway, Danny’s Car/Truck Wash, and the Flying J Truck Stop.

Exhibit C-1 below illustrates the site location.

**EXHIBIT C-1**



The site’s relationship to its surroundings is illustrated by the following tables:

**TABLE C-1**

<i>Surrounding Land Uses</i>	
<i>North</i>	<i>I-10 Freeway/Multifamily</i>
<i>South (Roosevelt street)</i>	<i>Single family homes</i>
<i>West</i>	<i>Flying J truck stop, Danny's Truck Wash</i>
<i>East</i>	<i>Elementary School, Park, Homes</i>

**Surrounding Zoning Districts**

**TABLE C-2**

<i>Surrounding Zoning Districts</i>	
<i>North</i>	<i>C-2, R4-A</i>
<i>South</i>	<i>R 1-6</i>
<i>East</i>	<i>R 1-6</i>
<i>West</i>	<i>A-1</i>

**D. GENERAL PLAN CONFORMANCE**

The City of Phoenix General Plan Land Use Designation for the Property is a combination of Commercial and Residential 3.5-5, Residential 5-10, and Residential 15+. A General Plan Amendment seeking a change to Commerce/Business Park will accompany this rezone request. As set forth in the following subsections, the proposed Planned Unit Development rezone request is consistent and compatible with many of the goals and objectives outlined in the General and Land Use Plans, as well as the current zoning designation for most of the property.

The surrounding properties to the north, south, east and west are designated on the Land Use Plan as single-family residential (3.5 to 5 dwelling units per acre), multi-family, and industrial as shown in Table D.1.



**TABLE D-1**

<i>Surrounding Land Use Designations</i>	
<i>North</i>	<i>Residential 15+</i>
<i>South (of Roosevelt Street)</i>	<i>Residential 3.5-5 DUAC</i>
<i>West (Across 67<sup>th</sup> Avenue)</i>	<i>Industrial</i>
<i>East</i>	<i>Residential 3.5-5 DUAC</i>

The General Plan recognizes the need to promote strong, healthy neighborhoods and to preserve their unique character, while encouraging development that is sensitive to the scale and character of the surrounding neighborhoods. Typically, this is accomplished by incorporating appropriate development standards, such as landscaping, screening and setbacks, to mitigate any negative impacts where disparate land uses are adjoining. The following outlines the relationship between the requested rezone change and the City of Phoenix General Plan. The General Plan Elements seek to promote comprehensive direction for the growth, conservation and development of all physical aspects of the City. The proposed rezone meets or exceeds the following goals outlined in the General Plan:

**Growth Area Element**

**Goal 1** – Growth: Maintain a **high quality of life** and economically healthy community.

The rezoning request supports a high quality of life by supporting a stronger linkage between existing homes, Sunridge Elementary School, and Sunridge Park. Further, the proposed rezoning request recognizes the desired scale and land use classification of the adjacent residential properties by utilizing intense buffering techniques, which include sizeable setbacks, extensive landscaping and perimeter treatment, inward orientation with frontage on Latham Street, and extra deep lots.

The economic health of the community is bolstered by the development of a new commerce park with hundreds of new jobs and retail sales projected to exceed \$ 75,000,000 per year in Phase 1 alone.

**Land Use Element**

The following outlines the relationship between the requested rezoning, the surrounding land uses and the City of Phoenix General Land Use Plan Element. “The Land Use Element” recommends how “Phoenix should grow within its boundaries to have a rational urban form (the urban village model), promote infill and **be compatible with its neighbors.**” In addition, urban form and the Village Model are integral to the General Plan and zoning relationship:

**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.

## **The Principles:**

- **Promoting the uniqueness of each village:** celebrating the lifestyle and character, the unique identity of each village with its history, patterns of development, types of open space, public facilities, and types of development from large lot and rural to mixed-use and urban.
- **Preserving and enhancing the quality of life in each village:** protecting the historic character, unique amenities, open spaces, public facilities, and neighborhoods, and ensuring compatible new development.
- **Providing for a majority of resident needs within the village:** allowing residents the opportunity to live, work, play, shop, to receive health care and social services within their villages conveniently, and to access these activities by a multi-modal transportation system.

### **Urban Village Model: Neighborhoods**

**Neighborhoods:** “The neighborhood component of the urban village model recognizes the importance of residential areas as the major land use in each village. Its goal is to preserve and enhance existing neighborhoods and create strong and viable new neighborhoods.”

- **Policy No. 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.

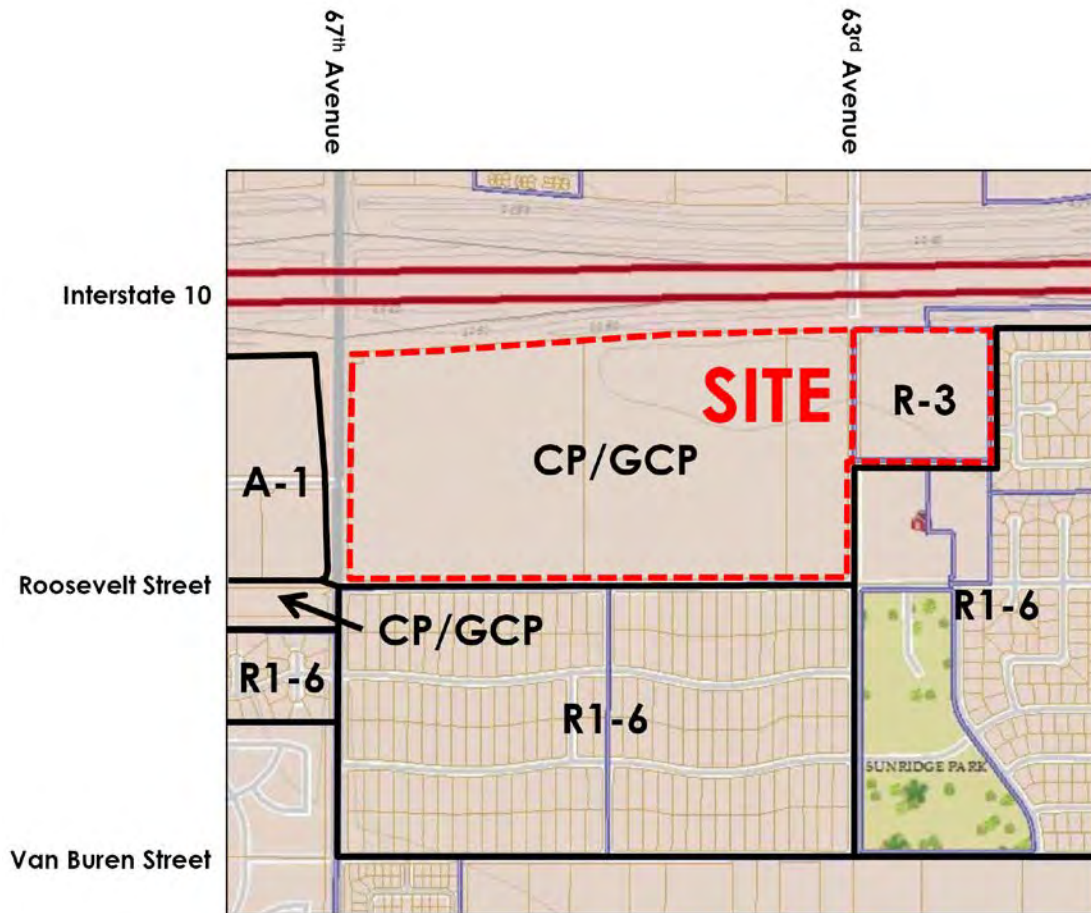
**Policy No. 6:** Ensure that neighborhoods have reasonable access to basic neighborhood support services.

## **E. ZONING AND LAND USE COMPATIBILITY**

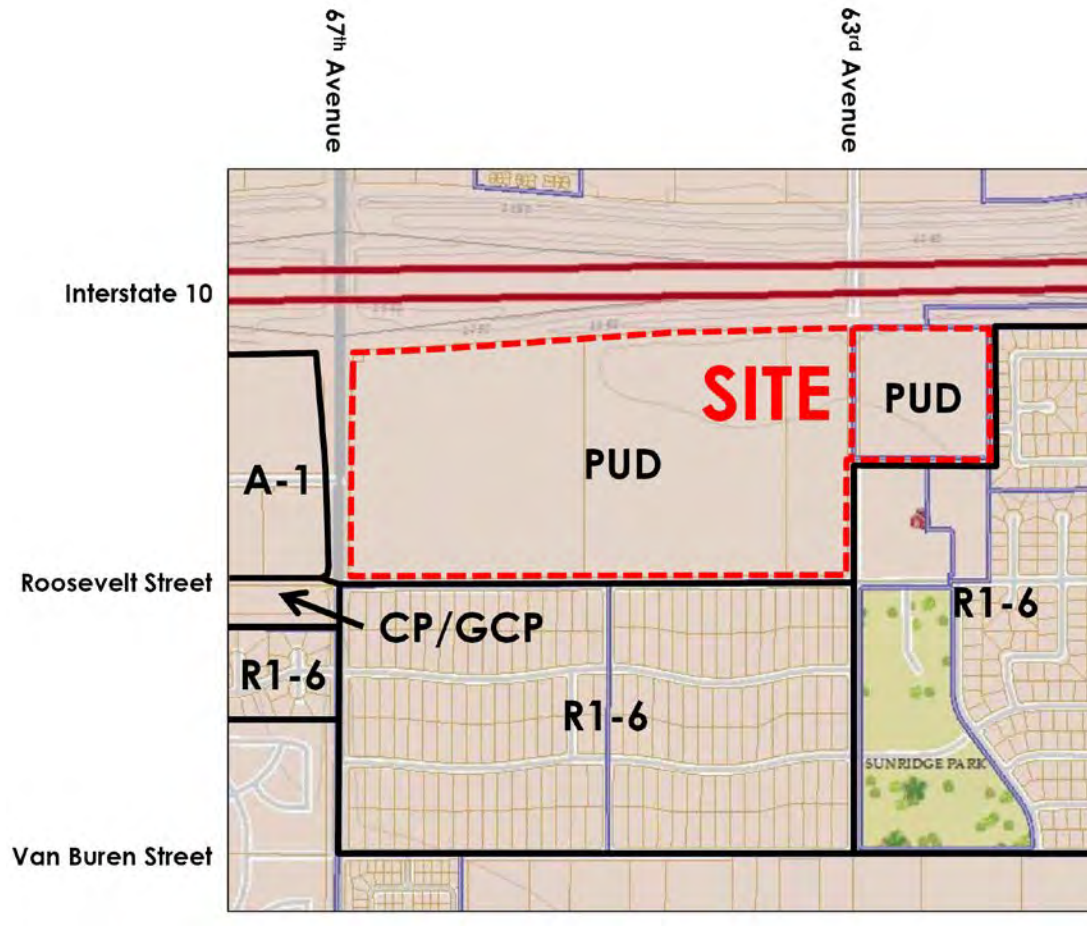
The Property is currently zoned City of Phoenix CP/GCP (Commerce Park General Option) and R-3 (Multiple Family Residence District). Surrounding zoning is mixed, with R1-6 (Single Family Residence District) on adjacent property south and east and A-1 (Light Industrial) to the west (see diagram below). This variety is reflected in the adjacent uses, which include homes, an elementary school, a city park, a truck stop, and a car and truck wash.. The subject property is located in Estrella Village, and is not within the Village Core or an overlay zoning district. As previously mentioned, this is a vacant infill site. It is suitable for commercial and light industrial use, and in so doing care must be exercised to avoid negative impacts on surrounding land uses.

The PUD employs a variety of perimeter landscape treatments, setbacks, and street realignment to ensure compatibility with adjacent properties. These are more completely described in section G of this Narrative.

# EXHIBIT E-1 EXISTING ZONING



# EXHIBIT E-2 PROPOSED ZONING



## **F. LIST OF USES**

Permitted uses. Within the PUD no building, structure, or use shall be made of land for any purpose other than any one of the following, provided that any such use shall meet the standards as set forth in this section: Uses and storage shall be conducted within a completely enclosed building except as specified herein.

1. Agricultural Implements, Distributions and Display, Retail and Wholesale Sales
2. Ambulance Service Office
3. Antiques, Wholesale
4. Architects' Supplies
5. Artificial Limbs, Braces, Sales
6. Artist's Materials and Supplies, Wholesale
7. Assayers (See "Laboratory")
8. Assembly Halls and Banquet Halls.
  - a. Any Assembly Hall or banquet hall of 25,000 square feet or less in gross floor area shall be permitted only upon securing a use permit pursuant to Section 307.
  - b. Outdoor uses shall be permitted only upon securing a use permit pursuant to Section 307.
9. Auctioneers' Auditorium, for Antiques, Fine Arts and Furniture, subject to a Use Permit.
10. Automobile Parts and Supplies, New Retail and Wholesale
11. Auto Seat Covers and Trim Shop
12. Automobile Service Station which may include as accessory uses: sales and installation of tires, batteries, hoses and belts; oil changes; lubes minor tuneups, and compression natural gas sales. Service bays shall not open toward an adjacent public street or a residential district.
13. Bakers and Baked Goods, Manufacturing, Wholesale and Storage Bakeries, food packaging and freezing, including milk and ice cream plants, but excluding canneries, slaughtering, processing and packaging of meat.
14. Balls and Bearings, Retail and Wholesale Sales
15. Bank Vault Storage, subject to a Use Permit
16. Barber and beauty shop.
17. Barbers' Supplies, Retail and Wholesale
18. Bathroom Accessories, Display, Retail and Wholesale Sales
19. Beauty Shop. Massage Therapy, performed by a licensed massage therapist, is permitted as an accessory use.
20. Beauty Shop Equipment, Retail, and Wholesale Sales, and Distribution
21. Beer, Ale and Wine Distributor, Wholesale and Storage (no bottling)
22. Beverages, Wholesale and Storage (no bottling)
23. Bingo
24. Biomedical and Medical Research Office and/or Laboratory
25. Blood Banks and Blood Plasma Centers as a primary use
26. Blueprinting
27. Boats, Retail Sales
28. Bookbinders, Commercial
29. Bowling Alleys
30. Brushes, Retail and Wholesale Sales

31. Building Materials, Retail Sales Only
32. Burglar Alarm Equipment Sales and Service
33. Burglar Alarm Watching Service
34. Business Machines, Distribution Retail and Wholesale Sales, Repair and Service, and Storage
35. Butchers' Supplies, Retail and Wholesale
36. Candy, Wholesale Distribution and Manufacturing
37. Carpet, Rug and Furniture Cleaners All activity except loading and unloading restricted to a closed building.
  - a. All solvents, shampoos, detergents and other agents shall be non-combustible and non-explosive, and shall require approval of the City Fire Marshall, and same shall not emit odors beyond the zoned lot boundaries.
  - b. Only hand portable machinery shall be permitted.
38. Car Wash, which may be in an open building subject to a use permit.
39. Chemicals and Drugs, Storage and Distribution
40. Cigarette Service
41. Cigars, Wholesale and Storage
42. Cleaning and Dyeing Plants Clothing, Wholesale and Distribution
43. Coffee, Wholesale and Storage, no roasting
44. Coin Machines, Rental and Service
45. Commercial schools
46. Compression Natural Gas (CNG) Retail Sales, as primary use or a use accessory to automobile service stations
47. Contractors Equipment and Supplies, Retail and Wholesale Sales
48. Contractors' Office with Inside Storage of Materials Only
49. Conveyors, Retail and Wholesale Sales
50. Curios, Wholesale
51. Day Care and Pre-School
52. Dental Laboratories
53. Dental Supplies, Retail and Wholesale
54. Diaper Supply Service
55. Dolls, Repairing
56. Draperies, Manufacturing
57. Drawing Materials, Retail Sales and Wholesale
58. Drugs, Wholesale and Storage
59. Dry Goods, Wholesale and Storage
60. Egg, Storage and Processing
61. Electric Equipment, Retail and Wholesale Sales and Repair
62. Engravers
63. Environmental remediation facility.
64. Exhibition Hall
65. Facilities and storage incidental to construction project and located on the project site.
66. Family Game Center
67. Farm Implements and Machinery, Retail and Wholesale Sales including outdoor display and storage
68. Feed, Retail and Sales Office
69. Fire Protection Equipment and Supplies, Retail and Wholesale Sales and Service

70. Floor Coverings, Retail and Wholesale
71. Florist, Wholesale
72. Frozen Foods, Wholesale, Storage and Distribution
73. Furs, Custom Cleaning, Storage
74. Garage Equipment, Retail Sales
75. Garage, Repair, not Body and Fender Shops
76. Garages, Public
77. Gas Regulating Equipment, Sales and Service
78. Glass Shops, Custom
79. Guns, Retail Sales and/or Repairs, excluding loading of ammunition.
80. Gymnasiums, Private or Commercial
81. Hospital, including blood bank and plasma center as an accessory use
82. Hotel Equipment, Supplies, Retail and Wholesale Sales
83. Hotel or Motel
84. Janitors' Supplies, Storage and Warehouse
85. Jewelers, Manufacturing
86. Jewelers, Wholesale
87. Kiddieland
88. Laboratories, Testing and Research
89. Large scale retail, in excess of 100,000 gross square feet
90. Laundry
91. Laundry Equipment and Supplies
92. Lawn furniture, New, Sales, including outdoor display
93. Lawn Mower Repair Shops
94. Leather Goods: Repairing, Sales, Custom or Handicraft Manufacturing
95. Linen Supply Laundry Service
96. Lithographers
97. Liquor, Storage and Wholesale
98. Lockers, Food Storage
99. Locksmiths' Repair Shops
100. Machinery Dealers, Retail Sales and Showrooms, including outdoor display and storage
101. Machinery Rental
102. Manufacturing or assembly of finished products or subassemblies so long as the primary use of the property is not the basic processing and compounding of raw materials or food products, except as otherwise provided in this section.
103. Medical and dental laboratories.
104. Medical Supplies, Retail and Wholesale Sales and Rentals
105. Milliners, Wholesale and Manufacturing
106. Millinery and Artificial Flower Making
107. Milling Equipment. Showrooms, Retail and Wholesale Sales
108. Mimeographing and Multigraphing, Commercial
109. Mineral Water Distillation and Bottling
110. Miniature Golf
111. Mirrors, Resilvering; Custom Work
112. Monuments, Retail Sales and Display
113. Mortuary
114. Motion Picture Equipment, Retail and Wholesale Sales and Display
115. Motion picture production and television broadcast studios.

- 116. Motion Picture Theatres
- 117. Motorcycles, Repairing and Sales
- 118. Moving and Storage
- 119. Musical Instruments, Repairing, Retail and Wholesale Sales
- 120. Music Studios
- 121. News Dealers
- 122. News Service
- 123. Newspaper Printing
- 124. Novelties, Wholesale
- 125. Offices for administrative, clerical or sale services
- 126. Offices for professional use
- 127. Office Service: Stenographic Services, Letter Preparation, Addressing and Mailing, Duplicating, Multigraphing, Machine Tabulation, Research and Statistical
- 128. Off-premise advertising structure
- 129. Oil Burners, Retail and Wholesale Sales and Repairs
- 130. Optical Goods, Manufacturing and Sales
- 131. Orthopedic Appliance, Manufacturing and Sales
- 132. Outside Retail Food Sales as an accessory use to a general retailer subject to the following limitation:

A use permit shall be obtained in accordance with the standards and procedures of Section 307.

- 133. Outdoor storage which shall be screened with a solid fence or continuous evergreen plantings. Such storage shall be no higher than twelve feet.
- 134. Painters' Equipment and Supplies Shops, Wholesale and Storage
- 135. Parking Lot, Commercial, Subject to Provisions of Section 702
- 136. Parking structures.
- 137. Pawn Shop. Subject to the following limitations:
  - a. A use permit shall be obtained subject to the standards and procedures of Section 307.
  - b. The exterior walls of the building in which the use is located shall be at least five hundred (500) feet from a residential zoning district line.
- 138. Pet care facility subject to the following limitations:
  - a. Animal housing units shall be constructed so as not to allow for direct, unaccompanied access by animals to the outside areas of the buildings.
  - b. Animals must be accompanied by a facility employee at all times when outside building. All walks and exercise periods must take place on facility grounds.
  - c. When located adjacent to a residential district, every building and every outdoor dog exercise run shall be set back at least fifty feet from any lot line abutting such residential district.
  - d. A solid masonry wall or fence seven feet in height shall be constructed along the property line in both the rear and side yards.



- e. Solid waste shall be removed from outdoor exercise areas every five hours at a minimum during time periods when these areas are in use.
- f. The average noise level, measured at the property line, shall not exceed fifty-five dB (55 ldn) when measured on an “A weighted” sound level meter and according to the procedures of the environmental protection agency.

- 139. Pharmacy
- 140. Photographic Developing and Printing
- 141. Photo-Engraving Company
- 142. Physical Therapy Equipment, Retail and Wholesale
- 143. Plastic and Plastic Products, Retail and Wholesale
- 144. Playground Equipment Sales, including outdoor display
- 145. Plumbing Fixtures and Supplies, Display, Wholesale Retail Sales, and Distribution
- 146. Pool and Billiard Hall
- 147. Poster Illustration, Studio
- 148. Pottery and Ceramics, Wholesale
- 149. Precision Instruments, Custom Repair
- 150. Printers, Distribution and Sales
- 151. Propane Retail Sales permitted as an accessory use to an automobile service station
- 152. Propane Retail Sales as an outside accessory use to a retail facility
- 153. Publicly operated buildings or properties.
- 154. Public Storage Garages
- 155. Public Utility Buildings and facilities when necessary for serving the surrounding territory.
- 156. Public Utility Service Yards subject to the following conditions:
  - a. Securing a use permit.
  - b. All outside storage or uses shall be enclosed by a minimum six (6) foot screen fence.
    - (1) Said fence shall be masonry construction when adjoining a residential zoning district.
    - (2) A ten (10) foot wide landscaped area outside of the wall, with screen plantings maintained to a height of ten (10) feet shall be provided when adjoining a residential zoning district.
  - c. No lighting standards over six (6) feet high shall be located within twenty-five feet of a residential zoning district line.
- 157. Pumps, Retail and Wholesale Sales and Display
- 158. Quarters for caretakers or watchmen.
- 159. Radio and Television Broadcasting Stations
- 160. Radio Repair Shop
- 161. Radio and Television Studios
- 162. Reducing Salons
- 163. Refrigeration Equipment, Repairs and Sales

164. Research laboratories for scientific research, investigation, testing, or experimentation which may include prototype product development.
165. Restaurants, Bars and Cocktail Lounges subject to the following conditions or limitations:
- a. Music or entertainment shall be permitted subject to the following regulations:
    - (1) The stage or performance area shall be a maximum of 80 square feet unless a use permit is obtained.
    - (2) The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are not more than five occurrences within an hour long interval.
    - (3) Nothing in this section shall be construed to include an adult use.
  - b. Patron dancing shall be permitted only upon securing a use permit.
  - c. Outdoor recreation uses, outdoor dining, and outdoor alcoholic beverage consumption shall be permitted as accessory uses, subject to:
    - (1) Securing a use permit, if within 200 feet of a residential zoning district line.
    - (2) This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed uses is to be conducted closest to the residential zoning district line.
  - d. Drive-through facilities as an accessory use to a restaurant, subject to the following conditions:
    - (1) Access to the site is to be from an arterial or collector street as defined on the street classification map.
    - (2) Securing a use permit if the queuing lane for the drive-through facility is less than 150 feet from a residential zoning district line.
    - (3) This distance shall be measured from the point of the queuing lane closest to the residential zoning district line.
  - e. Any bar or cocktail lounge which exceeds 5,000 square feet in gross floor area and is located on a lot or parcel within 300 feet of a residential district shall be permitted only upon securing a use permit. This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed use is to be conducted closest to the residential zoning district line.

f. Outdoor food preparation and cooking shall be permitted as an accessory use subject to the following conditions:

- (1) Securing a use permit.
- (2) The regularly used cooking area inside the establishment shall be of equal or greater size than the outdoor cooking area.
- (3) The outdoor cooking area shall be located within 50 feet of a building entrance from where the restaurant is operated.
- (4) This distance shall be measured from the applicant in the outdoor cooking area closest to the building entrance from where the restaurant is operated.
- (5) The outdoor cooking area shall be set back a minimum of 300 feet from a residential district. This distance shall be measured from the appliance in the outdoor cooking area closest to the residential zoning district line.

166. Restaurant Equipment, Supplies, Retail and Wholesale Sales
167. Retailing in conjunction with distribution, wholesaling, or fabrication, regardless of the area of the building occupied by the respective activities relative to each other or the size of the facilities. Permitted uses may be blended in one building in proportions determined by the property owner or may occur in separate buildings on a single lot.
168. Riding Equipment Sales
169. Road Building Equipment, Retail Sales
170. Rug Cleaning
171. Saddlery Shops, Custom, Handmade
172. Safes, Repair and Sales
173. Saw Sharpening Shop
174. Schools: Barber, Beauty, Business, Commercial, Correspondence, Data Processing, Dancing, Gymnastics, Health, Insurance, Martial Arts, Modeling, Private, Real Estate, and Stenographic
175. School Equipment and Supplies Wholesale
176. Sewing Machines, Commercial and Industrial Type, Retail Sales and Repairing
177. Shoe Repairing Equipment and Supplies, Wholesale
178. Sightseeing Tours, Garages and Depot
179. Sign Painters' Shops, Not Neon Sign Fabrication
180. Skating Rinks, Indoor
181. Slip Covers, Custom Manufacturing
182. Soaps, Wholesale and Storage
183. Soda Fountain Supplies, Retail and Wholesale
184. Sound System and Equipment Sales
185. Sound Systems, Rentals and Repairs
186. Special School or Training Institution not offering curriculum of general instruction comparable to public schools
187. Spices, Wholesale and Storage

188. Sporting Goods, Wholesale. The sale of gunpowder and primers in excess of permitted retail quantities as regulated by the Fire Code shall be subject to the following conditions:
  - a. Wholesale sales revenue shall constitute a minimum of seventy-five percent (75%) of sales revenue on the premises.
  - b. The quantities, arrangement, and distance of such storage shall be in accordance with the Fire Code.
189. Steam Baths
190. Surgical Supplies, Wholesale
191. Surplus Stores
192. Swimming Pool, Commercial, Outdoor
193. Tanning Salon Massage therapy, performed by a licensed massage therapist, is permitted as an accessory use.
194. Taxicab Garages
195. Taxidermists
196. Telegraph Companies, Facilities and Offices
197. Telephone Companies, Facilities and Offices
198. Theaters
199. Tire Repairing Equipment and Supplies
200. Tobacco, Wholesale and Storage
201. Tombstones, Sales and Display
202. Tools, manufacturing, Wholesale and Distribution
203. Tortillas, Manufacturing and Wholesale
204. Towels, Supply Service
205. Tractors, Retail and Wholesale Sales, Display
206. Upholsterers, Custom, Retail and Wholesale Sales and Supplies
207. Venetian Blinds, Custom Manufacturing and Cleaning
208. Veterinaries' Supplies, Retail and Wholesale
209. Veterinary offices shall be so constructed and operated as to prevent objectionable noise and odor outside the walls of the office. Objectionable noise means noise that exceeds an average noise level, measured at the property line, in excess of 55 dB when measured on an A-weighted sound level meter and measured according to the procedures of the Environmental Protection Agency
210. Warehousing: not including dead vehicle storage, trucking companies, and moving-storage companies, except that moving-storage companies shall be permitted if all storage is in containers that are stored within a completely enclosed building
211. Wholesaling

**G. DEVELOPMENT STANDARDS**

The development standards contained within this PUD are intended to provide a consistent and predictable framework for future development within the campus. These standards are intended to address the various influences on the site in relation to its use, surrounding neighborhood, relationship to major streets, and other infrastructure. Internally, development standards will be based on the existing CP/GCP zoning, with appropriate changes to Commerce Park development

standards depicted herein. Conformance with the City of Phoenix Zoning Ordinance Section 507 will be required to ensure comprehensive use of city-wide standards.

### **BUILDING AND LANDSCAPE SETBACKS**

For the purposes of this PUD, building and landscape setbacks are tailored to the unique conditions found in each cardinal direction. The site frontage along 67th Avenue is on an arterial street with industrial uses across the street, and 67th Avenue uses will be retail. The perimeter to the west and generally along 63rd Avenue abuts Sunridge Elementary School. The north perimeter of the project is the I-10 Freeway. Existing single-family homes with R1-6 zoning are to the south of Roosevelt Street and east of Lot 8 at 63rd Avenue. Specific discussion of each condition follows.

#### **South Perimeter**

The yard condition along Roosevelt Street is the longest interface with single-family residential development, and extraordinary measures will be employed to buffer the homes. Specifically, as previously described, the through movement of traffic on Roosevelt Street from 67<sup>th</sup> Avenue is being diverted north to the Latham Street alignment to minimize traffic volume and to minimize truck traffic. A large building and landscape setback, and height limit have also been imposed on the southerly portion of Estrella Vista. There is a 50-foot building setback along Roosevelt Street and any buildings within 50 feet of the Roosevelt right-of-way line will be limited to 24.5 feet in height.

East of 66<sup>th</sup> Drive building and landscape setbacks shall be not less than 50 feet measured from the north right of way line of Roosevelt Street.

#### **North Perimeter**

This yard is adjacent to ADOT right of way for the I-10 Freeway, with the freeway travel lanes more than 100 feet north of the site property line. The right of way is landscaped with a substantial tree cover. A berm and mature trees buffer this side of the PUD and a 10-foot landscape setback is proposed. Buildings with facades longer than 350 feet must set back a minimum of 50 feet from the north property line and be separated by a minimum of 60 feet.

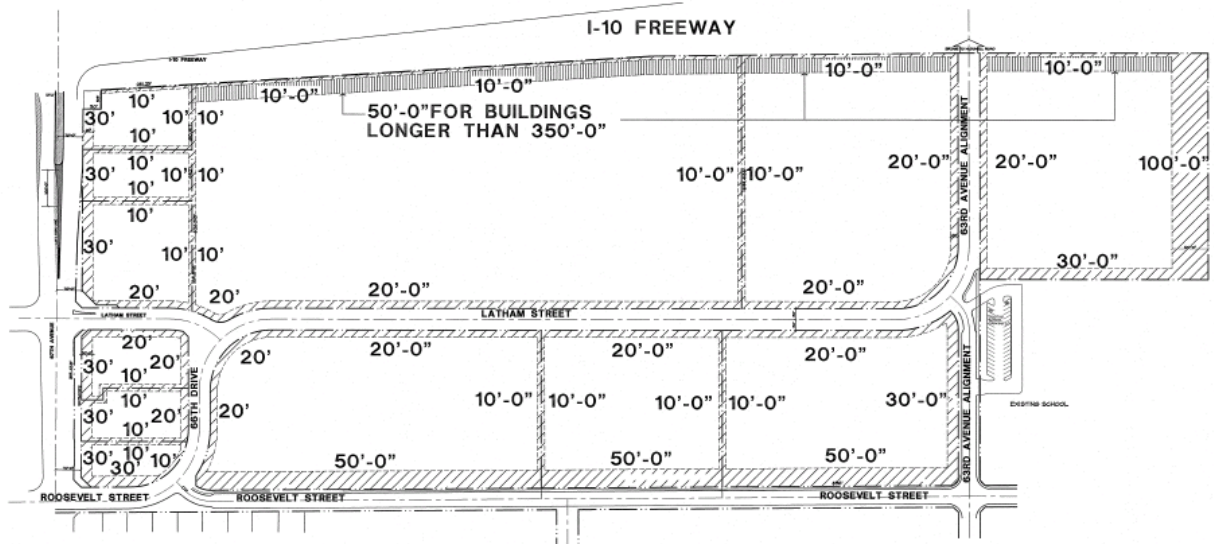
#### **West Perimeter**

The (west) frontage condition on 67th Avenue is on a heavily travelled arterial street. Given this urban condition and the retail uses intended for this portion of the PUD, setback standards along 67th Avenue are based on the C-P zoning district standards. Building setbacks along this perimeter shall be not less than 30 feet. Landscape setbacks adjacent to 67th Avenue shall be a minimum of 30 feet. Landscape standards for this perimeter include trees planted 20 feet on center, with 25% of the required trees being 2-inch caliper or greater (or multi-trunk trees), and the remaining required trees being 1" caliper or greater (or multi-trunk trees). A minimum of five 5-gallon shrubs are required per tree. The zone between the landscape setback and the building setback may consist of turf, retention basins, improved hardscape, parking, sidewalks or vehicular circulation.

## **East Perimeter**

The east perimeter of the subject property is at 63rd Avenue adjacent to Sunridge Elementary School and is immediately adjacent to R1-6 single family residential properties north of the school. Building setbacks along this perimeter shall be not less than 20 feet adjacent to non-residential uses and 100 feet adjacent to single family residential uses.

Building and landscape setbacks are portrayed graphically on the exhibits on the following page.



**BUILDING SETBACK EXHIBIT**

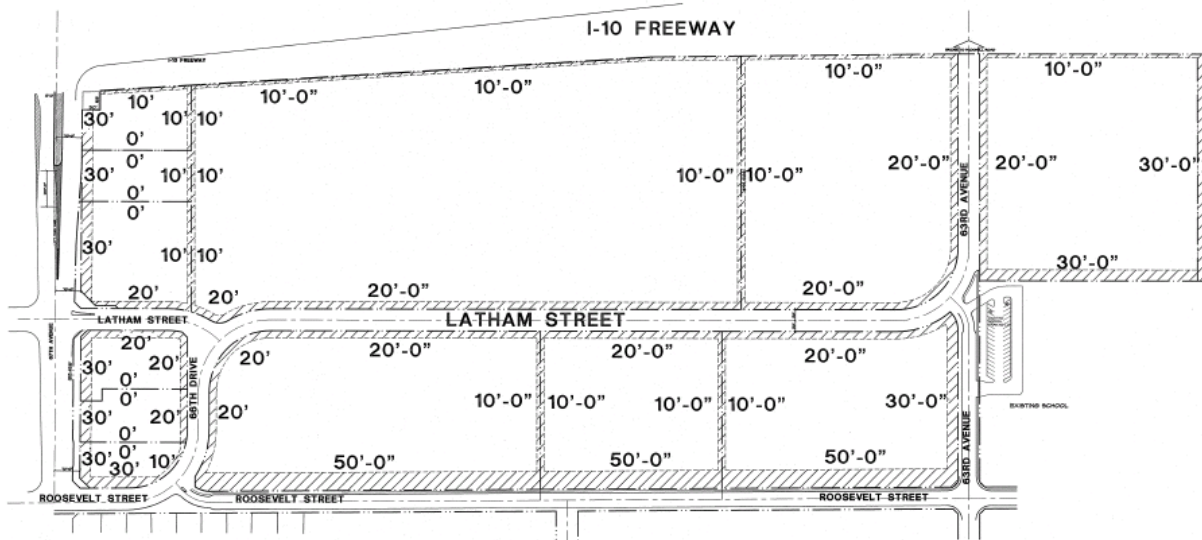
SCALE:

1" = 100'-0"



NOTE:  
SETBACK LINES SHALL BE MEASURED FROM THE FINAL APPROVED RIGHT-OF-WAY LINES OR PERIMETER PROPERTY BOUNDARIES AS DEFINED BY THE LEGAL DESCRIPTIONS FOR EACH PARCEL.

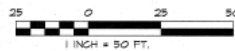
**67TH AVENUE AND ROOSEVELT SITE**



**LANDSCAPE SETBACK EXHIBIT**

SCALE:

1" = 100'-0"



NOTE:  
SETBACK LINES SHALL BE MEASURED FROM THE FINAL APPROVED RIGHT-OF-WAY LINES OR PERIMETER PROPERTY BOUNDARIES AS DEFINED BY THE LEGAL DESCRIPTIONS FOR EACH PARCEL.  
SETBACK SHALL BE MEASURED TO THE INSIDE FACE OF CURB WHERE EVER PARKING OR DRIVE AISLES OCCUR ADJACENT TO THE SETBACK.  
SCREEN WALLS MAY OCCUR WITHIN THE SETBACK.  
UP TO 50% OF FRONTAGE SETBACKS MAY BE USED FOR RETENTION. 100% OF OTHER SETBACKS MAY BE USED FOR RETENTION.

**67TH AVENUE AND ROOSEVELT SITE**

**Height**

This PUD shall limit height on the campus to a maximum of 56 feet. Buildings within 50 feet of the Roosevelt Street property line are limited to 24.5 feet in height.

**Lot Coverage**

This PUD shall limit lot coverage of buildings and parking structures to no more than 55 percent.

**Allowed Uses**

See Section F, List of Uses.

**Required Review**

This PUD shall conform to the standards of the City of Phoenix Zoning Ordinance Section 507 with additional standards as indicated.

