



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-29-A-14-1 (Metro North Corporate Park PUD) October 31, 2025

Planning Commission

November 6, 2025

Hearing Date:

Request From:

PUD (Planned Unit Development)
(42.61 acres)

Request To:

PUD (Planned Unit Development)
(42.61 acres)

Proposal:

Major Amendment to the Metro North Corporate Park PUD regarding data centers, landscape setbacks, and design standards

Location:

Approximately 550 feet south of the southwest corner of Thunderbird Road and Black Canyon Highway

Owner:

CMB III, LLC, et. al.

Applicant:

Ric Torris, Earl & Curley, P.C.

Representative:

Taylor Earl, Earl & Curley, P.C.

Staff Recommendation:

Approval, subject to stipulations

General Plan Conformity

General Plan Land Use Map Designation

Industrial

Street Map Classification

Black Canyon Highway

Freeway

Approximately 135 to 210-foot west half

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; JOB CREATION (EMPLOYERS); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.

The subject site lies within the I-17 North Employment Corridor and is currently developed with employment uses. The proposed PUD Major Amendment allows for continuation and expansion of data center uses that address health and safety.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

The proposal only allows for commercial uses which will facilitate new businesses on the site.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: 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.

As stipulated, the PUD Major Amendment incorporates development standards that are sensitive and mitigate negative impacts to the surrounding residential area.

Resolution 22316; Data Centers; Location Criteria Policy: Locate away from identified cores, centers and corridors where higher-intensity development is encouraged for mixed-use, walkable communities.

The subject site is not in a core, center or corridor and is appropriately located adjacent to a freeway.

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Office, data center, electrical substation	PUD
North	Commercial and related parking	C-2, IND. PK.
East (across freeway)	Townhomes, single-family residential	PAD-10, R1-8
South	Office	IND.PK.
West	Multifamily residential	R-4

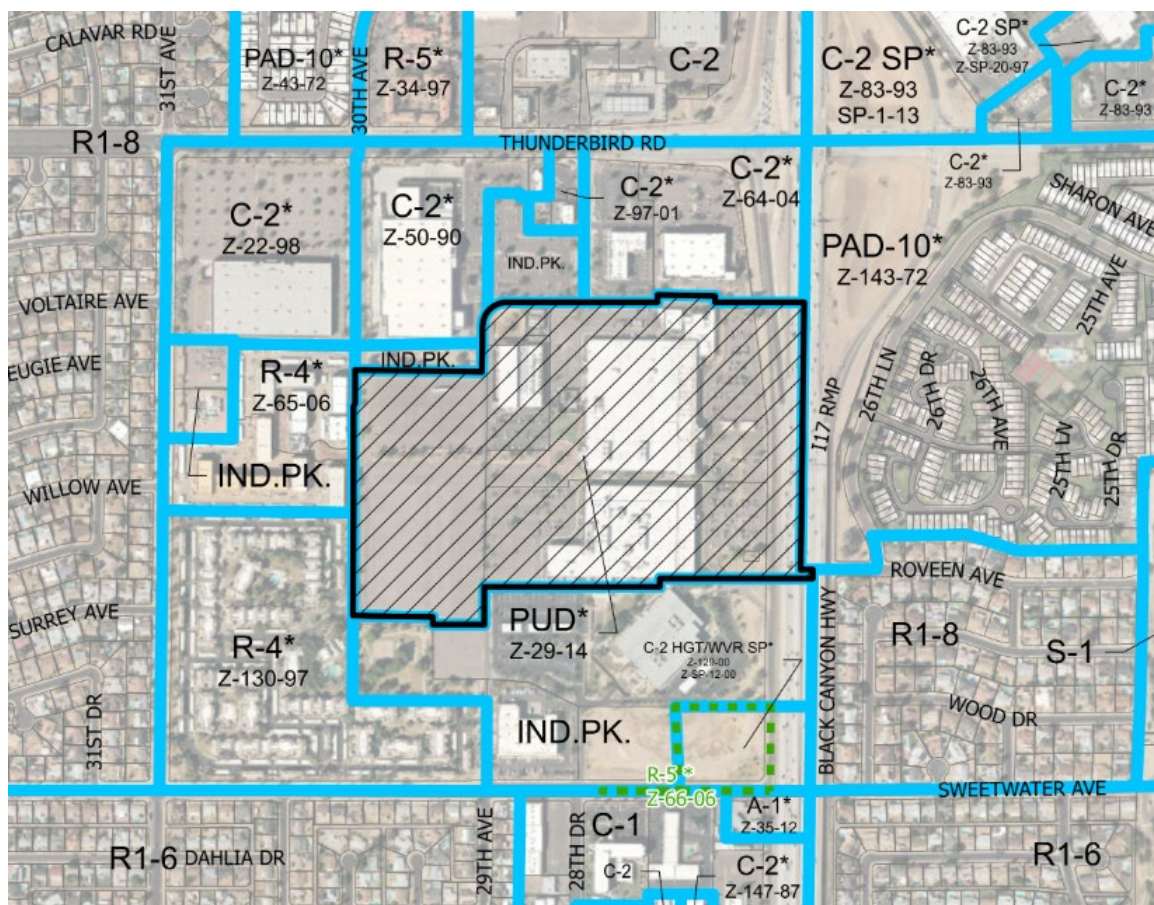
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 42.61-acre site located approximately 550 feet south of the southwest corner of Thunderbird Road and Black Canyon Highway from PUD (Planned Unit Development) to PUD (Planned Unit Development). This request is a Major Amendment to the Metro North Corporate Park PUD regarding data centers, landscape setbacks, and design standards. The proposed PUD Major Amendment seeks to:
 - 1) Clarify that data centers are a principally permitted use;
 - 2) Establish use criteria for data centers that include health and safety measures such as data center size, noise mitigation, water and power consumption, fire prevention, and hazardous materials;
 - 3) Revise the north boundary landscape setback; and,
 - 4) Eliminate the color palette requirements contained in the Design Guidelines section of the PUD.

