



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-3-19-1
(19th Avenue and Rose Garden Lane PUD)
April 9, 2019**

Deer Valley [Village Planning Committee](#) Meeting Date: April 18, 2019

[Planning Commission](#) Hearing Date: May 2, 2019

Request From: [Ind. Pk. DVAO](#) (Industrial Park, Deer Valley Airport Overlay District) (5.50 acres)

Request To: [PUD DVAO](#) (Planned Unit Development, Deer Valley Airport Overlay District) (5.50 acres)

Proposed Use: Industrial Uses

Location: Northwest corner of 19th Avenue and Rose Garden Lane

Owner: Rose Garden Phoenix, LLC

Applicant/Representative: William Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Industrial	
<u>Street Map Classification</u>	19th Avenue	Major Arterial	65-foot west half street
	Rose Garden Lane	Minor Collector	33-foot north half street
<p><i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; JOB CREATION; 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.</i></p> <p>The proposal allows for an expanded list of industrial uses, allowing the attraction of new tenants to the existing buildings on site. This will provide for expanded employment opportunities within the larger Deer Valley employment center.</p>			

**STRENGTHEN OUR LOCAL ECONOMY CORE VALUE;
MANUFACTURING/INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE:
Discourage the location of incompatible uses near base industrial clusters.**

The proposal provides expands the list of allowed uses but restricts those that are incompatible with the surrounding area, such as residential – this allows for the expansion of the employment center by reducing possible conflicts with adjacent uses.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; AIRPOTS; LAND USE PRINCIPLE: Continue to carefully monitor and evaluate all future land uses around the airports, protecting the airport from incompatible development that could pose a safety hazard to aircraft passengers, or to individuals living or residing in those areas. Additionally, ensure that future land uses within the Sky Harbor Center area will be compatible with the safe operation of Sky Harbor International Airport.

The subject site is located within the Deer Valley Airport Overlay District, Area 1. The overlay district is intended to protect the health, safety and welfare of persons and property within the vicinity of Deer Valley Airport. The proposed development is a compatible land use to nearby airport operations.

Applicable Plans, Overlays, and Initiatives

[Deer Valley Airport Overlay](#)

See Background Item No. 7 below.

[Deer Valley Major Employment Center](#)

See Background Item No. 8 below.

[Complete Streets Guidelines](#)

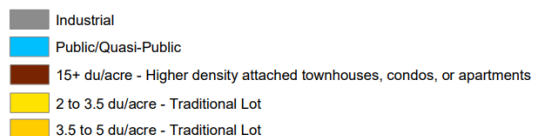
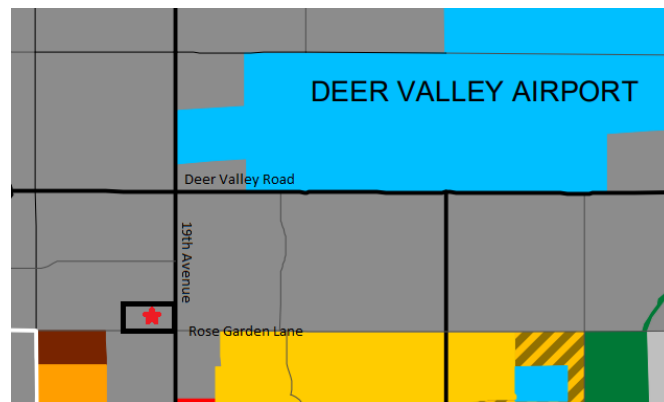
See Background Item No. 9 below.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Industrial/Commerce Park	Ind. Pk. DVAO
North	Industrial/Commerce Park	Ind. Pk. DVAO
South	Industrial/Commerce Park	CP/GCP
East	Industrial	A-1 DVAO
West	Industrial/Commerce Park	Ind. Pk. DVAO

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 5.50 acres located at the northwest corner of 19th Avenue and Rose Garden Lane from Ind. Pk. DVAO (Industrial Park, Deer Valley Airport Overlay District) to PUD DVAO (Planned Unit Development, Deer Valley Airport Overlay District) to allow for expanded industrial uses.
2. The subject site is currently developed with two industrial buildings, originally developed under the Industrial Park zoning district. Industrial Park is an obsolete district within the City of Phoenix Zoning Ordinance and is now regulated by the provisions of the Commerce Park zoning. Under the Commerce Park (Business Park) district standards, building setbacks and height are legally non-conforming. The PUD request is intended to unify development standards to match existing built conditions on site, and expand the list of allowable uses to attract additional tenants.
3. The subject site is designated Industrial on the General Plan Land Use Map. The PUD is consistent with this Land Use Map designation.



