



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report: Z-6-16-1**  
May 5, 2016

<b>Deer Valley Village Planning Committee Meeting Date</b>	May 19, 2016
<b>Planning Commission Hearing Date</b>	June 2, 2016
<b>Request From:</b>	Ind. Pk. DVAO (Industrial Park, Deer Valley Airport Overlay), 6.98 acres
<b>Request To:</b>	A-1 DVAO (Light Industrial, Deer Valley Airport Overlay), 6.98 acres
<b>Proposed Use</b>	Industrial warehouse and open uses
<b>Location</b>	Southwest corner of 23rd Avenue and the Parkside Lane alignment
<b>Owner</b>	Next Gen Commercial, LLC and Meridian Holdings. LLC
<b>Representative</b>	William Allison, Withey Morris, PLC
<b>Staff Recommendation</b>	Approval, subject to stipulations

<b>General Plan Conformity</b>		
<b>General Plan Land Use Designation</b>		Industrial Transportation (within the ADOT right-of-way)
<b>Street Map Classification</b>	Black Canyon Highway and frontage road 23rd Avenue	ADOT right-of-way  Collector (50 feet west half street)
<b><u>CONNECT PEOPLE AND PLACES CORE VALUE</u></b>		
<b><i>OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b>		
<p>The subject site is designated Industrial on the General Plan Land Use Map, and is within the Deer Valley Employment Center and the Deer Valley Airport Overlay. It is reasonable to allow an increased level of intensity to Industrial zoning, with appropriate screening and landscaping along the freeway frontage road and adjacent to the residential use to the south.</p>		
<b><u>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE</u></b>		
<b><i>ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.</i></b>		

***MANUFACTURING AND INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.***

***AIRPORTS; LAND USE PRINCIPLE: Encourage the development of city-owned and non-city-owned parcels near the airport to airport-compatible land uses surrounding the city's airports.***

***AIRPORTS; 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.***

The proposed development provides opportunities for growth of entrepreneurs and/or new businesses and expansion of industrial uses in a targeted industrial area.

The subject site is in close proximity to the Phoenix Deer Valley Airport and the proposed uses and building scale and character are compatible with the airport.

**CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS**

***CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: 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.***

***CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Require appropriate transitions/buffers between neighborhoods and adjacent uses.***

Although the property to the south of the proposed development is a residential use, it is not within a residential zoning district. Dissimilar land uses often require additional separation or other measures to achieve compatibility. This has been considered, as the proposed site plan provides impact-mitigating features such as sufficient setbacks and buffering with enhanced landscaping in order to protect the adjacent residential use from any negative impacts that may be imposed by the industrial use. The proposed development, as stipulated, is compatible with adopted plans and the general land use pattern in the area.