SURROUNDING LAND USES AND ZONING

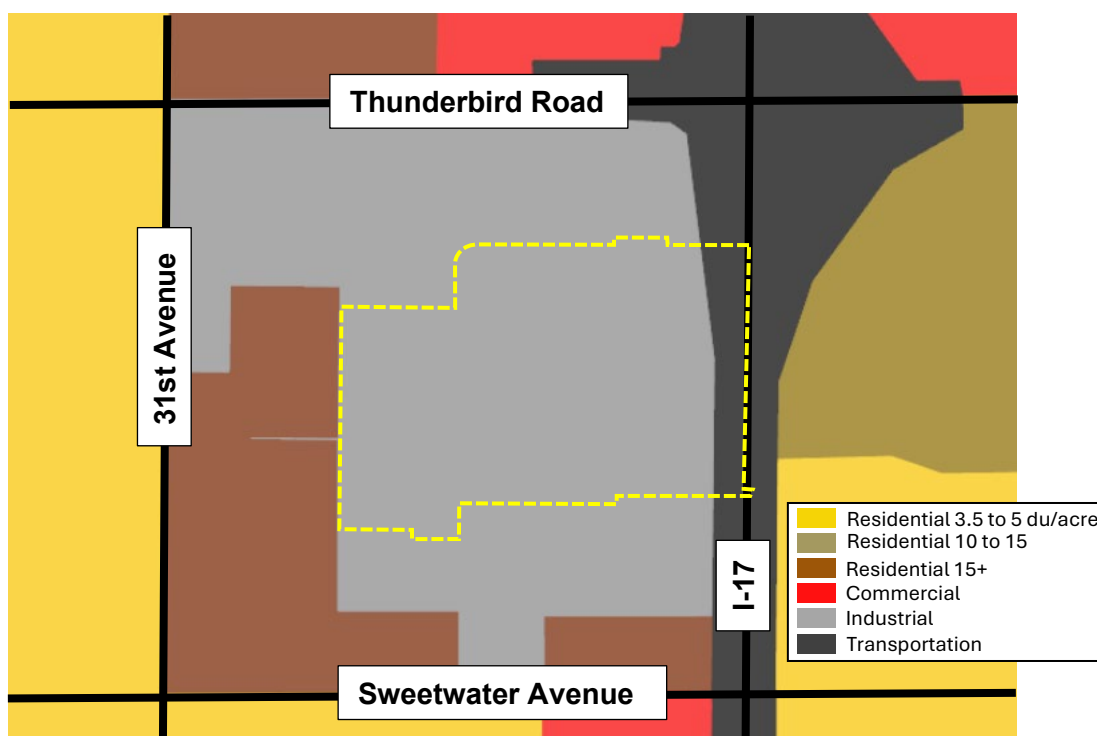
2. The area to the north consists of retail establishments, in-line shops, and associated parking, zoned C-2 (Intermediate Commercial) and IND. PK. (Industrial Park). To the east of the site is Interstate 17, while beyond the freeway are townhomes zoned PAD-10 (Planned Area Development) and single-family homes zoned R1-8 (Single-Family Residence District). South of the site is an office building, also zoned IND. PK. West of the site are multifamily residences zoned R-4 (Multifamily Residence District).



