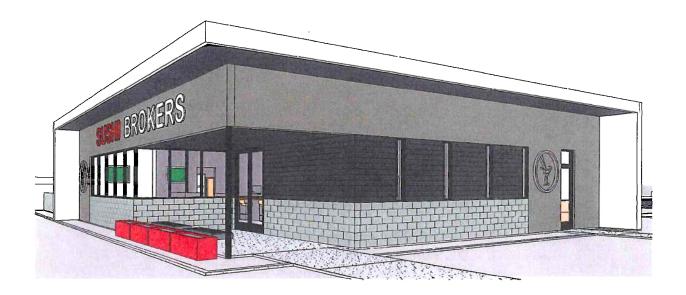
# **SUSHI BROKER**

# Rezone Request from R-O to Planned Unit Development Case No: Z- $1^{st}$ Submittal:



SUBMITTED BY: Beus Gilbert PLLC c/o Paul E. Gilbert 4800 North Scottsdale Road, Suite 6000 Scottsdale, Arizona 85251

# **PRINCIPALS AND DEVELOPMENT TEAM**

#### APPLICANT REPRESENTATIVE/LEGAL:

Beus Gilbert PLLC Paul E. Gilbert Neal T. Pascoe 4800 North Scottsdale Road, Suite 6000 Scottsdale, Arizona 85251 Telephone: 480-429-3002 / 480-429-3060 Facsimile: 480-429-3100 E-mail: pgilbert@beusgilbert.com npascoe@beusgilbert.com

#### **OWNER:**

Sushi Brokers 2 L.L.C. 12024 N. 61<sup>st</sup> Street Scottsdale, AZ 85254 *Telephone:* (602) 326-2100 *E-mail:* brokers office@aol.com

#### **ARCHITECT/PLANNING:**

Kristjan Sigurdsson, LEED-AP 4422 N Civic Center Plaza. Suite 202 Scottsdale, AZ 85251 Telephone: 480-970-8900 E-mail: KrisjanS@KandIhomes.com

#### LANDSCAPE ARCHITECTURE:

Tim McQueen 1121 East Missouri Avenue Suite 218 Phoenix, AZ 85014 *Telephone*: 602-265-0320 *E-mail*: Tim mcqueen@tjmla.net

# PLANNED UNIT DEVELOPMENT DISCLAIMER

A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited, to right-of-way abandonments.

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# A. <u>PURPOSE AND INTENT</u>

# **Project Overview and Goals**

The goals of the PUD are as follows:

- To define a set of development standards that will allow for appropriate infill development.
- To promote quality development sensitive to the existing neighborhood and the City of Phoenix General Plan.
- To replace a deteriorating, out of place single family home along a major arterial street with a viable restaurant.

# **Overall Design Concept**

The site plan places great emphasis on the site's relationship to residential development to the east. For this reason, the building is setback from the east property line as far as possible, there are no openings in the east wall of the building (other than a delivery door), and instead of outdoor patio dining there will be an interior space that opens to the outside via sliding glass. This opening will only be to the north.

A landscape design that ties into the project and its use/theme has been used to enhance the pedestrian and gathering areas experience, with the need for an overall project xeriscape design. Plants both low water use and higher water use were chosen for their qualities to enhance the Asian theme of project.

- Pedestrian/Gathering areas: This area is pedestrian entry into the building and has the higher water use planting. The entry is flanked by two small panels of turf that accentuate the buildings architecture and long clean horizontal lines. The turf was kept to a minimum, and serves as overflow for patrons gathering. The lawn areas are held in check by concrete header for maximum water efficiency. Under the building overhang is the patron waiting area with benches. Here architectural planters have Bamboo with drip irrigation to buffer the entry and enhance the Asian theme. Along the base of the north glass curtain wall, a planter holds a formal row of Fatsia, chosen for the bold and architectural leaf shapes that complement the architecture.
- Entry Focal Point. The Northwest corner of the building is the pivot point between the two turf panels and consists of a xeriscape boulder garden. A specimen 60" box Ironwood was chosen as the focal point, with low water use grasses, groundcovers and color groundcovers filling in the gaps between the large boulders. The sculptural quality of the Ironwood will be enhanced by landscape up lighting.
- Camelback Streetscape: The landscape here was designed to frame the building and the Entry Focal Point. Willow Acacia is the street tree used and is planted in a grove. The understory planting is Desert Ruellia and Lantana.