**Area Plans / Special Planning Areas**

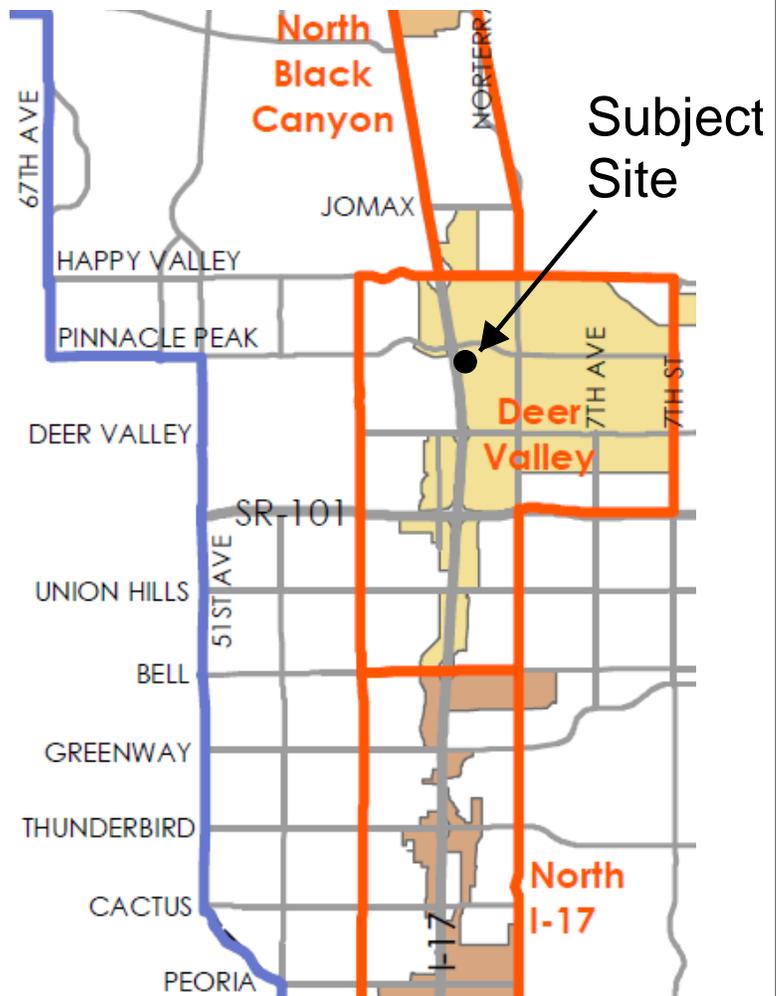
**DEER VALLEY AIRPORT OVERLAY**

The subject site is located within the Deer Valley Airport Overlay District (DVAO), Area 1 and the proposed uses and height are consistent with the provisions of the overlay district. The purpose of the zoning overlay is to ensure land use compatibility with airport operations, protect navigable airspace from physical encroachment, and require permanent notice of flight operations to property owners. The proposed development is consistent with the character of the Phoenix Deer Valley Airport area, is compliant with height restrictions, and the property owner will be required to record a disclosure notice to prospective purchasers regarding the proximity to the Phoenix Deer Valley Airport.

**DEER VALLEY 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.



**MAJOR EMPLOYMENT CENTERS**

Phoenix Designated Employment Centers

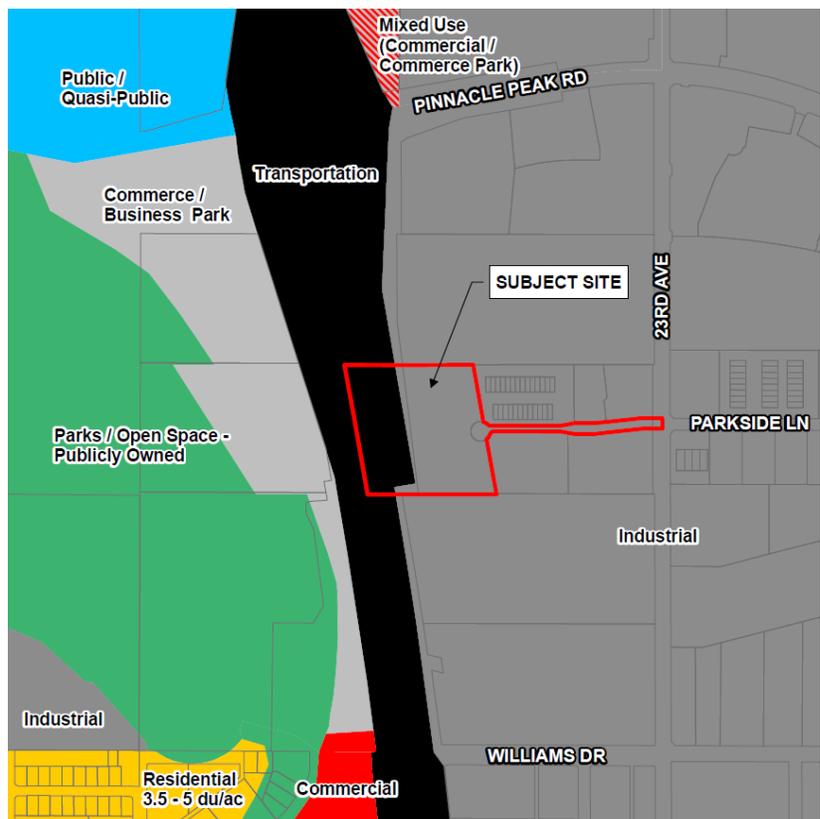
Surrounding Land Uses/Zoning		
	Land Use	Zoning
<b>On Site</b>	Vacant	IND PK DVAO
<b>North</b>	Vacant	RE-43 DVAO
<b>South</b>	Mobile Home Park	C-1 SP DVAO
<b>East</b>	Commerce park warehouse/office uses, school	IND PK DVAO
	Warehouse/office uses	A-1 DVAO
<b>West</b>	I-17 freeway and access road	IND PK DVAO
<b>West of the Freeway</b>	Vacant	CP/BP DVAO CP/GCP DVAO