Existing Zoning Aerial Map
Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The General Plan Land Use Map designates the subject site as Industrial. The area to the north of the site is also designated as Industrial, while the area to the east of the freeway is designated as Residential 3.5 to 5 dwelling units per acre and Residential 10 to 15 dwelling units per acre. The area to the south is designated as Industrial, while the area to the west is designated as Residential 15+ dwelling units per acre. The proposal is consistent with the General Plan Land Use Map designation.



General Plan Land Use Map
Source: Planning and Development Department

PROPOSAL

4. The proposal was developed utilizing the Planned Unit Development (PUD) zoning district. The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case-by-case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
5. The original PUD was designed to allow for employment uses with development standards that are specific to this site. The proposed PUD Major Amendment seeks to amend these criteria. Below is a summary of the proposed development plan and permitted uses for the subject site as described in the attached PUD Major Amendment Narrative date stamped October 28, 2025.

Conceptual Development Plan and Permitted Uses

The original PUD proposed a regulatory framework structured around employment uses. The primary uses allowed under the proposed PUD Major Amendment are consistent with those currently approved under the original PUD, which include those allowed under C-O (Commercial Office), C-1 (Neighborhood Retail), C-2 (Intermediate Commercial), CP (Commerce Park), and A-1 (Light Industrial), with certain prohibitions. Since data centers were not specifically listed as a permitted use in the original PUD Narrative, or any of the zoning districts referenced within the PUD, the applicant has included data centers in the list of allowed uses under Section G.1 of the PUD Major Amendment Narrative. The

PUD Major Amendment Narrative also includes a robust list of prohibited uses as outlined in Section G.4 of the PUD Narrative, which includes but is not limited to adult businesses, rabbit slaughtering, and residential uses.

The applicant is also proposing certain use criteria specific to data centers to address health and safety concerns, which are discussed in Section H of the PUD Major Amendment Narrative and summarized below.

- Maximum cumulative building area of 100,000 square feet.
- Prohibition of nuclear generators
- Sound study and noise mitigation
- Limiting generator testing between the hours of 8:00 AM and 6:00 PM, Monday through Friday, excluding holidays
- Fuel storage tank secondary containment per the Phoenix Fire Code
- Fire suppression and early detection systems
- Battery Energy Storage associated with data centers per applicable code to include:
 - Ventilation and suppression systems
 - Battery inventory
 - Facility Map
 - Thermal runaway prevention
 - Off-gas monitoring systems
- Emergency access per the Phoenix Fire Code to include:
 - Emergency shutoffs
 - Digital site plan
- Wastewater discharge pretreatment
- Bacteria control for water-based cooling towers
- Access controls and surveillance
- Emergency Response Plan
- Large Water User Ordinance (Ordinance G-7237): If applicable, the facility will comply with Ordinance G-7237, which provides that developments that use an average of 250,000-gallons of water or more per day are required to provide a Water Conservation Plan. In addition, developments that use an average of 500,000-gallons of water or more per day are required to demonstrate a minimum of 30% water reuse in the Water Conservation Plan. The Water Conservation Plan must be reviewed and approved by the Water Services Department (WSD) prior to preliminary site plan approval.
- Disclosure of Hazardous Materials, which includes the submission of a hazardous materials management plan that clearly identifies all hazardous materials stored on site, including their quantities and reporting thresholds to be updated annually and made available to local fire and emergency management agencies