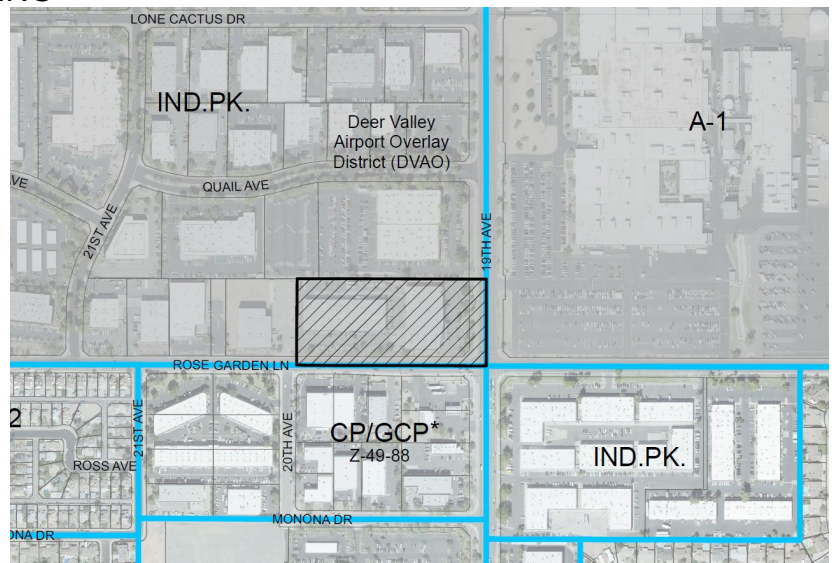
General Plan Land Use Map – Source: City of Phoenix Planning and Development Department

SURROUNDING USES AND ZONING

4. The subject site is a developed industrial/commerce park property currently zoned Ind. Pk. DVAO (Industrial Park, Deer Valley Airport Overlay District).

North of the subject site are existing industrial/commerce park buildings zoned Ind. Pk. DVAO (Industrial Park, Deer Valley Airport Overlay District).

South of the subject site are existing industrial/commerce sites and a gas station zoned CP/GCP (Commerce Park District/General Commerce Park).



Source: City of Phoenix
Planning and Development
Department

East of the subject is a Honeywell industrial site, zoned A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay District).

West of the subject site are existing industrial/commerce park buildings zoned Ind. Pk. DVAO (Industrial Park, Deer Valley Airport Overlay District).

PROPOSAL AND DEVELOPMENT STANDARDS

5. The proposal was developed utilizing the PUD zoning designation, which allows an applicant to propose uses, development standards and design guidelines for a site. One of the goals 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. Where the PUD narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
6. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped March 29, 2019. The proposed standards were designed to allow for industrial uses.

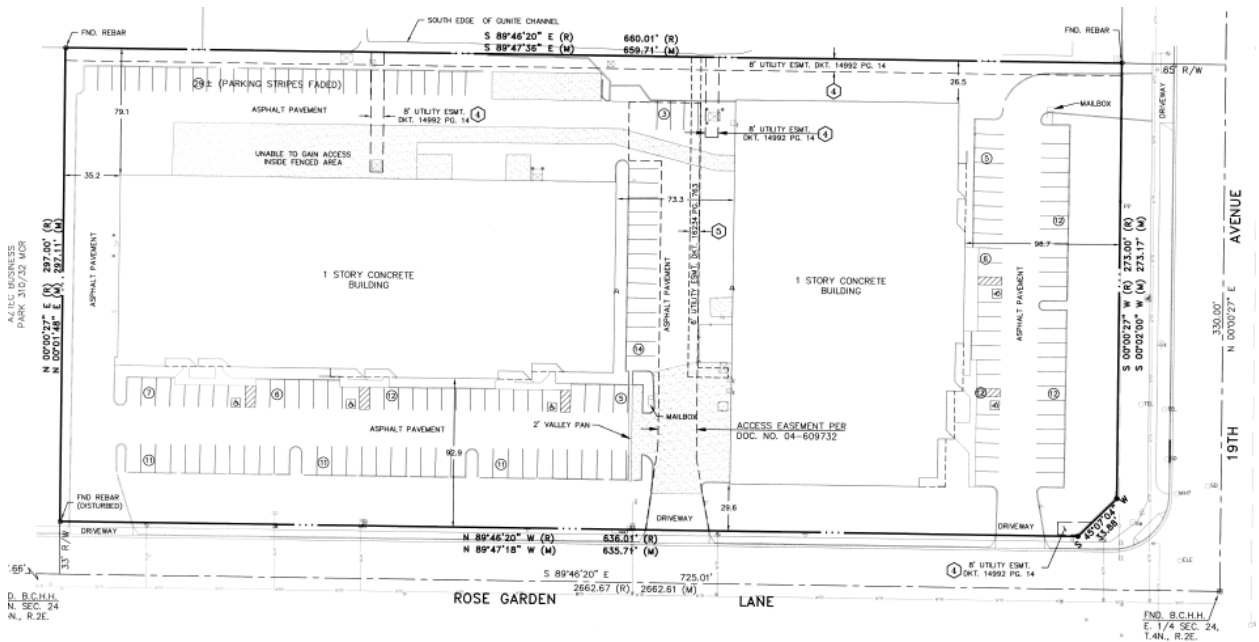
List of Uses

The Development Narrative proposes a number of permitted uses consistent with comparable zoning districts. The PUD allows uses from the CP/GCP (Commerce Park District, General Commerce Park) and A-1 (Light Industrial District) districts, while restricting those uses that are incompatible with the surrounding area, such as residential uses, intense industrial uses, and adult uses.

