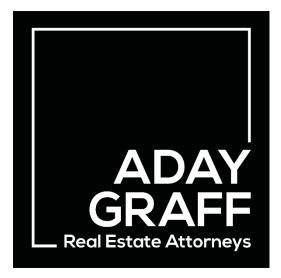
2950 E. Broadway Road

Northwest Corner of 30th Street & Broadway Road

Planned Unit Development Development Narrative

Case No. Z-42-17-8



CITY OF PHOENIX

MAR 29 2018

Planning & Development Department

Request: CP/GCP RSIO (6.26 acres) and C-2 RSIO (1.41 Acres) to PUD RSIO (7.67 acres) to allow CP/GCP RSIO, C-2 RSIO, and Indoor Automobile Sales Uses

1st Submittal: June 23, 2017 2nd Submittal: September 1, 2017 Heaing Draft: September 18, 2017 Final City Council Approval: December 13, 2017

PRINCIPALS & DEVELOPMENT TEAM

Owner VWP SSF Broadway Industrial LP Steven Schwarz, Carrie Temple, Clare Lydon 2390 E Camelback Rd Ste 305 Phoenix, AZ 85016

> Applicant / Representative Aday Graff PC Benjamin W. Graff 2200 E. Camelback Road, Ste. 221 Phoenix, AZ 85016

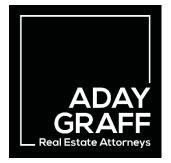




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A. PURPOSE AND INTENT

1. PLANNED UNIT DEVELOPMENT

This Planned Unit Development ("PUD") is intended to be a stand-alone document of zoning regulations for this particular project. Provisions not specifically regulated by the PUD are governed by the Phoenix Zoning Ordinance. The regulations provided herein are intended to be generally consistent with the regulations of the Commerce Park / General Commerce Park Zoning District, Rio Salado Interim Overlay District ("RSIO") (Section 626 of the Phoenix Zoning Ordinance) and the Commercial C-2 District (Section 623 of the Phoenix Zoning Ordinance) and if there are conflicts between specific provisions of this PUD, and the Phoenix Zoning Ordinance or design guidelines, the terms of this PUD shall apply. The purpose and intent statements, while not requirements that will be enforced by the City, form the basis for the proposed standards in this PUD.

This PUD provides the regulatory zoning provision designed to guide the implementation of the overall development plan through the City of Phoenix development review and permit process. The provisions provided within this PUD shall apply to all property within the PUD project boundary. The zoning and development standards provided herein amend various provisions provided by the City of Phoenix Zoning Ordinance (as adopted and periodically amended). In the event of a conflict between a use, a development standard, or a described development procedure between the City of Phoenix Zoning Ordinance and the PUD, the PUD shall prevail.

2. PROJECT OVERVIEW AND GOALS

The property is located at 2950 E. Broadway Road, Phoenix, AZ (APN 122-17-058) (the "Property"). See Area Vicinity Map and Site Aerial Attached as **Exhibit 01**. The site consists of 7.67 acres and includes two separate existing buildings. The intent of this application is to rezone approximately 7.67 acres from Commerce Park / General Commerce Park Option ("CP/GCP") Rio Salado Interim Overlay District ("RSIO") and Intermediate Commercial ("C-2") RSIO to Planned Unit Development ("PUD") RSIO to allow the site to develop as Commerce Park / General Commerce Park development with indoor automobile sales and other intermediate commercial uses on a small are of the existing building at the southern portion fo the site. The PUD includes permitted uses, development standards, and design guidelines. The mix of uses will be compatible with the neighborhood and the design guidelines will



be in conformance to the Commerce Park / General Commerce Park development standards.

Both existing zoning designations (CP/GCP RSIO & C-2 RSIO) were approved in 1996 and 1998 (via Z-163-96 & Z-63-98). The Phoenix General Plan designates the Property as Commerce Business Park and the site falls within the Rio Salado Interim Overlay District. The Property is surrounded Commerce Park uses and some A-1 light industrial uses. While R-3 zoning can be found west of the Property, this property is vacant and no residential uses abut the Property. See Context Map and Photos Attached as **Exhibit 02**.

3. OVERALL DESIGN CONCEPT

A significant amount of thought and consideration was given to the original design and construction of this site, which was built to meet the CP/GCP RSIO development standards. The building configuration, loading areas, site circulation, parking, and adherence to applicable development standards have all made this an efficient and harmonious development. See Approved Site Plan Attached as **Exhibit 03**. Since this PUD does not propose any changes to the site, building configuration, or building elevations, there will be no impact on the surrounding uses. Additionally, unlike most PUD applications which precede major demolition, redevelopment, and construction activities, this application merely memorializes the existing uses and building design. Any future development shall conform to the CP/GCP design/development standards set forth in Section 626 of the City of Phoenix Zoning Ordinance.

B. LAND USE PLAN

1. LAND USE CATEGORIES

The approximately 7.67-acre site is designed to allow Commerce Park/General Commerce Park uses on 6.26 acres of the site and C-2 uses within a limited 0.33 acre area inclusive of the southern portion of the eastern building. Permitted uses added to these sections subsequent to the approval of this PUD shall also be permitted. See **Land Use Plan** attached as **Exhibit 8**. Per Exhibit 8, **Area A** (inclusive of the entire 7.67 acre PUD) shall allow all CP/GCP RSIO uses. **Area B** shall allow all CP/GCP RSIO uses and indoor automobile sales and accessory uses for indoor automobile sales. **Area C** shall incorporate the City of Phoenix Zoning Map as it exists today and allow C-2 RSIO Commercial uses within a 0.33 acre area inclusive of the southern portion of the eastern building. As a required condition of the final PUD approval, a survey of the



building area within the 0.33 acre "Area C" is shown on the Land Use Plan, Survey, and Area Legal Descriptions attached as Exhibit 8.