**TABLE G-1**

<b>Development Standards Table</b>			
<i>Standards</i>	<i>Allowed in CP/GCP</i>	<i>Allowed in R-3</i>	<i>Proposed PUD Standards</i>
Minimum lot width	None	55'	None
Minimum lot depth	None	110' adjacent to freeway or arterial	None
Minimum perimeter building setbacks	30' from street, 20' No Street	Front: 15' Rear: 15' (1-story), 20' (2-story) Side: 10' 1-story), 15' (2-story)	(south): 50' (north): 10' (west): 30' North 10' along freeway South 50' along Roosevelt East 30' north of Latham 20' south of Latham 100' adjacent to single family residential use
Minimum Landscape Setback	NA	None	West 30' Side yard: 20' Interior perimeter: 0' Adjacent to freeway 10' Roosevelt St. 50' 67 <sup>th</sup> Avenue 30' 63 <sup>rd</sup> Avenue 20'
Minimum interior building setbacks	Street 20' Lot Line 0'	Front 25' Rear 15' Side 10', 3'	Street: 20' Lot line: 0'
Minimum building separation	NA	10'	Per building code
Maximum height	18' within 30' of perimeter; 1' increase for 3' of additional setback; maximum 56'	30'	Maximum 56'; 24.5' within 50 feet of Roosevelt Street
Lot Coverage	50%	Primary 40%, total 50%	All structures: 55%



Common areas	None		None
Required review	Per Section 507	Per Section 507	Per Section 507
Street standards	Public street, or private street built to City standards with a property owner association or equivalent established for maintenance	Public street or private built to city standards	Public streets or private streets built to public standards
On-lot and common retention	NA	Common retention required for lots less than 8,000 SF	On lot retention
Landscape Standards	15 gallon evergreen trees a minimum of 20 feet on center abutting residential zoning	Perimeter common trees a maximum of 20 to 30 feet on center, 5 shrubs per tree	PUD standards below

## LANDSCAPE STANDARDS

Landscape standards shall apply based on street frontage of the respective lot as delineated in the following tables.

67 <sup>th</sup> Avenue	
Front Yard	1 tree and 5 5-gallon shrubs per 20' frontage 25% of trees to be minimum 2" caliper, 75% minimum 1" caliper
Side Yard	1 tree and 2 5-gallon shrubs per 40' frontage 25% of trees minimum 2" caliper, 75% minimum 1" caliper
Rear Yard	1 1" caliper tree and 2 5-gallon shrubs per 40' frontage

Latham – North Side	
Front Yard	1 tree and 5 5-gallon shrubs per 40' frontage
Side Yard	1 1" caliper tree, 2 5-gallon shrubs per 60' frontage
Rear Yard	1 1" caliper tree, 2 5-gallon shrubs per 60' frontage

Latham – South Side	
Front Yard	1 tree, 5 5-gallon shrubs per 40' frontage
Side Yard	1 2" caliper tree, 2 5-gallon shrubs per 40'
Rear Yard (Roosevelt Street Side)	1 24" box tree, 5 5-gallon shrubs per 40' frontage

63 <sup>rd</sup> Ave (Both Sides) (north of Latham)	
Front Yard	1 2" caliper tree, 5 5-gallon shrubs per 40' frontage 75% of trees 1" caliper minimum, 25% trees 2" caliper
Side Yard	1 1" caliper tree, 2 5-gallon shrubs per 40' frontage
Rear Yard (Adjacent to Residential)	1 2" caliper tree, 5 5-gallon shrubs per 20' frontage

## **Perimeter Property Line Landscaping**

Perimeter property line landscape standards shall apply to the landscape setbacks adjacent to residential zoning districts and to public right-of-way adjacent to residential zoning districts, not specified above. East of 63<sup>rd</sup> Avenue these areas shall have an average of one tree for every 20 feet of perimeter (spaced on center or equivalent groupings). A minimum of 25% of these trees shall be 2" inch caliper or greater, and the remainder of the required trees shall be 1" caliper or greater. A minimum of five 5-gallon shrubs shall be planted per tree.

<i>Adjacent to residential (east of 63<sup>rd</sup> Avenue)</i>	
<i>Trees</i>	<i>1 tree per 20' of frontage 25% of trees minimum 2" caliper, 75% minimum 1" caliper</i>
<i>Shrubs</i>	<i>5 5-gallon shrubs per tree</i>

## **Freeway Perimeter Landscaping**

<i>Adjacent to freeway</i>	
<i>trees</i>	<i>1 1" caliper tree per 60' of frontage</i>
<i>shrubs</i>	<i>2 5-gallon shrubs per tree</i>

## **Retention Area Landscaping**

Retention Areas tree quantity shall be calculated as one tree for every 30 feet of retention area perimeter. A minimum of 50% of these trees shall be 2" caliper or greater, and the remainder of the required trees shall be 1-inch caliper or greater. A minimum of two 5-gallon shrubs shall be planted per tree. Retention areas are to be limited to a maximum slope of 5:1.

<i>Retention Areas</i>	
<i>Trees</i>	<i>Min. 2" caliper or multi-trunk (25% of required trees) Min. 1" caliper or greater (75% of required trees)</i>
<i>Shrubs</i>	<i>Min. 2 5-gallon shrubs per tree</i>
<i>Retention area maximum slope shall be 5:1 and landscaped with trees placed a minimum of 30 feet on center or equivalent groupings.</i>	

## **Parking Area Landscaping**

Landscape planters shall be located either at the ends of each row of parking and at least one planter per 12 parking spaces, or in a continuous planter between rows of parking. The total planter area shall be not less than 120 SF per 12 spaces. Trees shall be planted at a minimum of one tree per

12 parking spaces. All trees shall be 1” caliper or greater. A minimum of 5 5-gallon shrubs shall be planted per tree.

### **Landscape Materials**

Landscape materials shall be selected from the Arizona Water Resources Department’s Low Water Use Drought Tolerant Plant List. Indigenous trees such as ironwoods, and low water use plants such as sage, will be featured in the plant palette.

### **Parking Standards**

Estrella Vista will be a mix of retail, wholesale, warehouse, assembly, and light industry. Parking demand will vary through a wide range due to different characteristics of each use, but will ultimately benefit from different times of operation and peak use. For example, Living Spaces, anticipated to be the largest individual user in the project, has its retail use concentrated in the weekend daytime. Wholesale operations will have primarily employee traffic occurring during the work week.

Since Estrella Vista will function as a shared parking project a 15% reduction from the base ordinance requirement will park the project well. Accordingly, the proposed standard is a 15% reduction from the standard contained in Chapter 7 of the City of Phoenix Zoning Ordinance for all uses within the Estrella Vista Commerce Park.

### **Shade**

Given our desert environment, special consideration must be given to shade in order to create pleasant outdoor experiences that will encourage pedestrian activity. Landscape architecture, building design, and building placement are the three key factors that impact the quality of shade. 25% of sidewalks shall be shaded by the strategic placement of landscaping.

### **Lighting Standards**

As structures are added to the campus, photometric plans for impacted areas shall be submitted to the Planning and Development Department concurrent with building plans. Lighting plans shall conform to the Phoenix Zoning Ordinance and City Code, specifically section 23-100 of the City Code (also known as the “Dark Sky Ordinance”). Outdoor lighting will also comply with the standards of the Phoenix Zoning Ordinance. Illumination from freestanding lighting shall not exceed 1 foot candle at all property lines adjacent to residential zoning or uses.

## **H. DESIGN GUIDELINES**

This PUD is unique in that it applies to a campus that will be constructed as individual tenants choose locations, and not by a master developer in a defined period of time. Also, as a wide and deep 85 gross acre campus, individual buildings that may eventually be constructed in the center of campus are likely of less interest to the surrounding community than projects that are visible from

adjacent properties and public roads. Therefore, the design guidelines found in this section focus instead on future perimeter landscape buffers of interest to the neighboring community. The Estrella Vista Planned Unit Development shall conform to Section 507 of the Phoenix Zoning Ordinance with additional standards as noted herein.

## **I. SIGNAGE**

These signage standards will address the needs of the industrial and retail tenants while preserving the needs for privacy and safety of the adjacent residential neighborhoods. In an effort to unify the center and suggest that all of the buildings are part of a single development, a Comprehensive Sign Plan will be prepared to supplement the provisions of the PUD.

In concept, the industrial properties, which form the majority of the development, need a primary monument sign located at 67<sup>th</sup> Avenue and Latham Street that identifies the Industrial companies that are located along Latham Street. Such a sign will go a long way in keeping unwanted traffic out of the center and limit the number of drivers looking for something that is located elsewhere. Such a sign would also help people who are looking for specific users. This is an important consideration in light of the current and expected traffic on 67<sup>th</sup> Avenue.

Each industrial user will be allowed a ground sign which identifies their business name and/or logo. Multiple tenants in one building must share the single ground sign allowed per building site. As such there may be a need for a ground sign which uses the full eighty (80) S.F. allowable sign area.

Site 1, containing the Living Spaces showroom, will be the exception to the general rules for all signage. The site is nearly twenty five (25) acres and the building contains both retail and warehouse uses. Site 1 is allowed an 80 square foot ground sign, as well as building signage. The west portion of the building is a large furniture showroom which faces directly west toward 67<sup>th</sup> Avenue. The building will be blocked by the retail pads along 67<sup>th</sup> Avenue when they are fully constructed. Therefore it will be necessary to mount the sign as high as possible for the store identification to be seen. The building has a curving free standing wall at the main entry where the sign will be placed. The sign area needs to be calculated from the west main building face to get enough sign area to have a sign on the south and the west faces of the building. The Living Spaces showroom and warehouse will be the premier tenant of the entire center. While the space required for a showroom is quite large, the actual number of people visiting the building will be fairly light compared to retail stores like Costco or IKEA. Visible signage will go a long way in ensuring business comes to the building.

The retail pads along 67<sup>th</sup> Avenue will all have building signage consistent with the current building signage ordinance. We are requesting each pad be allowed to have a ground sign in addition to the building signage. The ground signs will be placed one hundred feet apart and one hundred and fifty feet from the Primary sign for the industrial developments on Latham. Large tenants will be allowed an 80 S.F. sign whereas most users will be limited to a 50 S.F. sign.

There will be a freeway pylon sign available for the pad sites along 67<sup>th</sup> Avenue to attract business from the freeway. Additional height for the sign will be necessary to provide visibility as the overpasses at 67<sup>th</sup> and 63<sup>rd</sup> Avenues will most likely block visibility of a smaller sign.

We are also proposing freeway off-premise advertising and pylon/monument signs. The pylon/ monument signs will be available to advertise on-site properties. Whereas the code limits the potential sign users to only properties fronting the freeway, we want to include all properties within the development. This will include the retail and industrial users south of Latham and north of Roosevelt.

The off-premise advertising signs will be spaced one thousand feet apart pursuant to the zoning ordinance standard. These will alternate with the pylon signs and will be alternatively placed at five hundred feet apart. The heavy mature landscape on the freeway, the overpasses along with a high berm that parallels our north property line must be considered when evaluating height and placement for each proposed sign.

The sign site plan identifies where the proposed signs will go. As many of the sites are conceptual at this point there may be some modification to the final sign locations. Each project will need to be reviewed and evaluated on a case by case basis for sign locations.

We believe our sign proposal will unify the site and provide the best identification for the affected properties while limiting intrusion into adjacent residential neighborhoods. A city approved Comprehensive Sign Plan will be submitted at a later date to outline the type, size, and quantity of signs allowed. Signs shall be permitted as outlined below.

1. The sign site plan shows the currently anticipated layout for all ground signs. Ground signs include freeway signs, monument signs, and tenant ground mounted signs.
2. Freeway signs are located along the north property line adjacent to the freeway. Sixty (60) foot by eighty (80) foot freeway sign easements adjacent to the freeway shall be created for on site and off premise monument signs and billboards. Every freeway sign parcel for a pylon sign or billboard shall include a vertical easement which shall be seventy five (75) feet. No land owner shall obstruct the view to or block the access to any sign or billboard. No land owner shall build or erect any structure or pave in or over any freeway sign easement without consent of the sign Owner. All easements shall be in perpetuity.
3. Off-premise advertising signs and pylon monument signs shall allow a maximum of 750 square feet of sign area. Land owners shall permit access to the sign parcels for construction and regular maintenance as it is needed. All freeway signs shall be allowed a maximum height of 72 feet. A perpetual access agreement shall run concurrently with every adjacent land owner. Every land owner shall accommodate the Sign Owner or his assigns to access the signs and sign easements for construction or maintenance.
4. Freeway signs shall be available for lease. The western most sign shall be reserved for the retail tenants along 67<sup>th</sup> Avenue. The remaining signs shall be both on-premise and off premise signs. Owners within the Estrella Vista Center shall be able to rent sign space on a pylon sign.
5. A center monument sign on 67<sup>th</sup> Avenue is proposed near the Latham Street entry for identification of the industrial users in the center. Eight double sided panels are available for lease. Reference exhibit S-3 for a conceptual elevation of this sign.

6. Each industrial tenant shall be allowed one illuminated building sign facing the street. Tenants adjacent to the freeway shall be allowed one additional sign facing the freeway. This sign may be illuminated as well. Tenants of buildings adjacent to Roosevelt shall only be allowed illuminated signage facing Latham Street. Only non-illuminated signage will be allowed facing any residential area. No signage is required on these south facing walls, but non-illuminated signs are allowed. Industrial tenant building signs shall be limited to 84” in height. The minimum sign letter size is 24”. Building signs are limited in area to 1.50 square feet of sign for every 1 foot of tenant frontage, but no tenant shall have less than 50 square feet of allowable building signage. Each industrial tenant shall be allowed not less than 1 ground sign and 1 wall sign.
7. Each retail tenant shall be allowed not less than one ground sign and one wall sign. Size and location are depicted in the Sign Matrix.
8. Miscellaneous on-site signage shall be permitted. These shall include but not be limited to such signs as menu boards, directional signs, traffic signs, parking signs and signs noting any hazards. All ADA related signs are permitted as well.
9. No audible, flashing signs, or moving signs shall be allowed. Pylon monument freeway signs and billboards may have changing signs as allowed by the City of Phoenix Sign Ordinance.
10. Living Spaces (the Anchor Tenant) signage shall be excepted from the general sign limitations in paragraphs 6 and 7, and the Sign Matrix. Living Spaces signage is depicted on pages of this section I.

**Table I 1**

SIGN DESIGNATION REFERENCE SITE PLANS										
	Sign Type	Location	Quantity	Sign Face Size	Sign Area	Sign Box Size	Fonts	Letters	Background	Illumination
A	Ground	Street	1 Per	10'-0"W.X8'-0"  10'-0"W. X5'-0"	80 S.F. *1 50 S.F.	14-8"W X 11'-0"H	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Internal Illumination
B	Freeway	Street	2 Off Premise  4 On Premise	NA	672 S.F. 750 S.F.	Embellishments Per Code	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Leds Or Internal Illumination
C	Monument	Street	1	10'-0" W.X15'-0" H.	150 S.F. *2	15-8"W X 17'0"H	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Internal Illumination
D	Ground	Drivethru	1 Per Drive-Thru Rest.	3'-0"H.X3'-0" W."W.	9 S.F.	5'-0"W X 5'-0"H	Varies	Vinyl Faces Acrylic	Acrylic/ Metal	Internal Illumination
E	Retail Shops	Building Fascia	1 Per Suite * **	1.25 S.F. Per 1'-0" Suite Front	Per Code	NA	Varies	Individual Plex-Face/ Metal Pan	Wall	Internal Neon Or Led
F	Building	Wall	1 Per Tenant	Maximum 500 S.F.	Varies With Sign	Varies With Sign	Varies	Backlit Acrylic Panel,	Metal Frame	Varies With Sign
G	Shingle Signs	Canopy Soffit	1 Per Suite	1' X 4' Per Details	As Detailed	Na	Varies	Varies	Varies	None

H	Window Sign	Entry Door Window	1 Per Tenant	12" X 12"	144 Sq.In.	Na	Varies	Varies	Glass	None
I	Directional Sign	On Site If Needed	As Needed	2' X 3'	6 S.F.	Na	Varies	Varies	Acrylic/Metal	None
J	Industrial Tenant	Wall	1 Per Tenant	Maximum 500 S.F.	Varies With Sign	Varies With Sign	Varies	Backlit Acrylic Panel,	Metal Frame	Varies With Sign

\* SIGN COLORS ARE NOT LIMITED. END CAP TENANTS MAY HAVE SECOND SIGN, IF IT FACES A STREET OR INTERIOR COURT.

TENANTS BEHIND DIAGONAL MINI-TOWERS MAY HAVE SIGNS ON BOTH EXPOSED DIAGONAL FACES OF THE TOWER.

\*\* 50 S.F. MINIMUM SIGN AREA ALLOWED AND MAXIMUM TO 150 S.F.

\*1 LARGER SIGN AREA RESERVED FOR TENANTS OVER 5,000 S.F.

\*2 SIGN RESERVED FOR INDUSTRIAL TENANTS OR LARGE RETAIL USERS

**SIGN MATERIALS FOR A, B, C, D**

SIGNS SHALL HAVE CAST IN PLACE CONCRETE FOOTINGS WITH A 4"-8" DIAMETER SUPPORT STEEL POST AS REQUIRED.

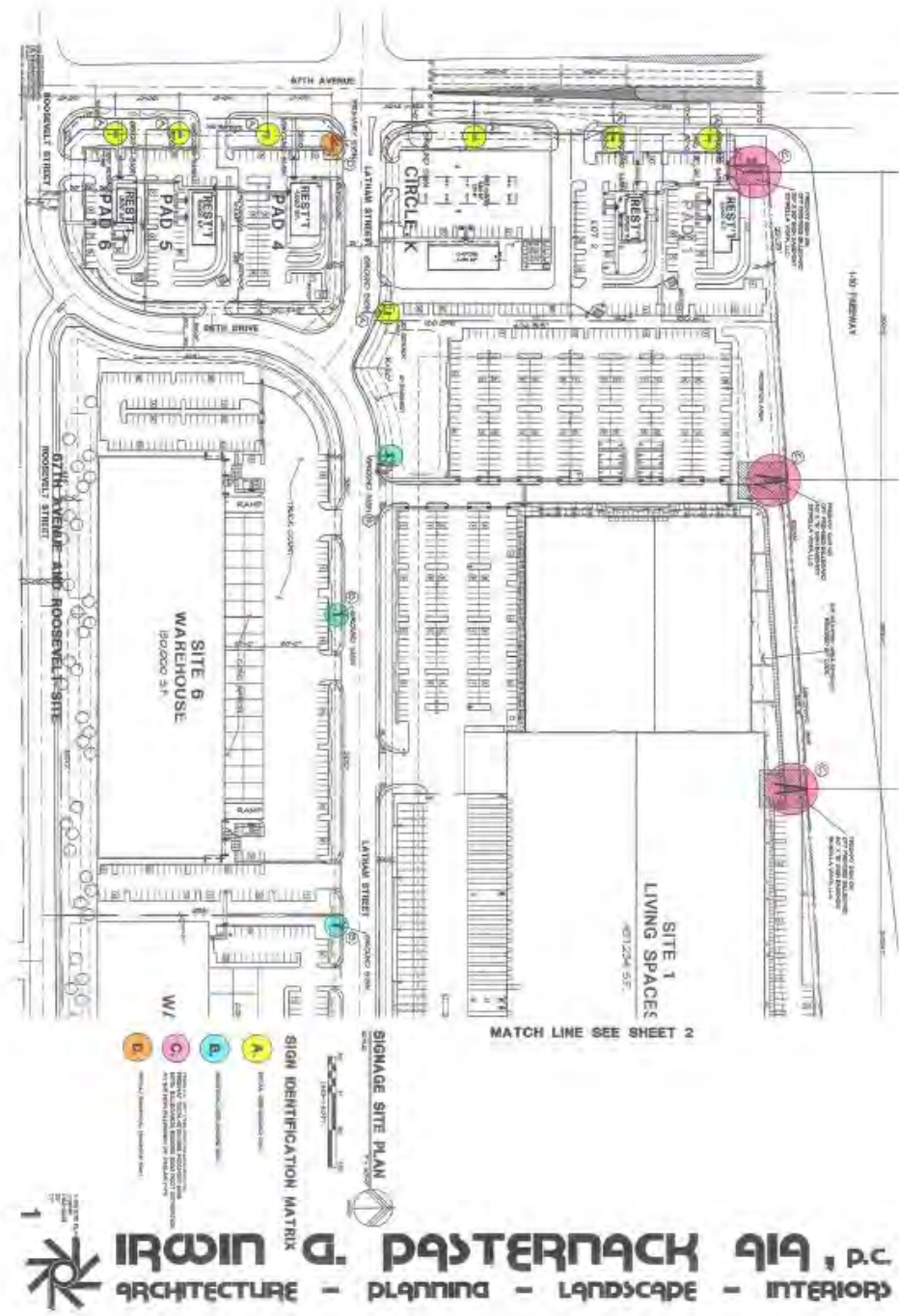
SIGN SURROUND SHALL BE CONSTRUCTED FROM REINFORCED MASONRY AND SHALL HAVE A FAUX STONE VENEER TO MATCH BUILDING.

SIGN BOX SHALL HAVE STEEL FRAME WITH EXTERIOR SIGN BOX TO BE CONSTRUCTED FROM SHEET METAL WITH STAINLESS STEEL REVEALS AND TRIM.

SIGN BOX SHALL HAVE PAINTED MONTECX FINISH. TENANT PANEL SIGN FACES SHALL BE MADE OF WHITE PLEX WITH VINYL CUT OUT LETTERS MATERIALS ARE CALLED OUT ON THE INDIVIDUAL SIGN ELEVATIONS.

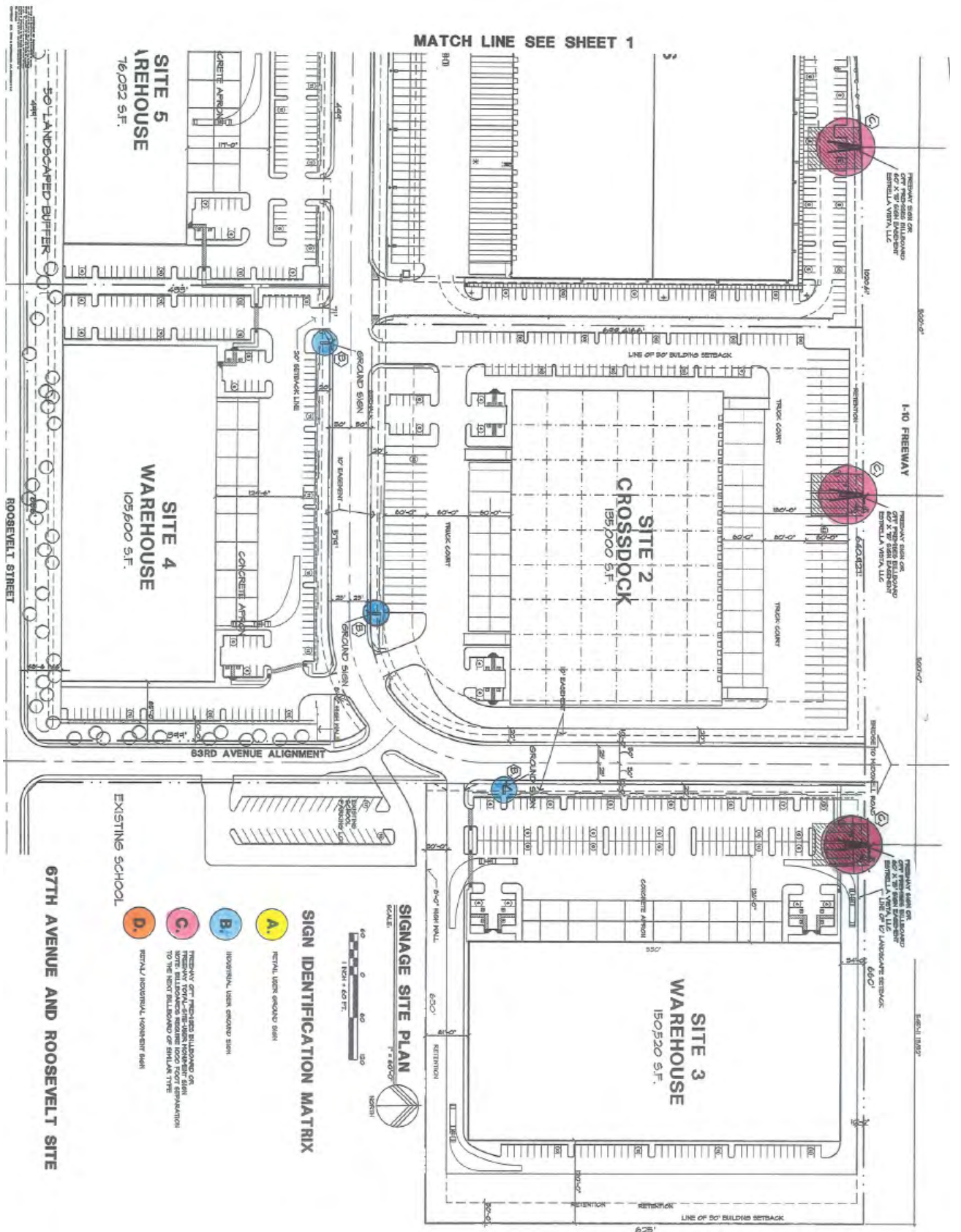
The locations of major signs are identified on following Exhibits S-1 and S-2.

**EXHIBIT S-1**

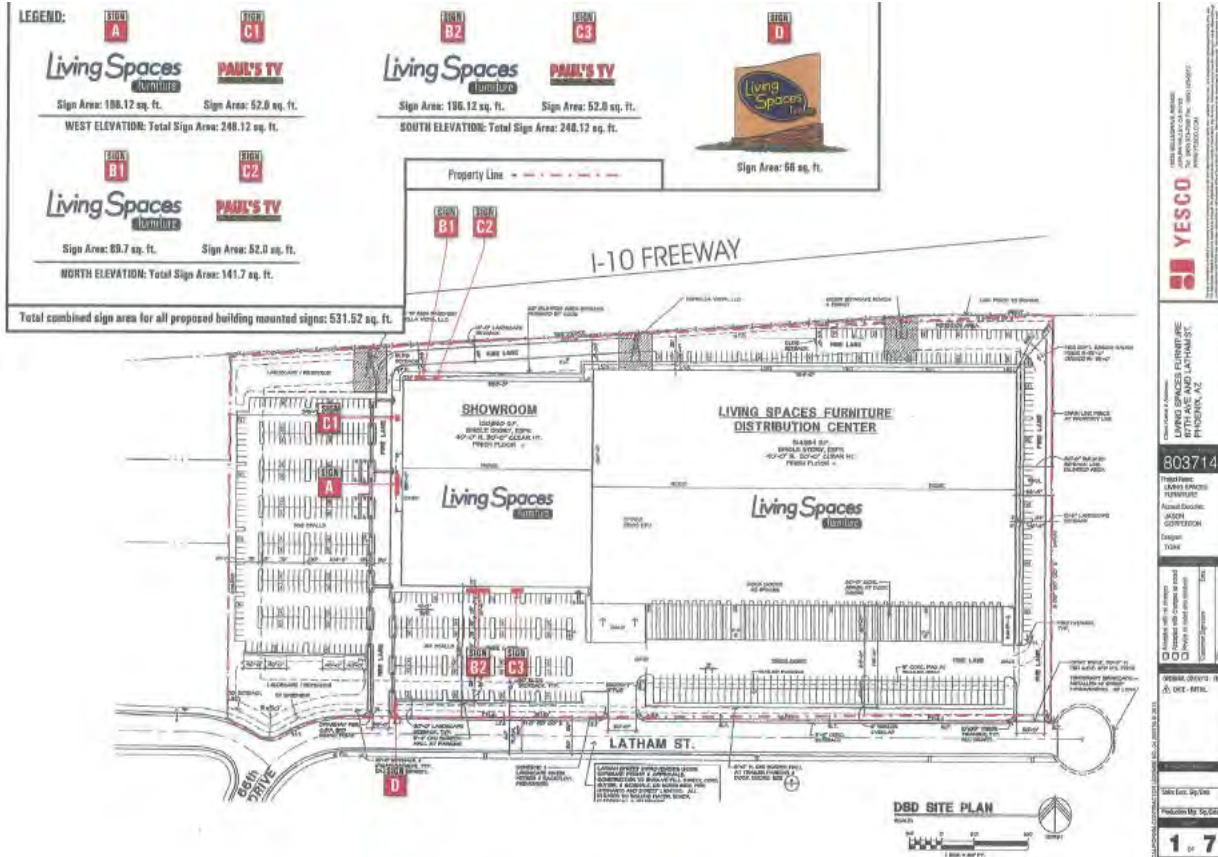




**EXHIBIT S-2**



# ANCHOR TENANT SIGNS



## Exhibit L S-2 West Elevation Signs

ELEVATIONS



**WEST ELEVATION**  
Scale: 1" = 35'-0"



**WEST ELEVATION - PARTIAL**  
Scale: 1" = 16'-0"



**WEST ELEVATION - PARTIAL**  
Scale: 1" = 16'-0"

PREPARED BY: YESCO INC. 11111 W. 10TH AVENUE, SUITE 100, DENVER, CO 80231  
 PROJECT NO.: 803714  
 DATE: 05/14/2014  
 DRAWING NO.: 2 OF 7  
 PROJECT: LIVING SPACES FURNITURE STORE AND LATHAM ST. PROJECT, INC.

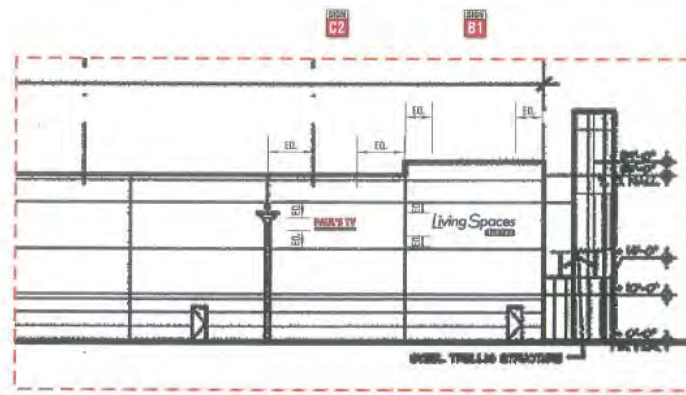
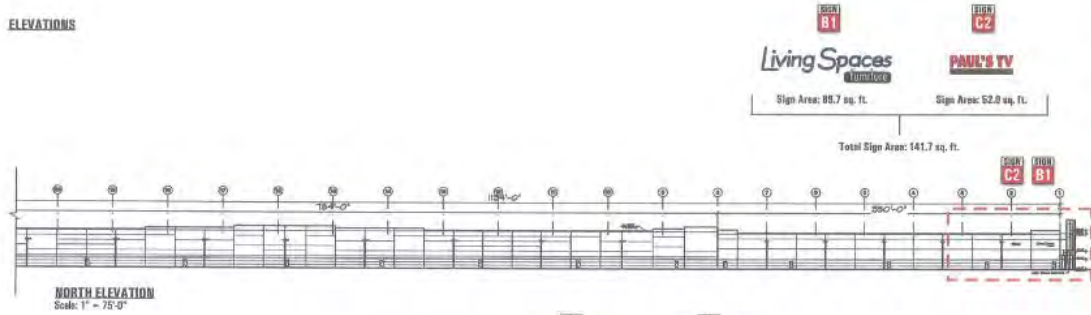
**YESCO**

LIVING SPACES FURNITURE STORE AND LATHAM ST. PROJECT, INC.  
 803714  
 PROJECT NO.: 803714  
 DATE: 05/14/2014  
 DRAWING NO.: 2 OF 7  
 PROJECT: LIVING SPACES FURNITURE STORE AND LATHAM ST. PROJECT, INC.

**2 OF 7**

# Exhibit LS-3 North Elevation Signs

ELEVATIONS



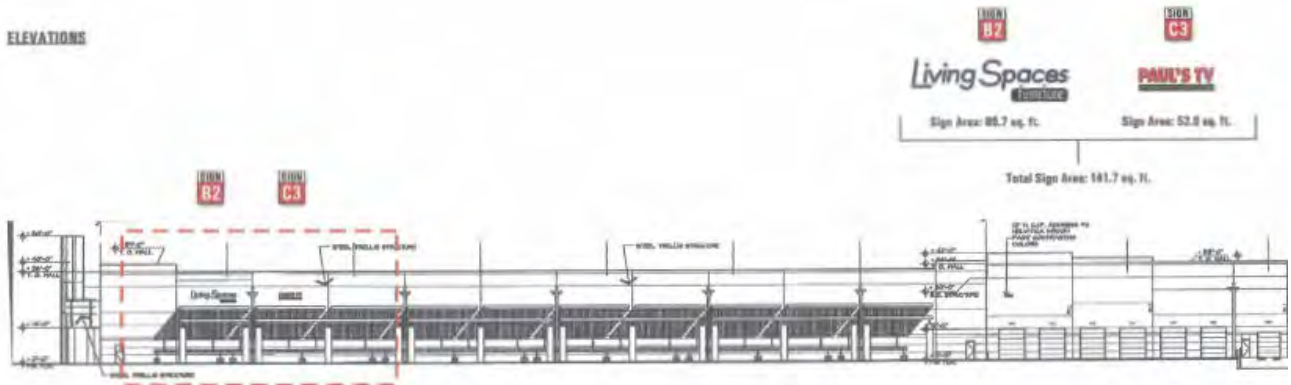
YESCO  
 10000 W. WILLOW AVE.  
 PHOENIX, AZ 85043  
 (602) 998-1111  
 www.yesco.com

803714  
 Project Name: [REDACTED]  
 Project Location: [REDACTED]  
 Project Date: [REDACTED]  
 Project Status: [REDACTED]

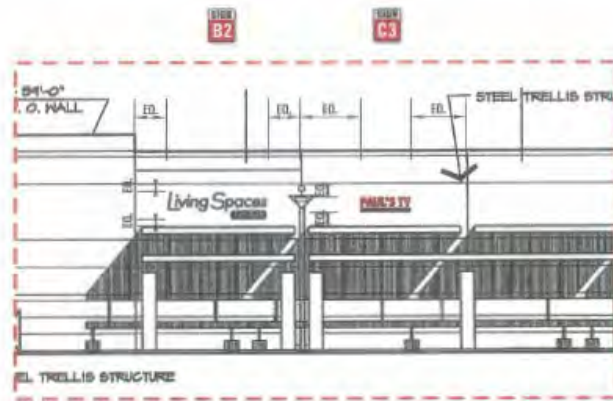
3 of 7

## Exhibit L S -4 South Elevation Signs

ELEVATIONS



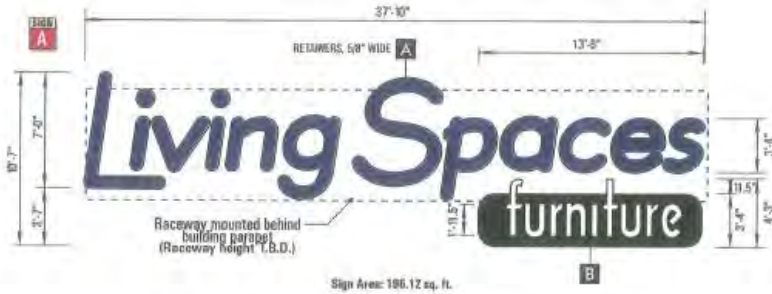
**SOUTH ELEVATION**  
Scale: 1" = 35'-0"



**SOUTH ELEVATION - PARTIAL**  
Scale: 1" = 16'-0"

## Exhibit L S-5 Details and Dimensions

### DETAILS & DIMENSIONS



**WEST ELEVATION SET** Scale: 3/16" = 1'-0"  
Proposed "Living Spaces" illuminated channel letters.

Scope of Work: Manufacture & install one (1) set in a location as shown on site plan & elevation.



**NORTH ELEVATION SETS** Scale: 3/16" = 1'-0"  
Proposed "Living Spaces" illuminated channel letters

Scope of Work: Manufacture & install two (2) sets in location as shown on site plan & elevations.



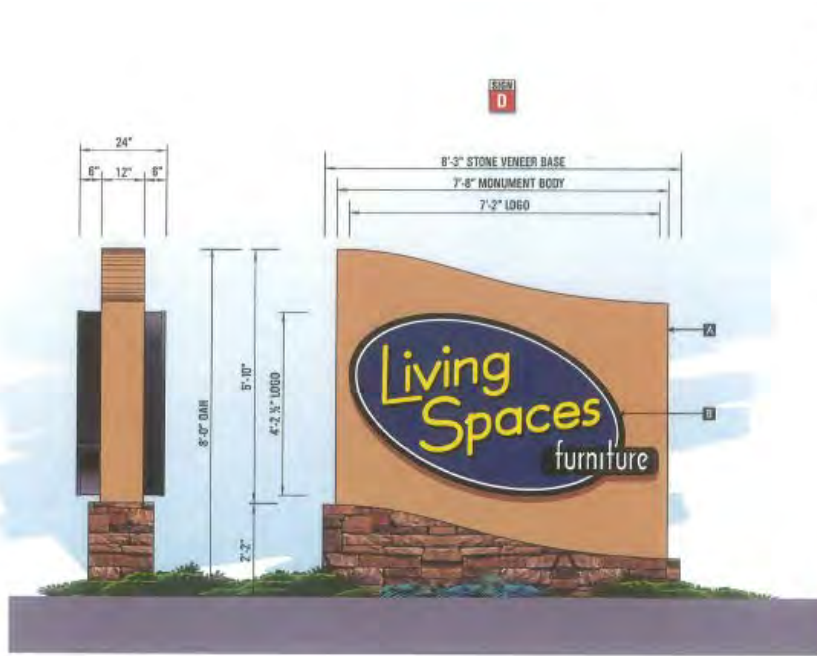
**NORTH, WEST & SOUTH ELEVATIONS SETS** Scale: 3/8" = 1'-0"  
Proposed "Paul's TV" illuminated channel letters

Scope of Work: Manufacture & install three (3) sets in locations as shown on site plan & elevations.