<b>A-1 District – Light Industrial</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
<i>Gross Acreage</i>		4.98 gross acres
Off-Street Parking	Office: 1 space/300 sq. ft. Unspecified warehouse use: 1 space/1,000 sq. ft. (Approximately 46 required)	Met – 77 spaces
<i>Building Setbacks</i>		
North	30 feet closed building; 150 feet open buildings / uses	Met – 31 feet; Met – 150+ feet
South	0 feet;  <u>Stipulated:</u> 75 feet open buildings / uses	Met – 365+ feet;  Met – 75 feet open buildings / uses
East	0 feet	Met – Approximately 138 feet; Met – 70 feet (adjacent to other property)
East (Street Side)	25 feet closed building; 75 feet open buildings / uses	Met – None proposed on street side/existing driveway only; Met – None proposed on street side/existing driveway only
West (Street Side)	25 feet closed building;  75 feet open buildings / uses	Met – Approximately 88 feet closed building; * Not met – 30 feet open buildings / uses
<i>Landscape Setbacks</i>		
North	0 feet	Met – 0 feet
South	0 feet;  <u>Stipulated:</u> 75 feet, including drive aisle	Met – 75 feet
East	0 feet	Met – 0
East (Street Side)	8 feet x lineal frontage, Minimum 5 feet wide	Met – Existing driveway only
West (Street Side)	8 feet x lineal frontage, Minimum 5 feet wide (Approximately 5,080 sq. ft.);  <u>Stipulated:</u> 10 feet minimum, 30 feet average	Met – 10 feet  ** Not met – 10 feet

<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Lot Coverage	N/A	Met – Approximately 24%
Building Height	56 feet, 80 feet with use permit	Met – 35 feet
<p><b>* Not met per Zoning Ordinance Standard.</b></p> <p><b>** Not met as stipulated. The site layout shall be modified to accommodate the required stipulations and Zoning Ordinance Standard. If there are any remaining Zoning Ordinance Standard that are not met then a variance must be obtained.</b></p>		

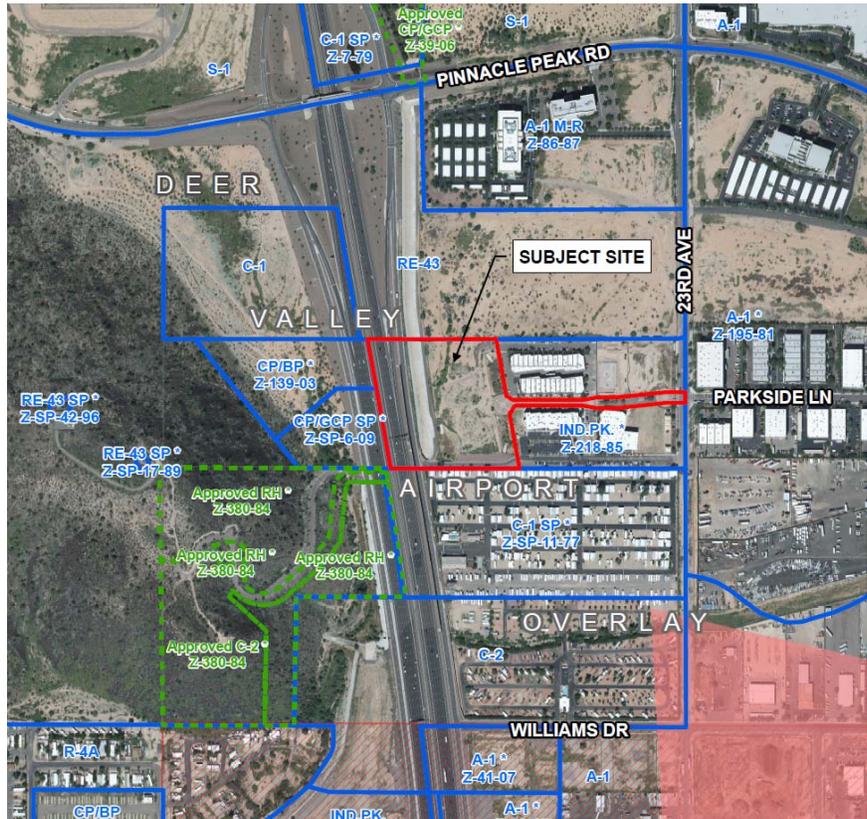
### Background/Issues/Analysis

1. The request is to rezone 6.98 gross acres from Ind. Pk. DVAO (Industrial Park, Deer Valley Airport Overlay) to A-1 DVAO (Light Industrial, Deer Valley Airport Overlay) to allow industrial warehouse and open uses.
2. The General Plan Land Use Map depicts the site as Industrial for the bulk of the site and Transportation within the ADOT right-of-way. The proposed rezoning conforms to the General Plan Land Use designation.