2. CONCEPTUAL SITE DESIGN

Within this PUD, all site plans or site design have already been approved by the City of Phoenix and exist on the site today. Therefore, the approved site plan attached as **Exhibit 03** and the Existing Elevation Photographs attached as **Exhibit 04** provide a current depiction of the site, which conforms to allow the development and landscaping standards of the CP/GCP RSIO Zoning District.

All ingress/egress points will remain unchanged.

C. SITE CONDITIONS AND LOCATION

1. ACREAGE

The Property consists of approximately 7.67 gross acres. See Legal Descriptions Attached as **Exhibit 05**.

2. LOCATION

The Property is located at 2950 E. Broadway Road (APN 122-17-058) at the Northwest corner of 30th Street and Broadway Road. See Area Vicinity Map Attached as **Exhibit 01**.

3. TOPOGRAPHY

There are no significant topographical or natural features on the Property. The site is generally flat and currently developed with surface parking and buildings.

D. GENERAL PLAN CONFORMANCE

The Phoenix General Plan designates the Property as Commerce Business Park and the site falls within the Rio Salado Interim Overlay District. The Property is surrounded by Commerce Park Uses and some Light Industrial (A-1 RSIO) zoning. The R-3 RSIO zoned property to the west of the site is currently vacant. See General Plan & Overlay Maps Attached as **Exhibit 06**.



The Phoenix General Plan 2015 focuses on three **Community Benefits** – one being **Prosperity**:

"Many of a city's jobs are located in the city's activity centers. In addition, activity centers are major contributor to sales tax revenue. The more successful our activity centers are, the better off the city and its residents will be." Phoenix General Plan 2015, p. 85.

In the case of this PUD, maintaining a center of commerce park employment and tax revenue is key to the City's success and prosperity. While indoor automobile sales are not permitted within the existing zoning categories, uses which produce significant sales taxes are strongly encouraged by the Phoenix General Plan 2015. Indoor automobile sales will continue to generate tax revenue for the City while also providing employment opportunities. The goals of the General Plan will be met through an unconventional use – an outcome the Planned Unit Development option was created to support.

The General Plan also promotes the support and preservation of small businesses and entrepreneurs within its discussion of the **Core Value** to **Strengthen our Local Economy**. See Phoenix General Plan 2015, p. 86. Specifically, the **Local and Small Business** subsection discusses the following:

Land Use Principle: "Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow." Phoenix General Plan 2015, p. 90.

This PUD allows for a creative, yet compatible use of the Property (indoor automobile sales) in conjunction with standard commerce park uses and a limited area for commercial uses. The resulting mix of uses will create more job opportunities and increased sales taxes which would not be possible without the requested PUD. Namely, tax revenue from automobile sales would normally not be available under standards CP/GCP regulations, while this PUD specifically permits this tax-generating use.

Also within the **Strengthen our Local Economy Core Value**, and discussed within the **Entrepreneurs / Emerging Enterprises** subsection, is the following language:

Land Use Principle: "Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations." Phoenix General Plan 2015, p. 92.

Goldie Motors is a small business born and raised here in Phoenix by an Arizona family. The proposed PUD encourages a mix of land uses that will allow for the growth of entrepreneurial, local businesses which will remain in Phoenix, rather than relocating to a competing jurisdiction. The property



owner strives to place local, successful, and emerging enterprises at this location and will continue to do so with future tenants/users.

E. ZONING AND LAND USE COMPATIBILTY

1. EXISTING & SURROUNDING ZONING & CONFORMANCE

The Property is currently zoned CP/GCP RSIO and C-2 RSIO. See Zoning Map Attached as **Exhibit 07**. The site is bordered to the north by A-1 Industrial and is otherwise surrounded by comparable CP/GCP RSIO zoned property and uses. In summary, the immediate surrounding context includes:

Location	Zoning	<u>Use</u>	
Site	CP/GCP RSIO & C-2 RSIO	Commerce park and	
		intermediate commercial uses	
North	A-1 RSIO	A-1 RSIO Light Industrial Uses	
East	CP/GCP MR RSIO	Commerce Park Uses	
South	CP/GCP SPVTABDO	Commerce Park Uses	
West	R-3 RSIO & CP/BCP RSIO	Vacant land, no existing	
		residential uses	