SIGN SPECS		
A	LETTERS:	FACE: WHITE ACRYLIC
		EDGE: 3/4" ROUND BORE
	WRAP:	COLOR: 1/2" WHITE
		BOARD: 1/2" 4" x 1/2" WHITE (S&W)
		TYPE: 1/2" BORE
B	CHANNEL:	FACE: ALUMINUM, POLISHED COPY
		BACK: ALUMINUM, 1/2" x 1/2" x 1/2"
		COPY: 1/2" x 1/2" x 1/2" x 1/2" x 1/2"
		TYPE: 1/2" BORE WHITE ACRYLIC
		PLACED THROUGH FACE
C	LETTERS:	FACE: 1/2" ALUMINUM
		EDGE: 1/2" x 1/2" x 1/2"
		TYPE: 1/2" BORE
		WRAP: 1/2" x 1/2" x 1/2"
		TYPE: 1/2" BORE
D	CHANNEL:	FACE: ALUMINUM, POLISHED COPY
		BACK: ALUMINUM, 1/2" x 1/2" x 1/2"
		COPY: 1/2" x 1/2" x 1/2" x 1/2" x 1/2"
		TYPE: 1/2" BORE WHITE ACRYLIC
		PLACED THROUGH FACE
E	WRAP:	COLOR: 1/2" WHITE
		BOARD: 1/2" 4" x 1/2" WHITE (S&W)
		TYPE: 1/2" BORE
		WRAP: 1/2" x 1/2" x 1/2"
		TYPE: 1/2" BORE

COLOR KEY	
PRIME	1/2" x 1/2" x 1/2"
ACRYLIC	1/2" x 1/2" x 1/2"
ALUMINUM	1/2" x 1/2" x 1/2"
WRAP	1/2" x 1/2" x 1/2"
WRAP	1/2" x 1/2" x 1/2"

# Exhibit L S -6 Monument Signs



SIGN SPECS	
A	MONUMENT BODY: ALUMINUM OVER STEEL FRAME CONSTRUCTION NOTES: GATE FINISH PAINTED TO MATCH FMS 2302
A	SIGN MATERIALS: 1/2" BRICK CUT 10" x 10" REMAINS PAINTED UP BLACK GLASS BACK-LIT MEDIA RECESSED LAMP SACKS 6 5/8" WHITE POLY ETHERACRYLIC 3/8" PANEL OVERLAYS - SEE COLOR CHART 24" ROUNDER CUT WHITE "WOODEN AND FURNITURE" COPY - ARTI-GLOSS/151 FEM Face is 2015 white poly ethylacrylate (PE) and applied as follows: FMS01-01 Yellow FMS00-112 8-16-16 Blue FMS00-11 10-16-16 Blue 24" Round Oak White "Wooden and Furniture" copy - arti-gloss/151 fms
A	BASE MATERIAL: SAGE IS ALUMINUM OVER STEEL FRAME CONSTRUCTION APPROXIMATE STONE OR TO BE DETERMINED

COLOR KEY	
PAINT	MP BLACK
PAINT	BLACK GREEN TINT
PAINT	WHITE
GLASS	438-16-102 8-16-16 BLUE
GLASS	TYPE: TRANSPARENT
GLASS	438-16-115 YELLOW
GLASS	TYPE: TRANSPARENT

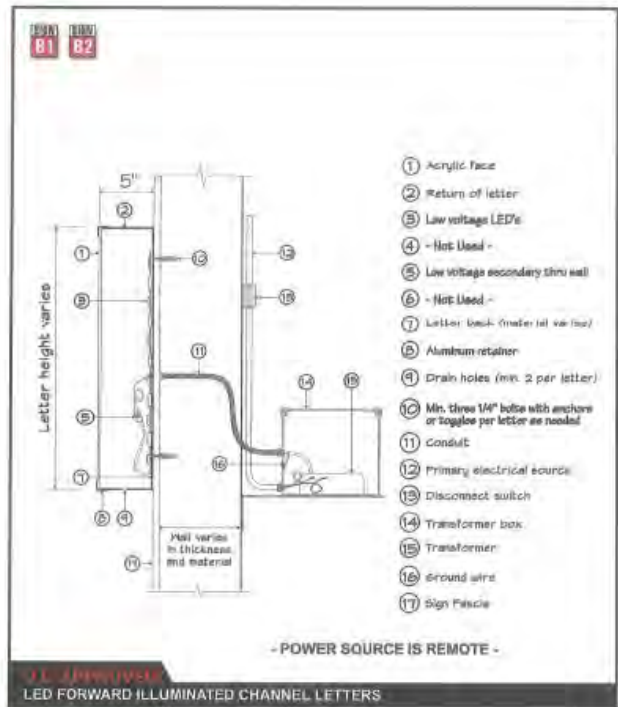
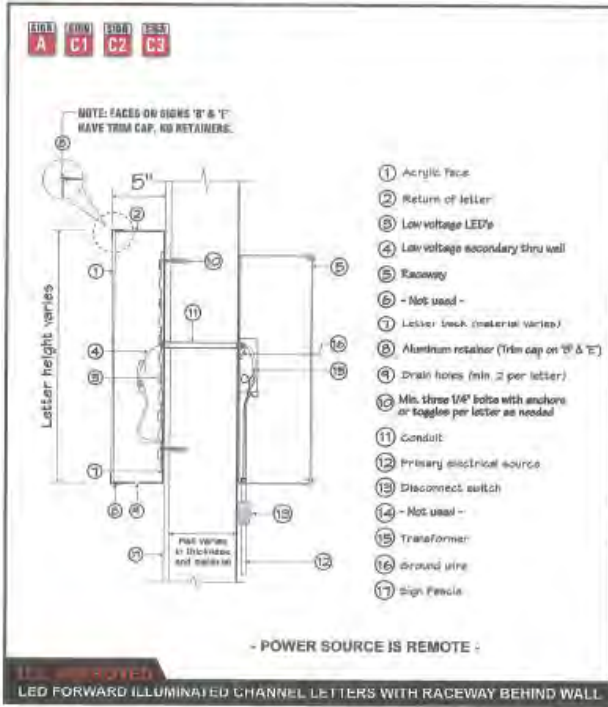
NOTE: ALL COLORS SHOWN ARE APPROXIMATE. THE EXACT COLOR SHOULD BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHOULD OBTAIN APPROVED COLOR SAMPLES FROM THE MANUFACTURER AND PROVIDE THEM TO THE ARCHITECT FOR APPROVAL. THIS IS NOT A CONTRACT DOCUMENT.

**NEW DOUBLE FACE MONUMENT SIGN** Scale: 1/2" = 1'-0"  
 Proposed "Living Spaces" illuminated double face monument sign 66 S0FT  
 Scope of Work: Manufacture & install one (1) D/F illuminated monument sign as shown in site plan.



OPPOSITE SIDE

SECTION DETAILS - CHANNEL LETTERS



**GENERAL NOTES**  
All work shall comply with 2015 Edition of CCR Title 24 which adopts and amends the 2008 BIC to 2010 California Building Code, 2008 IMC to 2010 California Mechanical Code, 2008 UPC to 2010 California Plumbing Code, 2008 NEC to 2010 California Electrical Code 2009 IFC to 2010 California Fire Code and the 2008 Title 24 Energy Efficiency Standards. CBC 1.8.3, IMMC 14.10.010.



## **J. SUSTAINABILITY**

The redevelopment of urban infill locations offers general benefits from a sustainability perspective, such as minimizing vehicle trips, providing employment in the proximity of housing, and providing services in the proximity of housing.

Estrella Vista Commerce Park will also function as a mixed-use project in that its various uses will peak at different hours and on different days, allowing a reduction in parking spaces and correspondingly less asphalt.

A native plant inventory has been completed, and native trees will be retained in place where appropriate. Salvaged trees that must be relocated will be stored on site until replanted.

Estrella Vista has also designed its vehicle circulation system with extraordinary sensitivity to adjacent residential neighborhoods to ensure the long-term viability of these neighborhoods. In addition, the project will enhance the residential areas by providing street improvements, including sidewalks along Roosevelt Street (which the Project cannot access) and by providing a connection to the 63<sup>rd</sup> Avenue bridge over the I-10 freeway so neighborhood can make shorter trips to serve local needs.

## **K. INFRASTRUCTURE**

### ***Streets***

The street system is so integral to the project design the basis of this system has been discussed extensively, particularly in Sections C and G. The project will take access from 67<sup>th</sup> Avenue in Phase 1, and realign Roosevelt Street to the Latham Street alignment in Phase 1 to divert truck traffic from residences and Sunridge Elementary School to the south and east. Ultimately Latham Street will connect to 63<sup>rd</sup> Avenue and the bridge over the I-10 Freeway to provide greater ease of local vehicle circulation and to relieve reduce congestion on 67<sup>th</sup> Avenue. There will also be a form of diversion in 63<sup>rd</sup> Avenue south of Latham Street to protect the school from unwanted truck traffic, or in the alternative, 63<sup>rd</sup> Avenue will be abandoned adjacent to the school.

### ***Grading and Drainage***

The DSD Fact Finding Summary shows that the project will be designed to accommodate on-site storage for run-off from a 100-year, 2-hour storm event. The retention areas will be limited to a maximum of three feet of water depth and graded with maximum side slopes of 4:1. Retention areas provided on individual parcels may be either by retention basins or underground storage. All retention facilities will be drained within 36-hours of a major storm event as required by the City of Phoenix Drainage Design Manual.

### ***Pedestrian Circulation***

Roosevelt Street from 67<sup>th</sup> to 63<sup>rd</sup> Avenues is currently constructed as a half-street. Estrella Vista will enhance neighborhood pedestrian circulation by providing sidewalk along the north side

of Roosevelt Street and completing the north half of the street. Internally, Estrella Vista will provide all sidewalks consistent with City of Phoenix design guidelines.

## **Water & Wastewater Services**

### **Water Design**

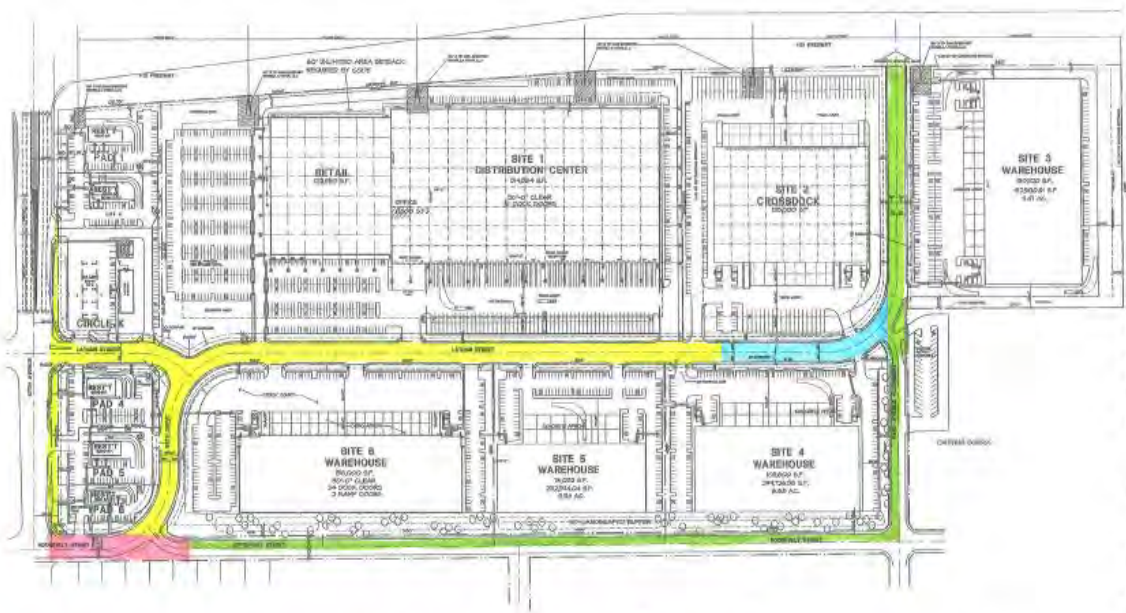
The Infrastructure Fact finding Summary indicates there are no water lines along the project frontage and a line extension of approximately one-half mile will be necessary to serve this project. However, civil plans associated with the subdivision plat indicate water lines existing in 67<sup>th</sup> Avenue adjacent to the site.

### **Wastewater Design**

The Infrastructure fact Finding Summary indicates there are no sewer lines capable of serving this project along the project frontage and an extension of approximately one-half mile will be necessary to serve the project. However, civil plans associated with the subdivision indicate a sewer line exists within 67<sup>th</sup> Avenue. The project will be connected to the sanitary sewer in either case.

## **L. PHASING PLAN**

At the time of submittal of this PUD application one active project, Living Spaces, is under design and anticipating construction as soon as entitlements can be obtained. In addition, there are convenience retail and restaurant uses desiring locations fronting on 67<sup>th</sup> Avenue. The first phase will construct improvements to 67<sup>th</sup> Avenue and the realignment of Roosevelt to the Latham alignment temporarily terminating in a cul-de-sac where Phase One is depicted ending in the graphic below. In Phase Two the residential segment of Roosevelt Street will be completed and the area immediately north of Roosevelt Street will be landscaped. As property in the easterly portions of the PUD develop the street system will be completed including the connection of Latham Street to 63<sup>rd</sup> Avenue.



**SITE PLAN 15**  
DATE: 11/11/2011



- PHASE ONE - DEDICATION AND IMPROVEMENTS - YELLOW
- PHASE ONE - IMPROVEMENTS ONLY - PINK
- PHASE TWO - DEDICATION AND IMPROVEMENTS - BLUE
- PHASE TWO - IMPROVEMENTS ONLY - GREEN

SITE AREA (GROSS)	+ (21,718,953 S.F. / 23.2) AC.
BUILDING AREA	+ 481,294 S.F.
% OF COVERAGE	+ 45.34 %
PARKING REQUIRED	+ CITY: 21,800 + 800/250 = 8
	+ NPGA: 426,734 / 2000 = 91 SPACES
TOTAL REQUIRED	+ FUTURE STORAGE (1420) + 508 SPACES
PARKING PROVIDED	+ 471 SPACES
	+ 850 SPACES

**IRWIN D. PASTERBACK AIA, P.C.**  
ARCHITECTURE - PLANNING - LANDSCAPE - INTERIORS



**M. EXHIBITS**

**Comparative Zoning Standards Table**

<b>Development Standards Table</b>			
<i>Standards</i>	<i>Allowed in CP/GCP</i>	<i>Allowed in R-3</i>	<i>Proposed PUD Standards</i>
Minimum lot width	None	55'	None
Minimum lot depth	None	110' adjacent to freeway or arterial	None
Minimum perimeter building setbacks	30' from street, 20' No Street	Front: 15' Rear: 15' (1-story), 20' (2-story) Side: 10' 1-story), 15' (2-story)	(south): 50' (north): 10' (west): 30' North 10' along freeway South 50' along Roosevelt East 30' north of Latham 20' south of Latham 100' adjacent to single family residential use
Minimum Landscape Setback	NA	None	West 30' Side yard: 20' Interior perimeter: 0' Adjacent to freeway 10'' Roosevelt St. 50'' 67 <sup>th</sup> Avenue 30'' 63 <sup>rd</sup> Avenue 20''
Minimum interior building setbacks	Street 20' Lot Line 0'	Front 25' Rear 15' Side 10', 3'	Street: 20' Lot line: 0'
Minimum building separation	NA	10'	Per building code
Maximum height	18' within 30' of perimeter; 1' increase for 3' of additional setback; maximum 56'	30'	Maximum 56'; 24.5' within 50 feet of Roosevelt Street
Lot Coverage	50%	Primary 40%, total 50%	All structures: 55%
Common areas	None		None
Required review	Per Section 507	Per Section 507	Per Section 507
Street standards	Public street, or private street built to City standards with a property owner association or equivalent established for maintenance	Public street or private built to city standards	Public streets or private streets built to public standards
On-lot and common retention	NA	Common retention required for lots less than 8,000 SF	On lot retention
Landscape Standards	15 gallon evergreen trees a minimum of 20 feet on center abutting residential zoning	Perimeter common trees a maximum of 20 to 30 feet on center, 5 shrubs per tree	PUD standards below

## LEGAL DESCRIPTION

### Exhibit A

Those parts of Lots 183, 184, 185 and 186, of PATIO HOMES WEST TWO, according to Book 167 of Maps, page 30, records of Maricopa County, Arizona; and

That part of Lot 1, of PATIO HOMES WEST TWO REPLAT, according to Book 242 of Maps, page 1, records of Maricopa County, Arizona; and

That part of the North half of Section 6, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 6;

THENCE North 89 degrees 35 minutes 21 seconds East, along the East-West mid-section line of said Section 6, a distance of 46.00 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89 degrees 35 minutes 21 seconds East, along said East-West mid-section line a distance of 2476.21 feet to a brass cap which is center of section per City of Phoenix;

THENCE North 00 degrees 00 minutes 15 seconds East, along the North-South mid-section line of said Section 6, which is the West line of Fowler School per Special Warranty Deed as recorded in Docket 16083, page 1524, a distance of 593.69 feet;

THENCE North 89 degrees 34 minutes 24 seconds East, parallel to the East-West mid-section line of said Section 6, which is also along the North line of that property described in the aforementioned Special Warranty Deed, a distance of 660.76 feet to a point on the East line of Lot 1, as recorded in Book 242 of Maps, page 1, records of Maricopa County, Arizona;

THENCE North 00 degrees 05 minutes 24 seconds East, along the aforementioned East line of Lot 1 and the Northerly prolongation thereof, a distance of 632.89 feet, more or less, to a point on the South right-of-way line of the Ehrenberg-Phoenix Highway per Docket 16269, page 499, Area #2;

THENCE South 89 degrees 22 minutes 51 seconds West along said right-of-way line, a distance of 661.73 feet to a point on the North-South mid-section line of said Section 6, said point bears North 00 degrees 00 minutes 15 seconds East, a distance of 1224.35 feet from the aforementioned brass cap which is the center of section per City of Phoenix;

THENCE continuing South 89 degrees 22 minutes 51 seconds West, along the aforementioned right-of-way of the Ehrenberg-Phoenix Highway, a distance of 877.63 feet;

THENCE South 86 degrees 25 minutes 09 seconds West, along the aforementioned right-of-way line, a distance of 1570.56 feet;

THENCE South 00 degrees 21 minutes 41 seconds West, along the aforementioned right-of-way and parallel to the West line of said Section 6, a distance of 210.00 feet;

THENCE South 04 degrees 18 minutes 24 seconds West, along the aforementioned right-of-way line, a distance of 348.83 feet;

THENCE South 00 degrees 21 minutes 41 seconds West, along the aforementioned right-of-way line which is parallel to the West line of said Section 6, a distance of 576.70 feet to the TRUE POINT OF BEGINNING;

EXCEPT the South 30 feet and the East 30 feet of the East half of the East half of the East half of the Northwest quarter and the West 30 feet of the Northeast quarter, all in Section 6, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian; and

EXCEPT that part of said Northwest quarter described as follows:

BEGINNING at the intersection of the North line of the South 30 feet of said Northwest quarter with the West line of the East 30 feet thereof;

THENCE North along said West line, a distance of 14 feet;

THENCE Southwesterly to a point in said North line which is 14 feet West of the POINT OF BEGINNING;

THENCE to the POINT OF BEGINNING; and

EXCEPT those parts thereof lying North of the South right-of-way line of the Ehrenberg-Phoenix Highway (I-10); and

EXCEPT the South 593.69 feet of said West 30 feet, as measured along the West line of said Northeast quarter; and

EXCEPT the South 30 feet of the West half of the Northwest quarter of Section 6, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian; and

EXCEPT that part of said West half described as follows;

BEGINNING at the intersection of the East line of the West 46 feet of said West half with the North line of the South 30 feet thereof;

THENCE North along said East line, a distance of 18 feet;

THENCE Southeasterly to a point in said North line which is 18 feet East of the POINT OF BEGINNING;

THENCE to the POINT OF BEGINNING;

EXCEPT the West 46 feet of said South 30 feet; and

EXCEPT the South 30 feet of the West half of the East half of the East half of the Northwest quarter; and the South 30 feet of the West half of the East half of the Northwest quarter, all in Section 6, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian; and

EXCEPT that portion conveyed to the City of Phoenix in Document No. 94-0404091, more particularly described as follows:

That part of Lot 5, of Section 6, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 6;

THENCE North 89 degrees 35 minutes 43 seconds East, along the East-West mid-section line of said Section 6, a distance of 46.00 feet;

THENCE North 00 degrees 21 minutes 59 seconds East, parallel with the West line of said Section 6, a distance of 576.70 feet;

THENCE North 04 degrees 18 minutes 42 seconds East, a distance of 348.83 feet;

THENCE North 00 degrees 21 minutes 59 seconds East, parallel with said West line and along a line herein designated as Line "A", a distance of 160.00 feet to an orthogonal line herein, designated as Line "B" and the POINT OF BEGINNING;

THENCE continuing North 00 degrees 21 minutes 59 seconds East, along said Line "A", a distance of 50.00 feet to the terminus of said Line "A";

THENCE North 86 degrees 25 minutes 27 seconds East, to a line that is 50.00 feet Easterly of an parallel with said Line "A";

THENCE South 00 degrees 21 minutes 59 seconds West, along last said parallel line to said Line "B";

THENCE North 89 degrees 38 minutes 01 seconds West, along said Line "B" to the POINT OF BEGINNING; and

EXCEPT that portion conveyed to the City of Phoenix in Document No. 99-0438741, more particularly described as follows:

That part of Lot 5, of Section 6, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, more particularly described as follows:

COMMENCING at the intersection of the East line of the West 46 feet of said Northwest quarter and the North line of the South 30 feet thereof;

THENCE Northerly along said East line, a distance of 18 feet to the POINT OF BEGINNING;

THENCE Southeasterly to a point on said North line, which is 18 feet Easterly of the POINT OF COMMENCEMENT;

THENCE Easterly along said North line to the East line of the West 100 feet of said Northwest quarter;

THENCE Northerly along last said East line to the North line of the South 38 feet of said Northwest quarter;

THENCE Westerly along last said North line to a point which is 20 feet Easterly of the intersection of last said North line and said East line of the West 46 feet;

THENCE Northwesterly to a point in last said East line which is 20 feet Northerly of last said intersection;

THENCE Southerly along last said East line to the POINT OF BEGINNING;

TOGETHER WITH that part of Lot 5, described as follows:

COMMENCING at the Southeast corner of the West 46 feet of the Northwest quarter;

THENCE Northerly along the East line of said West 46 feet, a distance of 73.80 feet to the POINT OF BEGINNING;

THENCE continuing Northerly along said East line, a distance of 30 feet to an orthogonal line, designated herein as Line "A";

THENCE continuing Northerly along said East line, a distance of 62 feet to an orthogonal line, designated herein as Line "B";

THENCE continuing Northerly along said East line, a distance of 30 feet;

THENCE Southeasterly to the intersection of said Line "B" and the East line of the West 52 feet of said Northwest at;

THENCE Southerly along last said East line, a distance of 62 feet to said Line "A";

THENCE Southwesterly to the POINT IF BEGINNING; and

TOGETHER WITH that part of said Lot 5, described as follows:

COMMENCING at the West quarter corner of said Section 6;

THENCE North 89 degrees 35 minutes 43 seconds East, along the East-West mid-section line of said Section 6, a distance of 46 feet to said East line of the West 46 feet;

THENCE North 00 degrees 21 minutes 59 seconds East, along last said East line, a distance of 228.80 feet to a point, designated herein as Point "A";

THENCE continuing North 00 degrees 21 minutes 59 seconds East, along said East line, a distance of 347.90 feet to a point, designated herein as Point "B";



THENCE continuing North 00 degrees 21 minutes 59 seconds East, along last said East line, a distance of 141.10 feet to an orthogonal line;

THENCE South 89 degrees 38 minutes 01 seconds East, along last said orthogonal line to a point which bears North 04 degrees 18 minutes 42 seconds East, from said Point "B" and the POINT OF BEGINNING;

THENCE South 04 degrees 18 minutes 42 seconds West, to said Point "B";

THENCE South 00 degrees 21 minutes 59 seconds West, along last said East line, a distance of 347.90 feet to said Point "A";

THENCE Northeasterly to the POINT OF BEGINNING.