Utility Agreement for Power Consumption

As identified in the Health and Safety Impacts Report 2025 prepared by the Planning and Development Department, it is important to understand where a data center will receive its power. A data center that produces its own power – either permanently or while a local utility is ramping up its generating capacity – presents different health and safety considerations than a data center that gets all its power from a public utility, and large-scale on-site power production may not be compatible with existing residential or other uses. Even when a data center can be fully powered by the local utility, it may need a new substation or the installation of new high-capacity transmission lines, and the impact of such infrastructure on existing nearby uses should be understood. This is addressed in Stipulation No. 1.b.

Noise Generation

The applicant proposes a sound level of 70 dB(A) for all times of the day and exemptions for backup and emergency generators. This is inconsistent with the sound levels outlined in Section 647.A.2.kk(3)(a) of the Phoenix Zoning Ordinance, which limits the sound levels to no more than 55 dB(A) when measured at the property line of the nearest residentially zoned property to the proposed data center property between the hours of 7:00 a.m. and 10:00 p.m. and 45 dB(A) between the hours of 10:00 p.m. and 7:00 a.m.

Given the health concerns linked to noise pollution, staff recommends the sound levels be consistent with the 55dB(A) daytime sound level and 45 dB(A) nighttime sound level when located near residentially zoned properties. Staff recognize the proximity to the Interstate 17 freeway to the east, the size limitations of the potential data center(s) and existing industrial users in the surrounding area that currently generate noise in the area and therefore further refinement of the sound levels can be considered through a study of noise. This is addressed in Stipulation No. 1.c.

Law Enforcement and Emergency Management Coordination

Includes a site tour and training for Phoenix Fire Department on suppression systems, hazardous materials, and emergency shutdown procedures prior to the issuance of a Certificate of Occupancy. Staff recommends removing the last sentence. According to the International Association of Fire Fighters the growing presence of data centers requires specialized training, lots of planning and close cooperation with on-site security and engineering teams at these new sites; the site tour and training of Phoenix Fire Department are essential to address health and safety concerns with data centers. This is addressed in Stipulation No. 1.d.

Development Standards

Section I of the PUD Major Amendment Narrative proposes development standards intended to respond to the unique conditions associated with the site. Table 1 of Section I includes the proposed development standards. A summary of the proposed development standards as compared to those currently approved is provided below. The applicant proposes a change to one development standard,

that being the landscape setback associated with the northern property line from 20 feet to zero feet.

COMPARATIVE ZONING STANDARDS			
Standard		Original PUD	Amended PUD
Minimum Lot Width / Depth		None	None
Minimum Building Setbacks			
	North Property Line	Minimum 20 feet	Minimum 20 feet
	East Property Line	Minimum 30 feet	Minimum 30 feet
	West Property Line	Minimum 20 feet	Minimum 20 feet
	South Property Line	Minimum 20 feet	Minimum 20 feet
Landscape Setbacks			
	North Property Line	Minimum 20 feet	Minimum 0 feet
	East Property Line	Minimum 30 feet	Minimum 30 feet
	West Property Line	Minimum 20 feet	Minimum 20 feet
	South Property Line	Minimum 20 feet	Minimum 20 feet
Building Height		Maximum 60 feet and 5 stories	Maximum 60 feet and 5 stories
Building Separation		Per City of Phoenix Building Code	Per City of Phoenix Building Code
Lot Coverage		Maximum 60%	Maximum 60%
Floor Area Ratio		None	None

The applicant is seeking the reduction of the landscape setback associated with the north property of the site from 20 feet to zero feet. Staff is comfortable with this provision due to the northern perimeter's proximity to non-residential uses.

Landscape Standards

Section I.2 pertains to the landscape standards. The currently approved PUD Narrative references "Commerce Park Zoning District Standards"; however, that language is omitted from the proposed PUD Major Amendment Narrative, in deference to Table 1, which establishes certain landscape setbacks. While not specifically noted in either PUD Narrative, landscaping of the site must comply with Section 507 Tab A of the Phoenix Zoning Ordinance.