2. EXISTING & SURROUNDING CHARACTER

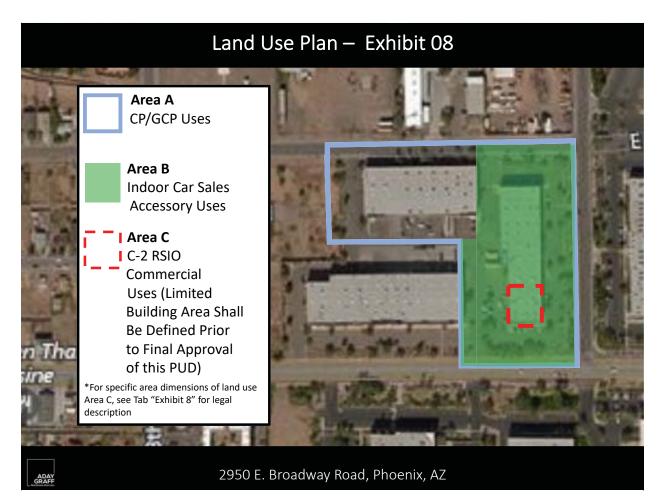
The overall character of the area surrounding the Property is both industrial and commerce park. No residential uses are adjacent to the Property which has provided the ideal buffer for all existing uses. The original purpose of the existing C-2 RSIO portion of the Property was for a gas station, which would not be compatible under today's standards. The proposed mix of uses have proven to be compatible by existing on the site for over five years. While indoor automobile sales is not a use permitted under standard Commerce Park Zoning, this unobtrusive and screened use is nevertheless beneficial and compatible with the neighboring commerce park and light industrial developments.

F. LIST OF USES

Permitted Uses and Land Use Plan

The 2950 E. Broadway Road Planned Unit Development includes a Commerce Park / General Commerce Park, Commerce Park / General Commerce Park with indoor automobile sales, and Commerce Park / General Commerce Park and C-2 land use areas. The specific location of these areas can be viewed on Figure 1, **Exhibit 8** (Land Use Plan) on the next page of this PUD application.





The developer(s) or any property owner within the defined limits of the PUD may request an interpretation of analogous use to the defined list below from the City of Phoenix Zoning Administrator. The Zoning Administrator may administratively approve a use analogous to those listed in this PUD. The following section identifies the uses permitted within each of these areas:

1. Permitted Uses on Land Use Area A Only (Entire Site, 7.67 Acres):

- a. Permitted Uses
 - i. CP/GCP uses as outlined in Section 626.F of the Phoenix Zoning Ordinance
- b. Accessory Uses
 - i. CP/GCP accessory uses as outlined in Section 626.F of the Phoenix Zoning Ordinance

2. Permitted Uses on Land Use Area B Only:

- a. Permitted Uses
 - i. CP/GCP uses as outlined in Section 626.F of the Phoenix Zoning Ordinance



- ii. Indoor new and used automobile sales
- b. Accessory Uses
 - i. CP/GCP accessory uses as outlined in Section 626.F of the Phoenix Zoning Ordinance
 - ii. Indoor retail sales of automobile parts and supplies; indoor automobile display/showroom
 - iii. Indoor Garage, Public, no body and fender
 - iv. Indoor auto detailing
 - v. Indoor automobile storage and warehousing

3. Permitted Uses on Land Use Area C Only:

- a. Permitted Uses
 - i. CP/GCP uses as outlined in Section 626.F of the Phoenix Zoning Ordinance
 - ii. C-2 uses as outlined in Section 623.D of the Phoenix Zoning Ordinance; except that the following land uses shall be prohibited: (1) Residential; (2) Adult Bookstore, Adult Novelty Store, Adult Theatre, Adult Live Entertainment Establishment, Erotic Dance or Performance Studio; (3) Car washing – indoor or outdoor; and (4) Nonprofit Medical Marijuana Dispensary Facility.
- b. Accessory Uses
 - i. CP/GCP accessory uses as outlined in Section 626.F of the Phoenix Zoning Ordinance
 - ii. C-2 accessory uses as outlined in Section 623.D of the Phoenix Zoning Ordinance

G. DEVELOPMENT STANDARDS

The development standards shall comply with Sections 507, Tab A and 626 (General Commerce Park Option) of the Phoenix Zoning Ordinance.

1. AMENITIES

No new amenities are proposed.

3. SHADE

For new development, pedestrian walkways and gathering areas should be shaded a minimum of fifty (50%) at maturity per City of Phoenix Ordinance



Section 507 Tab A.II.B.6.1. New development shall be defined as the addition of new building square footage or buildings beyond what is shown on the approved site plan attached as **Exhibit 3**.

4. LIGHTING PLAN

Lighting shall conform to the lighting standards outlined in Section 23-100 of the City Code.

H. DESIGN GUIDELINES

The PUD shall comply with the development standards in City of Phoenix Zoning Ordinance 507, Tab A (Guidelines for Design Review) and Commerce Park / General Commerce Park option in Section 626 of the Phoenix Zoning Ordinance.

<u>Parking</u>

The PUD shall comply with the parking standards in the City of Phoenix Zoning Ordinance, Section 702.

Landscaping

New development shall comply with the C-2 landscaping standards found in Section 623 of the City of Phoenix Zoning Ordinance (only in regard to quantity and size; not setback dimensions). New development shall be defined as the addition of new building square footage or buildings beyond what is shown on the approved site plan attached as **Exhibit 3**.

Wall Standards

Wall requirements shall comply with the wall standards outlined in Section 703 of the Phoenix Zoning Ordinance.

I. SIGNS

All signs shall comply with Section 705 of the City of Phoenix Zoning Ordinance.



J. SUSTAINABILTY

As with all of the Applicant's properties, ownership will strive to reduce energy consumption, carbon footprint, water use and the heat island effect where possible. No changes are proposed to the existing buildings which would increase or decrease the sustainability of the development or this PUD. Additionally, in this case, the most sustainable approach is to use existing buildings and infrastructure to provide appropriate and market-driven uses for the Property.