- West Elevations: The planting here continues the grove effect of the Willow Acacia and the understory of Desert Ruellia. Along the building foundation, behind the grass panel, xeriscape accent plants are highlighted in a pattern between the windows.
- South Elevation: This elevation has large flowering Tecoma to break up the building elevation and low flowering groundcover under the continuation of the Willow Acacia grove.
- East Elevation: In the enclosed area, Willow Acacia bridges the theme from the Camelback Streetscape to the South Elevation. This area is enclosed and will have an herb garden for the business.

# <u>Plant Standards</u>

- 100 percent of the trees will be 2" caliper (36" box typical) minimum.
- 1 tree will be a "specimen" 48" box or larger.
- Shrubs will be a 5 gallon minimum.
- Groundcovers will be a 1 gallon minimum.
- Decomposed Granite will be <sup>1</sup>/<sub>2</sub>" Screened Tuscany Gold.
- Foundation planting beds will have 3" depth Mexican beach pebble.

# Use Categories

The use of the property will be limited to a restaurant as defined by the City of Phoenix Zoning Ordinance.

# B. LAND USE PLAN

Vehicle access is by means of an existing driveway to Camelback Road located immediately west of the subject property. A building setback of five feet is proposed on the north (the Camelback Road frontage), on the south, and on the west in order to leave room for a 20-foot setback on the east side adjacent to existing townhomes on adjacent property. In addition, there will be no openings in the east wall of the building to further buffer these existing homes. In lieu of outdoor seating, a partially open seating area is proposed in the northerly part of the building. There will be sliding windows facing Camelback Road that can be moved completely aside, while the other three sides are either solid walls or open inside the restaurant. The building is limited to one story and a height of 20 feet.

# C. <u>SITE CONDITIONS AND LOCATION</u>

The subject property is a parcel of approximately .21 net acres located on the south side of Camelback Road east of 32<sup>nd</sup> Street. The site is in an area that is primarily retail, and is adjacent to a parking field that serves a fitness center and other commercial activity to the south and west.

There are townhomes to the east and the project has been designed to minimize any possible impact on these residences. There is an existing 6-foot wall on the east property line of the subject property, an 8-foot wall on the west property line of the townhome development, and an alley in between, providing a buffer between the uses.

#### D. <u>General Plan Conformance</u>

- The City of Phoenix General Plan Land Use Designation for the Property is Commercial. A General Plan Amendment will not need to accompany this rezone request. As set forth in the following subsections, the proposed Planned Unit Development rezone request is consistent and compatible with many of the goals and objectives outlined in the General and Land Use Plans.
- The surrounding properties to the south, east and west are designated on the Land Use Plan as Commercial. Multi-family residential is to the east, and single-family residential to the south.
- The General Plan recognizes the need to promote strong, healthy neighborhoods and to preserve their unique character, while encouraging development that is sensitive to the scale and character of the surrounding neighborhoods. Typically, this is accomplished by incorporating proper development standards, such as additional landscaping, screening and setbacks, to mitigate any negative impacts on the surrounding residential properties. The following outlines the relationship between the requested rezone change and the City of Phoenix General Plan. The General Plan *Elements* seek to promote comprehensive direction for the growth, conservation and development of all physical aspects of the City. The proposed rezone meets or exceeds the following goals outlined in the General Plan:

# Growth Area Element

Goal 1 – Growth: Maintain a high quality of life and economically healthy community.

The rezoning request supports an economically healthy community and a high quality of life by taking advantage of a location on a major arterial with a restaurant both the community at large and area residents will enjoy. The existing home on this site, exposed to noise and the heavy traffic of a significant thoroughfare is not appropriate for a single-family home. Further, the proposed rezoning request recognizes the desired scale and land use classification of the adjacent residential properties by utilizing substantial buffering techniques as described above.

