



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-11-14-2**  
September 23, 2014

**Deer Valley Village Planning Committee Meeting Date**                      October 16, 2014

**Planning Commission Hearing Date**                      November 18, 2014

**Request From:**    Commerce Park / General Commerce Park (28.15 Acres)

**Request To:**    PUD (28.15 Acres)

**Proposed Use**    A mix of uses including commerce park, commercial and multi-family residential.

**Location**    Approximately 1,600 feet north of the northeast corner of the Interstate 17 Frontage Road and Jomax Road.

**Representative**    Paul Gilbert (Beus Gilbert PLLC)

**Staff Recommendation**    Approval, subject to stipulations

<b>General Plan Conformity</b>			
<b>General Plan Land Use Designation</b>		Current Commerce Park – Pending Mixed-Use (Residential 15+/, Commerce Park/Business Park) Transportation	
<b>Street Map Classification</b>	Black Canyon Highway	Existing Freeway	280' + including frontage roads
<p><b><i>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.</i></b></p> <p>The proposal provides employment and residential opportunities in close proximity to the Interstate 17 Freeway. The subject site is located within a Future Employment Center as identified by the 2002 General Plan.</p>			
<p><b><i>NEIGHBORHOOD ELEMENT. GOAL 2. POLICY 3: 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.</i></b></p> <p>The proposed uses and development standards within the Development Narrative are sensitive to the surrounding uses and are conducive to development adjacent to the I-17 Freeway.</p>			

Area Plan
N/A

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

#### **SUBJECT SITE**

1. This is a request to rezone a 28.15 acre site located approximately 1,600 feet north of the northeast corner of the Interstate 17 Frontage Road and Jomax Road from Commerce Park, General Commerce Park option (CP/GCP) to Planned Unit Development (PUD) to allow a mix of uses including commerce park, commercial and multifamily residential. The site is partially developed. The northern portion of the property is generally vacant with some abandoned residential structures. The southern portion has been developed with a number of buildings and site improvements that were utilized for a wedding/banquet venue, a non-conforming use under the current zoning. The proposed PUD will allow for a wedding/banquet venue to re-open and will allow for additional uses that are currently not allowed within the existing Commerce Park zoning, such as multifamily residential.
2. The General Plan Land Use Map designation for this property is Commerce Park/Business park and Transportation. The proposal is not consistent with the existing General Plan Land Use Map designation due to the requested multifamily. The subject site consists of more than 10 acres therefore a General Plan Amendment is required. The applicant has filed a General Plan Amendment to the Land Use Map (GPA-DV-1-14-2) to Mixed-Use (Residential 15+ du/ac, Commerce Park/Business Park) and Transportation that is running concurrently with this request. The parcels to the north are designated Industrial; Transportation to the west; and Floodplain to the south and east.
3. Access to the site is limited. The I-17 frontage road is located along the west side of the site. Residents or business patrons must exit from I-17 at Jomax Road and travel north along the frontage road to access the site.

#### **SURROUNDING USES AND ZONING**

5. **North**  
To the north are vacant parcels of land with CP/GCP zoning.

#### **West**

Located to the west of the site is the Interstate 17 Freeway. On the west side of the freeway are vacant parcels of (Farm or Ranch Residence) S-1 zoned land. The vacant property at the southwest corner of the I-17 frontage road and Pinnacle Vista Drive is zoned C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage warehouse.

**South**

To the south of the site is Skunk Creek Wash zoned S-1 (Farm or Ranch Residence).

**East**

To the east of the site is Skunk Creek Wash zoned S-1 (Farm or Ranch Residence).

**PROPOSAL**

6. The draft development narrative states that the proposed PUD will establish the regulatory framework necessary to facilitate development of this uniquely situated parcel. The PUD will encourage new development to be compatible with surrounding area both currently and in the future and will allow for a greater flexibility of uses than the existing Commerce Park zoning along with appropriate development standards for landscaping, screening and building setbacks.

The primary goals of the PUD are to:

- a) Bring the site and the non-conforming use as a wedding/banquet facility into compliance.
  - b) Expand development options for existing and future uses on the property with a mix of complementary and compatible uses such as multifamily housing.
  - c) Create flexible and appropriate development standards that promote the city's goals/policies for the General Plan and the Deer Valley Village.
7. Below is a summary of the proposed standards for the subject site as described in the attached PUD narrative dated August 19, 2014, Attachment B.

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

**Land Use**

The draft development narrative provides a comprehensive list of uses that includes permitted uses and permitted uses subject to certain conditions/limitations adapted from the City of Phoenix's Zoning Ordinance. These uses, which are more broad yet more compatible with the area than those of the existing Commerce Park zoning, have been chosen to create a sustainable mix of land uses that that will benefit the Deer Valley Village and the specific area. The proposed PUD provides flexibility for any of the permitted uses to locate anywhere within the subject site and will afford the existing wedding/banquet facility, which had previously operated on the property, to operate in conformance with the City's rules and regulations.