K. INFRASTRUCTURE

1. CIRCULATION

No changes to the existing circulation are proposed. The current mix of uses has proven harmonious both in use compatibility and traffic/circulation patterns for over five years. The main access point is located on the south side of the Property from Broadway Road, with secondary access points from 30th (one access point) and Woods Streets (two access points). Site circulation allows for ingress/egress from all three street frontages and no changes to site access or circulation is proposed.

2. GRADING AND DRAINAGE

This project will provide grading and drainage in accordance with its previously approved site plan and building permits.

3. WATER AND SEWER

This project will utilize water and sewer infrastructure already in-place. No new water or sewer mains are anticipated for this Property.

L. PHASING PLAN

No phasing is planned for this project.



M. LIST OF EXHIBITS

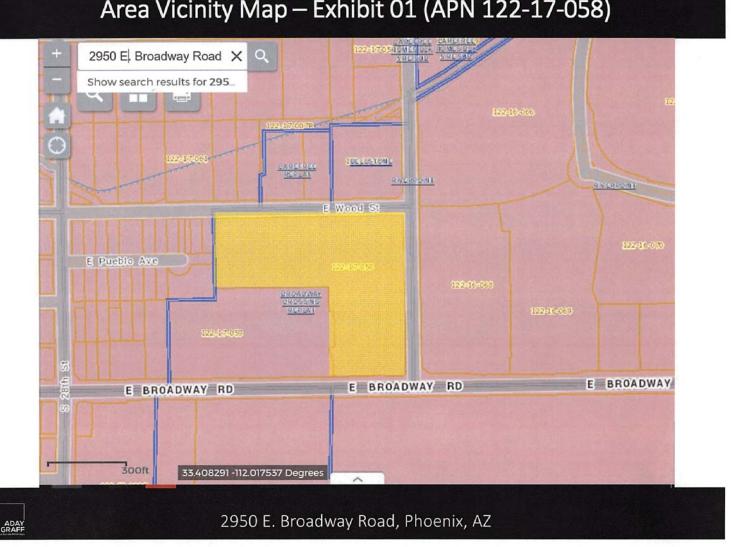
Area Vicinity Map and Site Aerial	01
Site Context Map and Photos	02
Approved Site Plan	03
Photographic Elevations	04
Legal Descriptions	05
General Plan Map	06
Zoning Map	07
Land Use Plan, Survey, and Area Legal Descriptions	



Exhibit 01

Area Vicinity Map – Exhibit 01





Area Vicinity Map – Exhibit 01 (APN 122-17-058)

Exhibit 02

5**4**0

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Context Site Plan



Case No: Gross AC.: Existing Zoning: APN: Planned Unit Development Z-42-17-8 7.67 CP/GCP RSIO & C-2 RSIO 122-17-058

Project Info.