3. The subject site is located at the southwest corner of 23rd Avenue and the Parkside Lane alignment. The vacant site is part of a partially developed industrial park development that was zoned in 1985.

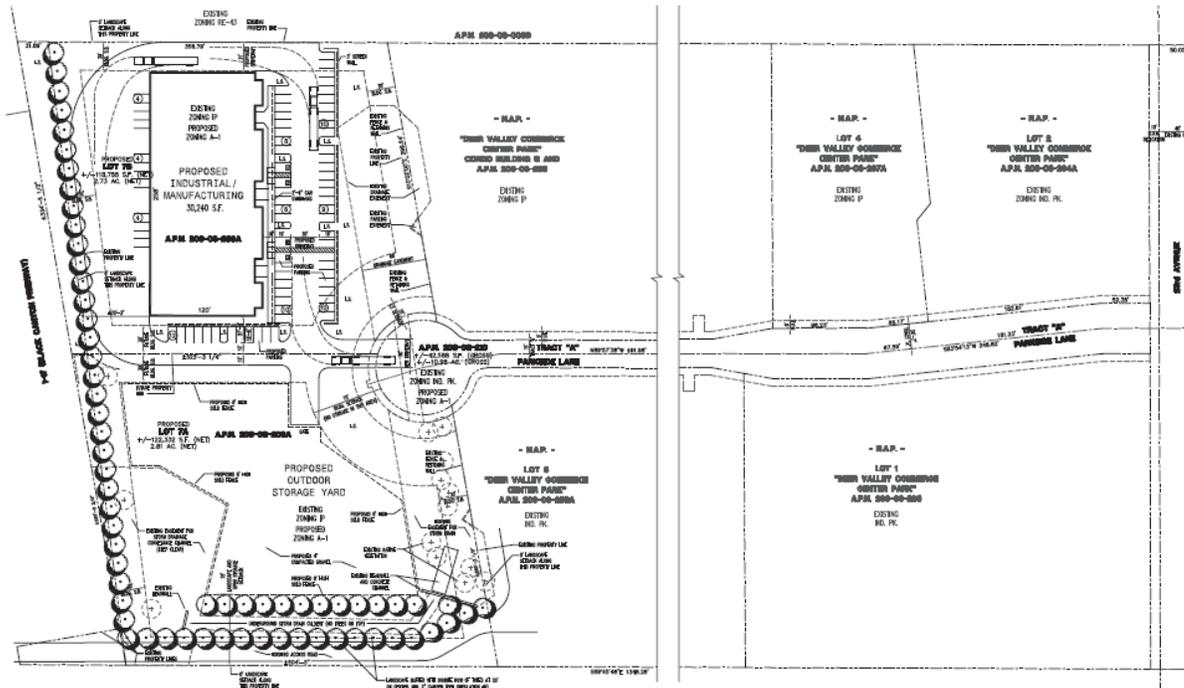
The property to the north is vacant and zoned RE-43. The property to the south is developed as a mobile home park and is zoned C-1 with a special permit for a mobile home park. The properties to the



east are developed in Industrial Park zoning under the Commerce Park standards with warehouses and offices. A school is also established on the south side of the industrial/commerce park. The properties on the west side of the freeway are vacant and zoned Commerce Park. All properties in the vicinity are also within the Deer Valley Airport Overlay District.

4. The conceptual site plan depicts two (2) separate lots. Lot 7B to the north includes an industrial/manufacturing building totaling 30,240 square feet. Lot 7A to the south includes an outdoor storage yard. The rezoning area also includes the private accessway that runs through the industrial/commerce park and serves as the primary entrance onto the site. There is also an existing drive aisle on the south side of the site that serves as an exit and provides access the freeway frontage road.

There is a significant drainage structure that runs along the west side of the site within the Arizona Department of Transportation right-of-way. This feature, as well as existing easements for drainage on the site, restrict access and buildable area.



The site plan, as proposed, does not meet the setback requirements for outdoor storage/uses where adjacent to a street. The Zoning Ordinance requires that no outdoor uses, outdoor storage, or open buildings shall be located within 75 feet of a public street. The proposed site plan will need to be reconfigured to allow sufficient setbacks adjacent to the Arizona Department of Transportation right-of-way or alternatively a variance will need to be obtained.

5. Several stipulations have been recommended in order to provide buffering and screening from the freeway frontage road and the residential use to the south.