**VICINITY MAP**



# GENERAL CONTEXT ZONING AERIAL

67th Avenue

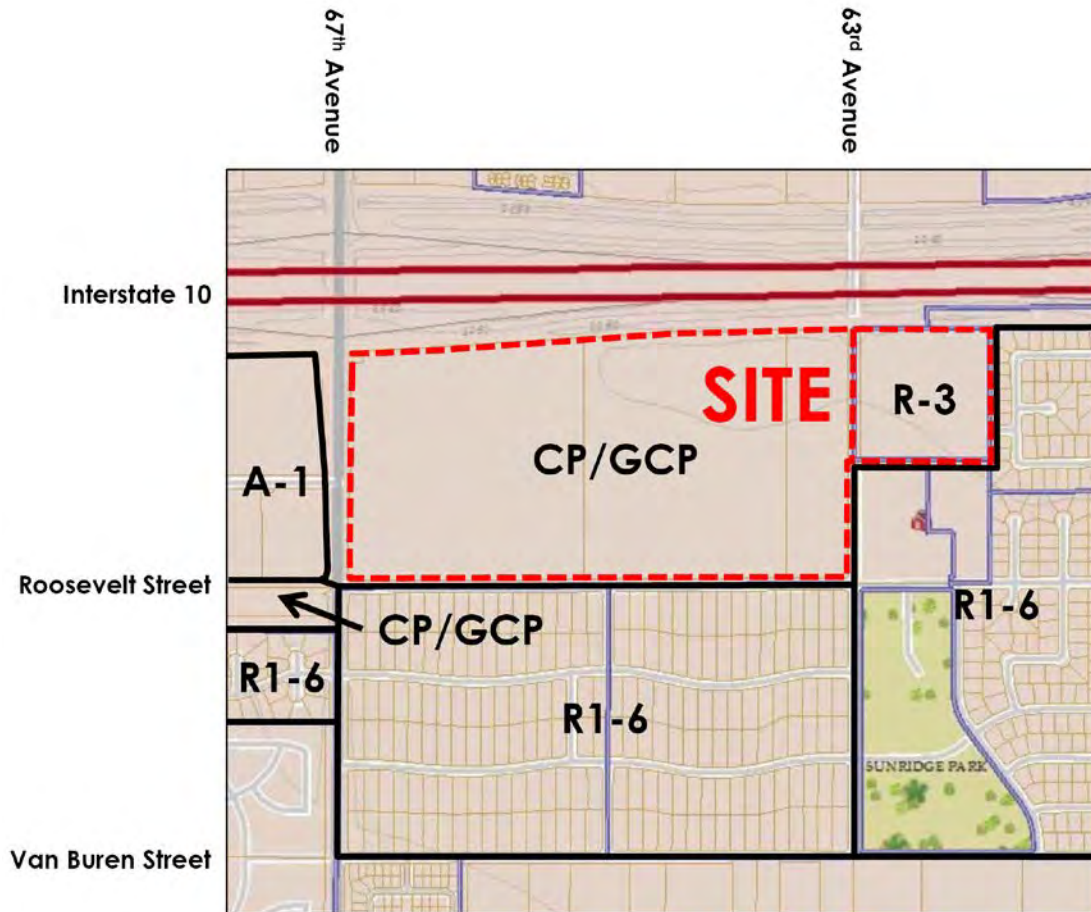
63rd Avenue

Interstate 17

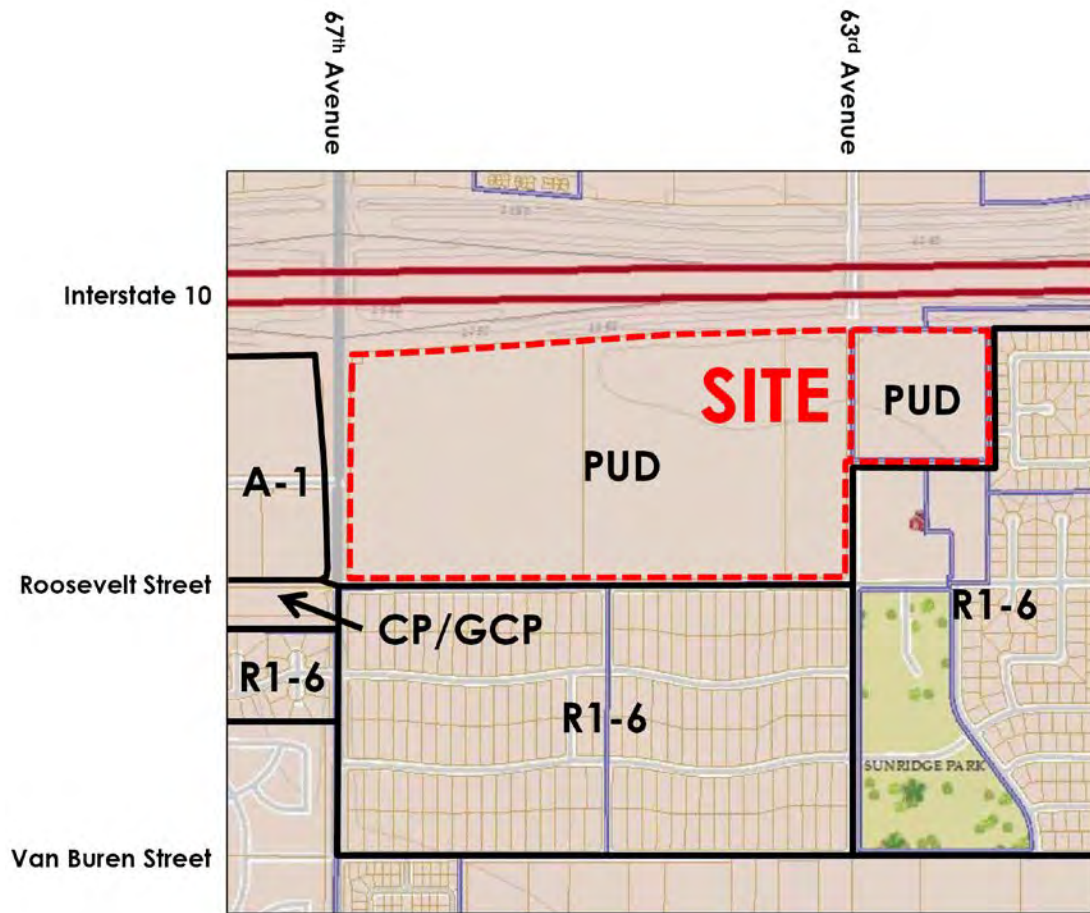
Roosevelt Street



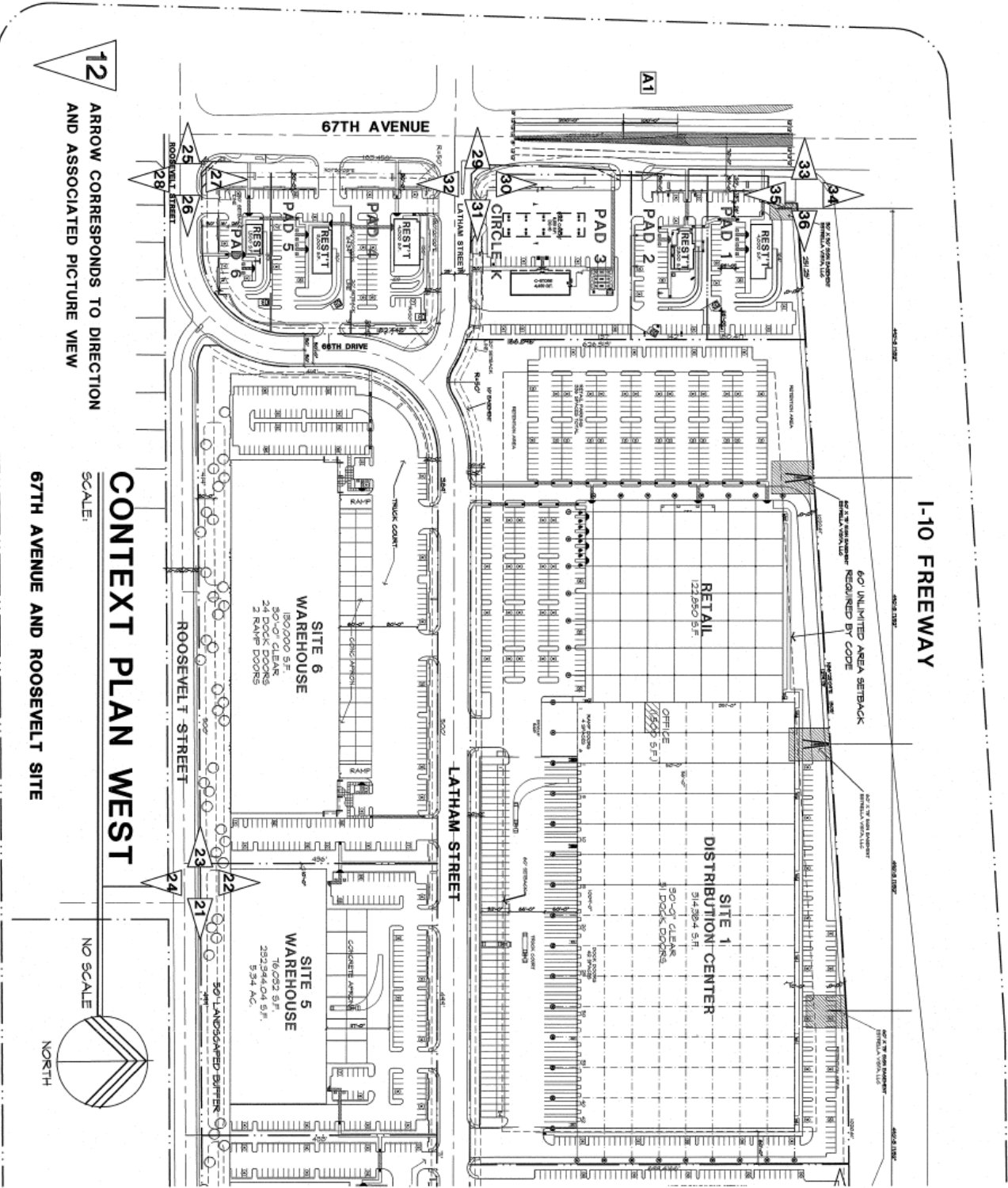
# EXISTING ZONING



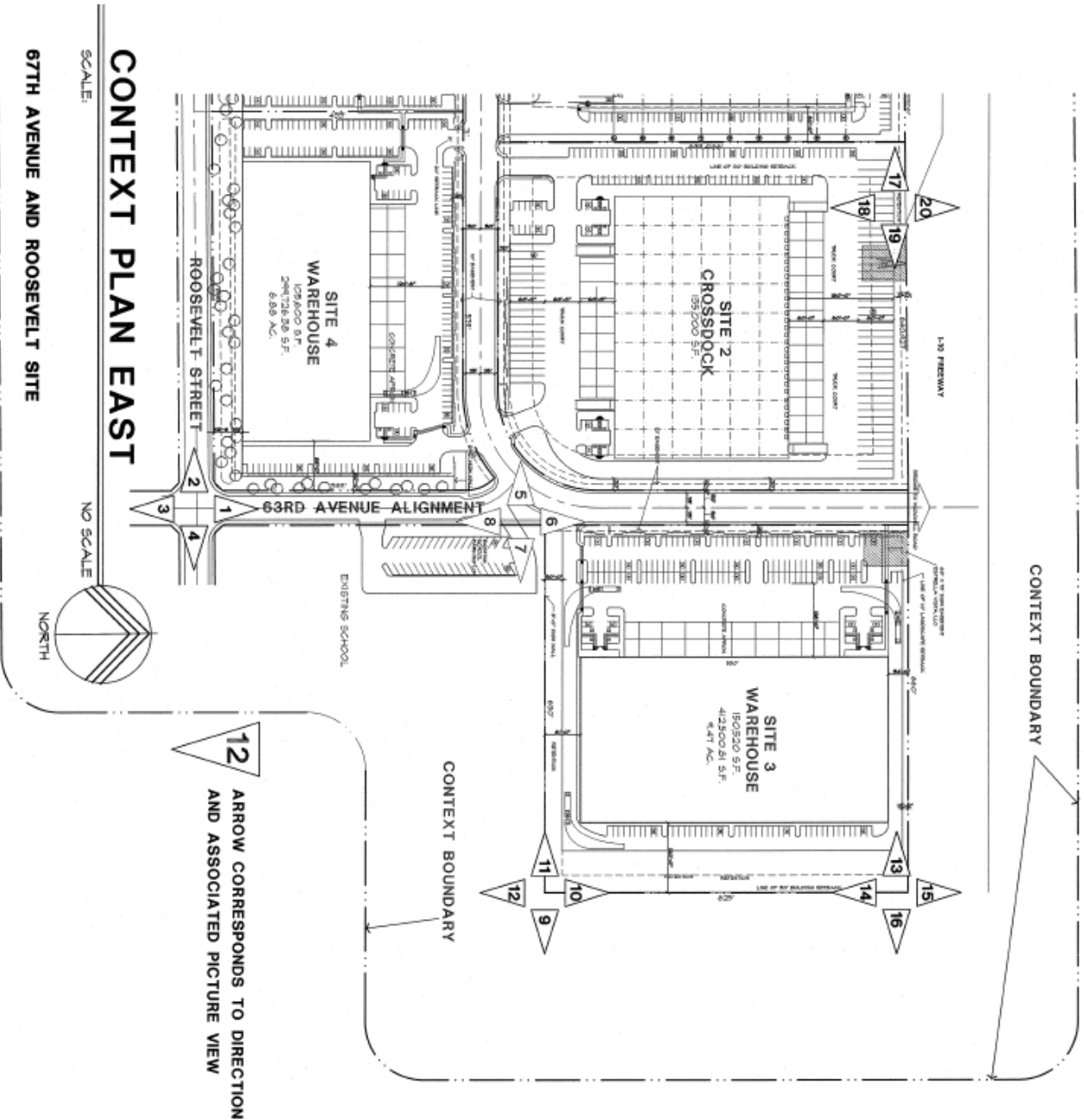
# PROPOSED ZONING



# KEY MAP AND CONTEXT PHOTOS



**12**  
ARROW CORRESPONDS TO DIRECTION AND ASSOCIATED PICTURE VIEW



**# 1**



**# 2**





**# 3**



**# 4**



**# 5**



**# 6**



**#7**



**#8**



**# 9**



**# 10**



**# 11**



**# 12**



**# 13**



**# 14**



**# 15**



**# 16**



**# 17**



**# 18**





**# 19**



**# 20**



# 21



# 22



**# 23**



**# 24**



**# 25**



**# 26**



**# 27**



**# 28**



**# 29**



**# 30**



**# 31**



**# 32**



**# 33**



**# 34**





**# 35**



**# 36**



**# 37**



**# 38**



**# 39**



**# 40**



**# 41**



**# 42**



**# 43**



**# 44**



**# 45**



**# 46**



**# 47**



**# 48**



**# 49**



**# 50**





**# 51**



**# 52**



**# 53**



**# 54**



**# 55**



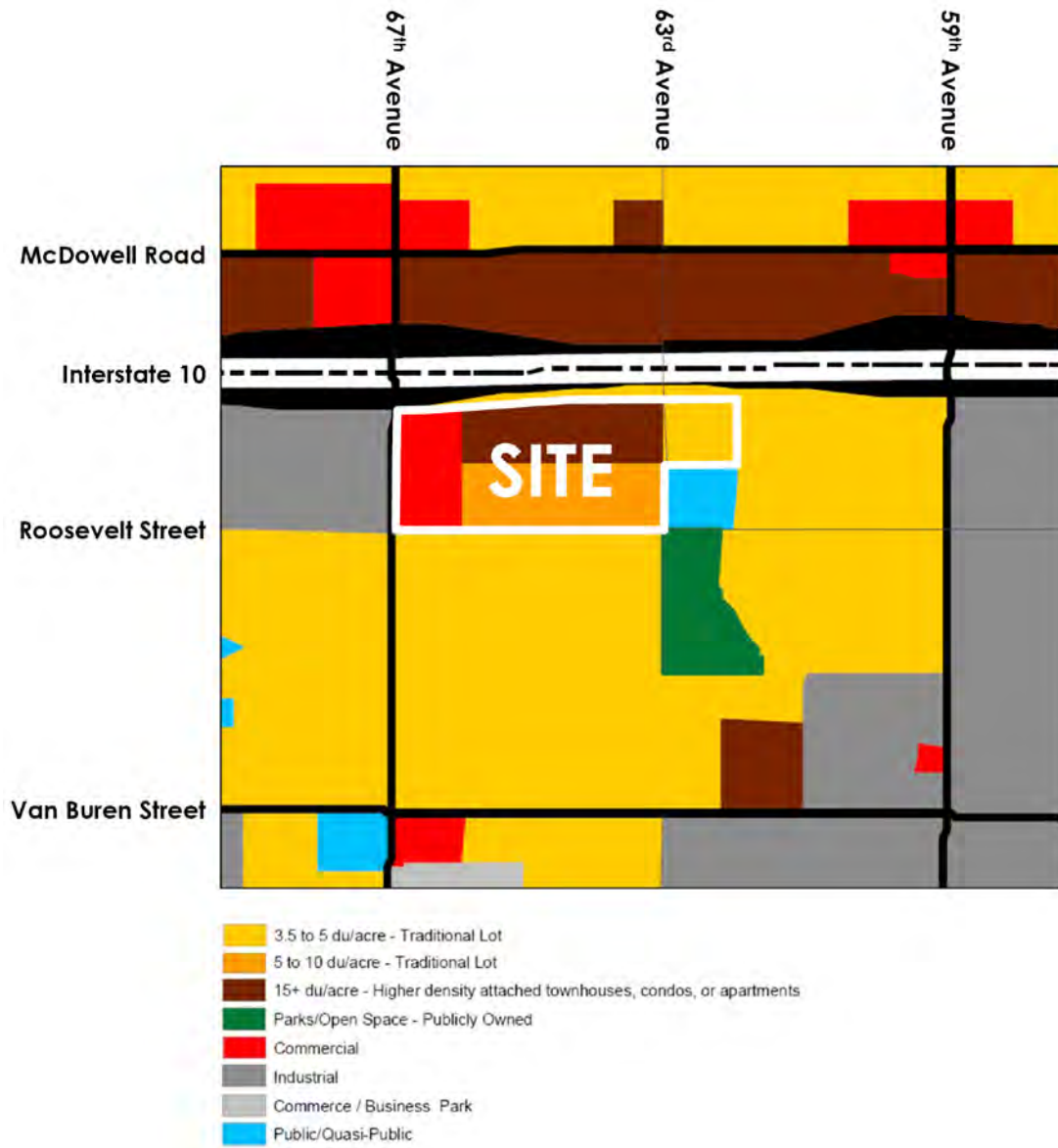
**# 56**



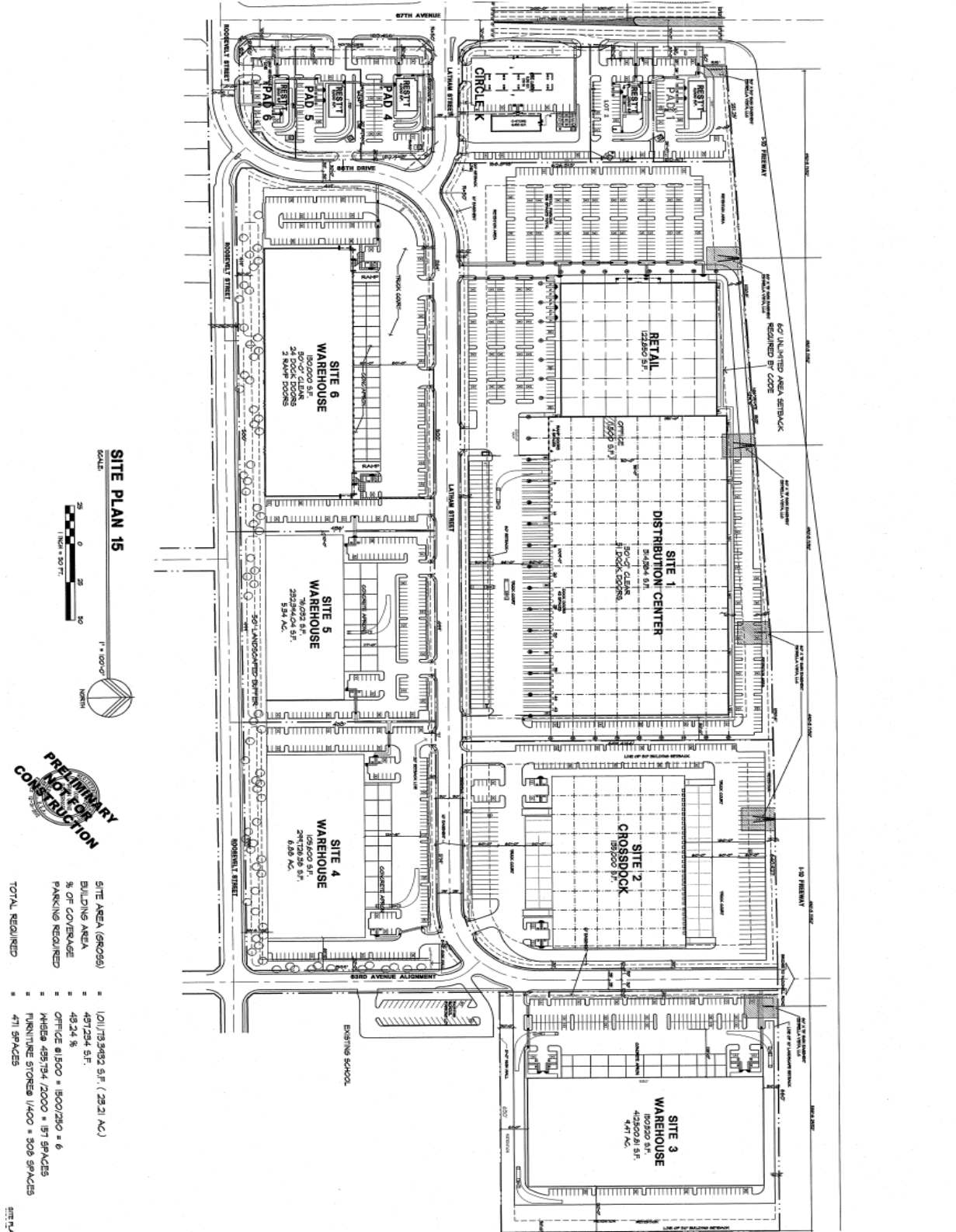
# 57



# GENERAL PLAN 2002

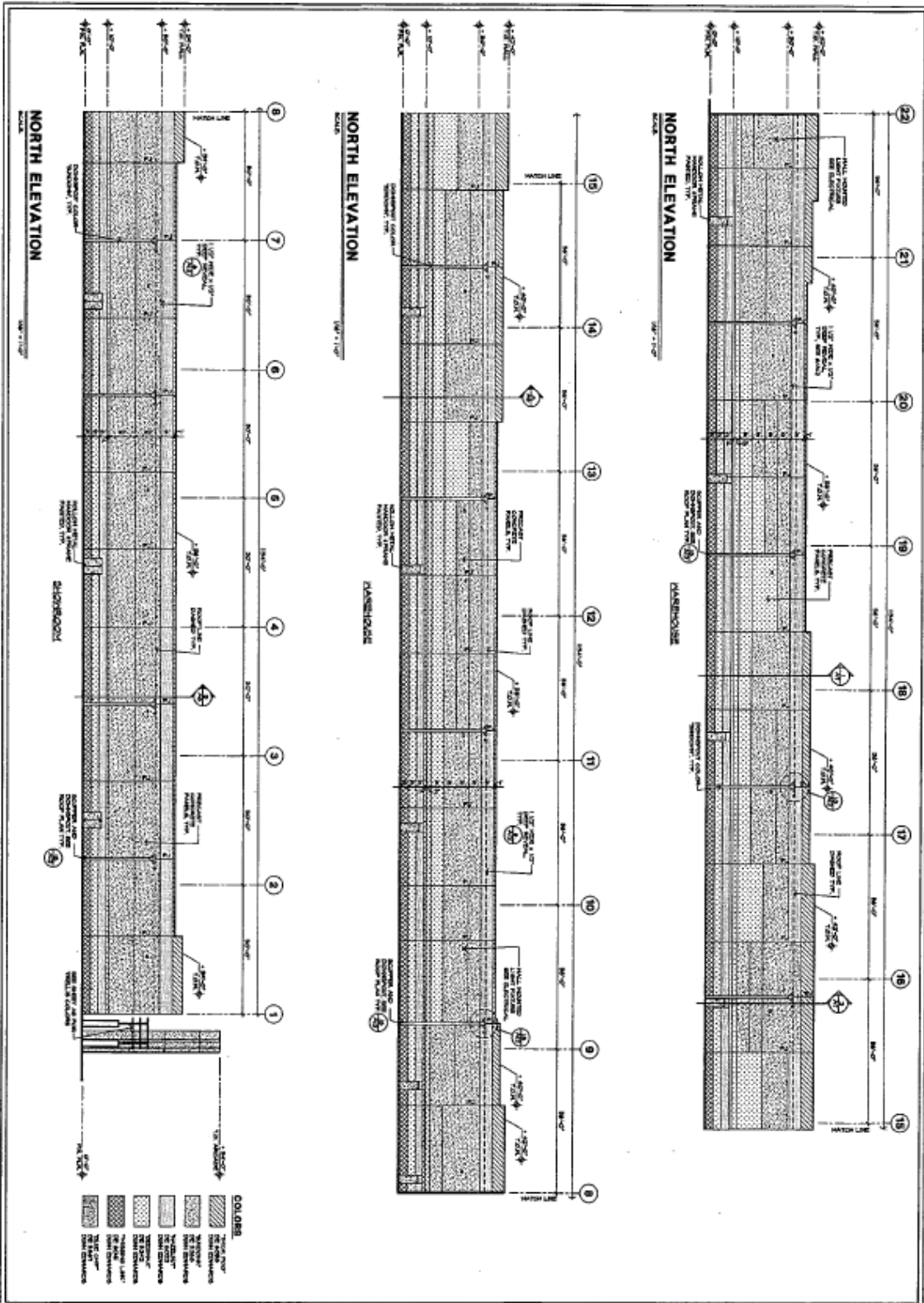


# CONCEPTUAL SITE PLAN



**IRWIN G. PASTERNAK AIA, P.C.**  
ARCHITECTURE - PLANNING - LANDSCAPE - INTERIORS

# CONCEPTUAL ELEVATIONS

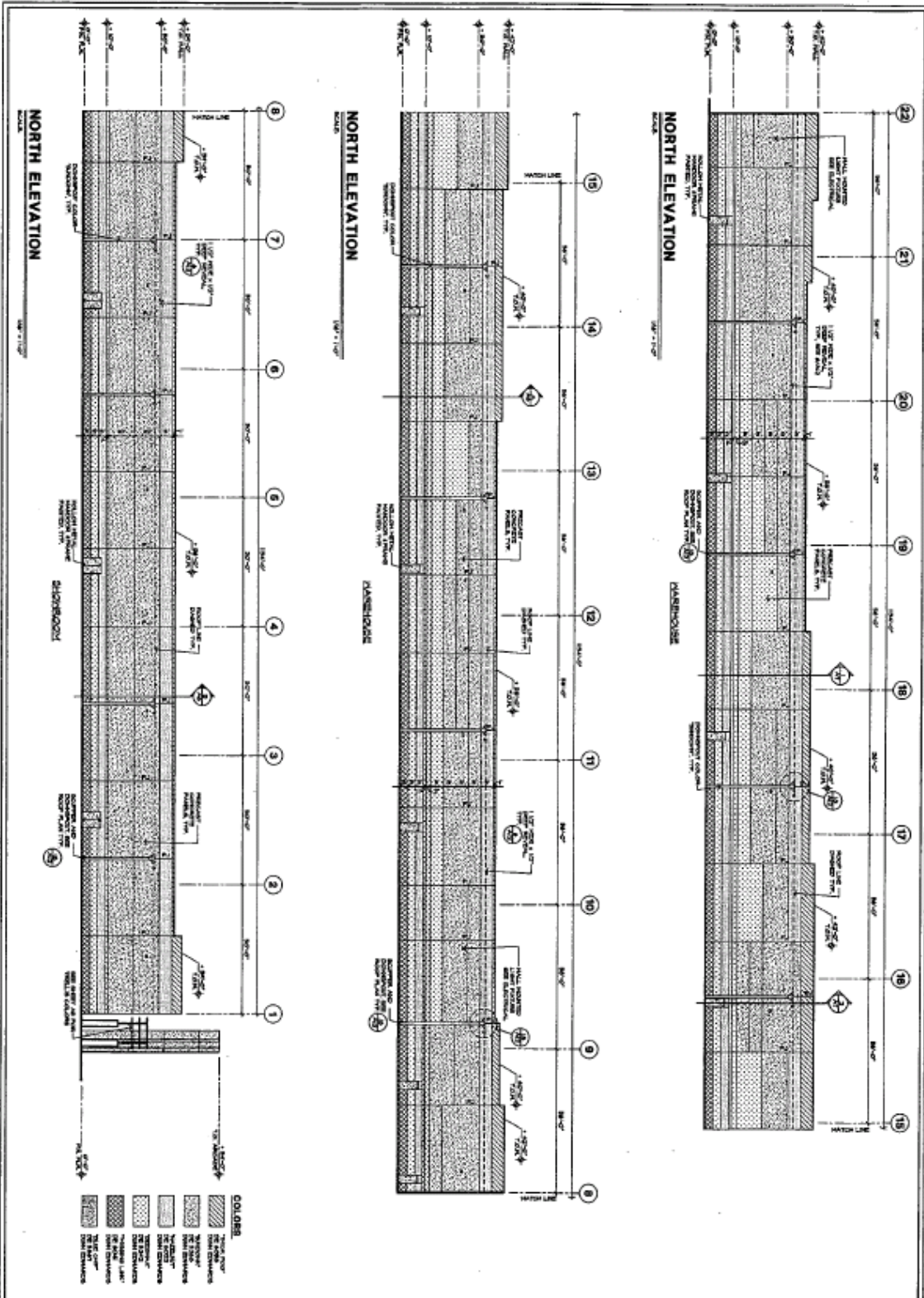


**A3**

NEW DISTRIBUTION CENTER & SHOWROOM for  
**LIVING SPACES FURNITURE**  
 6900 W. LATHAM STREET within the  
 ESTRELLA VISTA COMMERCE PARK  
 PHOENIX, ARIZONA

Living Spaces Furniture  
 6900 W. LATHAM STREET  
 PHOENIX, ARIZONA





**A3**

NEW DISTRIBUTION CENTER & SHOWROOM for  
**LIVING SPACES FURNITURE**  
 6900 W. LATHEAM STREET within the  
 ESTRELLA VISTA COMMERCE PARK  
 PHOENIX, ARIZONA

**W. A. BENTLEY & CO., INC.**  
 ARCHITECTS - ENGINEERS - INTERIORS  
 1000 W. WASHINGTON AVENUE  
 PHOENIX, ARIZONA 85001







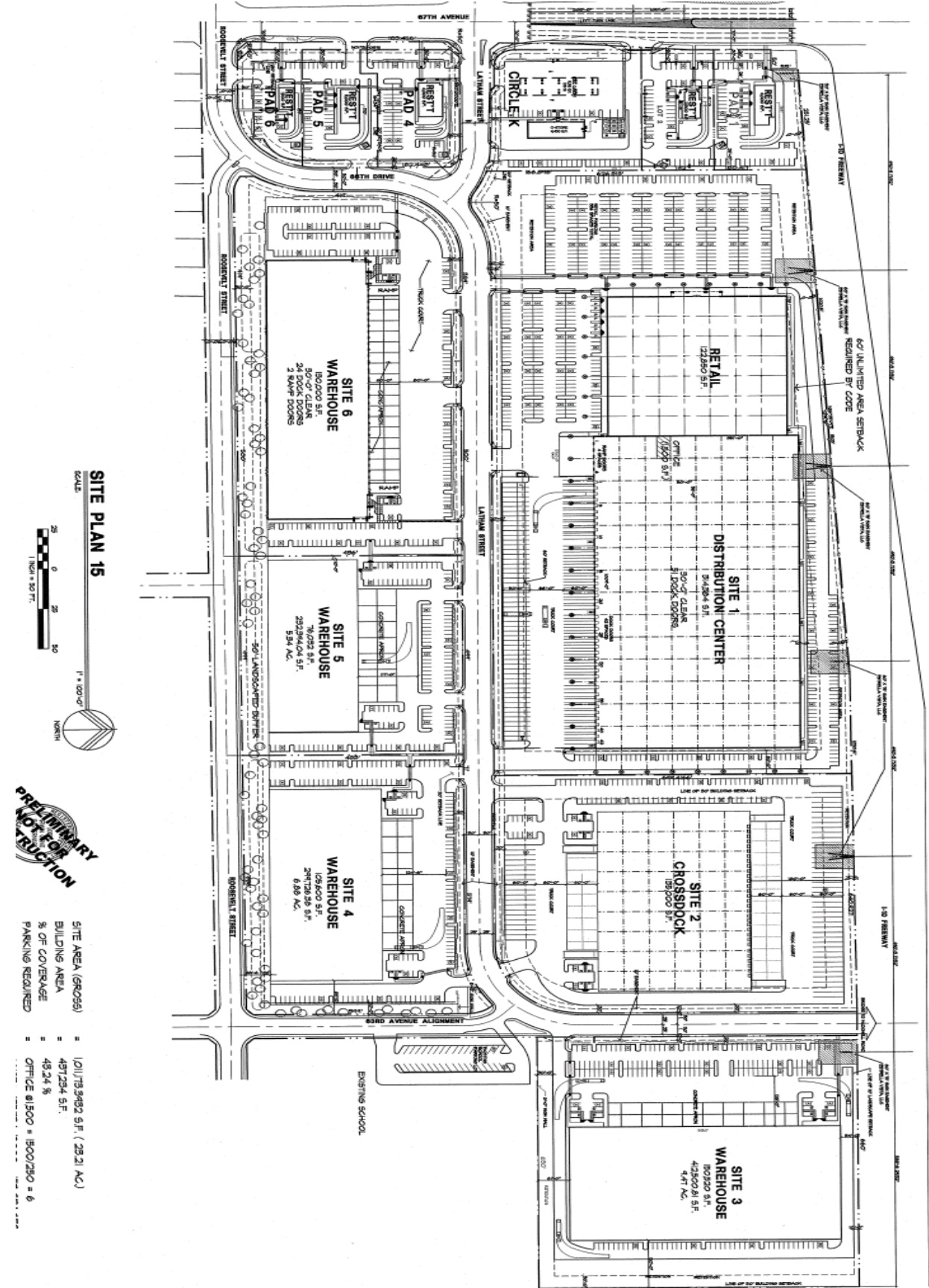
## THEMATIC STREET CROSS SECTIONS

Street cross-sections in Estrella Vista Commerce have been reviewed extensively to ensure adjacent residential areas maintain vehicle access while being minimally impacted by existing and future truck traffic; to provide vehicle access for Estrella Vista Commerce Park and to augment the regional vehicle circulation system. Street right of way and improvements were previously established by the subdivision final plat for Estrella Vista Commerce Park.

*Table A- 1 street cross sections*

Street Segment	Right-of-way	Curb to curb dimension
Latham, 67 <sup>th</sup> Ave. to 66 <sup>th</sup> Ave.	60'	40'
Latham, 66 <sup>th</sup> Ave. to 63 <sup>rd</sup> Ave.	80' (60' ROW and 10' sidewalk easement on each side)	50'
66 <sup>th</sup> Drive, Roosevelt to Latham	80' (60' ROW and 10' sidewalk easement on each side)	50'
Roosevelt, 66 <sup>th</sup> to 67 <sup>th</sup>	40' half street	50'
Roosevelt, 63 <sup>rd</sup> Ave. to 66 <sup>th</sup> Ave.	60'	40' *
63 <sup>rd</sup> Ave., Latham to I-10 bridge	80' (60' ROW and 10' sidewalk easement on each side)	50' *
63 <sup>rd</sup> Ave. Latham to Roosevelt	60'	40' * **
67 <sup>th</sup> , Roosevelt to I-10	70' half street	
<p>* Phase 2 of Project ** This segment of road may be vacated pursuant to the City of Phoenix abandonment process, without amendment to this PUD.</p>		

# CIRCULATION PLAN





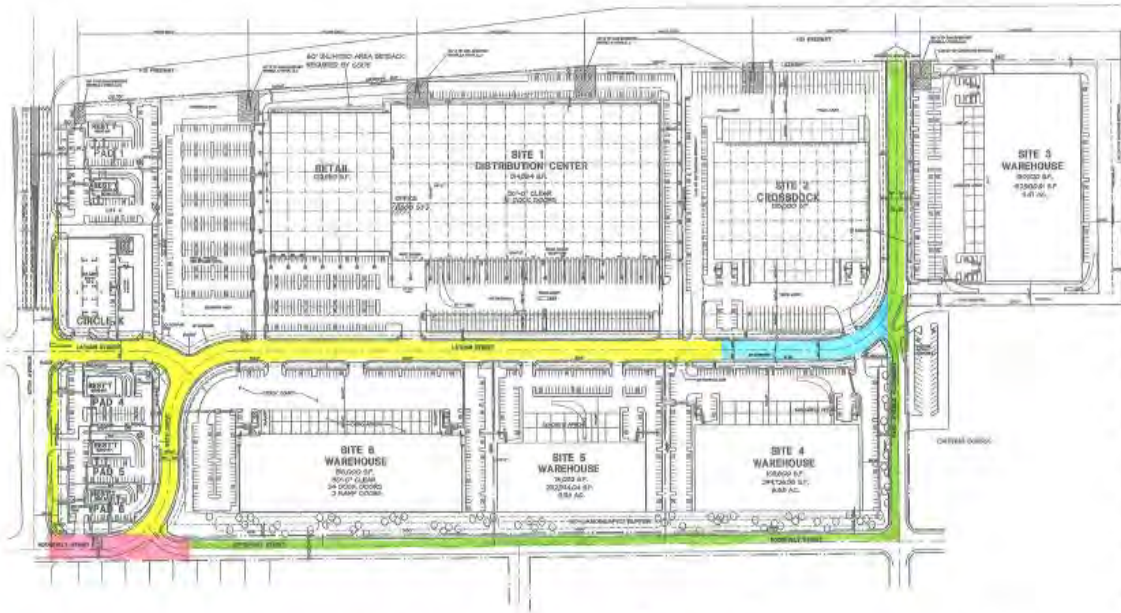


## COLOR PALLETE

COLOR SCHEMES: All colors are Dunn Edwards Paint

Group 1:	DE 5261	Cashew Nut
	DE 5262	Field of Wheat
	DE 5263	Sonoma Shade
Group 2:	DE 6037	Geyser
	DE 6032	Hazelnut
	DE 6034	Raisin in the Sun
Group 3:	DE 5247	Allspice
	DE 5207	Pecan Veneer
	DE 5186	Secluded Canyon
Group 4:	DE 6094	Canyon Dusk
	DE 6096	Homestead
	DE 6076	Wandering Road
Group 5:	DE 5260	Sandy Beach
	DE 6109	Kraft Paper
	DE 6110	Warm Hearth
Group 6:	DE 5267	Almondine
	DE 5268	Sundown
	DE 5248	Rusty Orange
Group 7:	DE 6620	Porous Stone
	DE 6221	Flintstone
	DE6305	Galway Bay
	METL SPAN	Sandstone K-5

# PHASING PLAN



**SITE PLAN 15**  
SCALE: 1" = 500'

- PHASE ONE - DEDICATION AND IMPROVEMENTS - YELLOW
- PHASE ONE - IMPROVEMENTS ONLY - PINK
- PHASE TWO - DEDICATION AND IMPROVEMENTS - BLUE
- PHASE TWO - IMPROVEMENTS ONLY - GREEN



SITE AREA (GROSS)	+ 121,713,392 SF (1,282 AC.)
BUILDING AREA	+ 481,284 SF
% OF COVERAGE	+ 45.34 %
PARKING REQUIRED	+ OFFICE #1807 + 800,000 SF = 8
	+ WAREHOUSE 426,134, 22,000 SF = 81 SPACES
	+ TRUCKS STORAGE 14,000 SF = 208 SPACES
TOTAL REQUIRED	+ 491 SPACES
PARKING PROVIDED	+ 650 SPACES

**IRWIN G. PASTERBACK AIA, P.C.**  
 ARCHITECTURE - PLANNING - LANDSCAPE - INTERIORS



## **TRAFFIC STUDY**

A traffic study completed by Civtech Inc. has been submitted under separate cover.

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## CITY COUNCIL REPORT

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### FORMAL AGENDA

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TO: Rick Naimark  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson  
Acting Planning & Development  
Director

ITEM: 52 PAGE: 71

SUBJECT: Z-47-13-4 LOCATED APPROXIMATELY 115 FEET EAST OF THE  
NORTHEAST CORNER OF 3RD AVENUE AND CAMELBACK ROAD

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This report provides back-up information on Item 52 on the February 5, 2014, Formal Agenda.

#### THE ISSUE

A rezoning application has been submitted for approval to the City Council for a parcel located approximately 115 feet east of the northeast corner of 3rd Avenue and Camelback Road. Application is being made by Larry Lazarus of Lazarus, Silvyn & Bangs, representing Michael Stringfellow of Chasse Building Team.

#### OTHER INFORMATION

Rezoning case Z-47-13-4 is a request to rezone 1.14 acres from C-2 TOD-1 and C-2 SP TOD-1 to R-5 TOD-1 to allow multifamily residential.

The Alhambra Village Planning Committee reviewed the application on November 26, 2013, but no recommendation was made since the motion to deny failed on a 6-6 vote. The committee had questions and concerns regarding fire and trash access within the alley. The community spoke in opposition of the height and density of the project, noise issues within the alley, privacy issues, and fire truck access. One member of the community spoke in support of the development with regards to the development of a vacant lot with a much needed use surrounding light rail.

The application was heard by the Planning Commission on January 14, 2013, and recommended for approval with modifications per the memo from Tricia Gomes dated January 14, 2014, on a 4-2 vote.

The application was appealed by the opposition and a three-fourths vote of the City Council is required for approval.

Staff has received the follow correspondence and petitions, which are available on file in the Planning and Development Department:

- Approximately 250 signatures on petitions submitted by the opposition
- 84 letters/emails submitted in opposition
- 2 letters submitted in support

Attachments:

A – Staff Report Z-47-13-4

## Attachment A



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

**To:** City of Phoenix Planning Commission **Date:** January 14, 2014

**From:** Tricia Gomes  
Planner III

**Subject:** BACK UP TO ITEM 12 (Z-47-13-4) – APPROXIMATELY 115 FEET EAST OF THE NORTHEAST CORNER OF 3<sup>RD</sup> AVENUE AND CAMELBACK ROAD

This memo is to update the elevations and proposed maximum units as submitted by the applicant. The proposed elevations depict a stair-stepped setback as addressed in Stipulations 3 and 4. Staff recommends approval per the revised and additional stipulations.

1. The development and elevations shall be in general conformance with the site plan, elevations and landscape plan date stamped September 6, 2013 AND ELEVATIONS DATE STAMPED JANUARY 14, 2014, as approved by the Planning and Development Department.
2. The applicant shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to meet current ADA guidelines.
3. A MINIMUM BUILDING SETBACK OF 16-FEET SHALL BE REQUIRED ALONG THE NORTH PROPERTY LINE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. THE BUILDING HEIGHT SHALL NOT EXCEED 3-STORIES AND 38- FEET FROM 16- FEET TO 53- FEET FROM THE NORTH PROPERTY LINE. THE BUILDING HEIGHT SHALL NOT EXCEED 4-STORIES AND 48- FEET BEYOND 53- FEET OF THE NORTH PROPERTY LINE.
5. THE DEVELOPMENT SHALL NOT EXCEED 50 UNITS.

#### Attachments

Elevations date stamped January 14, 2014 (3 pages)



SOUTH ELEVATION

**CITY OF PHOENIX**

JAN 14 2014

**PLANNING & DEVELOPMENT**



NORTH ELEVATION

**CITY OF PHOENIX**

JAN 14 2014

**PLANNING & DEVELOPMENT**



EAST ELEVATION

WEST ELEVATION

EXTERIOR ELEVATIONS SCALE: 3/32" = 1'-0"

**CITY OF PHOENIX**

JAN 14 2014

**PLANNING & DEVELOPMENT**



# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## Staff Report Z-47-13-4

November 15, 2013

**Alhambra Village Planning Committee Meeting Date** November 26, 2013

**Planning Commission Hearing Date** December 10, 2013

**Request From:** C-2 TOD-1 (.57 acres)  
C-2 SP TOD-1 (.57 acres)

**Request To:** R-5 TOD-1 (1.14 acres)

**Proposed Use** Multifamily Residential Development

**Location** Approximately 115 feet east of the northeast corner of 3rd Avenue and Camelback Road

**Owner** Chasse Building Team

**Applicant/Representative** Larry Lazarus, Lazaruz, Silvyn & Bangs

**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designations</b>		Commercial	
<b>Street Map Classification</b>	Camelback Road	Arterial	64 -foot north half street
	3rd Avenue	Minor Collector	30-foot east half street
<b>LAND USE ELEMENT, GOAL 1: URBAN FORM – NEIGHBORHOOD POLICY 1 – INCLUDE A MIX OF HOUSING TYPES AND DENSITIES THAT SUPPORT A BROAD RANGE OF LIFESTYLES</b>			
The multifamily development will provide affordable housing within a ¼ mile of two existing light rail stations.			
<b>LAND USE ELEMENT, GOAL 3: INFILL – VACANT AND UNDERDEVELOPED LAND IN THE OLDER PARTS OF THE CITY SHOULD BE DEVELOPED OR REDEVELOPED IN A MANNER THAT IS COMPATIBLE WITH VIABLE EXISTING DEVELOPMENT AND THE LONG TERM CHARACTER AND GOALS FOR THE AREA</b>			
This proposal provides improvement to the surrounding area with new high quality development and the improved appearance of the vacant property. The site is within the designated Infill Development Incentive District.			
<b>LAND USE ELEMENT, GOAL 7: TRANSIT-ORIENTED DEVELOPMENT: DEVELOPMENT SHOULD BE DESIGNED OR RETROFITTED, AS FEASIBLE, TO FACILITATE SAFE AND CONVENIENT ACCESS TO TRANSIT FACILITIES BY ALL EXISTING AND POTENTIAL USERS.</b>			
The proposed design of the building is conducive to Transit-Oriented Development (TOD) guidelines providing a walkable environment along Camelback Road with vehicular access limited to the rear. This proposal is also consistent with the Transit Oriented Development Strategic Policy Framework.			



<b>R-5 TOD-1 Multifamily Development</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Proposed</u></b>
Gross Acreage	1.14 acres	1.14 acres
Lot Coverage	No maximum in TOD-1	79%
Building Height/Stories	48 feet maximum	Met - 48 feet/4 stories
Residential Units	57 units maximum. Density bonus for low or moderate income housing	Met – 56 units
Density	50.24 du/ac - Density bonus for low or moderate income housing	Met – 49 dwellings per acre
<i>Building Setbacks</i>		
Front	6 feet maximum	Met – 2 feet
Rear	20 feet minimum	Met – 26 feet
Side	0 feet	Met – 7 feet and 3 feet
<i>Landscape Setbacks</i>		
Adjacent to streets	5 feet planter with trees at 20 feet on center	Met – 5 feet planter with trees at 20 feet on center
Parking	64 – 25% TOD-1 reduction and 1 space reduction for providing recycling containers	Met – 65 provided

<b>Area Plan</b>
<p><b><u>TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK</u></b></p> <p>The use and character of the proposed development is consistent with the TOD Station Place Type of Medium Urban Center for the 7th Avenue /Camelback Station, and the Historic Neighborhood Center Place Type for the Central Avenue/Camelback Station. Medium Urban Center calls for various multifamily residential development at 3-6 stories. Historic Neighborhood Center also calls for multifamily residential at 2-4 stories.</p>

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone 1.14 acres located east of the northeast corner of 3rd Avenue and Camelback Road from C-2 TOD-1 and C-2 SP TOD-1 to R-5 TOD-1 for affordable multifamily residential development. The site is between two existing light rail stations.

The site is vacant and contains a vacant office building that was previously used as a rental car agency. The SP designation was to allow the rental of automobiles.

The request incorporates a Density Bonus for Low or Moderate Income Housing (Ordinance Section 608 J.2) allowing the 56 units for a density of 49.

2. The General Plan Land Use Map designation for this site is Commercial. Even though this request is not consistent with the designation, a General Plan Amendment is not required since the site is less than 10 acres.

The proposed project is located within the designated Infill Development Incentive District; the Transit Oriented Development (TOD) -1 overlay area and a TOD Policy Place Type.

### SURROUNDING USES & ZONING

3. **North**

Single-family residential development zoned R-3 HP is to the north. The neighborhood is the Medlock Place Historic District.

#### **West**

A vacant lot zoned C-2 TOD-1 is to the west of the site and is part of a proposed multi-tenant commercial development continuing west across 3rd Avenue.

#### **South**

The light rail runs along Camelback Road south of the development with a park-and-ride facility on the south side of the road.

#### **East**

A single story commercial office development zoned C-2 TOD-1 is directly to the east of the subject site.

### PROPOSAL

4. The site will be fully improved with 56 multifamily units. The podium style project will feature three levels of residential living above ground floor parking. The apartments will be built around and face into a central courtyard that includes a playground, BBQ and ramadas. The ground level provides community space and a leasing office fronting onto Camelback Road.

To preserve the privacy of the residents on the north side of the project, the size and number of windows on the north side of the building will be minimized and will be placed higher on the walls. The elevations show multiple earth toned colors with architectural features such as accent popouts, masonry veneer and painted metal canopies. The garage level includes painted metal screens.

Vehicle access will be from the dedicated alley located along the north side of the property. To minimize disturbance to the neighborhood to the north, the garage will be located towards the west end of the project.

5. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

### **Findings**

1. This proposal is consistent with the Transit Oriented Development Strategic Policy Framework.
2. The proposed project will provide affordable housing within ¼ mile of two existing light rail stations.
3. This proposal improves a vacant and underutilized infill lot and is within the Infill Development Incentive District.