Photograph # and direction of view



2950 E. Broadway Road, Phoenix, AZ



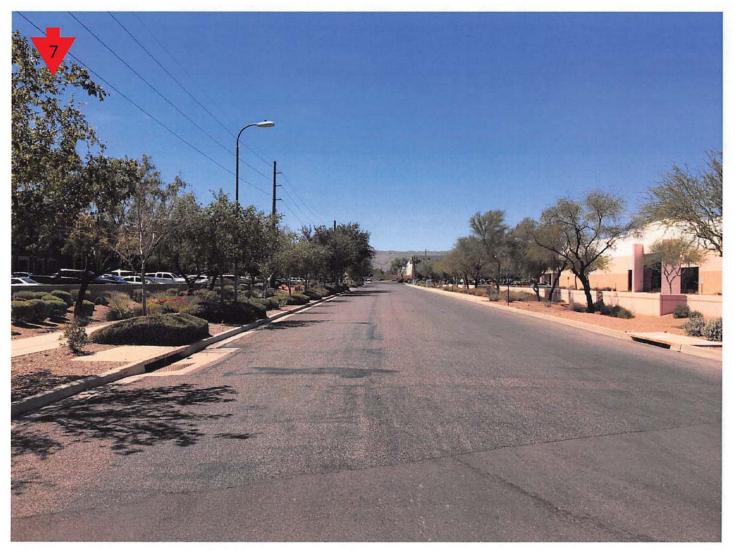




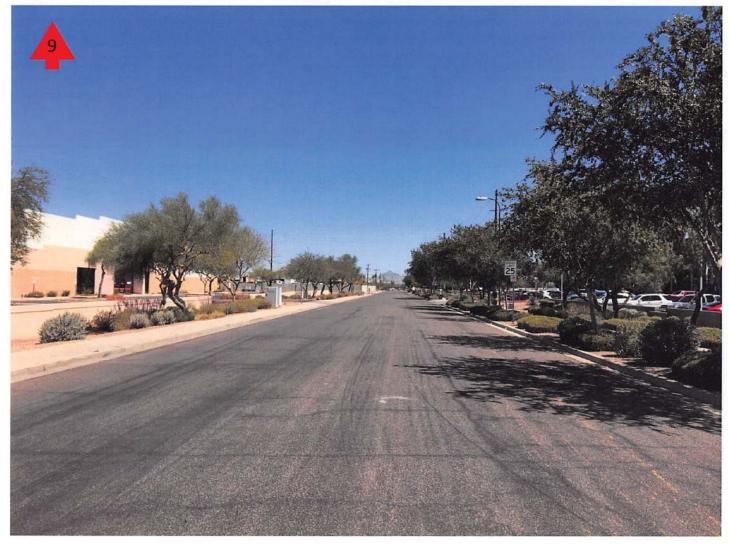






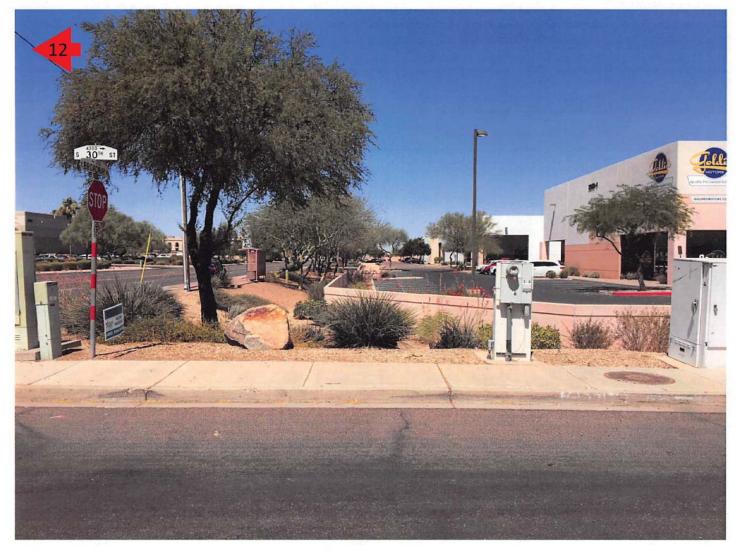














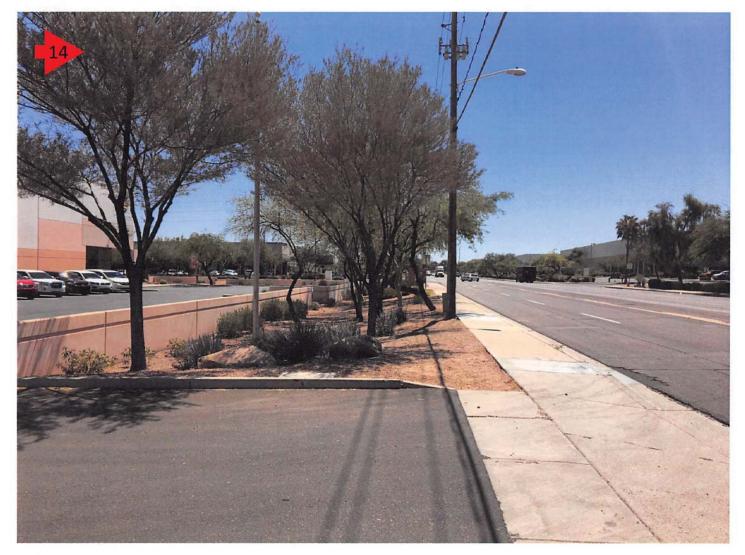










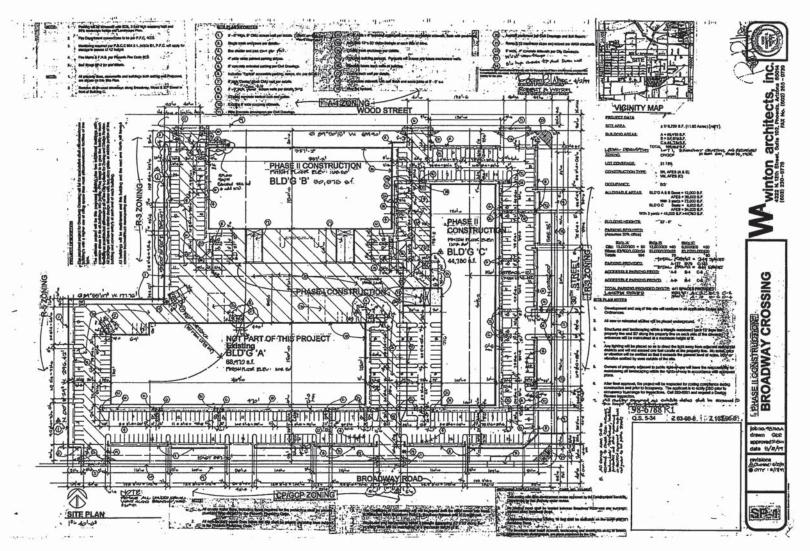




Exhibit 03

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13



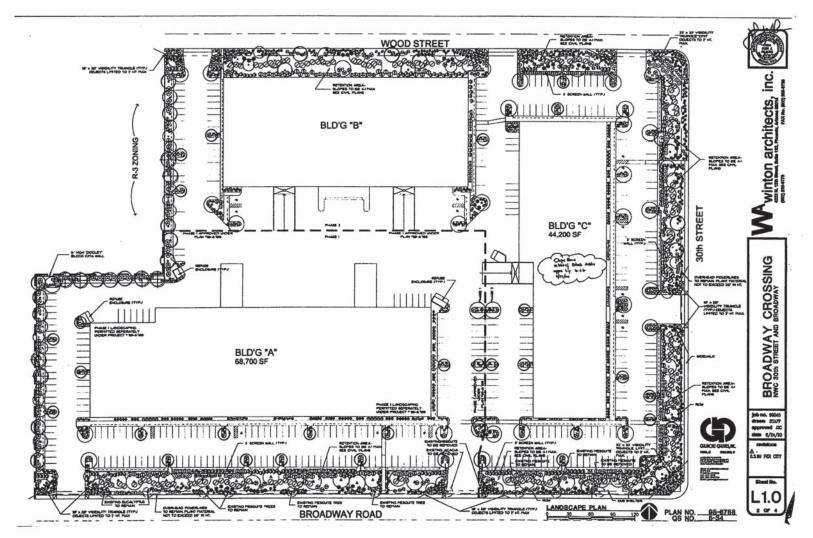




Exhibit 04

1

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2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