# Land Use Element

The following outlines the relationship between the requested rezoning, the surrounding land uses and the City of Phoenix General Land Use Plan Element. "The Land Use Element" recommends how "Phoenix should grow within its boundaries to have a rational urban form (the urban village model), promote infill and <u>be compatible with its neighbors</u>." In addition, urban form and the Village Model are integral to the General Plan and zoning relationship:

<u>Goal 1</u> – Urban Form: Growth should be structured into a series of urban villages characterized by the five components of the urban village model: core, neighborhoods, community service areas, regional service areas and open space.

#### The Principles:

- Promoting the uniqueness of each village: celebrating the lifestyle and character, the unique identity of each village with its history, patterns of development, types of open space, public facilities, and types of development from large lot and rural to mixed-use and urban.
- > Preserving and enhancing the quality of life in each village: protecting the historic character, unique amenities, open spaces, public facilities, and neighborhoods, and ensuring compatible new development.
- > Providing for a majority of resident needs within the village: allowing residents the opportunity to live, work, play, shop, to receive health care and social services within their villages conveniently, and to access these activities by a multi-modal transportation system.

#### Urban Village Model: Neighborhoods

**Neighborhoods:** "The neighborhood component of the urban village model recognizes the importance of residential area as the major land use in each village. Its goal is to preserve and enhance existing neighborhoods and create strong and viable new neighborhoods. The component includes all types of housing and low intensity nonresidential uses that serve the recreational, educational, and retail needs of the neighborhoods as well as neighborhood open space."

- Policy No. 2: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design and appearance.
- > Policy No. 6: Ensure that neighborhoods have reasonable access to basic neighborhood support services.

#### E. ZONING AND LAND USE COMPATIBILITY

The Property is currently zoned City of Phoenix RO (Residential Office). Surrounding zoning is mixed, with C-O and C-1 to the north, R-3 and R-4 to the east, C-1 to the west, and C-O/M-O to the south. The Camelback Corridor frontage is generally commercial in this area and to the west. However, there is multi-family development east of the subject property. (See Exhibit E)

#### F. <u>LIST OF USES</u>

**<u>Restaurant</u>** means a restaurant as defined by the City of Phoenix Zoning Ordinance. No other use is permitted.

#### G. <u>Design Guidelines</u>

The PUD design guidelines shall be in conformance with the City of Phoenix Zoning Ordinance Section 507, Tab A.

#### H. <u>Development Standards</u>

Development standards for this PUD are simplified by virtue of the fact that the development will consist of a single building on a single lot with associated landscaping and pedestrian access from the adjacent parking lot. As a result, the proposed development standards do not address all of the possible circumstances that might otherwise be possible.

The parking standards do require some explanation, because there is no parking on site, and the proposed parking requirement is zero. However, the number of parking spaces required for a restaurant will be provided in full through a lease on adjacent parking spaces that are not used and are not required for any other use. (Parking calculations are shown on Exhibit I). Site parking is also illustrated on the parking exhibit (Exhibit M).

Development Standards Table

Lot area	No requirement		
Building Setbacks			
front	5 feet		
interior side	5 feet		
Interior side adjacent to			
multifamily	20 feet		
rear	5 feet		
Building height	1 story, 20 feet		

# Parking Standards

Required by Ordinance:	quired by Ordinance:		
Restaurant	1 space per 50 square feet of public area		

Proposed				
Restaurant	0-Requirement met by lease of off-site spaces			

# Lighting Standards

Lighting for this development will be in conformance with the City of Phoenix Zoning Ordinance Section 704 and Section 23-100 of the Charter and Code of the City of Phoenix.

# I. <u>Signage</u>

All signs shall be per the C-1 section of the City of Phoenix Zoning Ordinance.

#### J. SUSTAINABILITY

The building and site design will seek to reduce negative impact on the environment, and the health and comfort of the building occupants. The project architect is a LEED Accredited Professional and goals are established as outlined below to reduce consumption of non-renewable resources, conserve water, minimize waste, and utilize environmentally friendly products.

#### **Objective – Provide Thermal Comfort for all users**

- A minimum 50% shade of all public sidewalks and private walkways by means of vegetation and/or shade structures will be provided. See attached Landscape Plan and Landscape Design standards.
- The building entrance faces north and will be shaded with over 400 SF of covered roof and roof overhang.
- The building form articulation around the entry is designed to stimulate the flow of air in and around the area.
- The use of windows on the East, West and South side is minimal, and the majority of all windows are located on the North side of the building, hence reducing mechanical cooling requirements.
- The building envelope and air conditioning system will be designed to meet or exceed applicable ASHRE standards for comfortable thermal environment.