### **Stipulations**

1. The development and elevations shall be in general conformance with the site plan, elevations and landscape plan date stamped September 6, 2013 as approved by the Planning and Development Department.
2. The applicant shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to meet current ADA guidelines.

### **Writer**

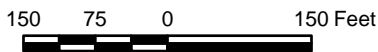
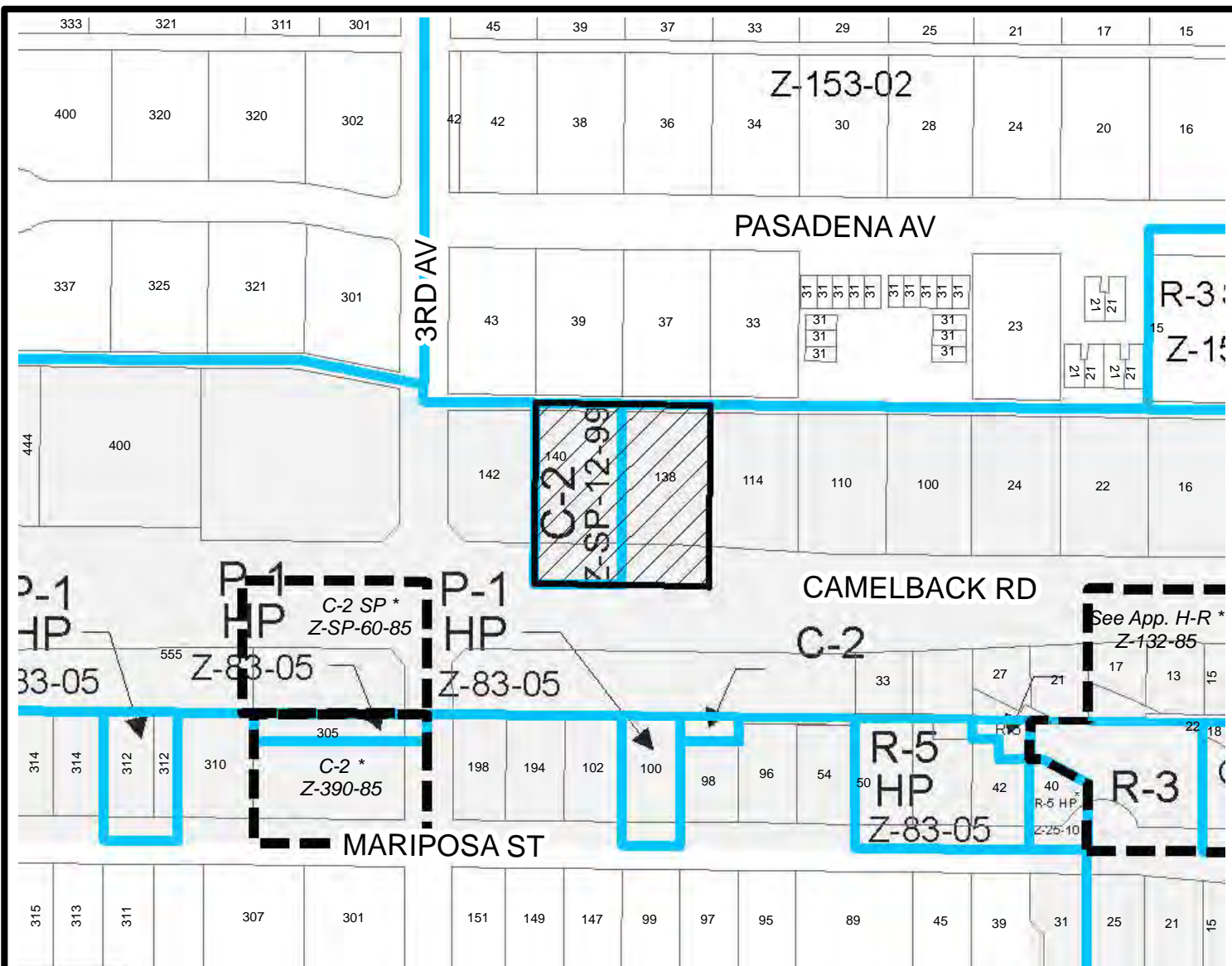
Jacob Zonn  
November 12, 2013

### **Team Leader**

Josh Bednarek

### **Attachments**

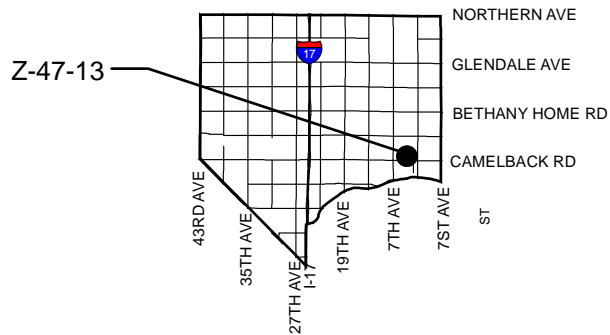
Attachment A: Sketch Map  
Attachment B: Site Plan Date Stamped September 6, 2013  
Attachment C: Elevations Date Stamped September 6, 2013  
Attachment D: Aerial



CITY OF PHOENIX PLANNING DEPARTMENT

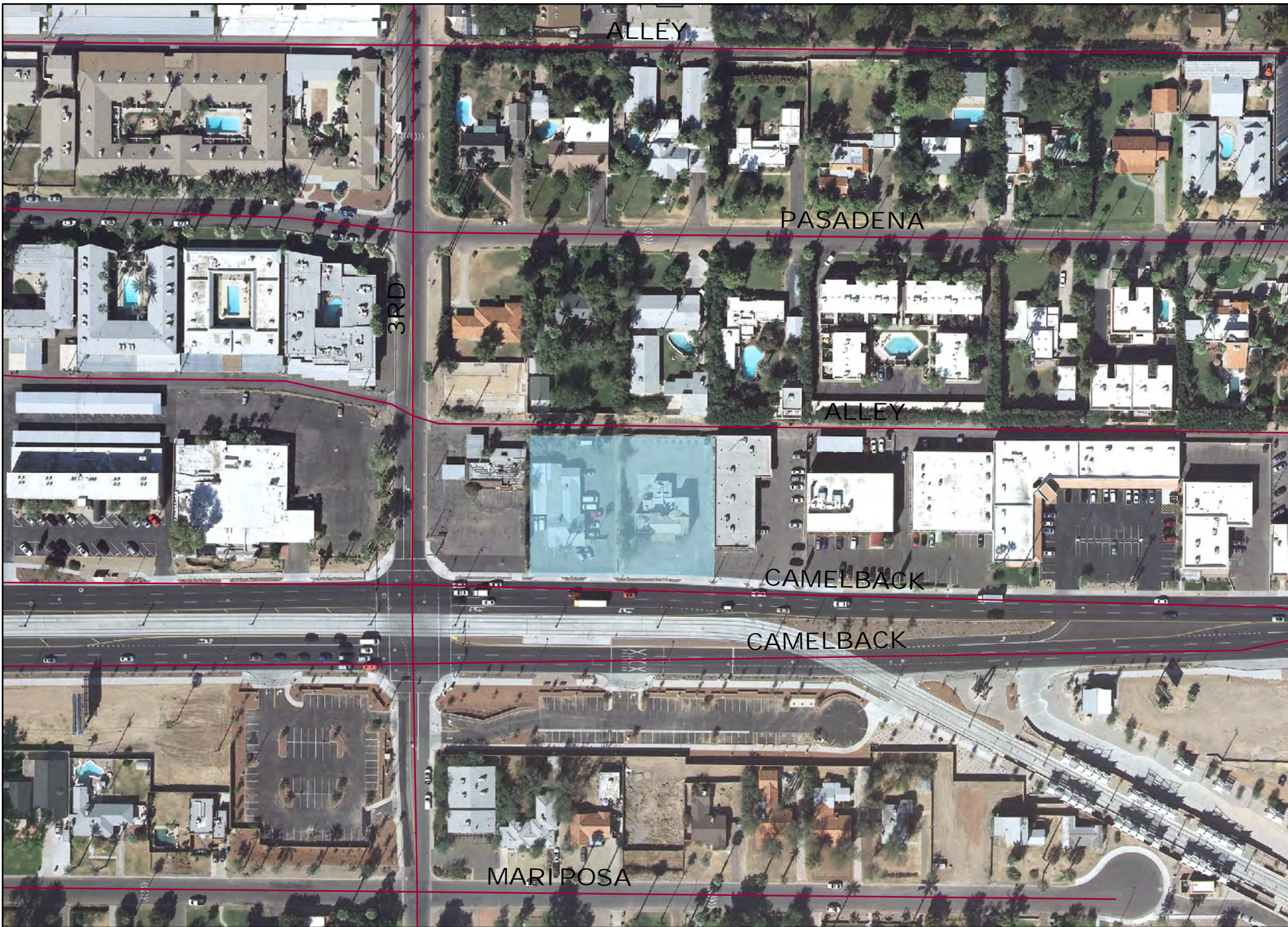
**ALHAMBRA VILLAGE**

CITY COUNCIL DISTRICT: 4



<b>APPLICANT'S NAME:</b> Larry Lazarus, Lazarus, Silvyn & Bangs		<b>REQUESTED CHANGE:</b> FROM: C-2 TOD-1, (0.57 a. c.) C-2 SP TOD-1, (0.57 a. c.) TO: R-5 TOD-1, (1.14 a. c.)	
<b>APPLICATION NO.</b> Z-47-13	<b>DATE:</b> 9/23/13	<b>REVISION DATES:</b>	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 1.14 Acres	<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> QS 19-27	<small>ZONING MAP</small> H-8	
<b>MULTIPLES PERMITTED</b> C-2 R-5	<b>CONVENTIONAL OPTION</b> 16 49	<b>* UNITS P.R.D. OPTION</b> 20 59	

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



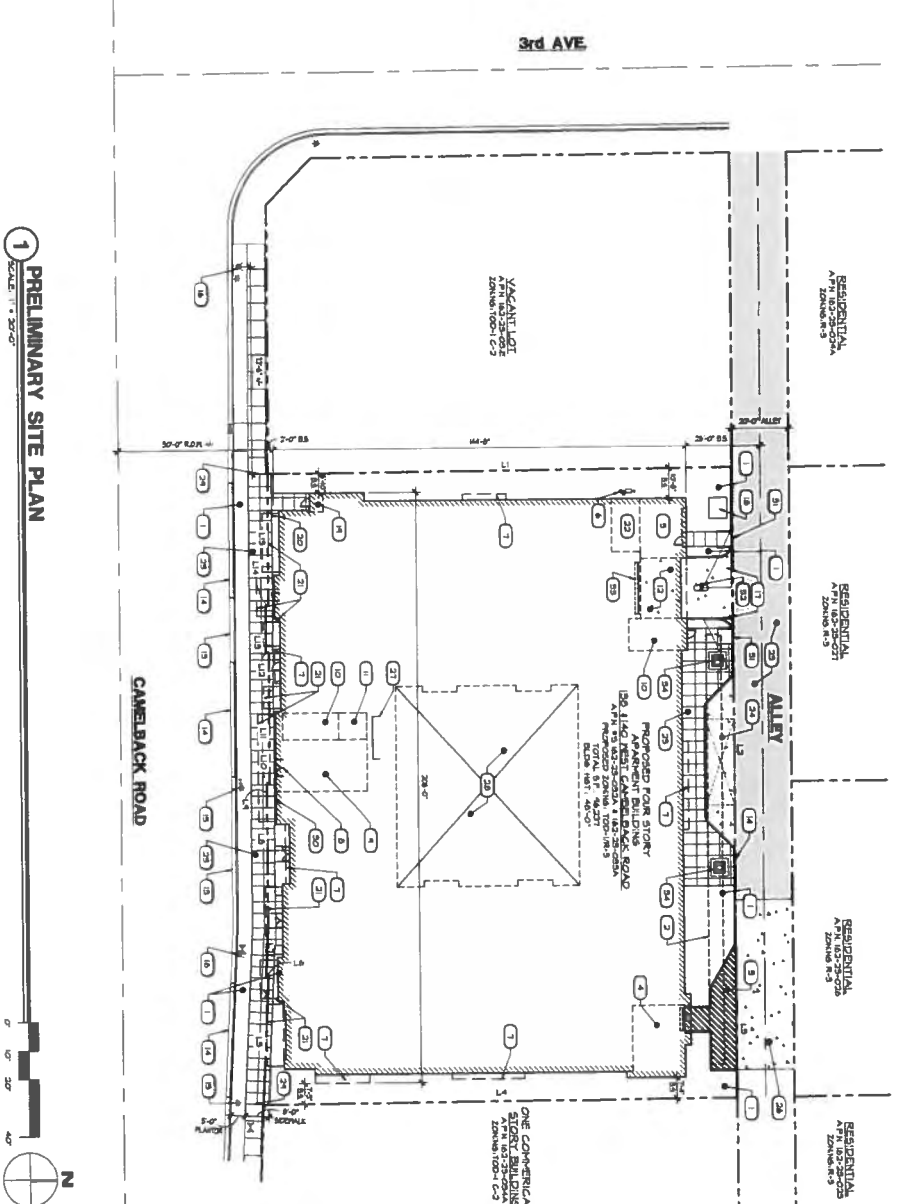
0 45 90 180 Feet

Z-47-13-4

November 12, 2013

**SITE PLAN NOTES**

1. OCCUPANCY AND USE OF THE SITE SHALL CONFORM WITH ALL APPLICABLE CODES.
2. THE PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS A WATER SERVICE AREA.
3. ALL UTILITIES LOCATED WITHIN THE PROJECT SHALL BE PLACED UNDERGROUND.
4. STRUCTURES AND LANDSCAPING WITHIN A TRAVELER VIEWED BACK OR FROM THE PROPERTY LINE OR FROM THE PROPERTY LINE OF ADJACENT PROPERTY SHALL BE PLACED UNDERGROUND.
5. ALL UTILITIES LOCATED WITHIN THE PROJECT SHALL BE PLACED UNDERGROUND.
6. AIR LIGHTING SHALL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT PROPERTY AND TO ILLUMINATE THE PROJECT AREA.
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**1 PRELIMINARY SITE PLAN**  
SCALE: 1" = 30'-0"

**OWNER / DEVELOPER**

CANDOR BUILDERS  
3226 EAST SELLS DRIVE  
PHOENIX, AZ 85018  
TEL: (602) 378-1100  
WWW.CANDORBUILDERS.COM

**CONSULTANTS**

ARCHITECT: [Name]  
ENGINEER: [Name]  
LANDSCAPE ARCHITECT: [Name]  
PLANNING: [Name]  
UTILITY ENGINEER: [Name]

**KEYNOTES**

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**METERS AND BOUNDS**

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**NEIGHBORHOOD MAP**



**PROJECT DESCRIPTION**

THE PROPOSED PROJECT CONSISTS OF 24 UNITS... [Detailed description of the project scope and goals.]

**SITE INFORMATION**

SITE ADDRESS: 3226 EAST SELLS DRIVE  
CITY: PHOENIX, AZ  
COUNTY: MARICOPA  
ZONING: R-3  
PROJECT NO: 2013-0013

**BUILDING INFORMATION**

CONSTRUCTION TYPE: 1A / 1A  
OCCUPANCY: RESIDENTIAL  
TOTAL FLOOR AREA: 24,000 SF  
TOTAL UNIT AREA: 24,000 SF  
TOTAL UNIT COUNT: 24 UNITS

**PARKING REQUIREMENTS**

VEHICLE PARKING SPACES: 24 SPACES  
TOTAL PARKING REQUIRED: 24 SPACES  
TOTAL PARKING PROVIDED: 24 SPACES

**UNIT MIX**

UNIT TYPE	QUANTITY
1-BED	12
2-BED	12

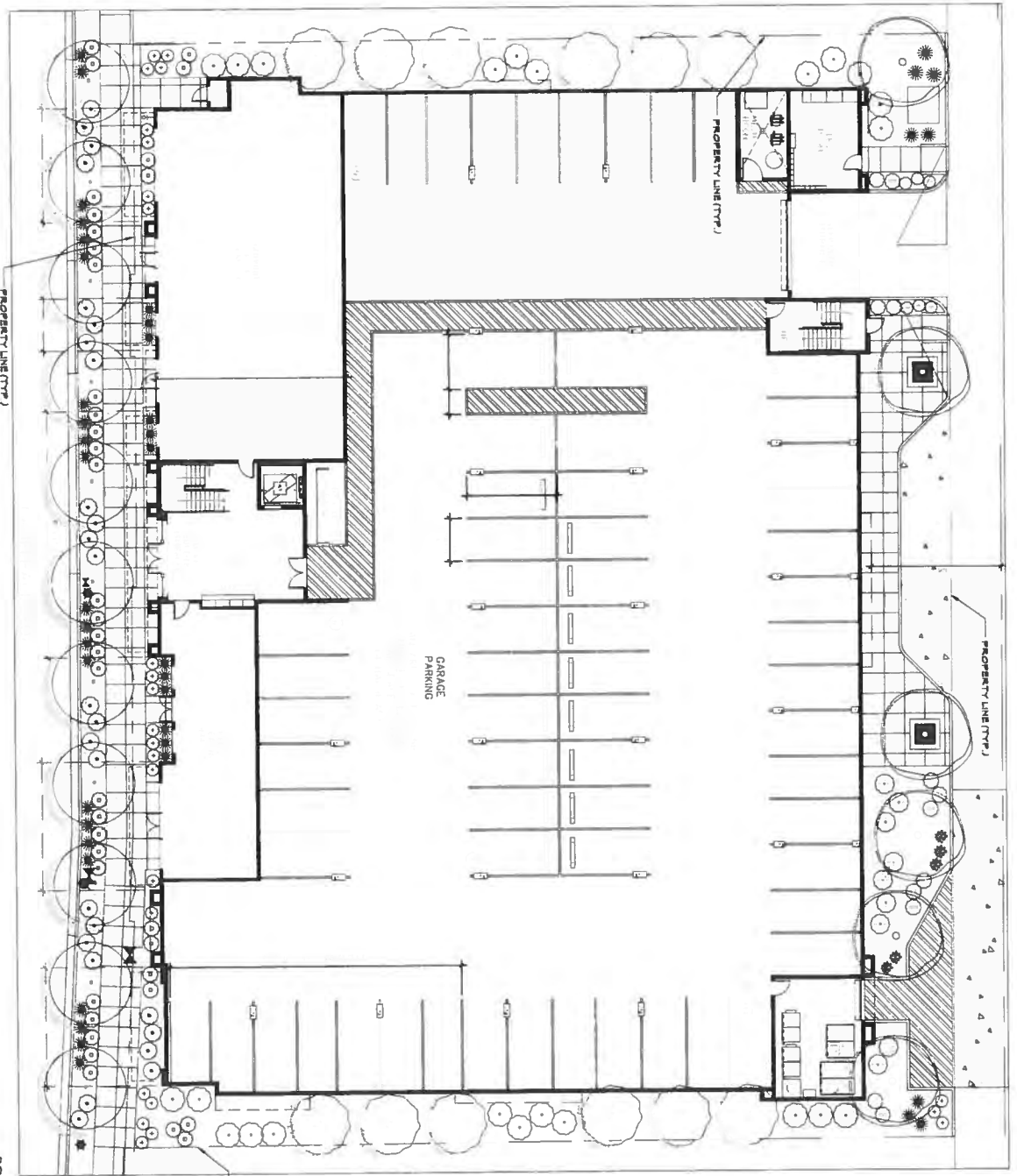


SEP 06 REC'D 2013  
PLANNING DEPT  
2nd fl. RECEPTION

Project: **140 W. Camelback Rd.**  
Phoenix, AZ  
Candor Builders  
3226 EAST SELLS DRIVE  
PHOENIX, AZ 85018

Perleman  
ARCHITECTS OF ARCHITECTS  
3226 EAST SELLS DRIVE  
PHOENIX, AZ 85018  
TEL: (602) 378-1100

Drawn: [Name]  
Checked: [Name]  
Date: 9/6/2013  
Project Number: 313033  
Sheet Number: A11



CITY OF PHOENIX  
 SEP 06 2013  
 PLANNING DEPT  
 MAIL RECEPTION

**PLANT LEGEND**

SYMBOL	BOTANICAL/Common Name
(Symbol)	PROPOSED TREES
(Symbol)	DALBERGIA BABOOD (SISBOO TREE)
(Symbol)	QUERCUS VIRGINIANA (LIVE OAK)
(Symbol)	PISTACIA LENTISCU (MASC TREE)
(Symbol)	ACACIA WILLYARDIANA (PALO BLANCO)
(Symbol)	PROPOSED SHRUBS
(Symbol)	MANGIFERA INDICA (MANGO TREE)
(Symbol)	EREBOPHILA MACULATA (VALENTINE-BUSH)
(Symbol)	DODONAEA VISCOSA (HOPE BUSH)
(Symbol)	PROPOSED GROUNDCOVERS
(Symbol)	LANTANA SPECIES (LANTANA)
(Symbol)	EREBOPHILA HYSPERIANA (BLUE BELL)
(Symbol)	PROPOSED ACCENT PLANTS
(Symbol)	CYCAS REVOLUTA (SAGO PALM)
(Symbol)	HEPERALOE PARVIFLORA (RED YUCCA)
(Symbol)	YUCCA RECURVIFOLIA (PENDULOUS YUCCA)
(Symbol)	ALOE VERA (MEDICINAL ALOE)
(Symbol)	ARTIFICIAL BOD
(Symbol)	BASTARD SOLAR LIGHT
(Symbol)	DECOMPOSED GRANITE
(Symbol)	1/2" SCREENED SANTA FE BRICK, 3" DEPTH



**McGough Group**  
 Landscape Architecture  
 11115 N. 24th Ave.  
 Suite 100  
 Phoenix, AZ 85028  
 602-991-8005  
 602-991-8003 fax

Project: 140 W. Camelback Rd.  
 EXTERIOR LANDSCAPE PLAN  
 Phoenix, AZ

Owner: Candor Builders  
 2 EAST SELLS DRIVE  
 JENIX, AZ 85018

Date: 9-6-2013

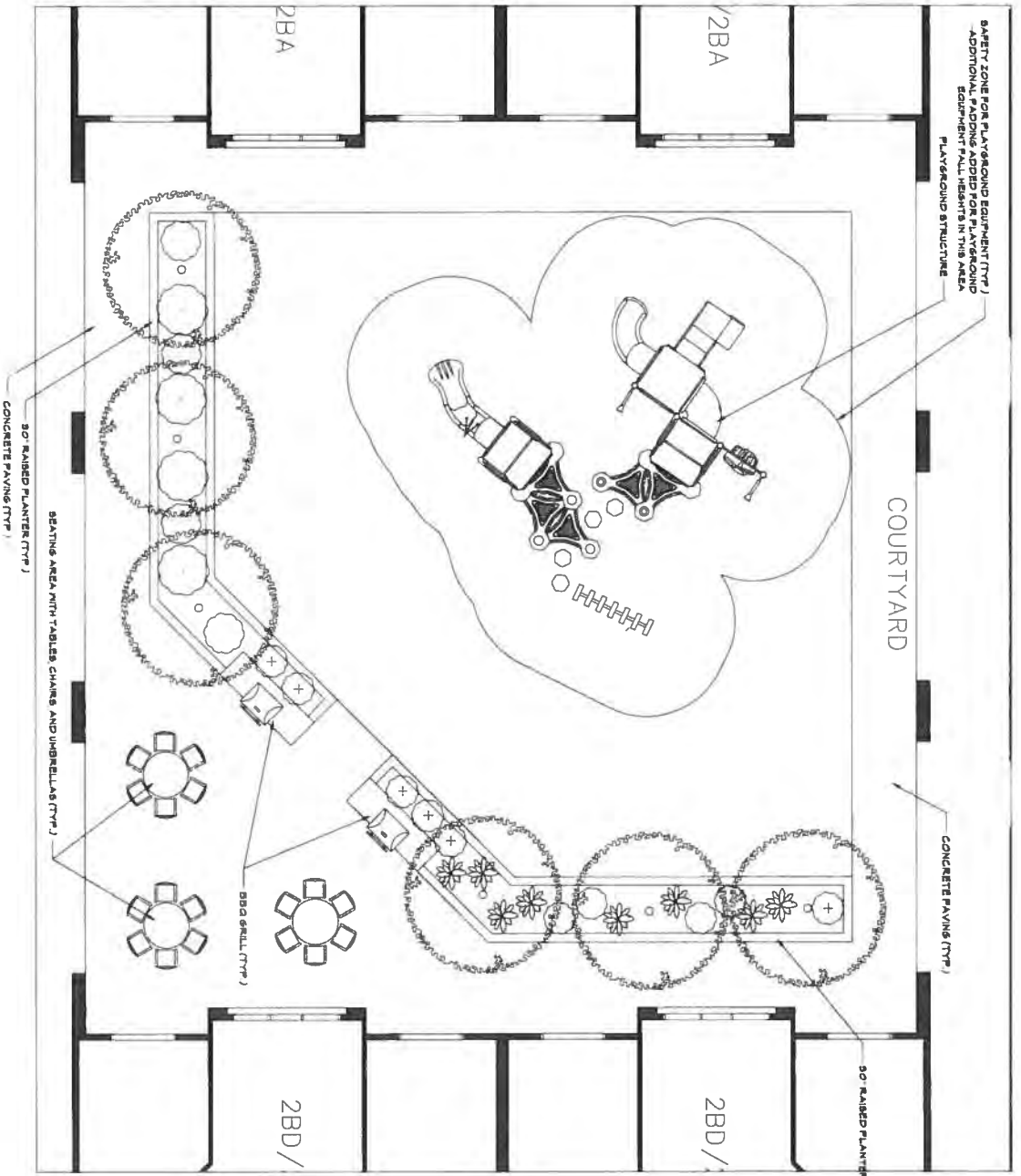
Drawn/Checked By: NAI/JM

Project Number: 313033

Sheet Number: L1



Rev	Date	By	Description



CITY OF PHOENIX

SEP 06 REC'D 2013

PLANNING DEPT.  
2nd fl. RECEPTION

**PLANT LEGEND**

SYMBOL	BOTANICAL/COMMON NAME
●	PROPOSED TREES
○	DALBERGIA SIBBOG (SIBBOG TREE)
○	QUERCUS VIRGINIANA (LIVE OAK)
○	PISTACHIA LENTISCUIS (MABIC TREE)
○	ACACIA MILLARDIANA (PALO BLANCO)
○	PROPOSED SHRUBS
○	HAMELIA PATENS (TREE CRACKER BUSH)
○	BREHOPHILA MACULATA 'VALENTINE'
○	DODONAEA VISCOSA (HOPE BUSH)
○	PROPOSED GROUNDCOVERS
○	LANTANA SPECIOSA (LANTANA)
○	BREHOPHILA HYPERBARRICA (BLUE BELLS)
○	PROPOSED ACCENT PLANTS
○	CYCAS REVOLUTA (SAGO PALM)
○	HEPERALOE PARVIFLORA (RED TICCA)
○	YUCCA RECURVIFOLIA (PENDULOUS TICCA)
○	ALOE VERA (MEDICAL ALOE)
○	ARTIFICIAL SOIL
○	EASY TUNE™ OLIVE LUSH
○	PROPOSED GRANITE
○	1/2" SCREENED SANTA FE BROWN 2" DEPTH

SCALE: 1/4"=1'-0"  
0' 2' 4' 8' 12'



**McGough Group**  
 11115 E. Thomas Blvd  
 Suite 100  
 Phoenix, AZ 85028  
 602-997-9999  
 602-997-9921 FAX

Project: 140 W. Camelback Rd.  
**COURTYARD ENLARGEMENT**  
 Phoenix, AZ  
 Owner: Candor Builders  
 3 EAST SELLS DRIVE  
 JENIX, AZ 85018

Date: NA/TM  
 Drawn/Checked By: NA/TM  
 Project Number: 9-6-2013  
 313033  
 Sheet Number: L2

Rev	Date	By	Description



**Perliman**  
 4000 N. 19th Ave., Suite 100  
 Phoenix, AZ 85021  
 480-944-1111  
 480-944-1112 FAX



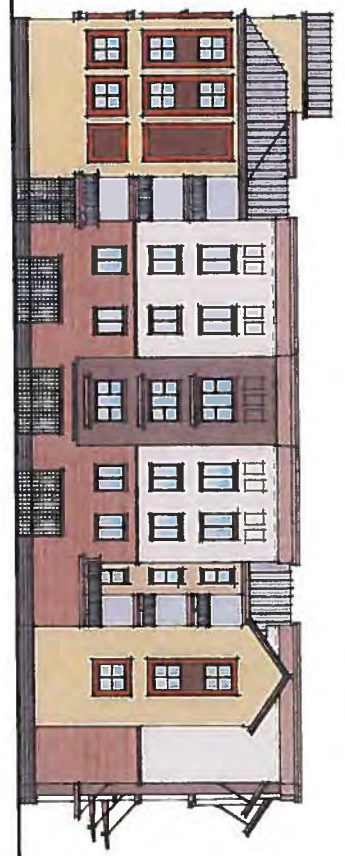
EAST ELEVATION



EXTERIOR ELEVATIONS

SCALE: 3/32" = 1'-0"

WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



- TO, Parapet 53'-7"
- Max. Blk. Height 48'-7"
- TOP of 4th 43'-9"
- TOP of 3rd 41'-9"
- TOP of 2nd 39'-9"
- Fourth Level 35'-9"
- Third Level 33'-9"
- Second Level 31'-9"
- First Level 29'-9"
- TO, Parapet 13'-9"
- Max. Blk. Height 48'-7"
- TOP of 4th 43'-9"
- TOP of 3rd 41'-9"
- TOP of 2nd 39'-9"
- Fourth Level 35'-9"
- Third Level 33'-9"
- Second Level 31'-9"
- First Level 29'-9"
- TO, Parapet 13'-9"

CITY OF PHOENIX

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PLANNING DEPT.  
2nd fl. RECEPTION

Phoenix TOD Station Place Type Diagram:

**WEST EXTENSION**

Station locations still under study

STATION NUMBER	STATION LOCATION	PLACE TYPE	PLACE TYPE ICON
01	79th Ave / Desert Sky Mall	Medium Urban Center	
02	79th Ave / Interstate 10	Suburban Commuter Center	
03	67th Ave / Interstate 10	Suburban Commuter Center	
04	59th Ave / Interstate 10	Suburban Commuter Center	
05	51st Ave / Interstate 10	Suburban Commuter Center	
06	35th Ave / Interstate 10	Neighborhood Center	
07	22nd Ave / Van Buren	Historic Neighborhood Center	
08	18th Ave / Van Buren	Medium Urban Center	
09	State Capitol / Jefferson	Medium Urban Center	
10	7th Ave / Washington	Medium Urban Center	
11	3rd Ave / Washington	Downtown Core	

**NORTHWEST EXTENSION**

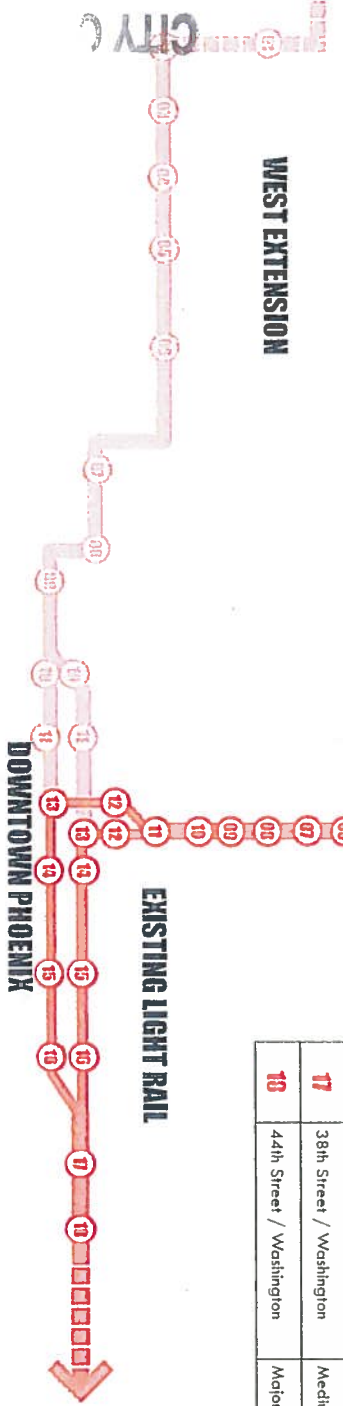
STATION NUMBER	STATION LOCATION	PLACE TYPE	PLACE TYPE ICON
02	Metro Center Mall	Suburban Commuter Center	
03	Dunlap / 25th Avenue	Medium Urban Center	
04	Dunlap / 19th Avenue	Neighborhood Center	
05	Northern / 19th Avenue	Neighborhood Center	
06	Glendale / 19th Avenue	Minor Urban Center	

**EXISTING LIGHT RAIL**

STATION NUMBER	STATION LOCATION	PLACE TYPE	PLACE TYPE ICON
01	Montebello / 19th Avenue	Medium Urban Center	
02	19th Avenue / Camelback	Medium Urban Center	
03	7th Avenue / Camelback	Medium Urban Center	
04	Central Avenue / Camelback	Historic Neighborhood Center	
05	Campbell / Central Avenue	Minor Urban Center	
06	Indian School / Central Avenue	Major Urban Center	
07	Osborn / Central Avenue	Regional Center	
08	Thomas / Central Avenue	Regional Center	
09	Encanto / Central Avenue	Medium Urban Center	
10	McDowell / Central Avenue	Major Urban Center	
11	Roosevelt / Central Avenue	Medium Urban Center	
12	Van Buren / Central Avenue	Downtown Core	
13	Washington / Central Avenue	Downtown Core	
14	Jefferson / 1st Avenue	Downtown Core	
15	3rd Street / Washington	Downtown Core	
16	12th Street / Washington	Minor Urban Center	
17	24th Street / Washington	Minor Urban Center	
18	38th Street / Washington	Medium Urban Center	
19	44th Street / Washington	Major Urban Center	

PLANNING  
2nd fl. RECD

SEP 06 RECD 2013



\* See Timeline Matrix on page 12 for Place Type descriptions

Phoenix TOD Typology Matrix

See Diagram on page 14 for Place Type station locations

Place Type Image	Place Type	Land Use Mix	Housing	Commercial	Transit Node	Intensity
	Downtown Core	<ul style="list-style-type: none"> <li>Central Business District</li> <li>Entertainment Destination</li> <li>Destination Retail</li> <li>High &amp; Mid Rise Living</li> <li>Industry Cluster</li> <li>Civic &amp; College Campuses</li> </ul>	<ul style="list-style-type: none"> <li>High Rise</li> <li>Mid Rise</li> <li>Loft Conversion</li> </ul>	<ul style="list-style-type: none"> <li>High Rise Office &amp; Hotel</li> <li>Major</li> <li>Under 40,000 sq. ft. single tenant retail footprint</li> </ul>	<ul style="list-style-type: none"> <li>Central Hub</li> <li>Highest Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Highest Intensity</li> <li>6+ Stories</li> </ul>
	Regional Center	<ul style="list-style-type: none"> <li>Office Employment</li> <li>Industry Cluster</li> <li>High &amp; Mid Rise Living</li> <li>Supportive Retail</li> </ul>	<ul style="list-style-type: none"> <li>High Rise</li> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> </ul>	<ul style="list-style-type: none"> <li>Mid-High Rise Office &amp; Hotel</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 60,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Regional Destination</li> <li>High Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>High Intensity</li> <li>5-10 Stories</li> <li>Incentive: 20 Stories</li> </ul>
	Major Urban Center	<ul style="list-style-type: none"> <li>Entertainment Destination</li> <li>Retail Destination</li> <li>Mid Rise Living</li> <li>Office Employment</li> </ul>	<ul style="list-style-type: none"> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> </ul>	<ul style="list-style-type: none"> <li>Mid-Rise Office &amp; Hotel</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 60,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Regional Destination</li> <li>High Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Medium-High Intensity</li> <li>4-8 Stories</li> <li>Incentive: 15 Stories</li> </ul>
	Medium Urban Center	<ul style="list-style-type: none"> <li>Balanced Commercial &amp; Residential</li> <li>Retail Destination</li> <li>Entertainment Destination</li> <li>Some Employment</li> </ul>	<ul style="list-style-type: none"> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> <li>Live/Work</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise Office</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 80,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Sub-Regional Destination</li> <li>Medium Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Medium Intensity</li> <li>3-6 Stories</li> <li>Incentive: 10 Stories</li> </ul>
	Minor Urban Center	<ul style="list-style-type: none"> <li>Balanced Commercial &amp; Residential</li> <li>Retail Destination</li> <li>Entertainment Destination</li> <li>Some Employment</li> </ul>	<ul style="list-style-type: none"> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> <li>Live/Work</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise Office</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 60,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Sub-Regional Destination</li> <li>Medium Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Medium-Low Intensity</li> <li>2-5 Stories</li> <li>Incentive: 7 Stories</li> </ul>
	Suburban Commuter Center	<ul style="list-style-type: none"> <li>Office Employment</li> <li>Colleges &amp; Trade Schools</li> <li>Hotels</li> <li>Commuter serving Retail</li> <li>Limited Housing</li> </ul>	<ul style="list-style-type: none"> <li>Apartment</li> <li>Town/Row Home</li> <li>Live/Work</li> </ul>	<ul style="list-style-type: none"> <li>Mid-Rise Office, Hotel &amp; Campus</li> <li>Under 80,000 sq. ft. single tenant footprint. Incentive 100,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Commuter Intermodal Destination</li> <li>Medium-Low Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Medium-Low Intensity</li> <li>2-4 Stories</li> <li>Incentive: 7 Stories</li> </ul>
	Neighborhood Center	<ul style="list-style-type: none"> <li>Primarily Residential</li> <li>Neighborhood serving retail</li> <li>Limited employment</li> </ul>	<ul style="list-style-type: none"> <li>Apartment</li> <li>Town/Row Home</li> <li>Live/Work</li> <li>2 or 3 unit</li> <li>Single Unit</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise office</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 50,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Neighborhood Destination</li> <li>Less Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Low Intensity</li> <li>2-4 Stories</li> <li>Incentive: 5 Stories</li> </ul>
	Historic Neighborhood Center	<ul style="list-style-type: none"> <li>Primarily Residential</li> <li>Neighborhood serving retail</li> <li>Limited employment</li> </ul>	<ul style="list-style-type: none"> <li>Apartment</li> <li>Town/Row Home</li> <li>Live/Work</li> <li>2 or 3 unit</li> <li>Single Unit</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise office</li> <li>Under 20,000 sq. ft. single tenant retail footprint</li> </ul>	<ul style="list-style-type: none"> <li>Neighborhood Destination</li> <li>Less Regional Accessibility</li> </ul>	<ul style="list-style-type: none"> <li>Low Intensity</li> <li>2-4 Stories</li> <li>Incentive: 5 Stories</li> </ul>

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and II. RECEPTION

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## Village Planning Committee Meeting Summary Z-47-13-4

<b>Date of VPC Meeting</b>	November 26, 2013
<b>Request From</b>	C-2 TOD-1 (.57 acres) and C-2 SP TOD-1 (.57 acres)
<b>Request To</b>	R-5 TOD-1 (1.14 acres)
<b>Proposed Use</b>	Multifamily residential development
<b>Location</b>	Approximately 115 feet east of the northeast corner of 3 <sup>rd</sup> Avenue and Camelback Road
<b>VPC Recommendation</b>	No Recommendation
<b>VPC Vote</b>	6-6 Motion Failed

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**MOTION:** Committee member Sanchez motioned to approve Z-47-13-5 as presented. Committee member Wirken seconded the motion.