**Performance Standards**

Performance standards are provided to address additional requirements for specific land uses. The performance standards may include a requirement for a use permit through the public hearing process, limit hours of operation, or distance separation

requirements.

**Development Standards**

The narrative proposes development standards for both residential and non-residential development within the subject site. Both require a 20 foot setback adjacent to a public street and 10 feet adjacent to a side property line as well as a maximum building height of 4 stories or 48 feet. The residential development standard requires a 15 foot setback adjacent to a rear property line whereas non-residential requires a 10 foot setback. The maximum permitted lot coverage is 50%.

**Landscape, Fence and Wall Standards**

The development narrative states that the landscape, fence, and wall standards per Section 703 of the Zoning Ordinance shall apply to the site.

**Parking**

The narrative states that the development shall comply with Section 702 of the Zoning Ordinance.

**Amenities**

No additional amenities are outlined in the development proposal.

**Shade**

The development narrative is silent regarding shade at this site.

**Lighting Plan**

The narrative states that all site lighting will comply with the standards of the Phoenix Zoning Ordinance.

**Design Guidelines**

The narrative states that the design guidelines and standards contained in Section 507 Tab A (and regulations that follow) shall be used when reviewing plans for development within the subject site.

**Signage**

The narrative indicates that the development shall be subject to the standards of Section 705 and 705.2 of the city of Phoenix Zoning Ordinance. Off-premise advertising structures are allowed in the I-17 Jomax PUD.

**Sustainability**

The narrative is silent regarding sustainability at this site.

**Phasing**

The proposed development does not identify a specific phasing plan. Staff has proposed a stipulation requiring a minimum of 50,000 square feet of development prior to the off-premise advertising sign being permitted. The intent of this stipulation is to ensure a certain threshold of development has been made at the subject site prior to the off-premise advertising sign being erected.

### STREETS AND TRAFFIC

8. The Street Transportation Department has expressed concern with the extremely limited access that this site intends to provide. Due to the site constraints of I-17 to the west and the Skunk Creek along the eastern and southern limits, the only access is from the one-way northbound ADOT controlled frontage road which could result in a three plus mile detour for southbound travel. The applicant has added the following statement to the development narrative at the request of the Street Transportation Department to address potential future residence concerns:

“The developer understands that limited access exists to the proposed site and acknowledges that the City of Phoenix, Street Classification Map and current Capital Improvement Program identify no long range planning efforts or construction funding to facilitate transportation infrastructure to service this development.”

### MISCELLANEOUS

9. Water and wastewater infrastructure requirements are determined at the time of site plan review by the Water Services Department, when final land uses and urban design of the property have been clearly identified, and proposed water demands and wastewater generation and infrastructure locations and attributes have been established. While some information on infrastructure issues may be provided as part of the PUD application process, access to water and wastewater services is granted as part of the site plan approval process.
10. 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.
11. Staff has conducted a review of the first and second submittal of the Development Narrative in which the applicant has addressed several comments made by staff.

### Findings

1. The development will provide additional employment and housing opportunities for area residents.
2. The proposal is compatible with the existing commercial and residential developments surrounding the site.
3. The subject site is located within a Future Employment Center as identified by the 2002 General Plan.

### **Stipulations**

1. An updated Development Narrative for I-17 Jomax 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 August 19, 2014.
2. There shall be a minimum of 50,000 square feet of development prior to the off-premise advertising structure being permitted, as approved by the Planning and Development Department.