#### **Objective - Energy Efficiency in Design and Long Term Operation**

- While the building will not be LEED certified, the building design will incorporate wherever feasible credit earning green practices, such as:
  - Reduce pollution from the construction site and control air pollution from dust
  - Previously developed site in close proximity to residential areas and other services
  - Pedestrian access to adjacent buildings is already provided
  - Site is in close proximity to bus stops
  - Bicycle racks will be provided
  - High ratio of open space, approximately equal to the building footprint is provided
  - Approx. 1,000 SF 'HERB GARDEN' will be installed on the east side of the building where herbs and vegetables will be grown and then utilized in the food preparation of the restaurant.

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- Insulating Foam Roofing with White protective coating and high Solar Reflective Index will be installed to reduce heat island effect.
- Interior and exterior lighting will meet or exceed applicable ASHRE Standards to minimize light trespass and reduce sky glow
- Water efficient, low water use landscaping, and irrigation controls will be installed
- Water-conserving plumbing fixtures will be used to reduce demand for potable water and sewer conveyance
- HVAC and refrigerants will be selected to minimize or eliminate the emission of compounds that cause ozone depletion
- Waste generated by the building operation will be reduced by providing areas for collection and storage of non-hazardous materials for recycling
- Non-hazardous construction and demolition materials will be recycled as practical
- The use of salvaged, refurbished or reused building materials, equipment and components will be incorporated when practical and available
- Building products that incorporate recycled materials will utilized as practical and available
- Materials and products that have been locally manufactured will be utilized as practical and available
- Outside air ventilation rates can be increased during the winter months
- Low-Emitting Materials Adhesives, Sealants, Paints and Coatings will be utilized
- Building orientation and window size and placement is responsive to the climate and solar orientation

#### K. <u>Infrastructure</u>

#### <u>Streets</u>

Ingress and egress to the Property will be provided by an existing driveway to Camelback Road. The Street Classification Map designates Camelback Road as a Major Arterial with a total of 65 feet of half street right-of-way at this location.

# Phasing Plan

The project will be built in a single phase.

#### **Traffic Study or Statement**

The proposed use of the property is a restaurant with a gross building area of approximately 4,530 square feet. The property fronts on Camelback Road, a major arterial at this location. The traffic volume generated by this use will be minimal relative to its access, and no traffic study is warranted.

Exhibit A.

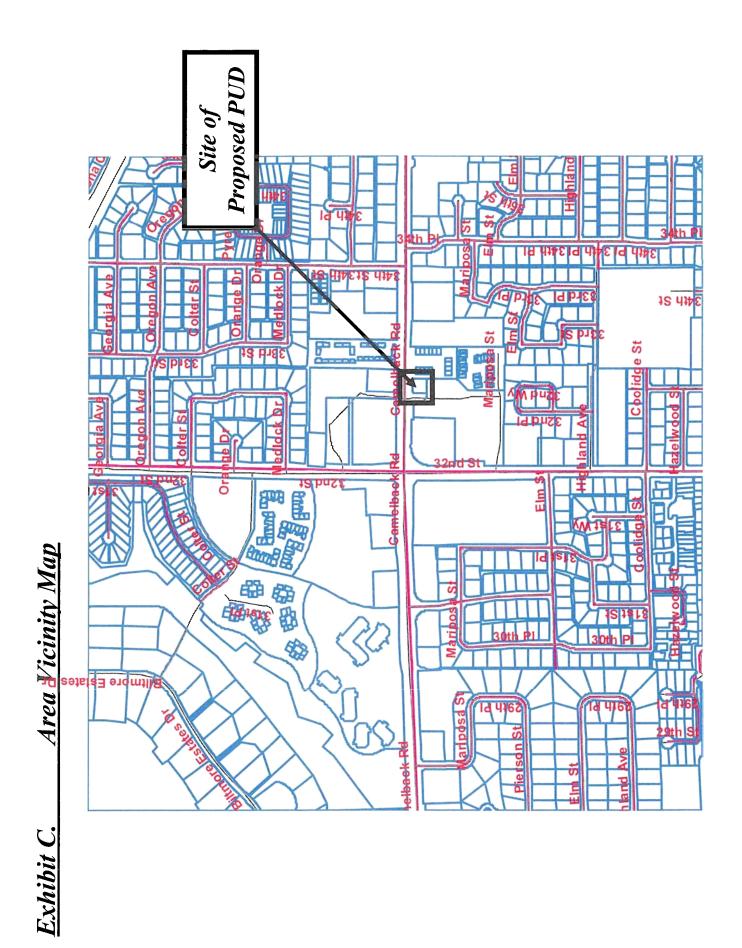
Proposed PUD	Front: 5-feet Proposed PUD Side: 5-feet Side abutting Multi-Family: 20-feet Rear: 5-feet	1-Story / 20-feet	Adjacent to Street: 5-feetttInterior Adjacent to Commercial: 5-feettInterior Adjacent to Residential: 10-feet
R-0	Front: 25-feet Side:10-feet Side abutting Multi-Family: 10-feet Rear: 10-feet	4-Stories / 56-feet	Adjacent to Street: 25-feet Interior Adjacent to Commercial: 10-feet Interior Adjacent to Residential: 10-feet
	Building Setbacks	Building Height	Landscape Setbacks