**VOTE:** The committee voted 5-7. Motion failed.

Staff explained that the committee would need to propose a new motion and vote in order to send a recommendation to the Planning Commission.

**MOTION:** Vice-chair motioned to deny Z-47-13-5. Committee member Edstrom seconded the motion.

**VOTE:** The committee voted 6-6. Motion failed. (Corcoran modified his vote with the intent to not send a recommendation to the Planning Commission.

**DISCUSSION:** Staff gave a presentation on an overview of the request and discussed the provision in the Zoning Ordinance that prohibits vehicle access from pedestrian-oriented streets within the Transit-Oriented Zoning Overlay District, thus the reason why

the applicant is asking for vehicular access and the development's entrance to be along the alley. Mr. Lazarus gave a presentation on the site, access to the site and the community outreach that has been done with the surrounding neighborhood.

The committee had questions and concerns regarding fire and trash access within the alley. Staff explained that the applicant would be required to work with the Fire Department and Public Works Department through the site plan approval process.

Approximately 50 members of the public were in attendance for this request. 21 members of the community submitted cards in opposition with 13 of those wishing to speak. The community spoke in opposition of the height and density of the project, noise issues within alley, privacy issues and fire truck access. One member of the community spoke in support of the development with regards to the development of a vacant lot with a much needed use surrounding light rail.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

Staff has no comments.

Item #: 12  
Application #: Z-47-13-4  
From: C-2 TOD-1  
C-2 SP TOD-1  
To: R-5 TOD-1  
Acreage: 1.14  
Location: Approximately 115 feet east of the northeast corner of 3rd Avenue and Camelback Road  
Proposal: Multi-family residential  
Applicant: Larry Lazarus, Lazarus, Silvyn & Bangs  
Owner: Michael Stringfellow, Chasse Bldg Team  
Representative: Larry Lazarus, Lazarus, Silvyn & Bangs

Ms. Tricia Gomes presented Z-47-13-4; a request to rezone 1.14 acres located approximately 115 feet east of the northeast corner of 3rd Avenue and Camelback Road from C-2 TOD-1 and C-2 SP TOD-1 to R-5 TOD-1 to allow multi-family residential. A motion to approve the request failed 5 – 7, and a motion to deny the request failed 6 - 6; therefore, there was no recommendation from the Alhambra Village Planning Committee. Ms. Gomes stated meeting that the applicant revised the elevations and reduced the density of the project.

Mr. Larry Lazarus stated the original proposal was for 56 apartment units on a podium style building on 1.14 acres. He stated the development was proposed to be between two light rail stations and there would be three levels of residential living above the ground level parking garage. The proposal was for a total of four stories or 48 feet in height with a mix of efficiency units, and 1, 2, and 3 bedroom units. He mentioned changes to the elevations and density had been made as staff indicated.

Mr. Lazarus stated the proposal was consistent with all the City's policies and plans specified for light rail and infill development. He explained how this development would be conducive to the TOD-1 (Interim Transit-Oriented Zoning Overlay District One) guidelines by providing a walkable environment that limited vehicle access to the back of the project. He added that it would be a high quality development project that would utilize an underutilized site with a dilapidated structure; therefore, he felt it would support the infill incentive district policies. Mr. Lazarus stated the Planning and Development Department recommended approval as the proposal was consistent with the TOD strategic policy and would provide affordable housing within a quarter mile and between two light rail stations. He expanded how it met other goals of the City's policies such as Goal 2 of the Housing Element where it would provide a diverse choice of housing in each Village. He added Goal 3 of the Land Use Element would be met as the proposal would develop or redevelop vacant and under developed land in older parts of the city with a viable development for the long term character of the area. He stated the proposal would also meet Goal 7 as it would facilitate safe and convenient access to transit facilities with transit oriented development. He further explained how the proposal would accommodate working people without cars, since it was within walking distance to two light rail stations, and how it met the the place type recommendations that had been studied for the area.

Mr. Lazarus discussed ReInvent PHX which was an enhanced policy framework along existing and planned light rail corridors to help guide development. He stated that two place types were developed for the area. One for 7th Avenue and Camelback Road which allowed for a Medium Urban Center of multi-family development that would be 3 - 6 stories in height, and a Historic Neighborhood place type at Central Avenue and Camelback Road. This place type called for multi-family development of 2 - 4 stories and up to 5 stories with incentives. He added that the City was currently working on each district plan which was estimated to be completed at the end of 2014.

Mr. Lazarus stated the project would be tax credit housing, which had more regulations than any other apartment housing. He wanted to make it clear that it was not Section 8 housing. He stated this would be workforce housing that would be tightly controlled with on-site management where crime prevention methods must take place. He added that there would be criminal background checks.

Mr. Lazarus explained the public involvement for this project started as early as October 2013 when they had their initial neighborhood meeting. He indicated issues were raised such as parking, alley access, and the width of the alley needed for emergency access. Also identified were concerns of 1-story homes near a 4-story project. On November 13, Mr. Lazarus stated the Alhambra Village Planning Committee met to discuss this proposal which resulted in a vote of 6-6 with no recommendation. He added that on November 30 his client, the developer, met with and had a discussion with the neighborhood. On January 9, City staff facilitated a discussion with 6 representatives of the opposition to discuss various issues such as height, density and alley access. Mr. Lazarus stated that a continuance was requested for at the December 10 Planning Commission meeting to give the applicant more time to meet with the neighbors. He stated after they met there had been significant revisions to the elevations and density.

Mr. Lazarus commented about the revisions that took place which included the reduction of the height. He stated previously the proposal was set back 36 feet from the property line of the nearest residence to the north and they had reduced the height from 4 stories to 3 stories in that location. And 4 stories would be setback 73 feet from the neighbor's property line. He added that there was a reduction in the number of dwelling units from 56 to 50 which would also lead to a reduction of vehicle trips. He showed a picture of the elevations and how they changed.

Mr. Nathanael Maki, with Perlman architects, was the design firm on the project. Mr. Maki stated the project was close to the light rail station and a neighborhood with established architectural styles. He stated that some of these architectural styles included: tudor and ranch styles. He incorporated these styles into the new project's architecture with a combination of steep sloped roofs, parapets, similar window details, earth tones which were representative of the homes in the historic neighborhood to the north. He indicated along Camelback Road there would be trees 20 feet on center which separated the sidewalk from the street. The sidewalks would be 8 feet wide and pedestrian friendly with shade canopies. The center portion of the building would have a deck that faced Camelback Road. Along the north elevation along the alley they eliminated the top story and reduced the number of proposed units. Mr. Maki stated that

the development would incorporate 4-sided architecture. He stated there were originally 65 parking spaces which maintained the same, even though the unit count changed from 56 to 50 units. He added that along the alley there would be a place for trucks to load and for trash, so that the alley would not be blocked. The entrance to the garage would be from the alley while along Camelback Road would have a 2,000 square foot community space with a center main courtyard and a leasing office adjacent to the center opening. At podium level was a central courtyard with a tot lot, barbeques and a place for residence to hang out which would be open to the Camelback Road side and not to the north. This project limited loading and service from the TOD street and provided access from the alley to the garage. The garage would remain open for guests from 8 am to 5 pm and outside those hours the gate would open with a call box. The alley would be improved with concrete from 3rd Avenue to the east side of the building. Mr. Maki felt this would improve the alley by putting eyes and vehicles on it.

Mr. Lazarus concluded the presentation by stating the project exceeded the City of Phoenix parking requirements and that tenants would likely have less cars than standard residential projects. He showed a project in a historic district called UL2 which was 5 stories and he emphasized in contrast this project was 3 and 4 stories near a single family residential area. He stated the project had alley access, less parking per unit and was not located on a major arterial street like Camelback Road and not between two light rail stations. He noted that the UL2 project was considered an exemplary development in Phoenix.

Ms. Sherry Rampy spoke in support of the request, resided one block south of the property. She stated she had a background in economics and was a real estate broker. She added that she was on the Phoenix Historic Preservation Commission. She felt the fear of the neighbors was unfounded. She stated she was in support of the project, because it was important and good for the health of the community. She believed there was a need for diversity of housing and with all the service industry coming in that they needed quality workforce housing. She stated in the Roosevelt Historic District that workforce housing spurred market development and did not increase crime or reduce property values.

Ms. Ellen Bilbrey, spoke in opposition of the request, stated she was the secretary for the Medlock Place Neighborhood Association. She said the TOD was a floating TOD which was meant to prevent speculative zoning. She emphasized that this proposal was located in the place type known as the Historic Neighborhood Center where they were to have 8 - 20 dwelling units per acre. She added that the net acreage of the site was 0.83 acres. She stated the C-2 would allow 17 dwelling units per acre as mandated by the General Plan and the TOD Strategic Policy document stated if there was an incompatibility with zoning defer to policy plan and it would prevail. She stated the zoning was C-2 Zoning and two stories on Camelback Road. She noted that City Planner Curt Upton's (Reinvent Phoenix) PowerPoint presentation in 2011 showed the area to be low intensity and low rise for this place type design. She stated that was what made it the Neighborhood Center. She clarified this is in the neighborhood center and not the place type at 7th Avenue and Camelback Road. She believed this proposal would cause a parking crisis, and block the Sonoran bikeway and access to the Newton's driveway.



She felt there was no community based vision here. She felt it was a very intrusive project to a single family home. She stated this area was one of the original 1926 historic developments which afforded recognition and protection for this neighborhood. She felt the proposed project was zoned for 2-stories when they purchased the property. She added that Alhambra voted 7-5 to reject then decided not to recommend it. She felt a housing study and traffic study should be completed.

Mr. Bruce Bilbrey represented the Central Camelback Coalition, an organization of 12 neighborhoods that radiate out towards Central Avenue and Camelback Road, which he said asked to vote no. He felt there was no planning completion in place and was afraid this would cause a domino effect along the rest of Camelback Road and Central Avenue. He said they were instrumental in working on the Historic Neighborhood Center place type.

Chairwoman Katsenes asked what modification he would make that would make it an acceptable project.

Mr. Bilbrey stated that they were offended that at 5 PM that day there was a change in the design. He stated the R-5 zoning proposed was too big, too tall, and too dense and would place an additional burden on the homeowners. He felt the proposal would negatively impact many lives of the homeowners.

Mr. Russ Razinn stated he had written testimonies by international travelers of how great the Medlock Historic district was. He said at that time there was no R-5 zoning in the area. He believed there were other places for R-5 zoning and commented that more than 300 petitions were signed against the proposed development. He indicated that the vote of the Commission would show how much the City cares about them.

Mr. Jeff Mills stated he lived in the neighborhood and he was a fire fighter. He stated that the single lane service alley would be used as the ingress and egress. He expressed concern of the height and density of the project and stated the alley was not wide enough for vehicles to pass. He added that 25 feet wide was the minimum safe standard for getting fire apparatus in and out. He also indicated if emergency vehicles did not have immediate access it would be difficult to get to the emergencies. He believed people's safety was being overlooked with this zoning request.

Mr. Ernest Jaramillo speaking in opposition of the staff report was concerned with odor and noise pollution. His main concern was the invasion of privacy since the apartment dwellers would have a birds eye view of him and his family. He expressed a concern with traffic cameras monitoring his ingress and egress. He stated this proposed development was more than 1/4 mile away from the 7th Avenue and Camelback Road light rail stop and should not be considered as part of that place type.

Commissioner Heck asked Mr. Jaramillo if he still had a concern with height since the height of the project changed from the previous submittal. He said he was still concerned with it and in addition to privacy it would impact shade, sun light and the site would generate a lot of trash.

Ms. Tracy Tepper said she saw lots of good projects in the past in Downtown Phoenix, however, felt this was the worst project and would devastate the neighbors and small businesses. She felt there was not enough parking for the tenants and guests. She stated owners might have multiple vehicles. She added that the small commercial area nearby signed petitions against this project, because they felt they would lose business due to the parking overflow and the significant increase in traffic.

Chairwoman Katsenes asked where did they think parking would become a problem for them.

Ms. Tepper responded by stating the parking lot specifically for their own businesses and that customers would be deterred by the significant additional traffic in the area.

Ms. Carol Kawell stated she would have a direct view of the 4-story structure and added that her home was built in 1928 and on the national historic register. She stated that there were 17 apartment properties with over 320 units already in the area. She felt that many of the apartment complexes provided affordable work force housing near the light rail and they were mostly one-story with some at a maximum of two-stories.

Mr. Henry Harding stated he was a board member of Pierson Place, but was not at the meeting representing them. He had concerns with people looking down at the property owners back yards. He also pointed out that he was concerned with the background checks not covering everyone in the households. He identified safety concerns when he went to the Fry's Store on 7th Avenue.

Mr. Ken Mosesian stated he was the President of the Board of Directors of the Windsor Square Neighborhood and he stated the Board voted unanimously in opposition of this project.

Mr. Steve Caniglia, a residential real estate agent specialized in the historic properties, visited 4 homes in the Medlock Place neighborhood that would be directly affected by this proposal and felt that the 4-story building would have an immediate loss of property value from 30 - 50% in the most extreme cases. He stated this would be due to loss of privacy, loss of sunlight, the increase of noise, congestion, and parking challenges brought about by the project.

Mr. JB Donaldson stated he had 3 homes in the neighborhood and felt this sort of project would wipe out entire neighborhoods if it were allowed to happen. He stated this was a much smaller lot than the proposal Mr. Lazarus said was exemplary.

Mr. Alan Davidon stated the city authorized the amount of parking at Postino's on Central Avenue. He believed the project would diminish the value of properties north since appraisers would use those comparatives. He stated that he believed zoning was not supposed to do that.

Mr. Barry Wong stated he resided in the Medlock Place Historic District and felt the neighbors had rebuilt this area since the Paradise Parkway was supposed to cut

through it. He felt the City of Phoenix should not take the most massive intensity on any corner. He then asked the Commission to take into consideration the concerns of the neighborhood and at that time reject the proposal.

Chairwoman Katsenes said Mr. Lazarus would have his time for rebuttal.

Mr. Lazarus, while in rebuttal, stated staff knows the Place Types better than anyone and they should be asked if the project met it. He stated this was tax credit financing housing that would be regulated. He added that there would be sufficient parking that was controlled. He agreed the commercial restaurant parking at Postino's was a problem and the C-2 zoning which was what this property had would allow for uses such as a restaurant. He stated the market would make accommodations for all types of uses along Camelback Road. He felt the residents would be within walking distance and would be patrons of the nearby businesses. As far as fire protection he stated that the Development Division would have to approve the alley width and access points. He commented that there was no evidence that property values in the area would go down 30 - 50%. He stated he met last Thursday with 6 representatives of the opposition and they offered the 4-story reduction and the reduction in units and said it would retain the same number of parking spaces. He was surprised and concerned this information did not get back to the neighbors. He stated the neighbors felt the 4-stories were going up to the property line and there was only one lane in the alley, which he said was not the case. He believed people were upset about the original proposal and what they knew a week prior, but felt he had reached back and made concessions. He stated he tried to work with a small group of people who did not bring the information back to the neighbors.

Commissioner Awai asked staff to clarify the minimum 30% to be dedicated for open space in the TOD policy which allowed an incentive to 5 stories.

Ms. Gomes explained that the 30% of dedicated open space was required as an incentive to go to 5 stories, otherwise the place type suggested 2 – 4 stories.

Chairwoman Katsenes asked for the boundaries of Medlock Place Historic District just north of the proposed site.

Mr. Lazarus clarified that the site was not within the historic district.

Chairwoman Katsenes questioned if the fire department had reviewed the proposed site plan.

Ms. Gomes stated she had a pre-application meeting with the Development Division.

Commissioner Johnson asked why the city required the driveway off of 3rd Avenue versus Camelback Road.

Ms. Gomes stated the TOD overlay prohibits vehicle access from pedestrian-oriented streets unless no other reasonable access is available.

Chairwoman Katsenes questioned Mr. Wong of what would make this project agreeable for the neighborhood.

Mr. Wong felt the City wanted to maximize density and the usage along the light rail corridor. He believed they should balance between the interest of the neighborhood and the City. He would like the City to work more closely with the neighborhood to be a model of how the City incorporates Transit Oriented Development.

Mr. Wong stated 2-stories would be optimal but he felt he could not speak for all the neighbors. He felt where the step down was from 4 to 3 stories could be from 3 to 2 stories, but felt they would have to work with the direct neighbors. Mr. Wong stated he continually asked the neighborhood representatives if the applicant had a dialog with their group. He stated they were only contacted when the City facilitated the meeting. He felt for a genuine dialog to have a face to face meeting rather than use City staff as a proxy between the developers and the neighborhood.

The following submitted cards in opposition but did not wish to speak.

Sophie Tepper	Sandra Hunter	Sarah Spencer
Sara Jaramillo	Lisa Brown	Rebecca Worrall
Brian Worrall	Sally Stefferud	Blanca Mendoza
Susan Galvarin	Jerome Stefferud	Bernhard Gellner
Grant Cooper	Stella Saperstein	Mark Saperstein
Stephanie Depascal	Susan Myers	Gary Burns
Mike Mills	Erin Razinn	Tammy Tepper
Coreen Tepper	Debbie Wells	Deanna Anderson
Matthew Cusick	Robin Cusick	Robert Pollack
Shelly Dunlop	Randi Bates	Lorna Kirby
David Galvarin	Philip S	

Mr. Alan Stephenson clarified boundaries of the Medlock Properties historic district.

Chairwoman Katsenes asked if Mr. Stephenson met with the representative group of the neighbors.

Mr. Stephenson stated they had met with the neighbors.

Mr. Lazarus stated he met with the neighbors and talked with people constantly about this proposal. He also stated he met with neighbors before the application was formally submitted.

Commissioner Heck stated she was not certain with her decision but remarked that they were in an exciting time with light rail in the heart of the City with historic neighborhoods which everyone was excited about. She realized she was part of the city when she lived in the Willo Historic District and she stated it did not hurt property values. She saw the neighborhood as working to make the area have a vibrant intersection. She felt the neighbors were the ones who lived in the area all day at the Central Avenue and Camelback Road intersection. She stated that eventhough it was a wonderful project,

she was not sure if she could support it.

Commissioner Awai felt it was a tough decision but at the same time exactly the type of development the City envisioned when they established the place types. He wanted to hear from his fellow commissioners prior to making a recommendation.

Commissioner Heck asked if there were any discussions with the developer to modify the height.

Mr. Lazarus stated they needed at least the density, they reduced the height and pushed back the building and felt they pushed on this as far as they could.

Chairwoman Katsenes stated at Vernon Avenue and Central Avenue where she lived across was a light rail route along Central Avenue in the front yard of the historic area. She stated she lived there for 8 years and the property values did not suffer. She added that they could combat parking on the streets of the neighborhood by working with the City to require parking permits. She stated this worked and the few times it did not it was resolved by contacting the police.

Commissioner Beletz made a MOTION to approve application Z-47-13-4 per the memo from Tricia Gomes dated January 14, 2014.

Commissioner Awai SECONDED.

Commissioner Johnson expressed concerns he still had about the parking requirements and density entitlement on the site. He recommended that the applicant still work with area residents to address those concerns.

Commissioner Madeksza thanked the residents for attending the meeting. She informed the attendees that they could still attend the City Council meeting to voice their concerns.

Commissioner Johnson reminded the attendees that the Planning Commission was a recommending body only, and that City Council would have the final say.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 4-2 (Heck, Johnson). (Davis, Whitaker and Montalvo absent)

\* \* \*

Stipulations:

1. The development and elevations shall be in general conformance with the site plan, elevations and landscape plan date stamped September 6, 2013 AND ELEVATIONS DATE STAMPED JANUARY 14, 2014, as approved by the Planning and Development Department.

2. The applicant shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to meet current ADA guidelines.
3. A MINIMUM BUILDING SETBACK OF 16-FEET SHALL BE REQUIRED ALONG THE NORTH PROPERTY LINE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. THE BUILDING HEIGHT SHALL NOT EXCEED 3-STORIES AND 38- FEET FROM 16-FEET TO 53- FEET FROM THE NORTH PROPERTY LINE. THE BUILDING HEIGHT SHALL NOT EXCEED 4-STORIES AND 48- FEET BEYOND 53- FEET OF THE NORTH PROPERTY LINE.
5. THE DEVELOPMENT SHALL NOT EXCEED 50 UNITS.

CITY OF PHOENIX  
PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b>			
<b>I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:</b>			
<b>APPLICATION NO./ LOCATION</b>	Z-47-13-4 Approximately 115 feet east of the northeast corner of 3rd Avenue and Camelback Road	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	X
<b>APPEALED FROM:</b>	PC 1/14/14	Barry Wong 602-850-4300	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
<b>TO PC/CC HEARING</b>	CC 2/5/14	29 West Medlock Drive Phoenix AZ 85013	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
<b>REASON FOR REQUEST: Proposed zoning is excessively dense for neighborhood with negative implications adding traffic to alley, height issues, parking spillover issues</b>			
<b>RECEIVED BY:</b>	SK / dr	<b>RECEIVED ON:</b>	1/15/14

Larry Tom  
Diane Rogers  
Lilia Olivarez, PC Secretary  
PLN All



CITY OF PHOENIX

The **PLANNING COMMISSION** agenda for January 14, 2014 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. January 21, 2014

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. January 21, 2014

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. January 21, 2014.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. January 28, 2014.

**FORM TO REQUEST CITY COUNCIL HEARING**

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-47-13-4  
APPLICATION NO.

APRX 115 FEET EAST OF THE NORTHEAST  
CORNER OF THIRD AVENUE AND CAMELSBACK ROAD  
LOCATION OF APPLICATION SITE

1-14-2014  
DATE APPEALED FROM

OPPOSITION  
 APPLICANT

Samantha Keating  
PLANNER  
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

BARRY WONG  
PRINTED NAME OF PERSON APPEALING

Barry Wong  
SIGNATURE

29 W. MEDLOCK DR  
STREET ADDRESS

1-15-2014  
DATE OF SIGNATURE

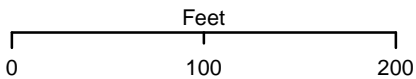
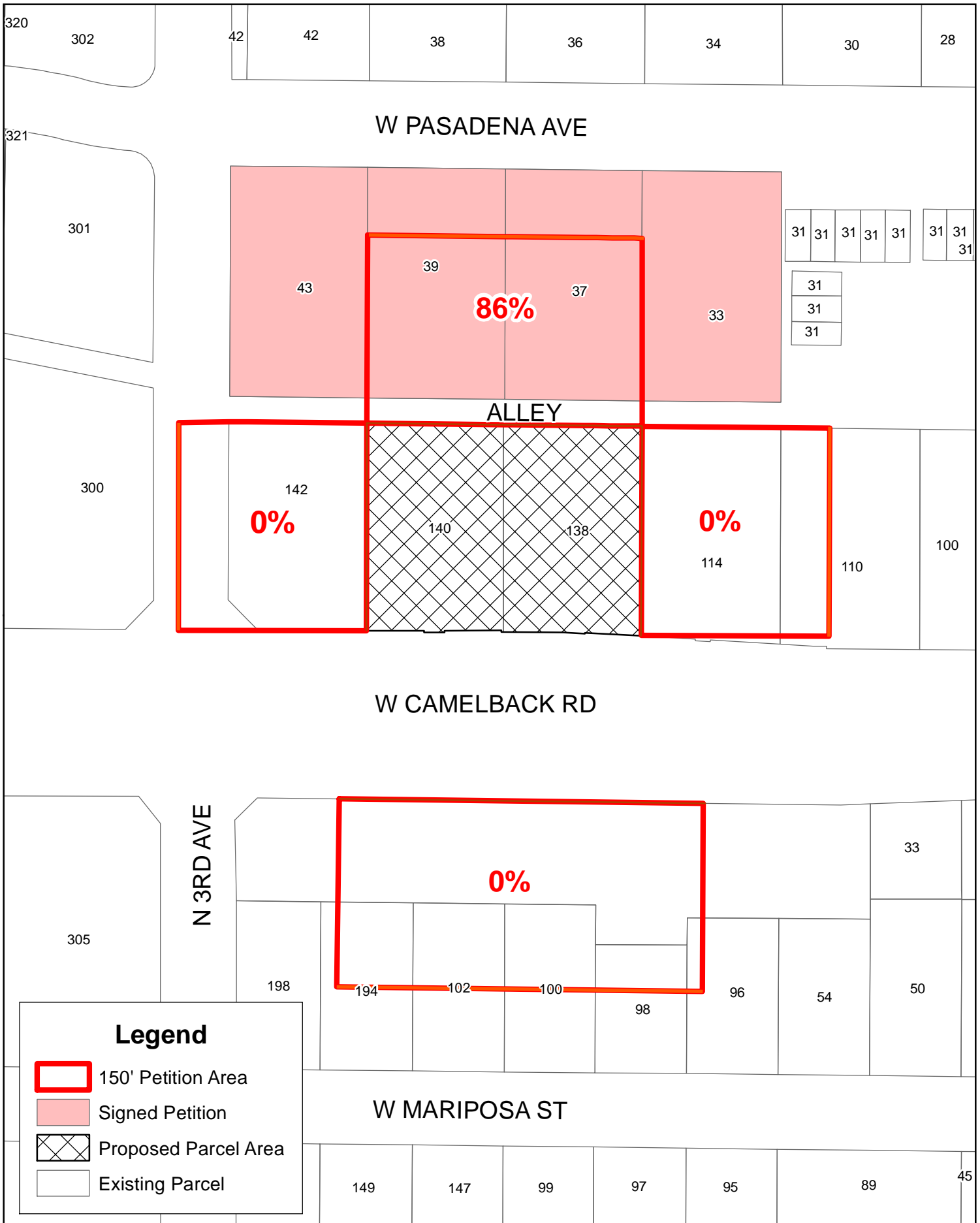
PHOENIX AZ 85013  
CITY, STATE & ZIP CODE

602-850-4300  
TELEPHONE NO.

REASON FOR REQUEST PROPOSED ZONING IS EXCESSIVELY DENSE FOR NEIGHBORHOOD WITH NEGATIVE IMPLICATIONS ADDING TRAFFIC TO ALLEY, HEIGHT ISSUES, PARKING ISSUES.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER





### Petition Map for Z-47-13

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## CITY COUNCIL REPORT

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### FORMAL AGENDA

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TO: Rick Naimark  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson  
Acting Planning & Development  
Director

ITEM: 53 PAGE: 72

SUBJECT: Z-24-13-3 LOCATED APPROXIMATELY 750 FEET WEST OF THE  
SOUTHWEST CORNER OF TATUM BOULEVARD AND SHEA  
BOULEVARD

---

This report provides back-up information on Item 53 on the February 5, 2014, Formal Agenda.

#### THE ISSUE

A rezoning application has been submitted for approval to the City Council for a parcel located approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard. Application is being made by Robert Brooks Ministries, Inc.

#### OTHER INFORMATION

Rezoning case Z-24-13-3 is a request to rezone 3.52 acres from CO/GO to C-1 to allow a day care facility.

The Paradise Valley Village Planning Committee reviewed the application on September 9, 2013, and recommended denial on a 14-0 vote.

The application was heard by the Planning Commission on January 14, 2013, and recommended for approval per the staff Addendum A dated January 14, 2014 on a 4-2 vote.

The application was appealed by the opposition and a three-fourths vote of the City Council is required for approval.

#### Attachments:

A – Staff Report Z-24-13-3

## Attachment A



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## ADDENDUM A

### Staff Report: Z-24-13-3

January 10, 2014

<b>Paradise Valley Village Planning Committee Meeting Date</b>	September 9, 2013
<b>Planning Commission Hearing Date</b>	January 14, 2014
<b>Request From:</b>	C-O/G-O (3.52 acres)
<b>Request To:</b>	C-1 (3.52 Acres)
<b>Proposed Use</b>	Day Care Facility
<b>Location</b>	Approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard
<b>Owner</b>	Robert Brooks Ministries, Inc.
<b>Applicant/Representative</b>	Robert Brooks
<b>Staff Recommendation</b>	Approval, subject to stipulations

This request has been continued several times since the September 10, 2013 Planning Commission hearing to allow the applicant to address neighborhood concerns. The applicant has amended the site plan associated with this rezoning application. The amended site plan depicts a smaller day care facility located closer to the southern property line. The revised site plan shows an 11,000 square foot building footprint whereas the previous depicted a 20,000 square foot building. The proposed new building setback is 25 feet from the southern property whereas the previous was 50 feet. The Zoning Ordinance permits a maximum building height of 15 feet within 25 feet of a property when adjacent to single-family residential zoning. The revised Stipulation 1 reflects the new site plan date stamped January 10, 2014.

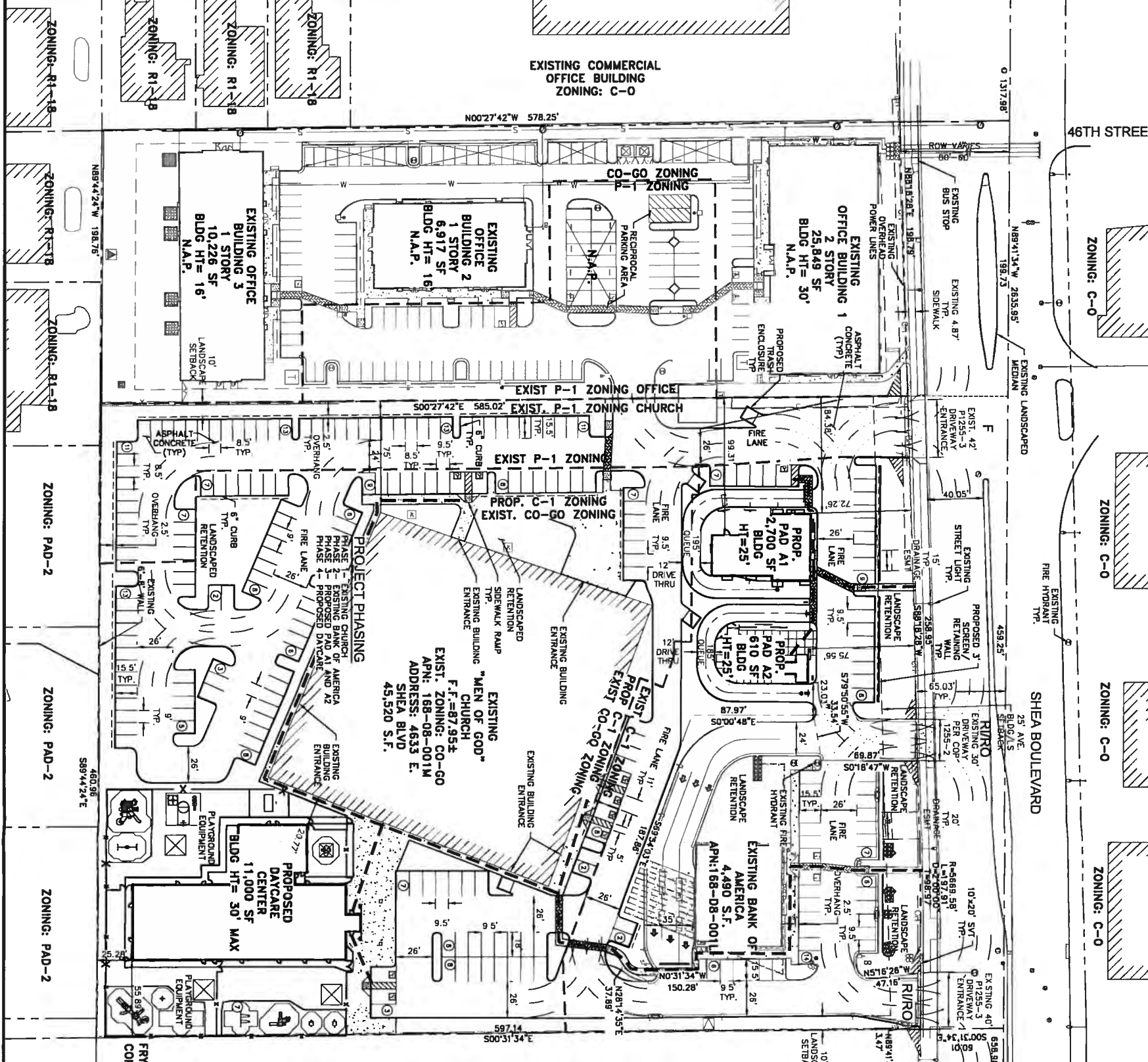
Two additional stipulations are proposed to provide an additional landscape buffer along the south property line and ensure the location of the dumpster is not located near the residential. Staff is adding a stipulation requiring the landscaped setback along the southern property line be planted with a minimum 50% 2-inch caliper trees and minimum 50% 3-inch caliper trees planted twenty feet on center. This stipulation will help buffer the proposed use from the residential neighborhood to the south. Staff is also proposing a stipulation requiring that no dumpster be placed within one hundred feet from the southern property line.

### Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~July 18, 2013~~ JANUARY 10, 2014, as approved by the Planning and Development Department.
2. A MINIMUM 50% 2-INCH CALIPER TREES AND 50% 3-INCH CALIPER TREES SHALL BE PLANTED 20 FEET ON CENTER WITHIN THE REQUIRED LANDSCAPE SETBACK ALONG THE SOUTH PROPERTY LINE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. NO DUMPSTER SHALL BE LOCATED WITHIN 100 FEET OF THE SOUTHERN PROPERTY LINE.

**Attachment**

Revised site plan date stamped January 10, 2014



REVISION	DESCRIPTION	BY	DATE	APPR

PROJECT INFORMATION		
ASSessor's PARCEL #	188-08-001M AND L	
PROPOSED USE:	CHURCH, COMMERCIAL/RETAIL	
EXISTING ZONING:	P-1/C-1/CO-GO	
PROPOSED ZONING:	P-1/C-1/CO-GO	
JURISDICTION:	CITY OF PHOENIX, ARIZONA	

SITE DATA		
CHURCH (188-08-001M)	GROSS(SF)	5,912
CHURCH (188-08-001M)	NET(SF)	5,442
CHURCH (188-08-001M)	NET(SF)	237,060
BUILDING AREA	(45,520+27,000+610+11,000)	
BUILDING HEIGHT	30'-0" (25'-0" MAX FOR PAD A1 AND A2)	
LOT COVERAGE	(58,830)/237,060=24.8%	
GROSS(SF)	NET(SF)	NET(SF)
(188-08-001L)	45,492	0.83%
BUILDING AREA	4,490 SF	
BUILDING HEIGHT	30'-0"	
LOT COVERAGE	(4,490)/237,060=1.9%	

PARKING	
PARKING REQUIRED:	1,100 SF (MINIMUM)/50 = 22 SPACES
PAD A1 (REST.)	2 EMPLOYEES = 2 SPACES
PAD A2 (DRIVE THRU ONLY)	500 SF / 50 = 10 SPACES
CHURCH (PATIO)	500 SF / 50 = 10 SPACES
DAYCARE:	11,000 SF / 40 / 200 = 12 SPACES
TOTAL:	4,490 SF / 80 / 200 = 239 SPACES
ON-SITE:	232 SPACES
OFF-SITE:	63 SPACES
TOTAL:	295 SPACES

LEGEND	
	ACCESSIBLE PARKING SPACE
	EXISTING STREET LIGHT
	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY LINE
	CENTER LINE
	ADA ROUTE
	LIMITS OF ZONING BOUNDARY
	DECORATIVE STAMPED ASPHALT CROSSWALK

**OWNER/DEVELOPER**  
 MEN OF GOD MINISTRIES, INC.  
 7000 N. 18TH ST., SUITE 120  
 PHOENIX, ARIZONA 85020  
 CONTACT: ROBERT BROOKS  
 PH: (602) 770-8148

**CIVIL ENGINEER**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 7740 N. 16TH STREET, SUITE 300  
 PHOENIX, ARIZONA 85020  
 PH: (602) 944-5500  
 FAX: (602) 944-7423  
 CONTACT: STERLING MARGELITS

**PROJECT NARRATIVE**

THE SCOPE OF THIS PROJECT CONSISTS OF A RESTAURANT DRIVE-THRU AND PATIO PAD AND A DAYCARE AND AN EXISTING MEN OF GOD CHURCH. THE SITE IS LOCATED ON THE CORNER OF SHEA BOULEVARD AND L. THE OVERALL SITE IS 6.24 ACRES NET. IS BOUNDARY BY SHEA BOULEVARD TO THE EAST, SINGLE FAMILY RESIDENTIAL TO THE SOUTH, AND AN OFFICE COMPLEX TO THE WEST.