Conceptual Site Plan and Development Standards

The development's main ingress and egress points are along Rose Garden Lane, with two existing driveways. There is an existing driveway onto 19th Avenue at the north end of the site.

The proposed development standards have been developed to legalize existing built conditions on site, with setbacks and building height measured to the existing structures.



19th and Rose Garden Site Plan
Source: 19th and Rose Garden PUD
Development Narrative

Development Standard	Proposed PUD
Minimum Building Setbacks	29 feet from Rose Garden Lane; 30 feet from 19th Avenue; 20 feet from perimeter lot line not on a street; 0 feet from interior lot line not on a street
Height (Maximum), feet	28 feet within 26 feet of the north perimeter lot line; 29 feet for a building 35 feet from the west perimeter lot line; 29 feet within 29 feet of the south perimeter lot line; 18 feet within 30 feet of the east perimeter lot line; 1-foot increase per 3-foot additional setback, maximum 56 feet, or 80 feet with use permit and site plan.
Landscape Setbacks	As required by section 626 of the Zoning Ordinance

Landscape Standards

The PUD proposes landscaping standards unchanged from the requirements of the Commerce Park zoning district.

Sustainability

The PUD proposes a number of items to incorporate sustainability, including climate-sensitive materials, LED lightings, low-flow plumbing fixtures and drought-tolerant landscaping.

AREA PLANS, OVERLAY DISTRICTS AND INITIATIVES

7. Deer Valley Airport Overlay District

The Deer Valley Airport Overlay District is intended to protect the health, safety and welfare of persons and property in the vicinity of the Deer Valley Airport, and to protect the long-term viability of the Deer Valley Airport as a general aviation facility by ensuring land use compatibility with airport operations and protecting airspace from physical encroachment.

The PUD narrative is largely silent on the requirements of the Deer Valley Airport Overlay District. As stipulated, language will be added to clarify that the provisions of the overlay district remain in effect, while all other standards default to those found within the narrative. This is addressed in Stipulation No. 1.

8. Deer Valley Major Employment Center

The site is located in the Deer Valley Employment Center, along the Interstate-17 freeway and is in a predominantly commercial and industrial area. The site is also part of a limited amount of property remaining in the area, under private ownership, that has employment zoning.

9. Complete Streets Guiding Principles

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The proposal includes bike parking for employees and visitors to the site.

COMMUNITY INPUT SUMMARY

10. As of the writing of this report, staff has not received any correspondence regarding this proposed rezoning application.

INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department has reviewed the proposed request and does not have comments or stipulations at this time.
12. The Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1290 L of the Flood Insurance Rate Maps (FIRM) dated June 2, 2017.
13. The Fire Prevention division of the Fire Department does not anticipate any problems associated with this rezone case but shall require the site and/or buildings to comply with the Phoenix Fire Code. The water supply (GPM and PSI) is not known at this location, and additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
14. The Parks and Recreation Department has reviewed the proposed site plan and rezoning request and does not have and comments or stipulations at this time.
15. The Water Services Department has reviewed the request and has determined that the property has water and sewer mains that can serve the development.
16. The Aviation Department has reviewed the request and determined that additional language must be added to address the provisions found within the Deer Valley Airport Overlay District. This is addressed in Stipulation Nos. 1, 2 and 3.
17. 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. 4.

OTHER

18. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinances establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittal.
19. 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 request is consistent with General Plan Land Use Map designations and several General Plan goals and principles.
2. The proposed development is appropriate at this location and is consistent with the scale and existing zoning in the surrounding area.
3. The development will provide continued employment opportunities within an existing employment center.

Stipulations

1. An updated Development Narrative for the 19th Avenue and Rose Garden 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 March 29, 2019, as modified by the following stipulations:
 - a. Front Cover: Remove "Submittal" dates and revise to add the following: City Council adopted: [Add adoption date]. Correct location to read "Northwest corner of 19th Avenue and Rose Garden Lane."
 - b. Page 4: Correct language to read: "Provisions not specifically regulated by this PUD are governed by the Phoenix Zoning Ordinance, including the Deer Valley Airport Overlay (DVAO) District. If there are conflicts between specific provisions of this PUD, and the Phoenix Zoning Ordinance or

design guidelines, with the exception of the provisions of the DVAO, the terms of this PUD shall apply.”

- c. Page 5: Correct C.1 language to read: This PUD allows all uses permitted in the CP/GCP and A-1 zoning districts of the Phoenix Zoning Ordinance, except the following uses in C.2, which shall be prohibited. Add new section heading and introduction sentence for C.2 Prohibited Uses.
 - d. Page 7: Change section subheading from C.2 to C.3. Change section subheading from C.3 to C.4.
2. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.
 3. The subject site is within DVAO “Area 1”, development must provide Avigation Notice consistent with DVAO part 658.D.
 4. 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.

Writer

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April 9, 2019

Team Leader

Samantha Keating

Exhibits

Zoning sketch

Aerial

19th and Rose Garden PUD Development Narrative (Date Stamped March 29, 2019)

<https://www.phoenix.gov/pdd/pz/pzservices/pud-cases>