В

Exhibit B. Legal Description

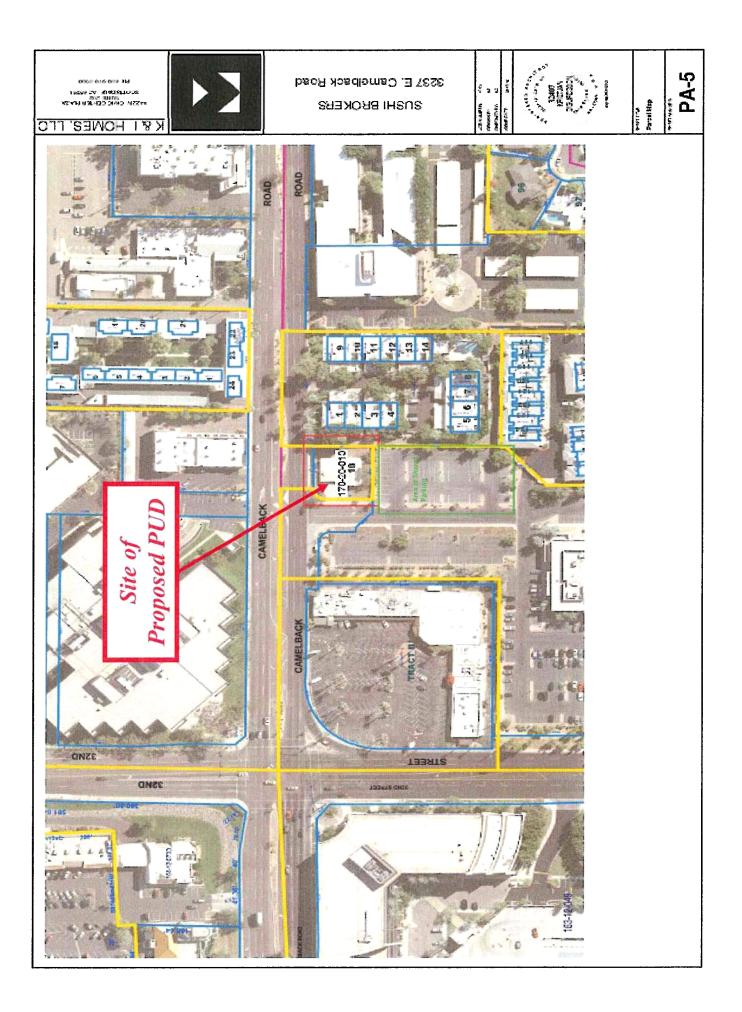
Lot 10, of CHESTLEY VILLA, according to Book 61 of Maps, page 42, records of Maricopa County, Arizona; and also that portion of the abandoned alley lying East of and adjacent to Lot 10 as set forth in Resolution recorded in Document No. 88-083484.

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See Following Page.