THE PROPOSED ESTABLISHMENT WILL CONSIST OF A RESTAURANT DRIVE-THRU AND A DRIVE-THRU AND PATIO PAD AND A DAYCARE AND AN EXISTING MEN OF GOD CHURCH. THE CURRENT ZONING FOR THE SITE IS P-1/CO-GO. THE CURRENT ZONING IS P-1/CO-GO. THE PROPOSED ZONING IS P-1/CO-GO.

ACCESS TO THE SITE IS PROVIDED FROM THE EXISTING DRIVEWAY ENTRANCES ON SHEA BOULEVARD. THE PROPOSED DRIVEWAY ENTRANCES ARE FROM THESE DRIVEWAY ENTRANCES.

THE CURRENTLY IMPROVED SITE DRAINS TO DETENTION BASIN ALONG SHEA BOULEVARD. IT IS PROPOSED THAT THESE EXISTING DRAINAGE INLETS CAN CONTINUE TO BE USED FOR THE PROPOSED DRIVEWAY ENTRANCES.

**CITY OF PHOENIX**

JAN 10 2014

Planning & Development  
 Department

KIVA: 07-4379A  
 SEV: ZD033M  
 O.S.: 28.38

4633 EAST SHEA BOULEVARD  
**CONCEPTUAL MASTER SITE PLAN**  
 PHOENIX, ARIZONA

**RBM CENTER**

**Kimley-Horn and Associates, Inc. © 2014**  
 7740 N. 16th Street, Suite 300  
 Phoenix, Arizona 85020 (602) 944-5500



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-24-13-3**  
July 31, 2013

**Paradise Valley Village Planning Committee Meeting Date** September 9, 2013  
**Planning Commission Hearing Date** September 10, 2013  
**Request From:** C-O/G-O (3.52 Acres)  
**Request To:** C-1 (3.52 Acres)  
**Proposed Use** Day Care Facility  
**Location** Approximately 750' west of the southwest corner of Tatum and Shea Boulevards  
**Owner** Robert Brooks Ministries, Inc.  
**Representative** Robert Brooks  
**Staff Recommendation** Approval

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Public/Quasi-Public	
<b>Street Map Classification</b>	Shea Boulevard	Major Arterial	60' right-of-way
<p><b>LAND USE ELEMENT, GOAL 4:</b> SUPPORT HEALTHY URBAN VILLAGES WITH A BALANCED MIX OF HOUSING, EMPLOYMENT OPPORTUNITIES AND SERVICES AS A PRINCIPAL MEANS TO REDUCE VEHICLE TRIP LENGTH AND ASSOCIATED EMISSIONS.</p> <p>Approval of this request will allow for a new day care facility to be built at the site. The new day care facility will provide an additional service to those that live or work in the immediate area.</p>			
<p><b>NEIGHBORHOOD ELEMENT: GOAL 2:</b> COMPATIBLE NEIGHBORHOOD DEVELOPMENT: NEW DEVELOPMENT AND EXPANSION OF REDEVELOPMENT OF EXISTING DEVELOPMENT IN OR NEAR RESIDENTIAL AREAS SHOULD BE COMPATIBLE WITH EXISTING USES AND CONSISTENT WITH ADOPTED PLANS.</p> <p>The subject site is located near the intersection of Tatum and Shea Boulevards. This intersection contains several different commercial uses. The proposed day care use is consistent with the General Plan Land Use map designation of Commercial. The proposed buildings on the site plan show a significant setback (50 feet) from the adjacent single family residential homes to the south, thereby mitigating the impact on the residents of that area.</p>			
Area Plan			
N/A			

<b>Surrounding Land Uses/Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Church	C-O/G-O
<b>North</b>	Bank	C-1
<b>South</b>	Single Family Residential	R1-18/PAD-2
<b>East</b>	Supermarket	PSC
<b>West</b>	Parking lot	P-1

<b>C-1 District –Neighborhood Commercial</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
Gross Acreage		3.52 gross acres
Off-Street Parking	263	284 (met)
Building Setbacks		
Front	25'	81' (met)
Side	10' (adj to PSC) 0' (adj to P-1)	East side – 27' (met) West side – 84' (met)
Rear	50'	South side– 50' (met)
Lot Coverage	50%	27.7% (met)
Building Height	2-stories / 30' allowed	30' (met)

**Background/Issues/Analysis**

1. This is a request to rezone a property from C-O/G-O (Commercial Office, General Office) to C-1 (Neighborhood Commercial) to allow for a new day care facility/nursery school.
2. The subject 3.52 acre property is located approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard. The request is for the property located approximately 150 feet south of Shea Boulevard. The properties along Shea Boulevard are not included. Access to the site is provided by three access points from Shea Boulevard. The current use of the property is the Men of God church. To the west of the property is a shared parking lot with the adjacent medical offices; to the north is a bank; to the east is a supermarket; and to the south are single-family residences.
3. The site plan depicts a new 20,000 square foot structure located in the southeast corner of the property. The proposed use of the structure is a daycare facility / nursery school and it has a proposed height of 30 feet (maximum permitted 2 stories or 30 feet). As required by the Zoning Ordinance, the proposed building will be set back from the southern property line 50 feet (50 feet required) and 27 feet (10 feet required) from the eastern property line. Playground equipment for the children is shown south of the church and west of the proposed structure. The proposed structure meets all of the setbacks required by the Zoning Ordinance.

4. The total number of parking spaces provided on site is 221 spaces. The subject property has a reciprocal parking agreement with the medical office to the west that allows the use of 63 spaces to be used during non-office hours. The total number parking spaces provided is 284, whereas the total required is 263.
5. The Zoning Ordinance requires a minimum eight (8) foot solid fence or freestanding wall along all common property lines shared with properties zoned for residential uses. The solid fence or freestanding wall may be extended up to twelve (12) feet in height on the non-residentially zoned property, subject to obtaining a use permit. The use permit process is a separate hearing process from the rezoning process. Currently at the site is a freestanding wall that varies in height from six (6) feet to eight (8). The Zoning Ordinance also requires a minimum ten (10) foot landscaped setback along perimeter property lines not adjacent to a street. A mixture of one (1) inch and two (2) inch caliper trees as well as a minimum of five (5) 5-gallon shrubs per tree are to be located within this landscape setback. The applicant will be required to meet these and all other requirements at the time of construction of the proposed structure. The requirements of the Zoning Ordinance adequately address and mitigate the potential impacts of this structure on the adjacent residential properties to the south in the form of building setbacks, common property line freestanding wall height and landscaping. Therefore no additional stipulations are proposed for this rezoning application.
6. The Water Services Department has stated that there are no water and/or sewer issues due to the existing infrastructure at the site.
7. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1680 H of the Flood Insurance Rate Maps (FIRM) dated September 30, 2005.
8. Development and use of the site is 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 proposal is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal day care facility will provide an additional service to those that work or live in the immediate area.

### **Stipulations**

1. The development shall be in general conformance to the site plan date stamped July 18, 2013, as approved by The Planning and Development Department.



Staff Report: Z-24-13-3

July 31, 2013

Page 4 of 4

**Writer**

Craig Mavis

7/23/13

**Team Leader**

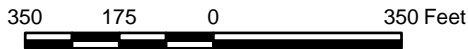
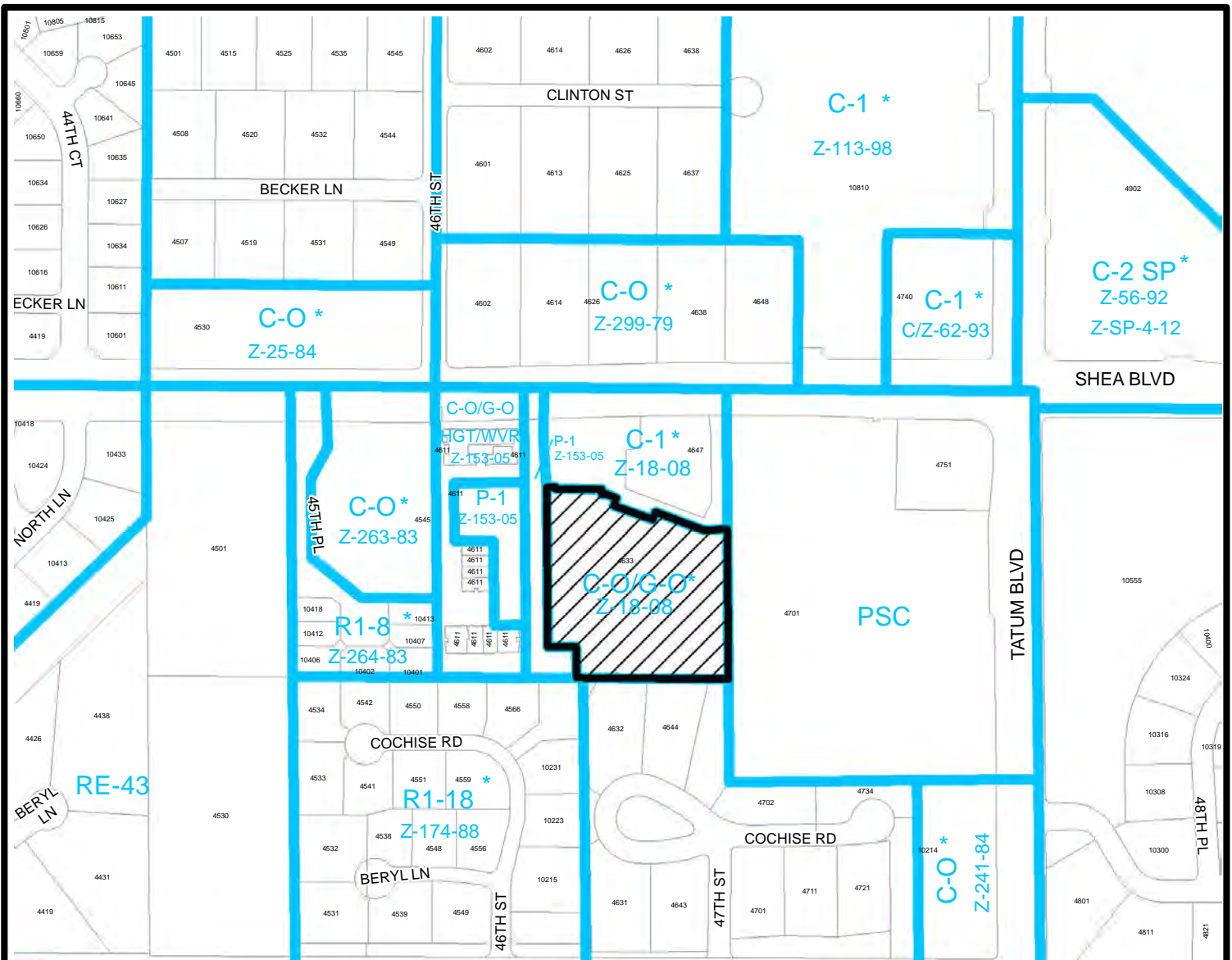
Joshua Bednarek

**Attachments**

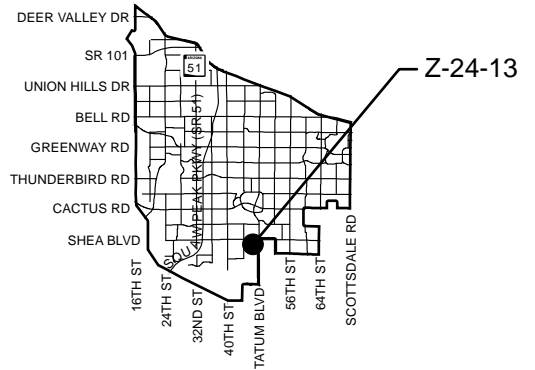
Sketch Map

Aerial

Site Plan date stamped July 18, 2013

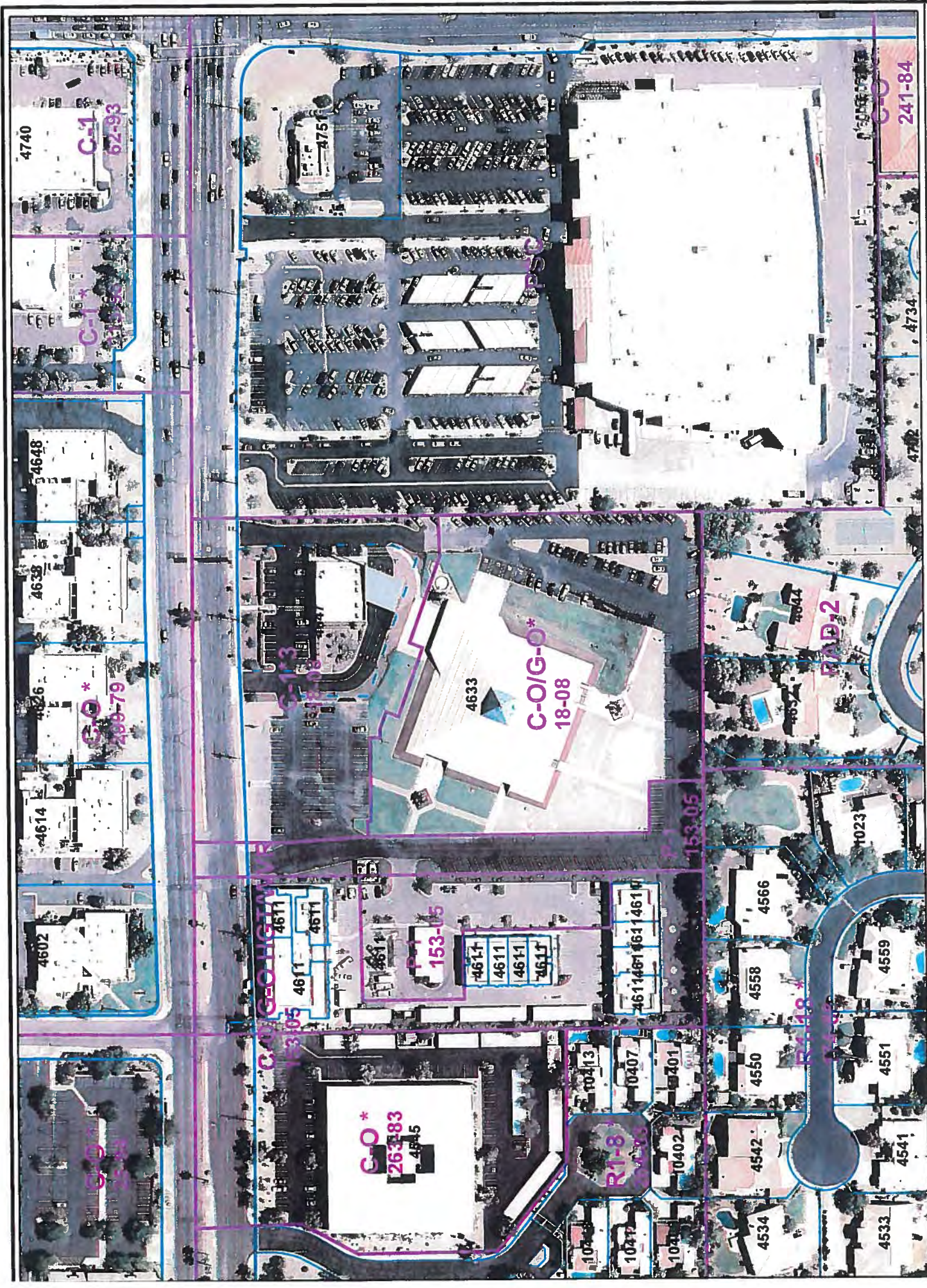


CITY OF PHOENIX PLANNING DEPARTMENT  
**PARADISE VALLEY VILLAGE**  
 CITY COUNCIL DISTRICT: 3



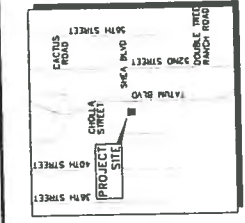
<b>APPLICANT'S NAME:</b> Robert Brooks Ministries, Inc.		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-24-13		<b>FROM:</b> C-O/G-O, (3.52 a. c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 3.52 Acres		<b>TO:</b> C-1, (3.52 a. c.)	
<b>MULTIPLES PERMITTED</b> C-O/G-O C-1		<b>CONVENTIONAL OPTION</b> N/A 51	
<b>* UNITS P.R.D. OPTION</b> N/A 61			

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



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.

# Planning and Development

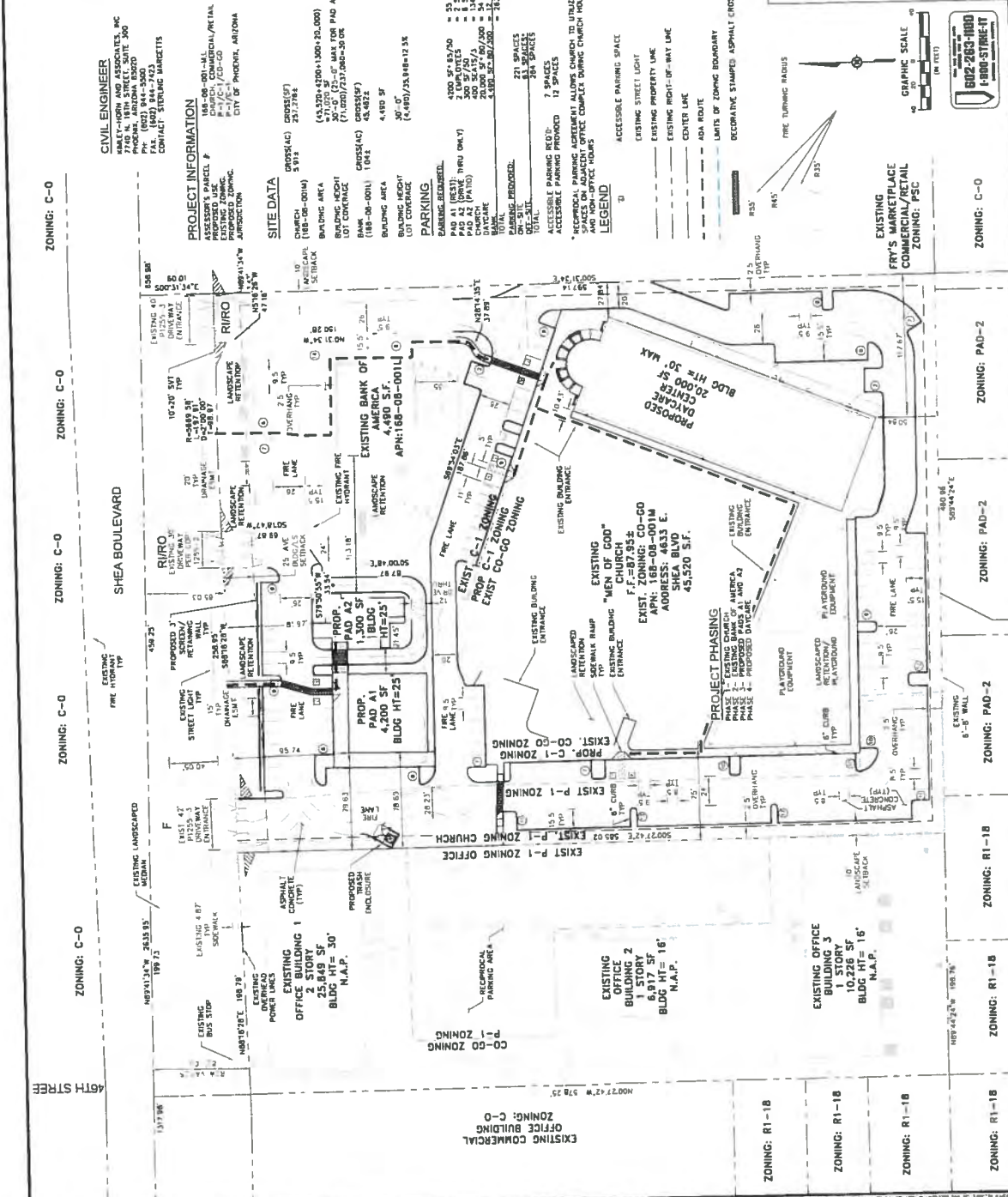


**PROJECT NARRATIVE**  
THE SCOPE OF THIS PROJECT CONSISTS OF THE CONCEPTUAL MASTER SITE PLAN FOR THE PROPOSED 4633 EAST SHEA BOULEVARD. THE SITE IS LOCATED ON THE WEST SIDE OF SHEA BOULEVARD, BETWEEN 46TH STREET AND 47TH STREET. THE PROPOSED DEVELOPMENT WILL CONSIST OF A 4,200 SF BLDG PAD A1 AND A 20,000 SF DATA CENTER BLDG. THE PROPOSED DEVELOPMENT WILL ALSO INCLUDE A 25,849 SF OFFICE BUILDING, A 6,917 SF OFFICE BUILDING, AND A 10,226 SF OFFICE BUILDING. THE PROPOSED DEVELOPMENT WILL ALSO INCLUDE A 16' N.A.P. BLDG. THE PROPOSED DEVELOPMENT WILL ALSO INCLUDE A 16' N.A.P. BLDG. THE PROPOSED DEVELOPMENT WILL ALSO INCLUDE A 16' N.A.P. BLDG.

**PROJECT INFORMATION**  
PROJECT NO: 1810001  
PROPOSED USE: COMMERCIAL/RETAIL  
PROPOSED ZONING: F-CO  
PROPOSED DATE: 7/18/13  
CITY OF PHOENIX, ARIZONA

**SITE DATA**  
CHURCH (188-08-0014) 5,913  
CROSS(AC) 23,278.4  
CROSS(SF) 23,278.4  
BUILDING AREA 4,200 SF  
TOTAL LOT AREA 10,000 SF  
TOTAL LOT AREA 10,000 SF  
TOTAL LOT AREA 10,000 SF

**SETBACKS**  
STREET TO PROPOSED BLDG PAD A1: 10'  
STREET TO PROPOSED DATA CENTER BLDG: 10'  
BLDG TO PROPOSED DATA CENTER BLDG: 0'  
ADJ TO PAD: 0'  
ADJ TO PAD: 0'  
ADJ TO PAD: 0'



**CITY OF PHOENIX**  
PLANNING & DEVELOPMENT DEPARTMENT  
7/18/13  
802-263-1000  
F-800-STRE-IT

DATE	12/10	13
BY	CHS	CHS

## Village Planning Committee Meeting Summary Z- 24-13-3

<b>Date of VPC Meeting</b>	September 9, 2013
<b>Request From</b>	C-O/G-O
<b>Request To</b>	C-1
<b>Proposed Use</b>	Day Care Facility
<b>Location</b>	Approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard
<b>VPC Recommendation</b>	Denial
<b>VPC Vote</b>	14-0

### VPC DISCUSSION & RECOMMENDED STIPULATIONS:

**Craig Mavis** gave a presentation that outlined the proposed rezoning request.

The committee had the following questions and concerns for **Mr. Mavis** regarding the rezoning request:

- What happens to this site if it is zoned C-1?
- Is there any certainty that the day care facility will be constructed if the property is rezoned?
- Can church activities occur in the proposed day care facility?
- Various members expressed their concerns with the proposed higher entitlement.
- Does the C-O/G-O zoning designation remain if this rezoning application is denied?
- Would the neighborhood be okay with what could be developed by right in the existing zoning designation of C-O/G-O?

**Robert Brooks**, property owner and applicant, gave a detailed presentation that explained the following:

- How he came into ownership of the property.
- There is an existing self imposed deed restriction that limits the use of the church building only for a church. He noted that the deed restriction could be removed if the property is sold to another party.
- The church strives to be self sufficient and not rely on donations. Therefore income must be generated from outside sources, such as the Bank of America on the north side of the church and the proposed day care facility.

- He believed the additional services help both the church as well as the immediate area.
- The church is a maintenance nightmare due to the construction and age of the structure.
- He stated that the church is not selling parts of the property off but is leasing them instead.
- He wants to improve the area by making it more aesthetically pleasing.
- The church is not interested in commercial uses within the proposed day care facility.
- He noted he is willing to work with the community to address their concerns as long as the requests are within reason. He explained that some of the reasonable requests were increasing the wall height along the southern property line, replacing a wooden gate in the southern wall, shield the lighting on the property and installing a web camera security system. He indicated that the unreasonable requests were the height of the proposed building, limits on the height of playground equipment and roof mounted equipment and also restrictions on the hours of operation of the proposed day care facility.

**Lyle Scritsmier** stated that he was a property owner who lives in the single-family residential neighborhood directly to the south of the subject property. He commended **Mr. Brooks** for his efforts to work with his community, but noted that no common agreement had been reached. He explained that when the property to the west of the church was rezoned, certain concessions were made to mitigate the impact on the neighborhood. **Mr. Scritsmier** stated that the neighborhood was asking for similar concessions but that **Mr. Brooks** was unwilling to do so. He explained that for the past two months, there had been no definitive plans and that he heard **Mr. Brooks** was possibly pursuing residential uses for the site. He believed there was too much uncertainty with this request and that it was purely speculative. He said there was no concrete site plan or elevations associated with this request. He asked the committee to either deny the case or continue it to allow for additional time for the parties to work on concessions.

**Larry Rosenfeld** stated that he also lived in the neighborhood to the south of the site. He noted that he wasn't against development but wanted to find a fair balance of all interested parties. He stated that any development at this site would stare the properties to the south right in the face. He described the church as a good neighbor with no compatibility issues. He stated that he wanted the applicant to make an effort to work with his neighborhood to mitigate any potential impacts associated with development on the subject property. He believed the request was purely speculative as there were no elevations or identified users for the proposed daycare facility. He stated that the deed restrictions were meaningless if the property was ever sold. He concluded by stating the community would work with the applicant if the request was truly for a day care facility.

**Bob Hartman** indicated that he had lived and owned his property for the past twenty years to the south of the subject property. His concerns were privacy, security, safety and property values associated with this request. He believed the request was purely speculative and that this uncertainty creates a negative impact for his neighborhood to the south.

**Dave Steward** explained that he was a property owner to the south of the site and the president of his homeowners association. He echoed the concerns of the previous speakers. He concluded by stating he wanted definitive plans, not speculation that creates too much uncertainty.

**Alan Lerner**, a local property owner and resident, described how he was involved with the rezoning application to the west of the subject site. He explained how the applicant worked with the neighborhood to make concessions to mitigate the impact of the use. He wanted the proposed application to include a master plan to ensure an attractive development. He believed the request was purely speculative and was in opposition to the request.

**Judy Bickert**, local property owner and resident, questioned the ownership of the property. She believed that a 20,000 square foot, two story day care facility was unrealistic.

**Mr. Brooks** stated that he believed the concerns were not really about the C-1 zoning request being appropriate but he appreciated the community's concerns. He explained that he had viable users lined up to sign letters of intent if the proposal was approved. He concluded by stating he was willing to work with the neighborhood but only in reason.

**Roger Baele** and **Jim Mapstead** stated that they could not support the request without more certainty.

**Robert Goodhue** stated that there were big differences between the existing and proposed zoning districts, not only in permitted uses, but the permitting process. He believed more negotiations were needed and that the request was premature.

**MOTION:** **Jim Mapstead** made a motion to deny the request. **Richard Pennock** seconded the motion.

**DISCUSSION:** **Jim Mapstead** stated that the Paradise Valley Village Planning Committee takes neighborhood concerns very seriously. He also noted his concern with the uncertainty with the request and its potential impact on the neighborhood.

**Toby Gerst** stated that the deed restriction would go away if the property was sold and was concerned with the lack of a clear plan with the request. She believed a better site plan was needed and the concerns of the neighborhood needed to be addressed.

**Jennifer Hall** stated that she was unaware of any 20,000 square foot, two story day care facilities. She was concerned with the lack of agreement between the applicant and the neighborhood as well as the uncertainty of the request. She stated she was opposed to the request.

**Doug Banfelder** noted that the structure was unique and questioned if it was eligible for historic preservation.

**Angelina Happ** stated that the church was unique to Phoenix and it would be a shame if it couldn't be preserved or kept up on its maintenance. She believed more work with the neighborhood was needed

**VOTE:** Recommendation for Denial Approved, 14-0

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None



Item #: 11  
Application #: Z-24-13-3  
From: CO/GO  
To: C-1  
Acreage: 3.52  
Location: Approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard  
Proposal: Day Care Facility  
Applicant: Robert Brooks Ministries, Inc.  
Owner: Robert Brooks Ministries, Inc.  
Representative: Robert Brooks Ministries, Inc.

Ms. Tricia Gomes presented Z-24-13-3; a request to rezone 3.52 acres located approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard from CO/GO to C-1 to allow a day care facility. The Paradise Valley Village Planning Committee recommended denial 14-0. The applicant had worked with the neighborhood since the Village Planning Committee meeting to resolve outstanding issues; however an agreement had not been reached. Staff recommended approval per the recommended staff stipulations in Addendum A date January 10, 2014.

Mr. Robert Brooks presented the rezoning application. He explained the C-1 was an appropriate zoning designation for the site as the property was surrounded by commercial and half the property was currently zoned C-1. Mr. Brooks outlined the various issues raised by the neighbors which included proximity to the neighbors, flow through traffic, and lack of security. He also outlined measures that had been taken to address the neighbors' concerns, such as additional landscape buffers, amended site plans, and reduced building height. Mr. Brooks explained how he had worked with the neighbors to make site plan changes on multiple occasions.

Mr. Lyle Scritsmier stated that he and the adjacent neighbors to the south and other area residents had supported the church in past regarding rezoning activities but the current rezoning request was speculative. He felt that the property was being developed in a piecemeal fashion. Mr. Scritsmier outlined how the neighbors were not opposed to redevelopment if it were done in a coherent fashion.

Mr. Dave Stewart, President of the Tatum Homeowners Association, reiterated that the Paradise Valley Village Planning Committee denied the request, and that he and his neighbors had worked diligently with Mr. Brooks to overcome the issues. He explained how he felt the neighbors had been reasonable but the development still felt piecemeal. Mr. Stewart expressed his wishes that the Commission deny the applicant's request.

Ms. Kim Hartman read a letter from the President of the Calle De Oro Homeowners Association, in which the author stated that the rezoning was speculative and should not be approved. The letter also stated that the neighbors deserved to know what the final development would look like. Ms. Hartman shared her own opinion stating she was not opposed to redevelopment as long as there were concessions agreed to among the neighbors and the church. She stated that she hoped the request would be denied.

Commissioner Awai asked why the neighbors considered this development speculative.

Mr. Stewart responded that allowing a day care would allow for all other uses for C-1 and subsequently expressed concern that the neighbors would not get the chance to oppose any other uses allowed by right in C-1 if the request was approved. Mr. Stewart outlined how none of the private stipulations were being agreed upon.

Commissioner Johnson asked the opposition to clarify what they meant by private stipulations.

Mr. Lawrence Rosenfeld explained it was speculative because there were no operators for the day care and no evidence of who would build the day care. He restated that he was not against development generally but was opposed to this specific application. Mr. Rosenfeld spoke about how he was concerned because the Paradise Valley Village Planning Committee denied the application.

Mr. Rosenfeld explained that the neighbors and the applicant were close to an agreement on deed restrictions that would limit the allowed C-1 uses on the site. He explained how the language was changed in their private agreement that could perhaps allow outdoor concerts on the property.

Chairwoman Katsenes asked staff to comment on the private agreement in question.

Ms. Tricia Gomes stated that any private agreements between the two parties were outside the purview of the City. She explained the City could only enforce what was allowed in the Zoning Ordinance.

Commissioner Johnson asked staff if C-1 allowed outdoor concerts.

Ms. Gomes explained that churches are allowed to hold outdoor events and activities.

Commissioner Heck asked staff where on the property the proposed C-1 zoning would be placed.

Ms. Gomes explained the C-1 designation would be on the south half of the property including the existing church site and the proposed child care facility.

Mr. James Mapstead spoke on behalf of the Paradise Valley Village Planning Committee. He explained how when the applicant came before the Village Planning Committee he was unable to provide any reassurances that this would actually be developed into a childcare facility which he stated, raised red flags. Furthermore, he stated that the application was questionable at best. Mr. Mapstead expressed concern that the neighbors would not be able to oppose any of the C-1 entitlements should the application be approved.

Mr. Brooks explained that two different day care companies had approached him to purchase the land for the day care. He explained that moving forward he would utilize ground leases rather than land sales. He provided a presentation that detailed how the

negotiations with the neighbors had broken down. He further explained that C-1 was an appropriate use for the subject property

Mr. Marny Resenfeld and Ms. Jill Stewart submitted cards in opposition but did not wish to speak.

Commissioner Heck made a MOTION to approve application Z-24-13-3 per the staff Addendum A dated January 10, 2014.

Commissioner Awai SECONDED.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 4-2 (Beletz, Johnson). (Davis, Whitaker and Montalvo absent)

\* \* \*

Stipulations:

1. The development shall be in general conformance with the site plan date stamped JANUARY 10, 2014 ~~July 18, 2013~~, as approved by the Planning and Development Department.
2. THE LANDSCAPE SETBACK ALONG THE SOUTHERN PROPERTY LINE SHALL BE PLANTED WITH A MINIMUM 50% 2-INCH CALIPER TREES AND MINIMUM 50% 3-INCH CALIPER TREES AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. NO DUMPSTER SHALL BE LOCATED WITHIN 100 FEET OF THE SOUTHERN PROPERTY LINE.

**June 14, 2014**

**Mr. Tom Awai  
Chairman  
Phoenix Planning Commission  
c/o City of Phoenix  
Planning and Development Dept.  
200 W. Washington Street  
Phoenix, AZ 85003**

**RE: Rezoning Case Z-24-13-3  
Approximately 750 ft. west of the SWC of Tatum and Shea**

**Dear Mr. Awai,**

**My name is Roger Baele and I am Chairman of the Paradise Valley Village Planning Committee. Unfortunately my schedule does not allow me to attend the hearing tonight. I am writing to adamantly request that the Planning Commission deny this rezoning case and require that a more comprehensive look at the entire site be performed by the applicant and submitted for approval. The Paradise Valley Village Planning Committee voted unanimously to deny this application.**

**In recent years, there have been two commercial pads created along the south side of Shea Boulevard on this property. Addition of this third new pad would bring the total to four uses on the site in four separate detached buildings.**

**Based on the recent history of the property the concern is that the property is essentially moving toward a commercial development and possibly subdivision without getting the scrutiny of review with that larger end in mind.**

**The applicant, Reverend Brooks, provided information during his presentation to the committee. Two things stick out in my mind from his responses. He indicated that there was a private agreement between the original owner of the land and Rev Brooks/Robert Brooks Ministries that did not run with the property, that the ownership of the property, including the church building, would revert back to the original owner in the event that the church building no longer was used as a church. The details were sketchy but I am concerned that if this rezoning were approved, the church could be demolished and/or any of the uses allowed under**

a C-1 zoning would be constructed without the further benefit or consideration of input from members of the adjacent neighborhood.

Furthering my concern that the church could be demolished or shuttered was his comment that the building required significant costs to maintain and cool and that it pressed the financial wherewithal of his Ministry to keep it up.

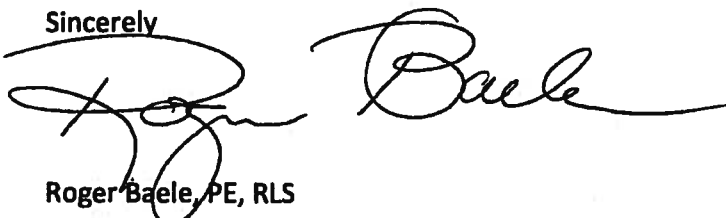
There are other planning and rezoning processes and tools in the City of Phoenix that I believe would be more appropriate in this case and provide for more transparency, due process, and input from adjacent residents and property owners. One of these is a Planned Unit Development for instance that would encompass the entire property including the Church building and land. This would show specific lot (or lease line) and other stipulations and treatments of the site addressing what could happen if and when the Church building were eliminated. This would provide for better depiction of the long term potential uses an layout and not restrict the ability for the Church to have a day care facility built and operated.

The PVVPC voted unanimously to deny this rezoning application and I request the Planning Commission do the same. The PVVPC area will see more and more of these types of reuse/ recycling of outdated uses of land and adaptive reuses of buildings as it becomes built out. I would believe that a commercial use of this property is reasonable given its location along the south side of Shea Boulevard. Also, it's in the community's interest to facilitate the continued beneficial use of properties like this. But we need to avoid eclectic and unsustainable piecemeal rezonings like the one requested and take a more holistic look at the entire property when that opportunity presents itself like here. We will regret it down the road if we do not.