Stipulation No. 1: Since the mobile home park to the south is not within a residential zoning district the standards in the Zoning Ordinance to protect residential uses do not apply. Therefore, a stipulation has been recommended to develop the site with the specific setbacks and landscaping on the south side of the site as proposed on the conceptual site plan. The proposed setback is 75 feet which includes the existing drive aisle. This will allow the existing drive aisle to remain in place and buffer the south side of the site with a double row of minimum two (2)-inch caliper trees.

Stipulation No. 2: A minimum 30-foot wide landscape setback was stipulated with the original Industrial Park rezoning case associated with the site, Z-218-85. Staff is recommending a similar stipulation, however allowing some flexibility due to the drainage feature along the west side of the site. The recommended landscape setback is a minimum of 10 feet and average of 30 feet. This landscape setback will provide sufficient screening of the industrial uses from the freeway frontage road.

Stipulation Nos. 3 and 4: A stipulation is recommended to require eight-foot high walls to screen any outdoor loading docks and uses. Additionally, a stipulation is recommended to limit the height of any outdoor storage to a maximum of eight feet with the exception of outdoor storage of equipment, such as construction vehicles.

6. Building elevations have not been submitted at this time, however the elevations will need to meet the standard design guidelines as required in the Zoning Ordinance.
7. The Aviation Department has requested the following:
  - 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.
  - That the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
8. The Fire Department has noted that the water supply (gpm and psi) is not known for the site. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
9. 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 1280 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
10. The Water Services Department has indicated that there are no water/sewer issues and has specified the available water/sewer services.
11. 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 proposed land use is in conformance with the Industrial designation of the General Plan Land Use Map.
2. The proposed zoning is consistent with the goals and policies of the Deer Valley Airport Overlay and will provide additional employment opportunities in the village.
3. The proposed development, as stipulated, is compatible with the general land use pattern in the area.

### **Stipulations**

1. The development shall be in general conformance with the site plan date stamped April 28, 2016 with specific regard to the setback and double row of trees provided on the south side of the site, as approved by the Planning and Development Department.
2. A minimum 10-foot wide and average 30-foot wide landscape setback shall be maintained along the west property line, facing the Interstate-17 frontage road/off-ramp.
3. Minimum eight (8)-foot high solid screen walls shall be provided to screen the loading docks and outdoor storage areas.
4. The maximum height for outdoor storage is eight (8) feet, excluding outdoor storage of equipment, such as construction vehicles.
5. 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.
6. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

### **Writer**

Racelle Escolar

5/5/2016

### **Team Leader**

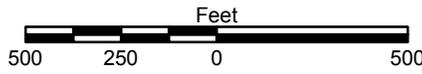
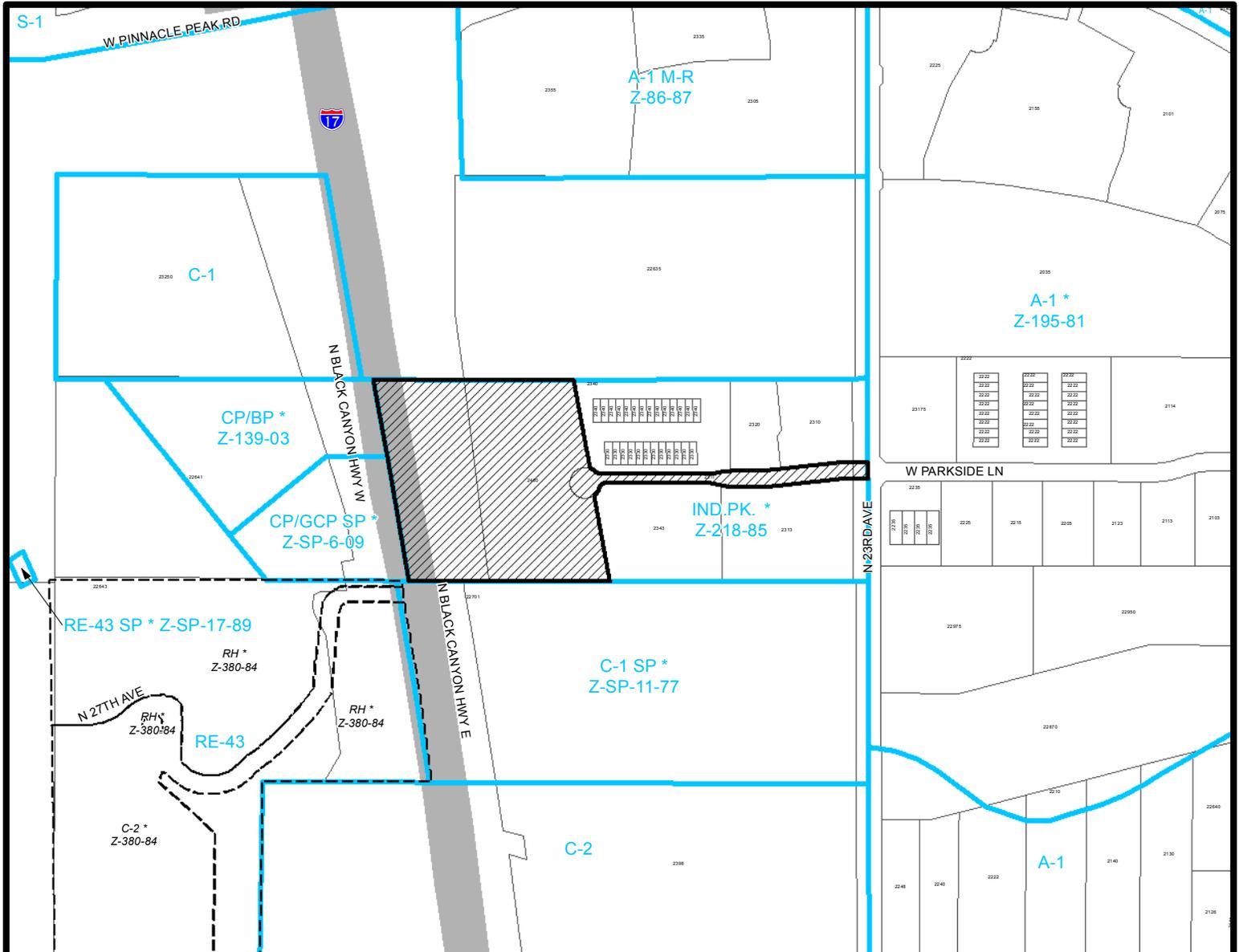
Josh Bednarek