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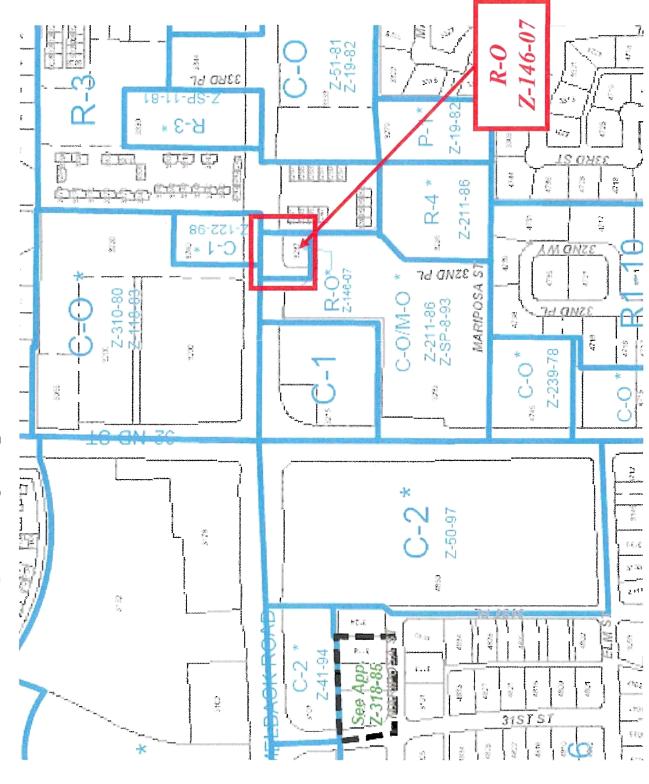


Exhibit E.

Existing Zoning Map

F

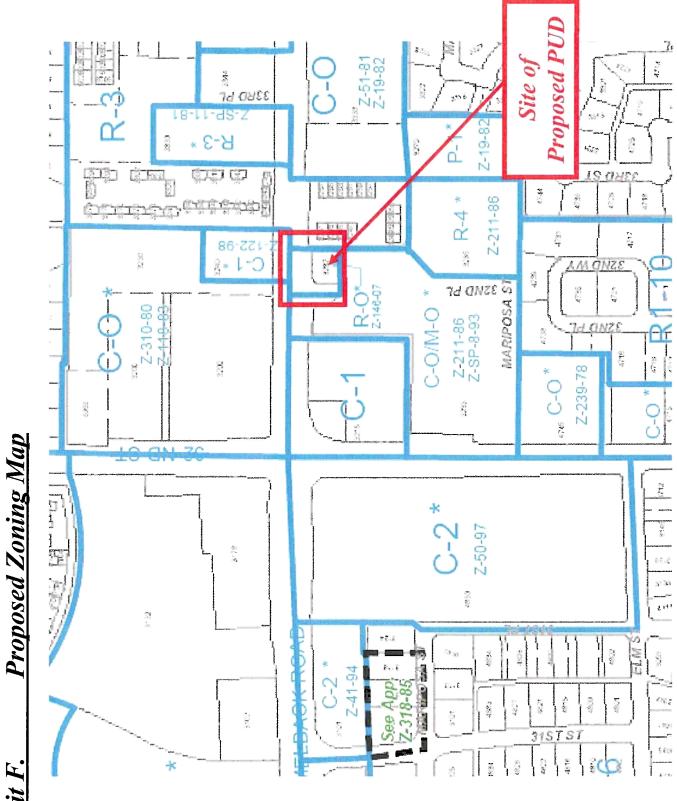
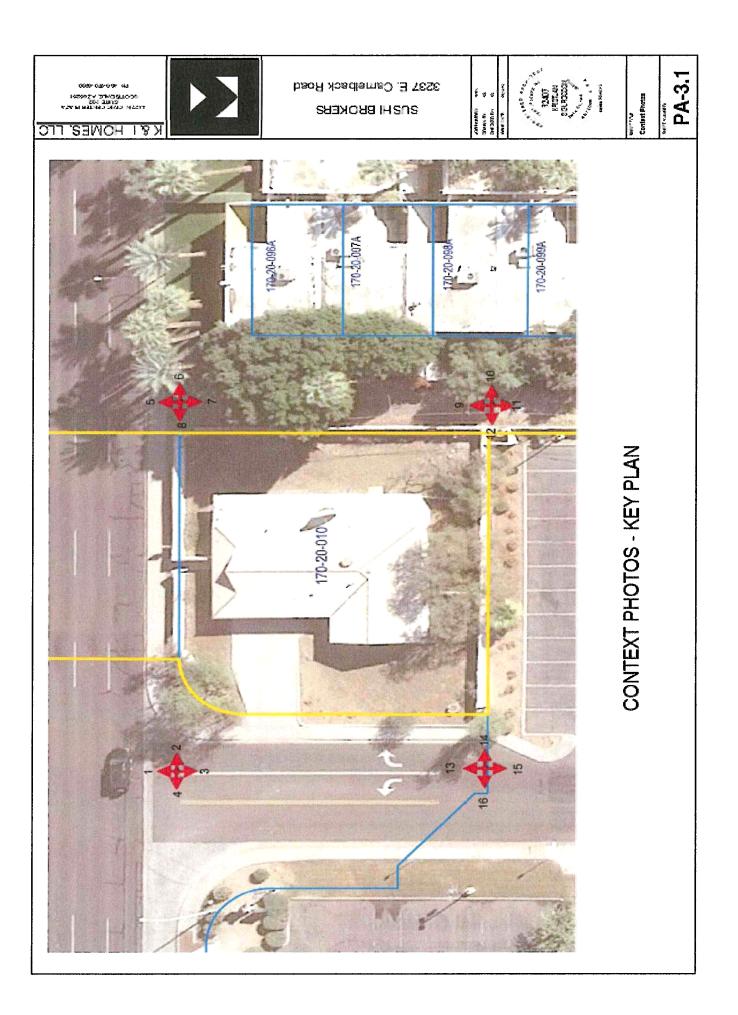