Walls and Screening

Section I.3 of the PUD Major Amendment Narrative refers to Section 702.B.7.b of the Phoenix Zoning Ordinance and notes that an eight-foot-high solid masonry wall will be provided along any property line that abuts residential zoning, except if that line is adjacent to a street. The PUD also requires that any open use or storage area will be screened by an eight-foot-high solid fence or continuous plantings. These criteria remain unchanged with the proposed PUD Major Amendment.

Parking Standards

Section I of the PUD Major Amendment Narrative also refers to Section 702 of the Phoenix Zoning Ordinance and includes provisions that require a solid, eight-

foot-high screen wall for loading spaces or loading docks located adjacent to a public street or within 100 feet of a residential use or zoning district. These criteria remain unchanged with the proposed Major Amendment.

Design Guidelines

Section J establishes design guidelines, which remain intact with the proposed PUD Major Amendment; however, the applicant is proposing that the currently approved Color Palette be omitted. The proposed omissions include:

“Color Palette

*Colors and light materials for redevelopment or new development should be used to create visual harmony within **Metro North Corporate Park PUD**. The approved colors are as follows:*

- *Desert hues and other “earth tones”.*
- *Muted shades of blues, greens and reds found in the natural desert color vocabulary.*
- *Colors appearing in natural stone utilized in buildings.”*

Other provisions relating to building materials and configurations, such as the use of common clay brick, ceramic tile, and internalized roof drains remain intact.

Special Consideration for Data Centers

Section J.1 includes design criteria specific to data centers, which include architectural embellishments for building facades that exceed 100 feet in length.

Signage

Section K of the PUD Major Amendment Narrative states that all signage will comply with Section 705 of the Phoenix Zoning Ordinance including a provision for off-premise signs and a reference to an approved Comprehensive Sign Plan.

6. COMMUNITY INPUT SUMMARY

As of the writing of this report, staff has received two letters of support.

INTERDEPARTMENTAL COMMENTS

7. The Street Transportation Department provided standard stipulations as follows:

- All improvements to the I-17 frontage road shall be reviewed and approved by the Arizona Department of Transportation. Documentation of ADOT review and approval shall be provided prior to Preliminary Site Plan approval.

This is addressed in Stipulation No. 2.

8. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery, and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 3.

9. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 4.
10. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit if applicable. 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 and as stipulated, several General Plan policies related to data centers.
2. The proposal clarifies that data centers are an allowed use within the PUD and establishes criteria for such use.
3. The proposal will allow for continued use as an employment center.

Stipulations

1. An updated Development Narrative for the Metro North Corporate PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped October 28, 2025, as modified by the following stipulations.
 - a. Front Cover:
Revise Hearing Draft date to reflect October 28, 2025.
Add "City Council adopted: [Insert Adoption date]".
 - b. Page 17: Section H, Data Center Use Criteria, Second Bullet. Revise as follows:
 - "A contractual agreement from a local utility company that affirms its capacity and commitment to serve the energy demand for the proposed data center shall be submitted to PDD prior to preliminary site plan approval."
 - c. Page 18: Section H, Data Center Use Criteria, Noise Generation. Revise as follows:
 - "Noise Generation:
 - Noise generated by the data center, including but not limited to noise generated by mechanical equipment, cooling systems, and

on-site power generators shall not exceed 55 dBA during daytime hours (7:00 a.m. – 10:00 p.m.) or 45 dBA during nighttime hours (10:00 p.m. – 7:00 a.m. as measured at the nearest residentially zoned property.”

- Noise levels shall be measured using an ANSI-certified sound level meter on an A-weighted scale at ground level.
- Compliance shall be demonstrated through submission of a sound study prepared by a qualified acoustical engineer or other equivalent measurement documentation.”