### **Writer**

Craig Mavis  
9/23/14

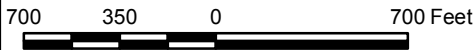
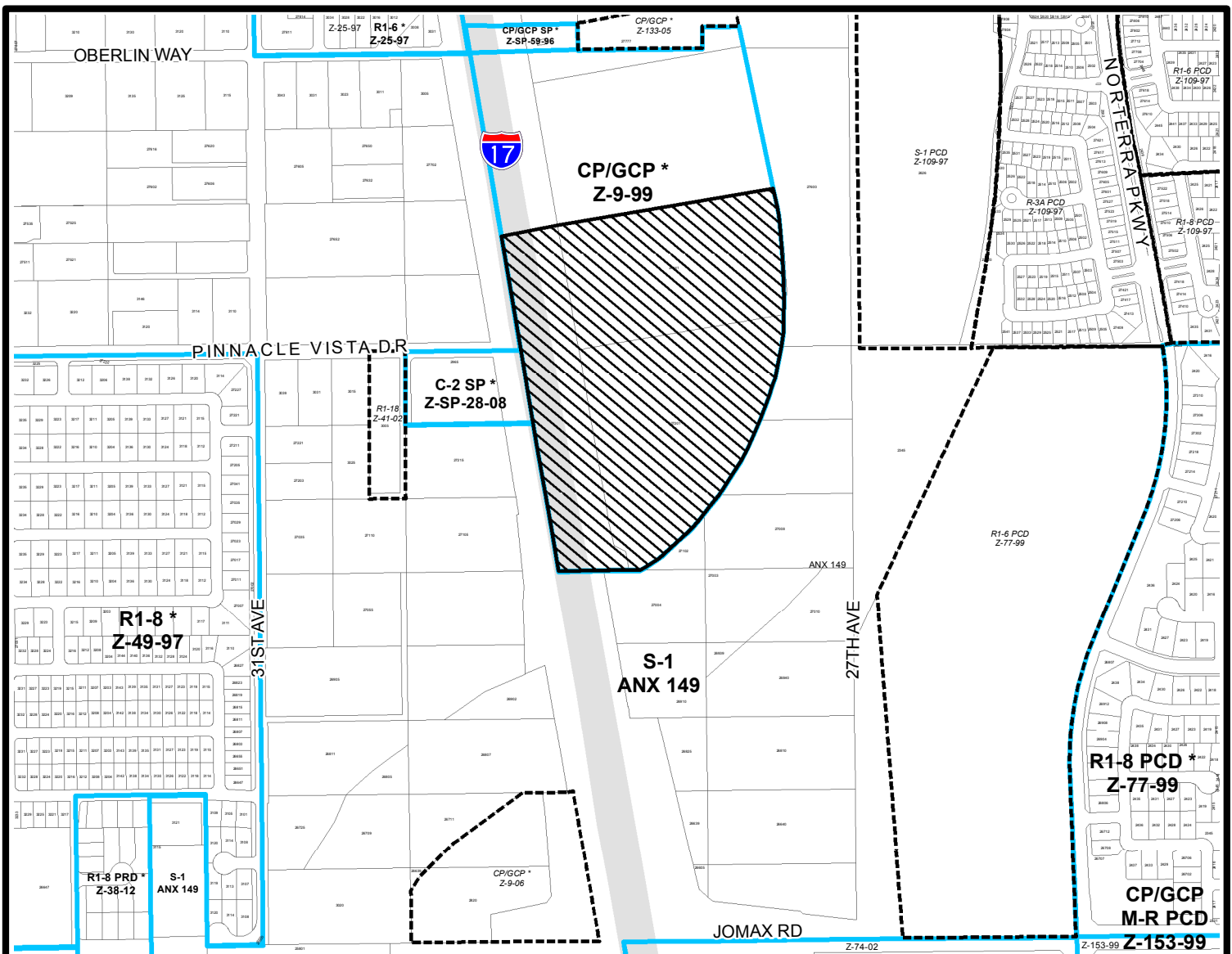
### **Team Leader**

Joshua Bednarek

### **Attachments**

Attachment A: Sketch Map

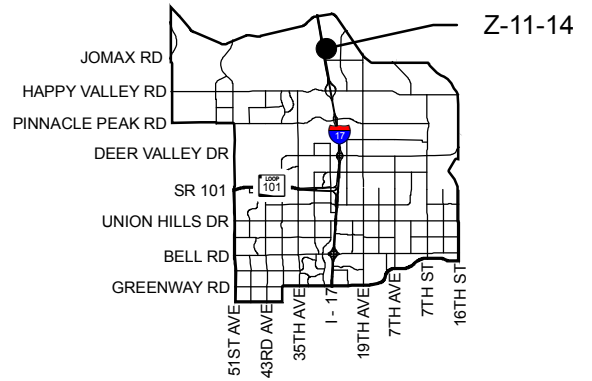
Attachment B: I-17 Jomax PUD Narrative date stamped August 19, 2014



CITY OF PHOENIX PLANNING DEPARTMENT

**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> Andy Jochums, Beus Gilbert PLLC		<b>REQUESTED CHANGE:</b>										
<b>APPLICATION NO.</b> Z-11-14		FROM: CP/GCP, (28.15 a.c.)										
DATE: 6/11/14 <small>REVISION DATES:</small>		TO: PUD, (28.15 a.c.)										
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small>  <b>28.15 Acres</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;"> <small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small>  <b>QS 50-22</b> </td> <td style="width: 50%; padding: 2px;"> <small>ZONING MAP</small>  <b>P-7</b> </td> </tr> </table>		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 50-22</b>	<small>ZONING MAP</small> <b>P-7</b>							
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<b>* Maximum Units Allowed with P.R.D. Bonus</b>												