Southeast Corner: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



South: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



East: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



East: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



Northeast: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



Northwest Corner: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



Northwest Corner: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



North: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



North: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



South: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)



South: 2950 E. Broadway Road, Phoenix, AZ (Parcel No. 122-17-058)

Exhibit 05

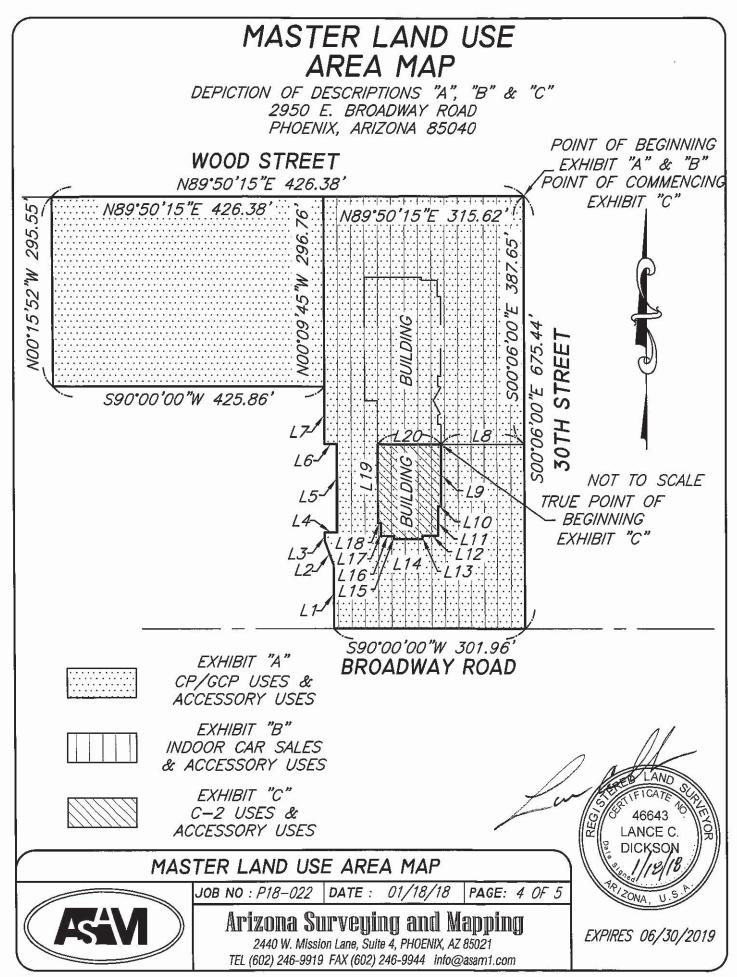
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LEGAL DESCRIPTION OF PROPERTY

PARCEL NO. 1:

LOT 1, OF BROADWAY CROSSING REPLAT, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED AS BOOK 519 OF MAPS, PAGE 31.



LINE TABLE			
LINE	LENGTH	BEARING	
L1	98.0′1	N00*00'00"E	
L2	40.93′	N20*00′00″W	
L3	13.54′	N00*00′00″E	
L4	19.00′	N90*00′00″E	
L5	137.78′	N00*00′00″E	
L6	19.00′	V*00'00406S	
L7	90.001	N00°00′00″E	
L8	131.98′	S90*00′00″W	
L9	96.61′	S00°05′25″E	
L10	5.01′	N89°27′40″W	
L11	46.26'	S00°03′47″E	
L12	25.00′	\$89*35′05″W	
L13	5.021	S00°49′26″E	
L14	44.87′	S89°48′44″W	
L15	5.00′	N00°11′16″W	
L16	19,95′	N89*30′35″W	
L17	19.93′	N00*20′40″W	
L18	5.00′	N89°18′08″W	
L19	123.00′	N00*07′46″W	
L20	99.97′	N90°00′00″E	

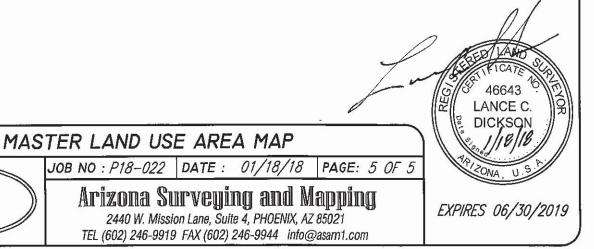


EXHIBIT "A" 2950 E. BROADWAY ROAD PHOENIX. ARIZONA 85040

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF WOOD STREET AND 30TH STREET;

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THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST 98.01 FEET;

THENCE NORTH 20 DEGREES 00 MINUTES 00 SECONDS WEST 40.93 FEET;

THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST 13.54 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 19.00 FEET;

THENCE NORTH OO DEGREES OO MINUTES OO SECONDS EAST 137.78 FEET;

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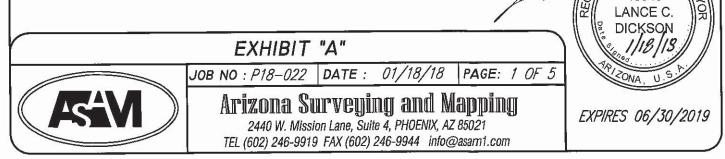
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COMPRISING 7.689 ACRES OR 334,937 SQUARE FEET MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.