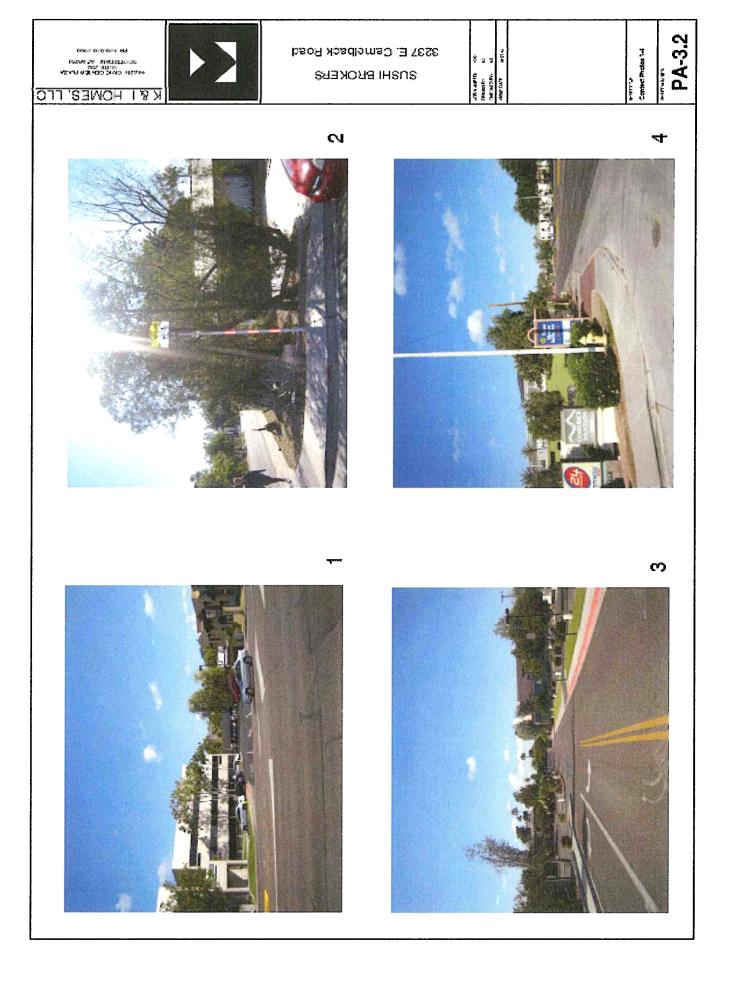
Exhibit F.