### **Attachments**

Sketch Map

Aerial Map

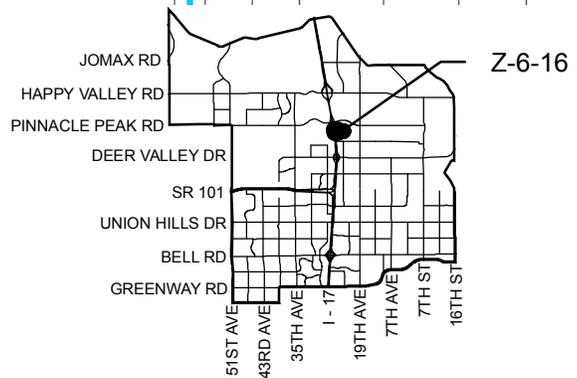
Conceptual Site Plan (date stamped 4/28/2016)



**DEER VALLEY VILLAGE**  
CITY COUNCIL DISTRICT: 1



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT



<b>APPLICANT'S NAME:</b> William Allison, Withey, Morris, PLC		<b>REQUESTED CHANGE:</b> FROM: Industrial Park DVAO (6.98 a.c.)  TO: A-1 DVAO (6.98 a.c.)	
<b>APPLICATION NO.</b> Z-6-16	<b>DATE:</b> 3/9/16	<b>REVISION DATES:</b>	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  6.98 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 44-23	<b>ZONING MAP</b> O-7	
<b>MULTIPLES PERMITTED</b> Industrial Park A-1 DVAO	<b>CONVENTIONAL OPTION</b> N/A N/A	<b>* UNITS P.R.D. OPTION</b> N/A N/A	