46643

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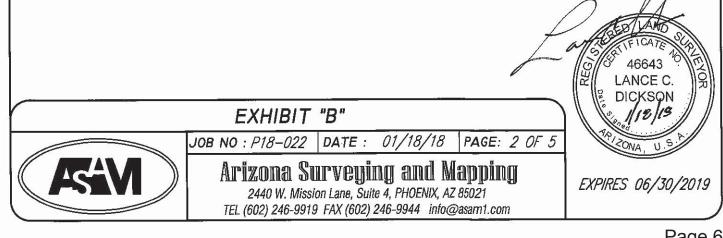


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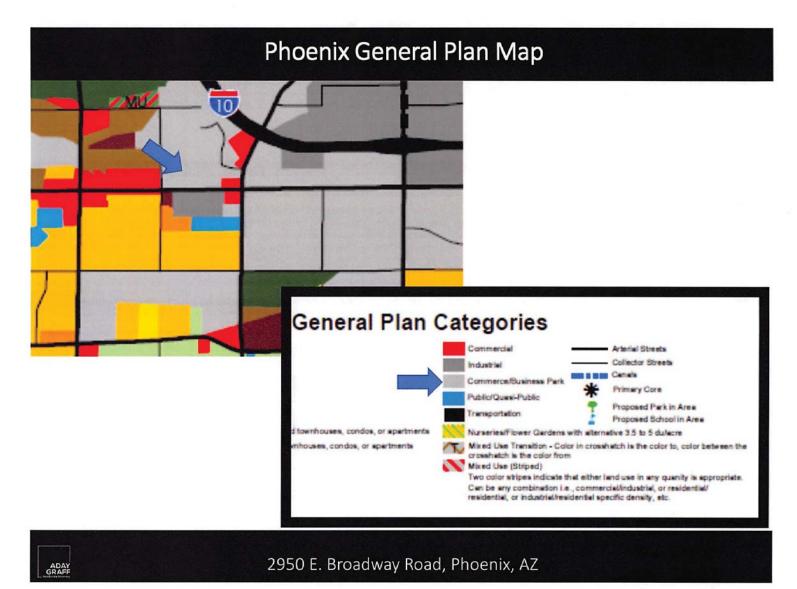
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COMPRISING 0.33 ACRES OR 14,182 SQUARE FEET MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.



46643

Exhibit 06



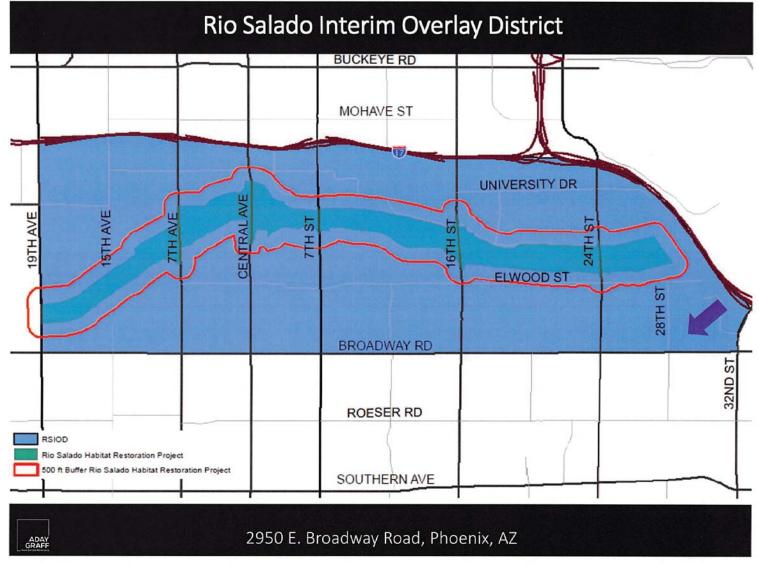


Exhibit 07

- e.

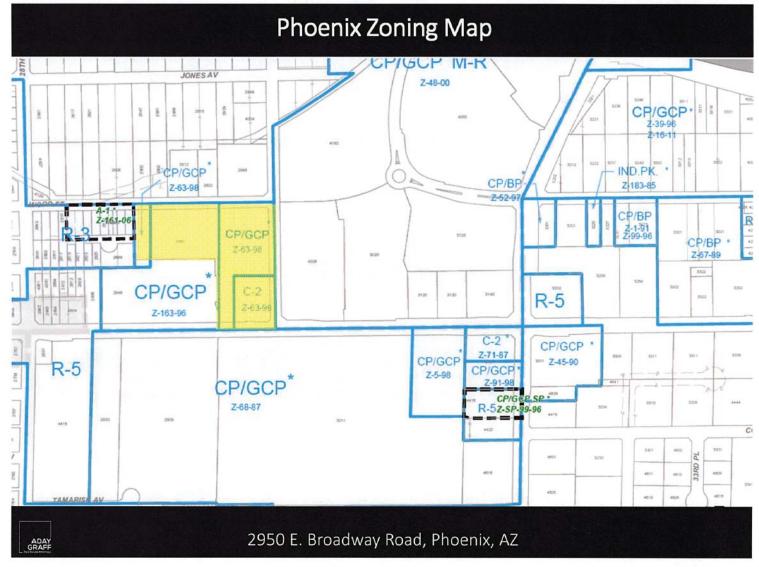
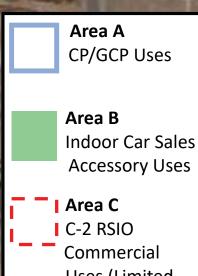