- d. Page 19: Section H, Data Center Use Criteria, Law Enforcement and Emergency Management Coordination. Please delete last sentence.
2. All improvements to the I-17 frontage road shall be reviewed and approved by the Arizona Department of Transportation. Documentation of ADOT review and approval shall be provided prior to Preliminary Site Plan approval.
3. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
4. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

Writer

Robert Kuhfuss
October 31, 2025

Team Leader

Racelle Escolar

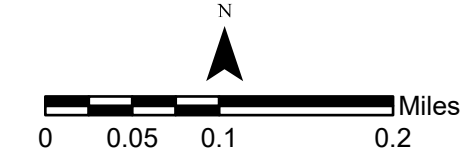
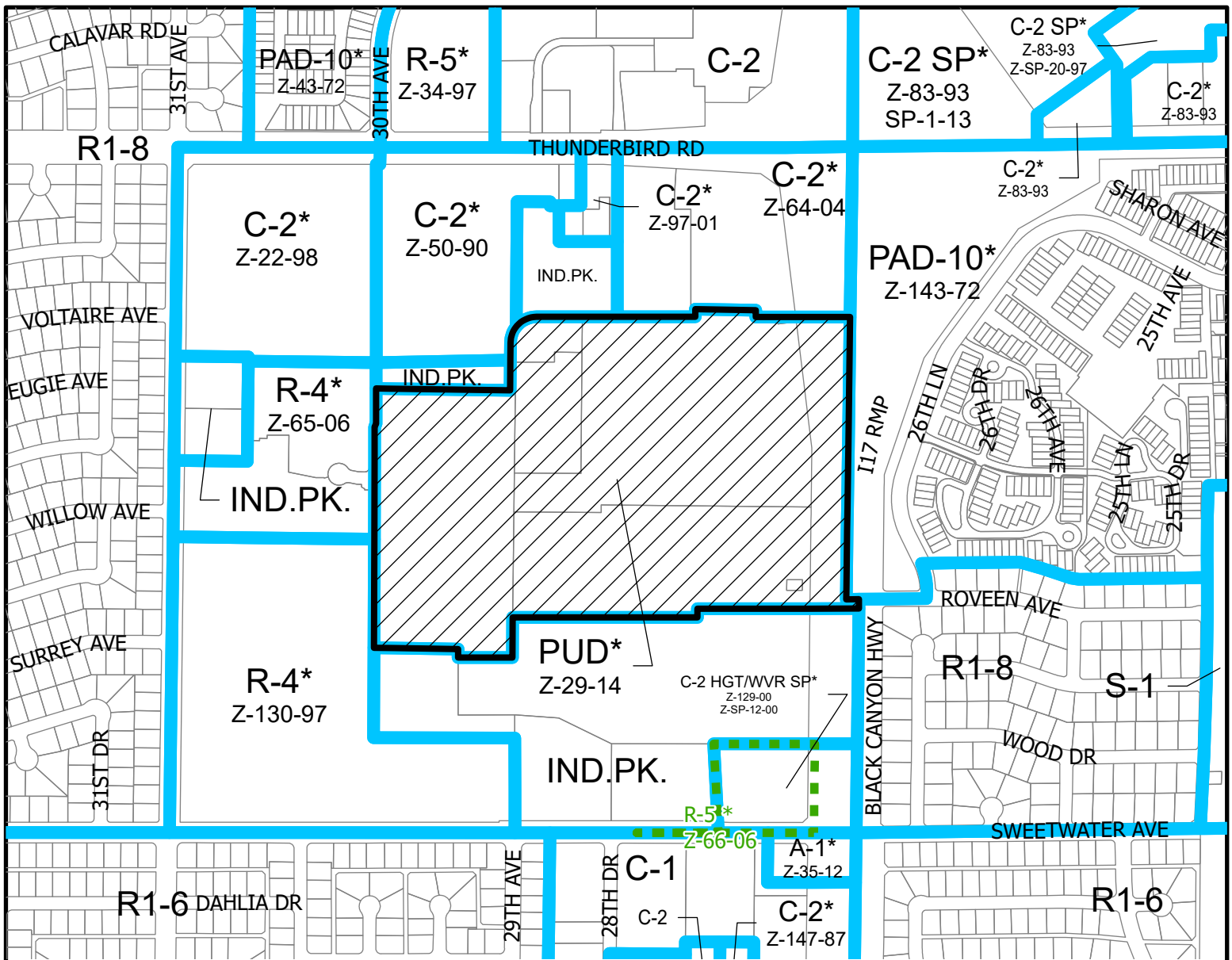
Exhibits