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

# Z-6-16-1 AERIAL MAP



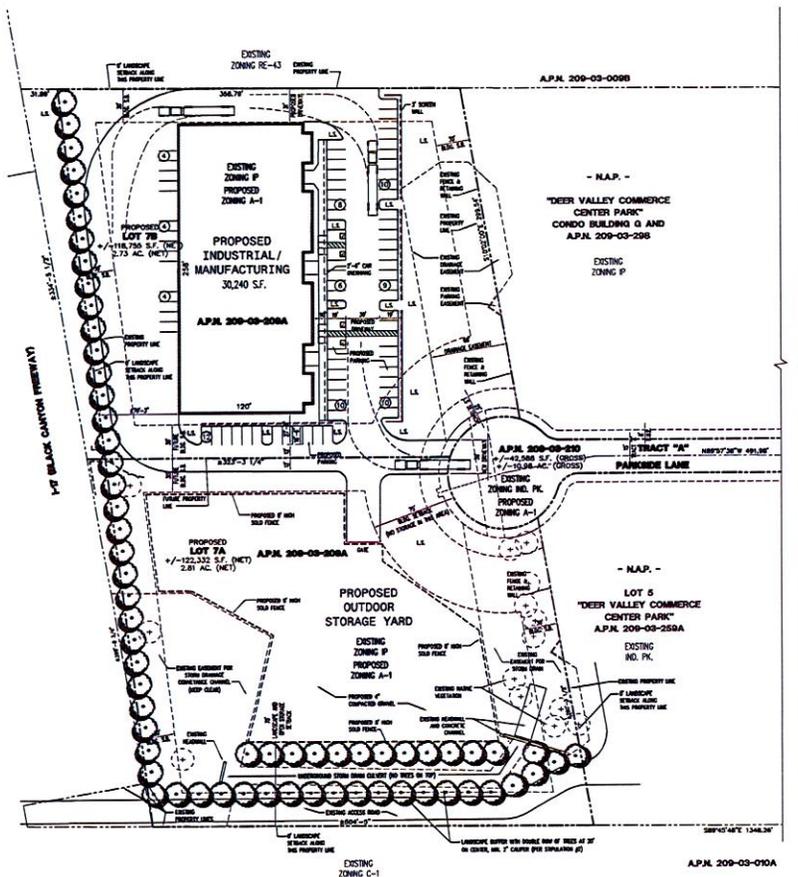
RE 4/1/2016 Aerial Date: 2014



0 600 1,200 Feet



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



**PRELIMINARY SITE PLAN**

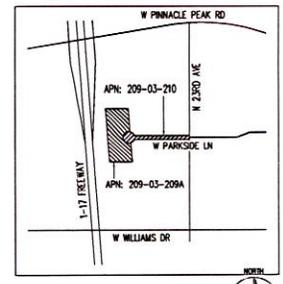


**CITY OF PHOENIX**  
 APR 28 2016  
 Planning & Development  
 Department

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**STIPULATIONS**

1. A MINIMUM 30-FOOT WIDE LANDSCAPE SETBACK SHALL BE MAINTAINED ALONG THE WEST PROPERTY LINE, FACING THE INTERSTATE - 17 FRONTAGE ROAD/OFF-RAMP.
2. A MINIMUM 75-FOOT WIDE LANDSCAPE SETBACK SHALL BE MAINTAINED ALONG THE SOUTH PROPERTY LINE, INCLUSIVE OF THE DRIVE AISLE. THE PAVEMENT AREA FOR THE DRIVE AISLE SHALL NOT EXCEED THE WIDTH REQUIRED TO ACCOMMODATE MORE THAN TWO (2) LANES. AT MINIMUM, THE LANDSCAPE AREA ON THE NORTH SIDE OF THE DRIVE AISLE SHALL CONSIST OF A DOUBLE ROW OF DROUGHT TOLERANT, MINIMUM TWO (2)-INCH CALIPER TREES, PLANTED 20 FEET ON CENTER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. THERE SHALL BE A 30-FOOT BUILDING SETBACK FOR CLOSED BUILDINGS AND 75-FOOT SETBACK FOR OPEN BUILDINGS OR USES ALONG THE SOUTH SIDE OF THE SITE.
4. A MINIMUM EIGHT (8)-FOOT HIGH SOLID SCREEN WALLS SHALL BE PROVIDED TO SCREEN THE LOADING DOCKS AND OUTDOOR STORAGE AREAS.
5. THE MAXIMUM HEIGHT FOR OUTDOOR STORAGE IS EIGHT (8) FEET, EXCLUDING OUTDOOR STORAGE OF EQUIPMENT, SUCH AS CONSTRUCTION VEHICLES.
6. IF TEMPORARY EQUIPMENT USED DURING CONSTRUCTION EXCEEDS THE HEIGHT OF THE PERMANENT STRUCTURE A SEPARATE FORM 7400-1 SHALL BE SUBMITTED TO THE FAA AND A "NO HAZARD DETERMINATION" OBTAINED PRIOR TO THE CONSTRUCTION START DATE.
7. THE PROPERTY OWNER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROMINENCY TO APPOINT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PROXIMITY DEER VALLEY AIRPORT TO FUTURE OWNERS OR TENANTS OF THE PROPERTY. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.