Exhibit 08

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Land Use Plan – Exhibit 08



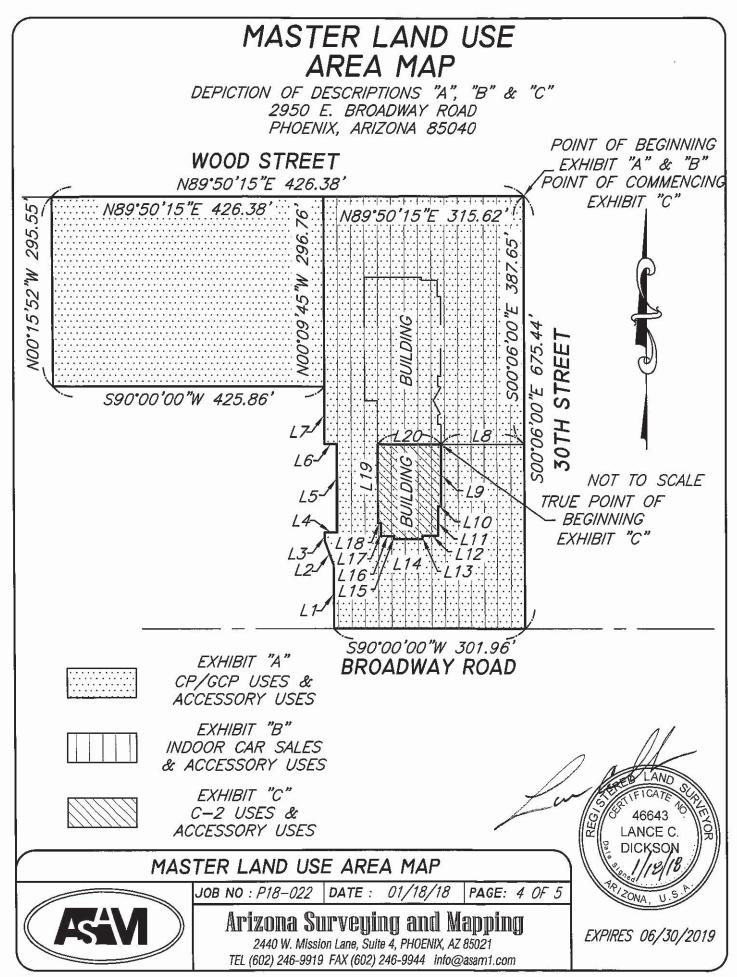
Uses (Limited Building Area Shall Be Defined Prior to Final Approval of this PUD)

4.10

*For specific area dimensions of land use Area C, see Tab "Exhibit 8" for legal description



2950 E. Broadway Road, Phoenix, AZ



LINE TABLE			
LINE	LENGTH	BEARING	
L1	98.0′1	N00*00'00"E	
L2	40.93′	N20*00′00″W	
L3	13.54′	N00*00′00″E	
L4	19.00′	N90*00′00″E	
L5	137.78′	N00*00′00″E	
L6	19.00′	V*00'00406S	
L7	90.001	N00°00′00″E	
L8	131.98′	S90*00′00″W	
L9	96.61′	S00°05′25″E	
L10	5.01′	N89°27′40″W	
L11	46.26'	S00°03′47″E	
L12	25.00′	\$89*35′05″W	
L13	5.021	S00°49′26″E	
L14	44.87′	S89°48′44″W	
L15	5.00′	N00°11′16″W	
L16	19,95′	N89*30′35″W	
L17	19.93′	N00*20′40″W	
L18	5.00′	N89°18′08″W	
L19	123.00′	N00*07′46″W	
L20	99.97′	N90°00′00″E	

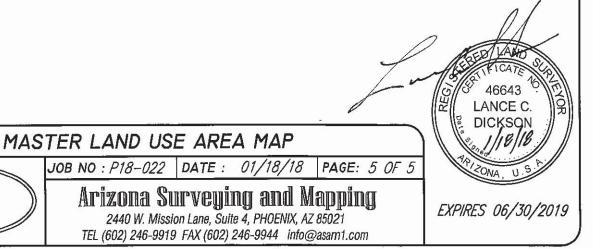


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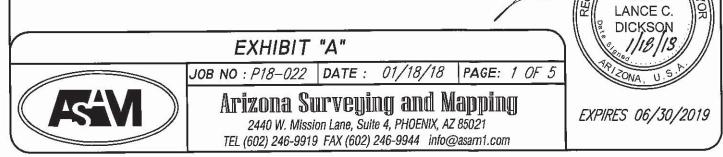
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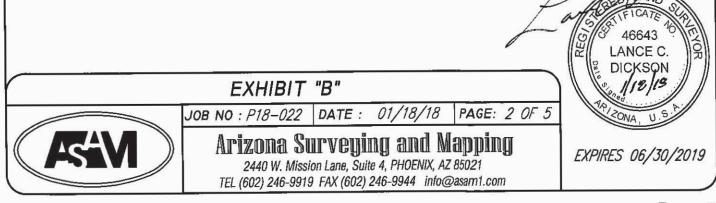


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