Sketch Map

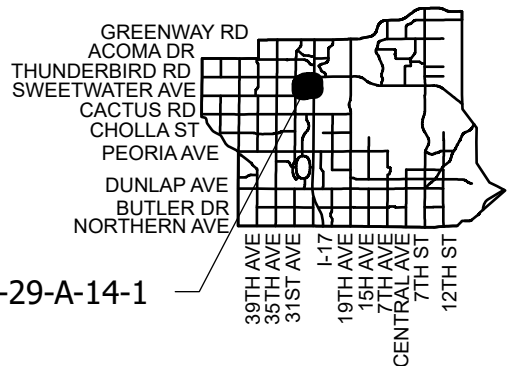
Aerial Map

Correspondence (3 pages)

[Metro North Commerce Park – PUD Amendment No.1](#) date stamped October 28, 2025



NORTH MOUNTAIN VILLAGE
COUNCIL DISTRICT: 1



Z-29-A-14-1

APPLICANT'S NAME: Earl & Curley, P.C.		REQUESTED CHANGE:	
APPLICATION NO: Z-29-A-14-1		FROM: PUD (42.61 ac.)	
DATE: 9/23/2025 REVISION DATES:		TO: PUD (42.61 ac.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 42.61 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 32-22	
		ZONING MAP L-7	
MULTIPLES PERMITTED PUD PUD		CONVENTIONAL OPTION N/A N/A	
		* UNITS P.R.D OPTION N/A N/A	

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

ATLANTIC DEVELOPMENT & INVESTMENTS, INC.

Jerry Tokoph
Dimension Financial & Realty Investments, Inc.
2920 E Camelback Road, Ste #200
Phoenix, Arizona 85016

August 5, 2025

**RE: Site Plan Approval and Approval of Data Center use for Lot 7A1 & 7B1 of
Metro North Corporate Park**

Dear Mr. Tokoph,

We are the Owners of the Land and Real Property located at 13404 N. 30th Avenue within Metro North Corporate Park known as "The Reserve at Thunderbird" via our affiliated entities Thunderbird Developers Holding Company, LLC, Reserve at Thunderbird, LP and Reserve at Thunderbird II, LP. The purpose of this letter is to offer you our whole hearted and full support of the Data Center which you have planned for at the above referenced property.

If you have questions or need future assistance, please let me know.

Thank you,



Jessica Raymond
Executive Vice President
Atlantic Development & Investments, Inc.
jraymond@atlanticdev.com/480-433-3507

Ricardo Toris

Subject: Non-opposition - Best Buy

From: Green, Ryan <Ryan.Green@bestbuy.com>

Sent: Wednesday, October 1, 2025 11:06 AM

To: Taylor Earl <tearl@EarlCurley.com>

Subject: RE: Aerial

Thanks Taylor,

I don't have any concern about the color pallet or the proposed [data center] use. If the landscape setback request is simply intended to permit building owners to maintain the existing landscape setback in it's as-is form, I don't have any issue with that component of the request either.

Regards,

Ryan Green
Sr. Director, Real Estate
Best Buy Co., Inc.
[612-214-1655](tel:612-214-1655) m

From: Taylor Earl <tearl@EarlCurley.com>

Sent: Monday, September 29, 2025 3:29 PM

To: Green, Ryan <Ryan.Green@bestbuy.com>

Subject: Aerial

Ryan,

Here is the zoom in I was looking at.

As part of our outreach process, we'd like to keep a record of neighbor feedback. Accurate to say Best Buy is not opposed to our PUD amendment request?



Taylor C. Earl
Managing Partner
Earl & Curley

(602) 265-0094
3101 N. Central Avenue
Suite 1000
Phoenix, Arizona 85012
www.earlcurley.com



This message and any and all attachments may be confidential and/or privileged. If you are not the intended recipient, you are hereby notified that any dissemination, duplication, retention, or unauthorized use of this information is strictly prohibited and no privilege has been waived by your inadvertent receipt. Please notify the sender immediately and then completely delete this message and any and all attachments. Thank you.