For these reasons I ask you to deny this rezoning request as it stands.

Thank you.

Sincerely

A handwritten signature in black ink, appearing to read "Roger Baele". The signature is written in a cursive, flowing style.

Roger Baele, PE, RLS  
Chairman

Paradise Valley Village Planning Committee

CC: Tricia Gomes, COP Planning Dept.  
Craig Mavis, COP Planning Dept.

CITY OF PHOENIX  
PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b> <b>I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:</b>			
<b>APPLICATION NO./ LOCATION</b>	Z-24-13-3 Approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	X
		applicant	
<b>APPEALED FROM:</b>	PC 1/14/14	Lawrence Rosenfeld 480-443-8323	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
<b>TO PC/CC HEARING</b>	CC 2/5/14	4632 E. Cochise Drive	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
<b>REASON FOR REQUEST: Oppose speculative, unlimited C-1 rezoning of this parcel.</b>			
<b>RECEIVED BY:</b>	KC / dr	<b>RECEIVED ON:</b>	1/17/14

Larry Tom  
Diane Rogers  
Lilia Olivarez, PC Secretary  
PLN All



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for January 14, 2014 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. January 21, 2014

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. January 21, 2014

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. January 21, 2014.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. January 28, 2014.

**FORM TO REQUEST CITY COUNCIL HEARING**

**I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:**

2-24-13-3

APPLICATION NO.

1/14/14

DATE APPEALED FROM

OPPOSITION  
 APPLICANT

Approx. 750 feet West of the SW corner of Auburn Blvd. & Shea Blvd.

LOCATION OF APPLICATION SITE

Katherine Coles

PLANNER  
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Lawrence J. Rosenfeld

PRINTED NAME OF PERSON APPEALING

4632 E. Cochise Dr.

STREET ADDRESS

PHOENIX, AZ 85028

CITY, STATE & ZIP CODE

[Signature]

SIGNATURE

1/17/14

DATE OF SIGNATURE

(480) 443-8323

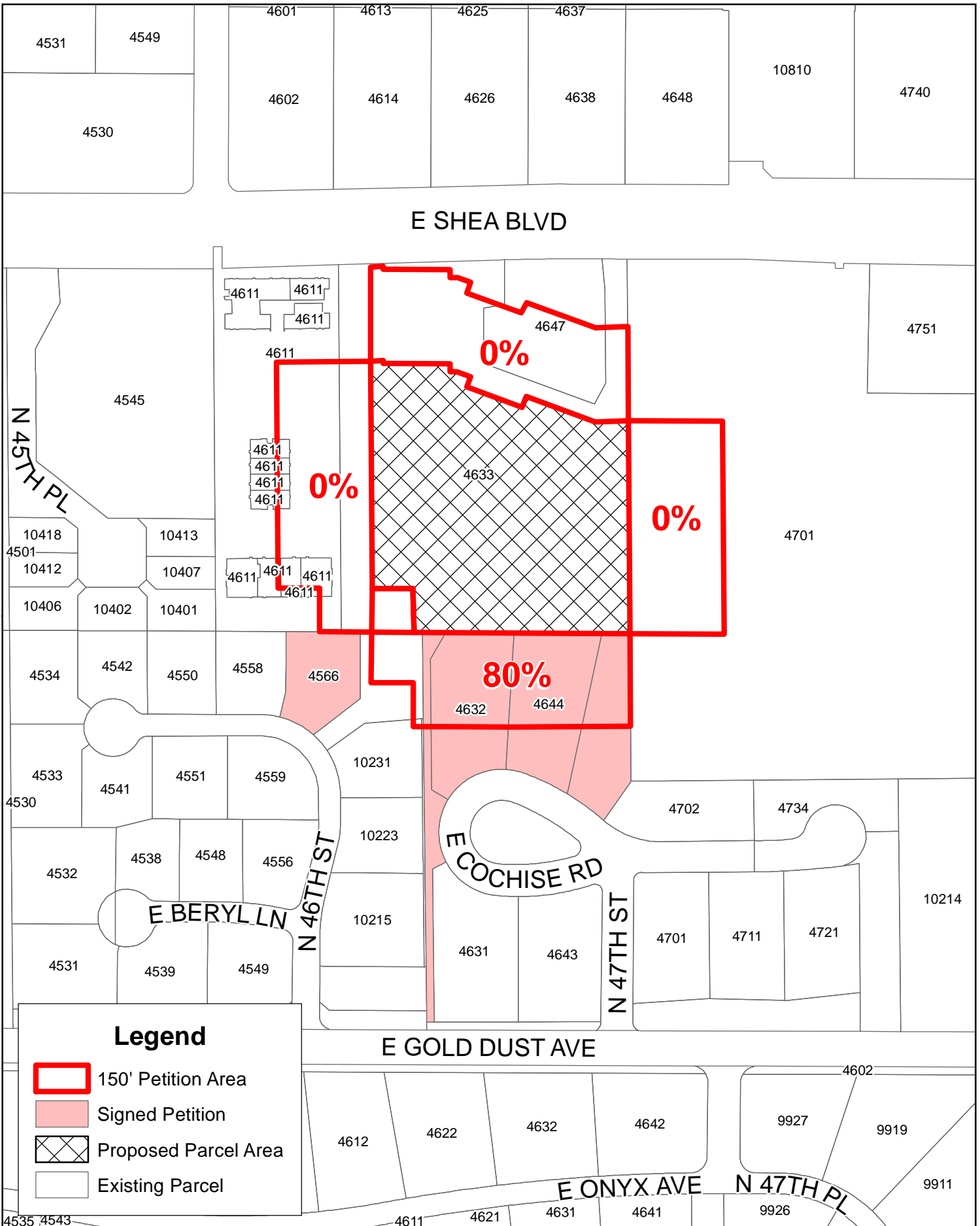
TELEPHONE NO.

**CITY OF PHOENIX**





JAN 17 REC'D  
2014  
PLANNING DEPT.  
2nd FL. RECEPTION

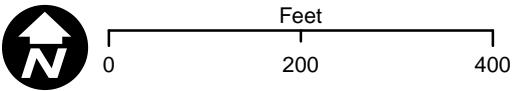
REASON FOR REQUEST Oppose speculative, unlimited C-1 rezoning of this parcel.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**



**Legend**

-  150' Petition Area
-  Signed Petition
-  Proposed Parcel Area
-  Existing Parcel



**Petition Map for Z-24-13**



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## CITY COUNCIL REPORT

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### FORMAL AGENDA

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TO: Rick Naimark  
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson  
Acting Planning and Development  
Director

ITEM: 54 PAGE: 73

SUBJECT: ZONING ORDINANCE TEXT AMENDMENT Z-TA-8-13 REGARDING  
SIGNAGE FOR SPORTS, ENTERTAINMENT, OR CONCERT VENUES  
WITH A MINIMUM OF 4,000 SEATS

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This report provides information to the City Council on a Zoning Ordinance Text Amendment regarding signage for sports, entertainment, or concert venues with a minimum of 4,000 seats. Staff requests the City Council approval of Zoning Ordinance Text Amendment TA-8-13 as shown in Attachment A.

#### THE ISSUE

The intent of this text amendment request is to expand the vibrant off-site signage already found in the Business Core Character Area within the Downtown Code area. The applicant is proposing to extend this type of signage further to include master planned developments for sports, entertainment or concerts venues with a minimum of 4,000 seats.

In 2008, the City Council approved a text amendment to create new signage options within the downtown area. They established a Master Planned Development Sign option which allowed more vibrant and creative signage within the downtown area. As seen in Los Angeles and Denver, downtowns use signage as innovative ways to create excitement and energy.

The original language requires master planned developments of at least ten contiguous acres before this type of sign plan would be allowed. As smaller sites are developed for lively attractions, provisions are needed to allow master planned development sign packages. This proposed text will require the master planned venue to contain at least 4,000 seats so the increased signage would be appropriate but not prolific in the Downtown. The proposed text will follow the submittal and approval process as used elsewhere in the Business Core character area.

#### OTHER INFORMATION

This text amendment was filed by Dennis Newcombe of Beus Gilbert PLLC on September 5, 2013.

The Text Amendment Advisory Committee (TAAC) did not review this text amendment.

The text amendment was reviewed by the Central City Village Planning Committee on January 13, 2014, and recommended for approval per Staff Addendum A dated January 10, 2014, with modification to building mounted signs by a 14-0 vote. The remaining 14 village planning committees are not impacted by it because of the limited boundaries of the Downtown Core.

The Planning Commission, on January 14, 2014, recommended approval per the Village Planning Committee recommendation for approval per Staff Addendum A dated January 10, 2014, with modifications by a 6-0 vote.

The Neighborhoods, Housing, and Development Subcommittee did not review this amendment.

### RECOMMENDATION

Staff requests City Council approval of Zoning Ordinance Text Amendment TA-8-13 as recommended by the Planning Commission as shown in the agenda language.

Attachment:

- A: Planning Commission Approved Text Amendment Language
- B: Staff Report

## Attachment A

### **Z-TA-8-13 – Signage for Sports, entertainment, or concert venues with a minimum of 4,000 seats**

Proposed Language:

\*\*\*

o. FOR MASTER PLANNED DEVELOPMENTS FOR SPORTS, ENTERTAINMENT OR CONCERT VENUES WITH A MINIMUM OF 4,000 SEATS, SIGNS, INCLUDING THOSE SIGNS, BANNERS, AND FLAGS OTHERWISE PROHIBITED BY SECTION 1209.B.8.j AND 1209.B.8.m, MAY BE ERECTED SUBJECT TO APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN. THE CITY MAY APPROVE A MASTER PLANNED DEVELOPMENT SIGN PLAN TO ALLOW SIGNS THAT ARE LARGER AND TALLER THAN ARE OTHERWISE ALLOWED WITHIN THE BUSINESS CORE CHARACTER AREA WITHIN THE DOWNTOWN CODE DISTRICT. ALL SIGNAGE PERMITTED UNDER THIS SECTION SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH SECTION 1209.B.8.o WITH THE FOLLOWING:

(1) *SIGN TYPES.* IN ADDITION TO OTHER SIGNS PERMITTED IN THE BUSINESS CORE CHARACTER AREA, THE FOLLOWING SIGN TYPES SHALL BE PERMITTED IN A MASTER PLANNED DEVELOPMENT: AERIAL VIEW SIGNS, ANIMATED SIGNS, ARCHITECTURAL LEDGE SIGNS, AWNING SIGNS, ELECTRONIC MESSAGE DISPLAY SIGNS, INFLATABLE SIGNS, KINETIC SIGNS, PROJECTED IMAGE SIGNS, PROJECTING SIGNS, ROOF SIGNS, SUPERGRAPHICS SIGNS, AND WAYFINDING SIGNS.

(2) *MASTER PLANNED DEVELOPMENT SIGN PLAN APPLICATION.* AN APPLICATION FOR A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL BE SUBMITTED TO THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE FOR REVIEW AND APPROVAL. A MASTER PLANNED DEVELOPMENT SIGN PLAN APPLICATION SHALL INCLUDE THE FOLLOWING:

(A) *DESIGN GUIDELINES.* SITE PLANS, BUILDING ELEVATIONS, OR PHOTOGRAPHS, AND DESIGN GUIDELINES FOR EACH TYPE OF SIGN TO BE PERMITTED WITHIN THE BOUNDARIES OF THE MASTER PLANNED DEVELOPMENT. THESE PLANS AND ELEVATIONS/PHOTOGRAPHS SHALL INDICATE ORIENTATION, SIZE, LOCATION AND METHOD OF INSTALLATION OF THE SIGN. THIS SHALL INCLUDE DELINEATING ON THE SITE PLAN THE LOCATIONS AND ORIENTATION OF GROUND-MOUNTED SIGNS AND DELINEATING ON THE ELEVATIONS/PHOTOGRAPHS THE AREA IN WHICH BUILDING/STRUCTURE MOUNTED SIGNS WILL BE CONTAINED. DESIGN GUIDELINE SHALL ADDRESS, AT A MINIMUM, ARCHITECTURAL COMPATIBILITY WITH

PRIMARY STRUCTURES WITHIN THE MASTER PLANNED DEVELOPMENT.

- (B) *CONTEXT PLAN.* THE CONTEXT PLAN SHALL INCLUDE AN AERIAL PHOTOGRAPH OF THE MASTER PLANNED DEVELOPMENT AND THE SURROUNDING AREA WITH NOTATIONS OF THE CURRENT LAND USE OF PARCELS WITHIN THE DEVELOPMENT AND WITHIN 150 FEET OF THE PERIMETER OF THE DEVELOPMENT. THE CONTEXT PLAN SHALL ALSO INCLUDE PHOTOGRAPHS TAKEN LOOKING OUTWARD FROM THE PERIMETER OF THE MASTER PLANNED DEVELOPMENT AT 100-FOOT INTERVALS FOR THE ENTIRE BOUNDARY OF THE DEVELOPMENT.
- (C) *STANDARDS.* THE STANDARDS AND RESTRICTIONS FOR EACH SIGN TYPE SHALL INCLUDE, BUT NOT BE LIMITED TO SIZE, HEIGHT, ILLUMINATION, AND DURABILITY OF MATERIALS. THE STANDARDS SHALL ALSO INCLUDE CALCULATIONS SHOWING THE MAXIMUM SIGN AREA PERMITTED PER BUILDING FACE. IN NO CASE SHALL THE STANDARDS EXCEED THE FOLLOWING LIMITATIONS:
- i. *BUILDING MOUNTED SIGNS.* AGGREGATE AREA FOR BUILDING MOUNTED SIGNS SHALL NOT EXCEED ~~50~~ 10 ~~25~~ PERCENT ON ANY TWO ONE ELEVATIONS FACING AN ARTERIAL STREET AND 10 PERCENT ON ONE ~~THE OTHER ELEVATIONS, AND 5 PERCENT ON THE OTHER ELEVATIONS WITH THE ABILITY TO TRANSFER UP TO 5 PERCENT FROM THE ARTERIAL ELEVATION TO ONE OTHER ELEVATION, AND 20~~ 5 PERCENT ON THE OTHER ELEVATIONS. BUILDING MOUNTED SIGNS SHALL NOT PROJECT MORE THAN 20 FEET ABOVE THE PARAPET OR FROM THE FACE OF THE BUILDING. IF THE SIGN IS PLACED AT AN ANGLE TO THE BUILDING ELEVATION, THE APPLICANT MUST SPECIFY TO WHICH ELEVATION THE SIGN AREA WILL BE COUNTED.
  - ii. *SUPERGRAPHICS.* SUPERGRAPHICS SIGNS NOT TO EXCEED 300 SQUARE FEET OR FIVE PERCENT OF BUILDING ELEVATION WHICHEVER IS LESS.
  - iii. *ILLUMINATION.* SIGNS FACING OR ORIENTED TO AN EXISTING RESIDENTIAL USE OR STRUCTURE THAT HAS OBTAINED A CERTIFICATE OF OCCUPANCY FOR RESIDENTIAL USE AND LOCATED CLOSER THAN 60 FEET TO SUCH RESIDENTIAL USE OR STRUCTURE SHALL NOT BE ILLUMINATED BETWEEN MIDNIGHT AND SUNRISE.

- iii. *TEMPORARY SIGNS.* TEMPORARY SIGNS MAY BE ALLOWED AT THE SAME SIZES AND HEIGHTS AS PERMANENT SIGNS. TEMPORARY SIGNS OR GRAPHICS SHALL BE ALLOWED TO COVER 100 PERCENT OF CONSTRUCTION FENCING AND BARRICADES.
  
- (D) *NARRATIVE.* A WRITTEN NARRATIVE SHALL DISCUSS THE PURPOSE AND INTENT OF THE MASTER PLANNED DEVELOPMENT SIGN PLAN AND ITS CONSISTENCY WITH THE DOWNTOWN PHOENIX PLAN DATED DECEMBER 14, 2004. THE NARRATIVE SHALL ALSO ADDRESS THE QUANTITY AND DURABILITY OR ANTICIPATED LIFESPAN OF THE PROPOSED SIGN MATERIALS.
  
- (E) *ARCHITECTURAL LIGHTING.* A MASTER PLANNED DEVELOPMENT SIGN PLAN MAY INCLUDE PROVISIONS REGARDING ARCHITECTURAL LIGHTING, THAT SHALL BE EXEMPT FROM CALCULATION AS SIGN AREA. ARCHITECTURAL LIGHTING SHALL NOT INCLUDE TEXT, LOGOS, MESSAGES, OR IMAGES OF ANY KIND. ARCHITECTURAL LIGHTING SHALL NOT FLASH, BLINK, SCROLL, MOVE, OR STREAM.
  
- (3) *APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN.* THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE, APPROVE WITH CONDITIONS OR DENY SUCH APPLICATION. THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE SUCH APPLICATION IN WRITING ONLY IF THE FOLLOWING FINDINGS ARE MADE:
  - (A) THE SIGNS, BANNERS, FLAGS AND ARCHITECTURAL LIGHTING ARE MOUNTED, SECURED, AND OPERATED SO AS TO NOT POSE A NUISANCE.
  
  - (B) THE SIGNS AND ARCHITECTURAL LIGHTING ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.
  
  - (C) THE SIGNS AND ARCHITECTURAL LIGHTING ARE CONSISTENT WITH THE VISION, GOALS AND POLICIES OF THE DOWNTOWN PHOENIX PLAN DATED DECEMBER 14, 2004.
  
- (4) *APPEALS.* AN APPLICANT MAY APPEAL THE DECISION OF THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE REGARDING THE MASTER PLANNED DEVELOPMENT SIGN PLAN WITHIN FIVE WORKING DAYS OF THE DECISION. APPEALS SHALL

BE CONSIDERED BY THE ZONING ADJUSTMENT HEARING OFFICER THROUGH THE USE PERMIT PROCESS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 ON THE NEXT AVAILABLE AGENDA. IN ADDITION TO THE STANDARDS OF SECTION 307, THE ZONING ADJUSTMENT HEARING OFFICER SHALL REVIEW THE DECISION WITH THE STANDARDS FOR APPROVAL ESTABLISHED IN SECTION 1209.B.8.o.

- (5) *AMENDMENT.* ANY PROPOSAL TO EXCEED THE STANDARDS AND RESTRICTIONS ESTABLISHED IN A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL REQUIRE AMENDMENT THROUGH THE PROCESS REQUIRED FOR INITIAL APPLICATION AND APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN IN SECTION 1209.B.8.o.

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**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**ADDENDUM A**  
**Staff Report: Z-TA-8-13**  
January 10, 2014

**Application No Z-TA-8-13:** Amend Chapter 12, Section 1209.B.8 (Business Core) of the Phoenix Zoning Ordinance to add additional signage for master planned developments for sports, entertainment, or concert venues with a minimum of 4,000 seats.

**Staff recommendation:** Staff recommends approval of Z-TA-8-13 as shown in the recommended text in Attachment A of Addendum A dated January 10, 2014.

**Background:**

The attached language and changes reflect input and review of suggested language. Staff is now recommending approval of one elevation facing an arterial street with the total sign area of 25 percent, one elevation with a total sign area of 10 percent, and other elevations with total sign area of 5 percent each. There is the ability to transfer up to 5 percent of sign area from the arterial street elevation to one other elevation. Upon review of conceptual elevations and the percent of signage and comparison to other signage available in the Downtown Code Business Core Character Area, the proposed signage is consistent with the Downtown Phoenix Plan.

Proposed modifications in Attachment A of Addendum A dated January 10, 2014, are denoted as underlined text to call attention to the changes.

**Attachment A**  
**Z-TA-8-13 Sports, Entertainment, or**  
**Concert Venues with a minimum of 4,000 seats**

Proposed Language:

**Amend Chapter 12, Section 1209.B.8 (Business Core) of the Zoning Ordinance by adding a new paragraph “o” and renumber remaining section accordingly:**

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- o. FOR MASTER PLANNED DEVELOPMENTS FOR SPORTS, ENTERTAINMENT OR CONCERT VENUES WITH A MINIMUM OF 4,000 SEATS, SIGNS, INCLUDING THOSE SIGNS, BANNERS, AND FLAGS OTHERWISE PROHIBITED BY SECTION 1209.B.8.j AND 1209.B.8.m, MAY BE ERECTED SUBJECT TO APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN. THE CITY MAY APPROVE A MASTER PLANNED DEVELOPMENT SIGN PLAN TO ALLOW SIGNS THAT ARE LARGER AND TALLER THAN ARE OTHERWISE ALLOWED WITHIN THE BUSINESS CORE CHARACTER AREA WITHIN THE DOWNTOWN CODE DISTRICT. ALL SIGNAGE PERMITTED UNDER THIS SECTION SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH SECTION 1209.B.8.o WITH THE FOLLOWING:
  - (1) *SIGN TYPES.* IN ADDITION TO OTHER SIGNS PERMITTED IN THE BUSINESS CORE CHARACTER AREA, THE FOLLOWING SIGN TYPES SHALL BE PERMITTED IN A MASTER PLANNED DEVELOPMENT: AERIAL VIEW SIGNS, ANIMATED SIGNS, ARCHITECTURAL LEDGE SIGNS, AWNING SIGNS, ELECTRONIC MESSAGE DISPLAY SIGNS, INFLATABLE SIGNS, KINETIC SIGNS, PROJECTED IMAGE SIGNS, PROJECTING SIGNS, ROOF SIGNS, SUPERGRAPHICS SIGNS, AND WAYFINDING SIGNS.
  - (2) *MASTER PLANNED DEVELOPMENT SIGN PLAN APPLICATION.* AN APPLICATION FOR A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL BE SUBMITTED TO THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE FOR REVIEW AND APPROVAL. A MASTER PLANNED DEVELOPMENT SIGN PLAN APPLICATION SHALL INCLUDE THE FOLLOWING:
    - (A) *DESIGN GUIDELINES.* SITE PLANS, BUILDING ELEVATIONS, OR PHOTOGRAPHS, AND DESIGN GUIDELINES FOR EACH TYPE OF SIGN TO BE PERMITTED WITHIN THE BOUNDARIES OF THE MASTER PLANNED DEVELOPMENT. THESE PLANS AND ELEVATIONS/PHOTOGRAPHS SHALL INDICATE ORIENTATION, SIZE, LOCATION AND METHOD OF INSTALLATION OF THE SIGN. THIS SHALL INCLUDE DELINEATING ON THE SITE PLAN THE LOCATIONS AND



ORIENTATION OF GROUND-MOUNTED SIGNS AND DELINEATING ON THE ELEVATIONS/PHOTOGRAPHS THE AREA IN WHICH BUILDING/STRUCTURE MOUNTED SIGNS WILL BE CONTAINED. DESIGN GUIDELINE SHALL ADDRESS, AT A MINIMUM, ARCHITECTURAL COMPATIBILITY WITH PRIMARY STRUCTURES WITHIN THE MASTER PLANNED DEVELOPMENT.

- (B) *CONTEXT PLAN.* THE CONTEXT PLAN SHALL INCLUDE AN AERIAL PHOTOGRAPH OF THE MASTER PLANNED DEVELOPMENT AND THE SURROUNDING AREA WITH NOTATIONS OF THE CURRENT LAND USE OF PARCELS WITHIN THE DEVELOPMENT AND WITHIN 150 FEET OF THE PERIMETER OF THE DEVELOPMENT. THE CONTEXT PLAN SHALL ALSO INCLUDE PHOTOGRAPHS TAKEN LOOKING OUTWARD FROM THE PERIMETER OF THE MASTER PLANNED DEVELOPMENT AT 100-FOOT INTERVALS FOR THE ENTIRE BOUNDARY OF THE DEVELOPMENT.
- (C) *STANDARDS.* THE STANDARDS AND RESTRICTIONS FOR EACH SIGN TYPE SHALL INCLUDE, BUT NOT BE LIMITED TO SIZE, HEIGHT, ILLUMINATION, AND DURABILITY OF MATERIALS. THE STANDARDS SHALL ALSO INCLUDE CALCULATIONS SHOWING THE MAXIMUM SIGN AREA PERMITTED PER BUILDING FACE. IN NO CASE SHALL THE STANDARDS EXCEED THE FOLLOWING LIMITATIONS:
- i. *BUILDING MOUNTED SIGNS.* AGGREGATE AREA FOR BUILDING MOUNTED SIGNS SHALL NOT EXCEED ~~50~~ 40 ~~25~~ PERCENT ON ~~ANY TWO~~ ONE ELEVATIONS FACING AN ARTERIAL STREET, 10 PERCENT ON ONE ELEVATION, AND 5 PERCENT ON THE OTHER ELEVATIONS WITH THE ABILITY TO TRANSFER UP TO 5 PERCENT FROM THE ARTERIAL ELEVATION TO ONE OTHER ELEVATION, AND 20.5 PERCENT ON THE OTHER ELEVATIONS. BUILDING MOUNTED SIGNS SHALL NOT PROJECT MORE THAN 20 FEET ABOVE THE PARAPET OR FROM THE FACE OF THE BUILDING. IF THE SIGN IS PLACED AT AN ANGLE TO THE BUILDING ELEVATION, THE APPLICANT MUST SPECIFY TO WHICH ELEVATION THE SIGN AREA WILL BE COUNTED.
  - ii. *SUPERGRAPHICS.* SUPERGRAPHICS SIGNS NOT TO EXCEED 300 SQUARE FEET OR FIVE PERCENT OF BUILDING ELEVATION WHICHEVER IS LESS.

- iii. *ILLUMINATION.* SIGNS FACING OR ORIENTED TO AN EXISTING RESIDENTIAL USE OR STRUCTURE THAT HAS OBTAINED A CERTIFICATE OF OCCUPANCY FOR RESIDENTIAL USE AND LOCATED CLOSER THAN 60 FEET TO SUCH RESIDENTIAL USE OR STRUCTURE SHALL NOT BE ILLUMINATED BETWEEN MIDNIGHT AND SUNRISE.
  - iii. *TEMPORARY SIGNS.* TEMPORARY SIGNS MAY BE ALLOWED AT THE SAME SIZES AND HEIGHTS AS PERMANENT SIGNS. TEMPORARY SIGNS OR GRAPHICS SHALL BE ALLOWED TO COVER 100 PERCENT OF CONSTRUCTION FENCING AND BARRICADES.
- (D) *NARRATIVE.* A WRITTEN NARRATIVE SHALL DISCUSS THE PURPOSE AND INTENT OF THE MASTER PLANNED DEVELOPMENT SIGN PLAN AND ITS CONSISTENCY WITH THE DOWNTOWN PHOENIX PLAN DATED DECEMBER 14, 2004. THE NARRATIVE SHALL ALSO ADDRESS THE QUANTITY AND DURABILITY OR ANTICIPATED LIFESPAN OF THE PROPOSED SIGN MATERIALS.
- (E) *ARCHITECTURAL LIGHTING.* A MASTER PLANNED DEVELOPMENT SIGN PLAN MAY INCLUDE PROVISIONS REGARDING ARCHITECTURAL LIGHTING, THAT SHALL BE EXEMPT FROM CALCULATION AS SIGN AREA. ARCHITECTURAL LIGHTING SHALL NOT INCLUDE TEXT, LOGOS, MESSAGES, OR IMAGES OF ANY KIND. ARCHITECTURAL LIGHTING SHALL NOT FLASH, BLINK, SCROLL, MOVE, OR STREAM.
- (3) *APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN.* THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE, APPROVE WITH CONDITIONS OR DENY SUCH APPLICATION. THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE SUCH APPLICATION IN WRITING ONLY IF THE FOLLOWING FINDINGS ARE MADE:
- (A) THE SIGNS, BANNERS, FLAGS AND ARCHITECTURAL LIGHTING ARE MOUNTED, SECURED, AND OPERATED SO AS TO NOT POSE A NUISANCE.
  - (B) THE SIGNS AND ARCHITECTURAL LIGHTING ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.

- (C) THE SIGNS AND ARCHITECTURAL LIGHTING ARE CONSISTENT WITH THE VISION, GOALS AND POLICIES OF THE DOWNTOWN PHOENIX PLAN DATED DECEMBER 14, 2004.
  
- (4) *APPEALS.* AN APPLICANT MAY APPEAL THE DECISION OF THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE REGARDING THE MASTER PLANNED DEVELOPMENT SIGN PLAN WITHIN FIVE WORKING DAYS OF THE DECISION. APPEALS SHALL BE CONSIDERED BY THE ZONING ADJUSTMENT HEARING OFFICER THROUGH THE USE PERMIT PROCESS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 ON THE NEXT AVAILABLE AGENDA. IN ADDITION TO THE STANDARDS OF SECTION 307, THE ZONING ADJUSTMENT HEARING OFFICER SHALL REVIEW THE DECISION WITH THE STANDARDS FOR APPROVAL ESTABLISHED IN SECTION 1209.B.8.o.
  
- (5) *AMENDMENT.* ANY PROPOSAL TO EXCEED THE STANDARDS AND RESTRICTIONS ESTABLISHED IN A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL REQUIRE AMENDMENT THROUGH THE PROCESS REQUIRED FOR INITIAL APPLICATION AND APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN IN SECTION 1209.B.8.o.

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**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-TA-8-13**  
**Zoning Ordinance Text Amendment**

**Application No Z-TA-8-13:** Amend Chapter 12, Section 1209.B.8 (Business Core) of the Phoenix Zoning Ordinance to add additional signage for master planned developments for sports, entertainment, or concert venues with a minimum of 4,000 seats.

**Staff recommendation:** Staff recommends denial of Z-TA-8-13 as advertised and approval of the recommended language in Attachment A.

## **PURPOSE**

The intent of this text amendment request is to expand the creative and vibrant signage already found in the Business Core Character Area within the Downtown Code area. The applicant is proposing to extend this type of signage further to include master planned developments for sports, entertainment or concerts venues with a minimum of 4,000 seats.

## **BACKGROUND**

In 2008, the City Council approved a text amendment to create new signage options within the downtown area. They established a Master Planned Development Sign option which allowed more vibrant and creative signage within the downtown area. As seen in Los Angeles and Denver, downtowns use signage as innovative ways to create excitement and energy.

The original language requires master planned developments of at least ten contiguous acres before this type of sign plan would be allowed. As smaller sites are developed for lively attractions, provisions are needed to allow master planned development sign packages. This proposed text will require the master planned venue to contain at least 4,000 seats so the increased signage would be appropriate. The proposed text will follow the submittal and approval process as used elsewhere in the Business Core character area.

## **CONCLUSION**

Staff does not support the applicant's request. The size of these venues are significantly smaller than the ten acre threshold for the other master planned development with this increased flexibility for signage. Given the potential venues seeking this type of signage, it is warranted that the allowable area corresponds to the size of the venue. Staff

recommends limiting the sign area for the building mounted signs to 10% for one elevation and 5% for the other three elevations.

The modified language denoted as underlined text is shown in Attachment A.

**Writer**

Teresa Hillner  
12/16/13

**Attachment**

A. Proposed Language

**Attachment A**  
**Z-TA-8-13 Sports, Entertainment, or**  
**Concert Venues with a minimum of 4,000 seats**

Proposed Language:

**Amend Chapter 12, Section 1209.B.8 (Business Core) of the Zoning Ordinance by adding a new paragraph “o” and renumber remaining section accordingly:**

\*\*\*

- o. FOR MASTER PLANNED DEVELOPMENTS FOR SPORTS, ENTERTAINMENT OR CONCERT VENUES WITH A MINIMUM OF 4,000 SEATS, SIGNS, INCLUDING THOSE SIGNS, BANNERS, AND FLAGS OTHERWISE PROHIBITED BY SECTION 1209.B.8.j AND 1209.B.8.m, MAY BE ERECTED SUBJECT TO APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN. THE CITY MAY APPROVE A MASTER PLANNED DEVELOPMENT SIGN PLAN TO ALLOW SIGNS THAT ARE LARGER AND TALLER THAN ARE OTHERWISE ALLOWED WITHIN THE BUSINESS CORE CHARACTER AREA WITHIN THE DOWNTOWN CODE DISTRICT. ALL SIGNAGE PERMITTED UNDER THIS SECTION SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH SECTION 1209.B.8.o WITH THE FOLLOWING:
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INSTALLATION OF THE SIGN. THIS SHALL INCLUDE DELINEATING ON THE SITE PLAN THE LOCATIONS AND ORIENTATION OF GROUND-MOUNTED SIGNS AND DELINEATING ON THE ELEVATIONS/PHOTOGRAPHS THE AREA IN WHICH BUILDING/STRUCTURE MOUNTED SIGNS WILL BE CONTAINED. DESIGN GUIDELINE SHALL ADDRESS, AT A MINIMUM, ARCHITECTURAL COMPATIBILITY WITH PRIMARY STRUCTURES WITHIN THE MASTER PLANNED DEVELOPMENT.

- (B) *CONTEXT PLAN.* THE CONTEXT PLAN SHALL INCLUDE AN AERIAL PHOTOGRAPH OF THE MASTER PLANNED DEVELOPMENT AND THE SURROUNDING AREA WITH NOTATIONS OF THE CURRENT LAND USE OF PARCELS WITHIN THE DEVELOPMENT AND WITHIN 150 FEET OF THE PERIMETER OF THE DEVELOPMENT. THE CONTEXT PLAN SHALL ALSO INCLUDE PHOTOGRAPHS TAKEN LOOKING OUTWARD FROM THE PERIMETER OF THE MASTER PLANNED DEVELOPMENT AT 100-FOOT INTERVALS FOR THE ENTIRE BOUNDARY OF THE DEVELOPMENT.
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- (B) THE SIGNS AND ARCHITECTURAL LIGHTING ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.
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## TEXT AND SPECIFIC PLAN AMENDMENTS

Item #: 4  
Application #: Z-TA-8-13  
Request: Signage for sports, entertainment, or concert venues with a minimum of 4,000 seats  
Proposal: Amend Chapter 12, Section 1209.B.8 (Business Core) of the Zoning Ordinance regarding signage for sports, entertainment, or concert venues with a minimum of 4,000 seats  
Applicant: Beus Gilbert  
Owner: Beus Gilbert  
Representative: Beus Gilbert

Ms. Tricia Gomes presented Z-TA-8-13; a text amendment to amend Chapter 12, Section 1209.B.8 (Business Core) of the Zoning Ordinance regarding signage for sports, entertainment, or concert venues with a minimum of 4,000 seats. The Central City Village Planning Committee recommended approval per the staff Addendum A dated January 10, 2014 14-0 with a modification to Section 1209.B.8.o(2)(C).i. for building mounted signs. The first sentence should read as followed: Aggregate area for building mounted signs shall not exceed 25 percent on one elevation facing an arterial street, 10 percent on the other elevations with the ability to transfer up to 5 percent from the arterial elevation to one other elevation. Staff recommended approval per the recommendation of the Central City Village Planning Committee.

Mr. Paul Gilbert submitted a card in favor and did not wish to speak.

Commissioner Heck made a MOTION to approve Z-TA-8-13 as recommended by the Central City Village Planning Committee.

Commissioner Beletz SECONDED.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 6-0. (Davis, Whitaker and Montalvo absent)

\* \* \*

### Proposed Language:

**Amend Chapter 12, Section 1209.B.8 (Business Core) of the Zoning Ordinance by adding a new paragraph “o” and renumber remaining section accordingly:**

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- o. FOR MASTER PLANNED DEVELOPMENTS FOR SPORTS, ENTERTAINMENT OR CONCERT VENUES WITH A MINIMUM OF 4,000 SEATS, SIGNS, INCLUDING THOSE SIGNS, BANNERS, AND FLAGS OTHERWISE PROHIBITED BY SECTION 1209.B.8.j AND 1209.B.8.m, MAY BE ERECTED SUBJECT TO APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN. THE CITY MAY APPROVE A MASTER PLANNED DEVELOPMENT

SIGN PLAN TO ALLOW SIGNS THAT ARE LARGER AND TALLER THAN ARE OTHERWISE ALLOWED WITHIN THE BUSINESS CORE CHARACTER AREA WITHIN THE DOWNTOWN CODE DISTRICT. ALL SIGNAGE PERMITTED UNDER THIS SECTION SHALL BE REVIEWED AND APPROVED IN ACCORDANCE WITH SECTION 1209.B.8.o WITH THE FOLLOWING:

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- (4) *APPEALS.* AN APPLICANT MAY APPEAL THE DECISION OF THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE REGARDING THE MASTER PLANNED DEVELOPMENT SIGN PLAN WITHIN FIVE WORKING DAYS OF THE DECISION. APPEALS SHALL BE CONSIDERED BY THE ZONING ADJUSTMENT HEARING OFFICER THROUGH THE USE PERMIT PROCESS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 ON THE NEXT AVAILABLE AGENDA. IN ADDITION TO THE STANDARDS OF SECTION 307, THE ZONING ADJUSTMENT HEARING OFFICER SHALL REVIEW THE DECISION WITH THE STANDARDS FOR APPROVAL ESTABLISHED IN SECTION 1209.B.8.o.
- (5) *AMENDMENT.* ANY PROPOSAL TO EXCEED THE STANDARDS AND RESTRICTIONS ESTABLISHED IN A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL REQUIRE AMENDMENT

THROUGH THE PROCESS REQUIRED FOR INITIAL APPLICATION  
AND APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN  
PLAN IN SECTION 1209.B.8.o.