**VICINITY MAP**

**PROJECT DATA**

APNs	209-03-210, 209-03-209A
EXISTING ZONING	A-1 (LIGHT INDUSTRIAL)
PROPOSED ZONING	A-1 (LIGHT INDUSTRIAL)
GROSS SITE AREA (LOT 7, TRACT "A")	4382,804 S.F. (10.04 AC)
APN	209-03-210
EXISTING ZONING	IND. PK.
PROPOSED ZONING	A-1 (LIGHT INDUSTRIAL)
GROSS SITE AREA (TRACT "A")	4412,284 S.F. (10.18 AC)
APN	209-03-209A
EXISTING ZONING	IND. PK.
PROPOSED ZONING	A-1 (LIGHT INDUSTRIAL)
GROSS SITE AREA (TRACT "A")	4412,284 S.F. (10.18 AC)
NET SITE AREA (LOT 7)	\$240,216 S.F. (5.51 AC)
NET SITE AREA (LOT 7A)	\$746,216 S.F. (17.11 AC)
NET SITE AREA (FUTURE LOT 7A)	\$181,755 S.F. (4.21 AC)
NET SITE AREA (FUTURE LOT 7A)	\$181,755 S.F. (4.21 AC)
NET SITE AREA (FUTURE LOT 7B)	\$122,332 S.F. (2.81 AC)
NET SITE AREA (FUTURE LOT 7B)	\$122,332 S.F. (2.81 AC)
EXISTING USE	VACANT LOT
PROPOSED USE	OFFICE / WAREHOUSE, STORAGE YARD
FLOOR AREA	130,240 S.F.
BUILDING COVERAGE (LOT 7)	11.86%
BUILDING COVERAGE (FUTURE LOT 7A)	23.86%
BUILDING COVERAGE (FUTURE LOT 7B)	0.00%
BUILDING HEIGHT	35' 0" MAX.
PARKING REQUIRED	75 SPACES
PARKING PROVIDED	77 SPACES
ACCESSIBLE PARKING REQUIRED	4 SPACES
ACCESSIBLE PARKING PROVIDED	4 SPACES

PARKING REQUIRED WAS CALCULATED AS FOLLOWS:  
 OFFICE / WAREHOUSE:  
 NOMINATIVE SPACE = 20X = 4,048 S.F.  
 1 SPACE PER 200 S.F. = 21 PARKING SPACES REQUIRED  
 ASSUMED NUMBER OF PRODUCTION VEHICLES = 44  
 81 / 1.5 = 54 PARKING SPACES REQUIRED  
 TOTAL PARKING SPACES REQUIRED = 75

**LEGAL DESCRIPTION**

LOT 7 OF DEER VALLEY COMMERCE CENTER PARK  
**PROJECT DESCRIPTION**  
 PROPOSED REZONING OF APN 209-03-209A FROM "INDUSTRIAL PARK" TO LIGHT INDUSTRIAL TO PERMIT A 30,240 SF INDUSTRIAL BUILDING AND OUTDOOR STORAGE YARD. FUTURE PLANS INCLUDE TO SPLIT THE CURRENT LOT 7 INTO TWO LOTS. HE SHALL ALSO BE REZONING THE DRIVE PARCEL THAT PARKSIDE LANE IS WITHIN (TRACT A), APN 209-03-210, FROM CURRENT ZONING IND. PK. TO PROPOSED ZONING A-1

**OWNER**

HELI  
 CONTACT: FRANK SPODHAN  
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 PHOENIX, ARIZONA 85018  
 PHONE: (602) 448-2902  
 FAX: (602) 950-7864  
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 WEB: www.helix.com

**ARCHITECT**

BOLLINGER CONSULTING ARCHITECTS, INC.  
 ARCHITECT: KEVIN BOLLINGER #14338, ICA#949  
 1328 E. ADAM SCHOOL RD.  
 PHOENIX, ARIZONA 85018  
 PHONE: (602) 957-9205  
 FAX: (602) 954-1077  
 EMAIL: info@bollinger.com; kb@bollinger.com  
 WEB: www.bollinger.com

REV#:  
 DATE:  
 QUARTER SECTION #



**BOLLINGER CONSULTING ARCHITECTS, INC.**  
 ARCHITECT: KEVIN BOLLINGER #14338, ICA#949  
 1328 E. ADAM SCHOOL RD.  
 PHOENIX, ARIZONA 85018  
 PHONE: (602) 957-9205  
 FAX: (602) 954-1077

**INDUSTRIAL BUILDING AND OUTDOOR STORAGE**  
 AT DEER VALLEY COMMERCE CENTER PARK  
 LOT 7 (PARCELS #209-03-209A & #209-03-210)  
 N.E.C. PHOENIX, ARIZONA 85027

DATE:	02/16/2016
PROJ.#	147013
DESIGN:	MG
CHECK:	KB
SCALE:	1"=50'-0"

**PRELIMINARY SITE PLAN**  
**A-1**