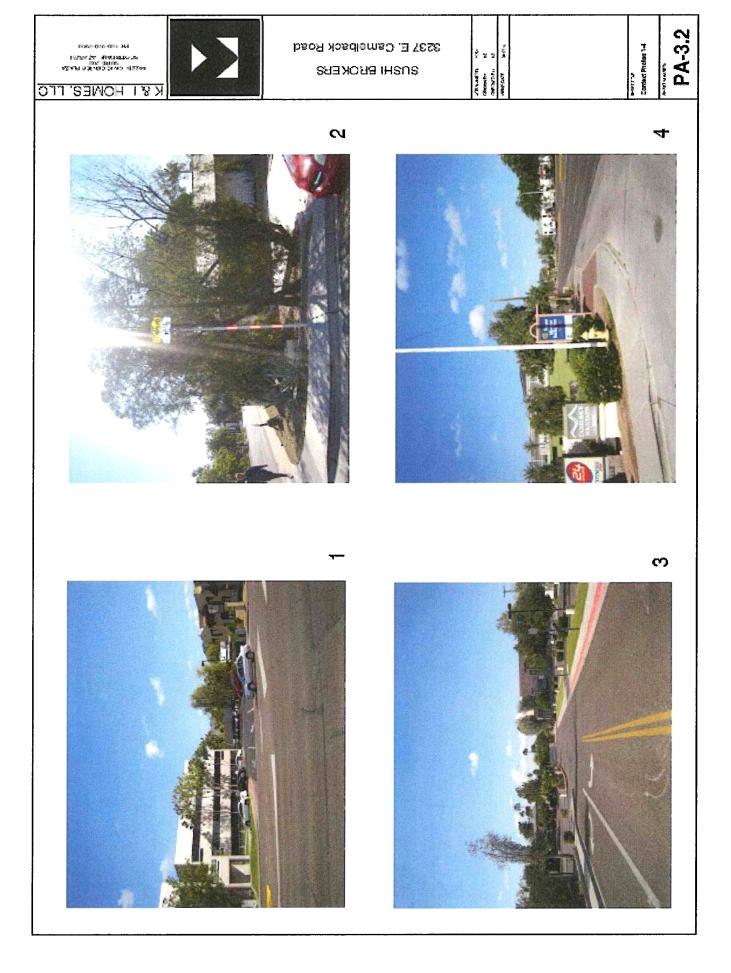
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Exhibit G. Context Plan

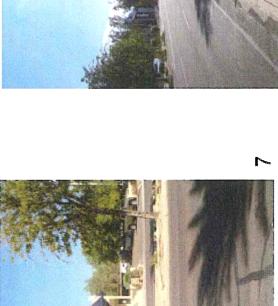
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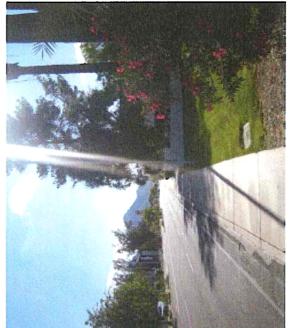








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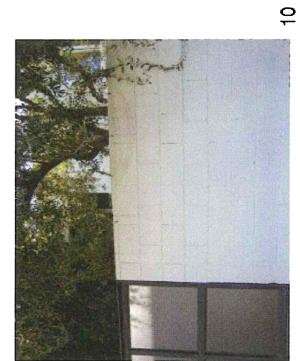
3237 E. Camelback Road 0000-02-0 9 144 ខ្មែង 19299 24 3740 2421000 24110 242 24110 242 SUSHI BROKERS ANNARY ANARA ANARANA ANARANA K & I HOWES' LLC

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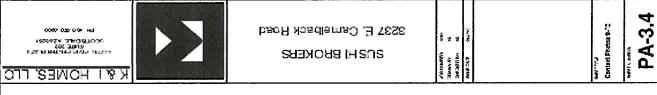










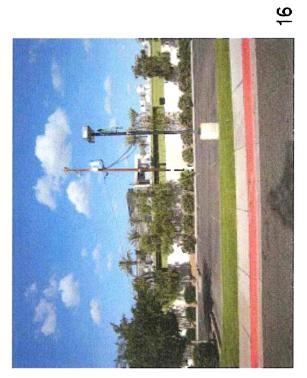












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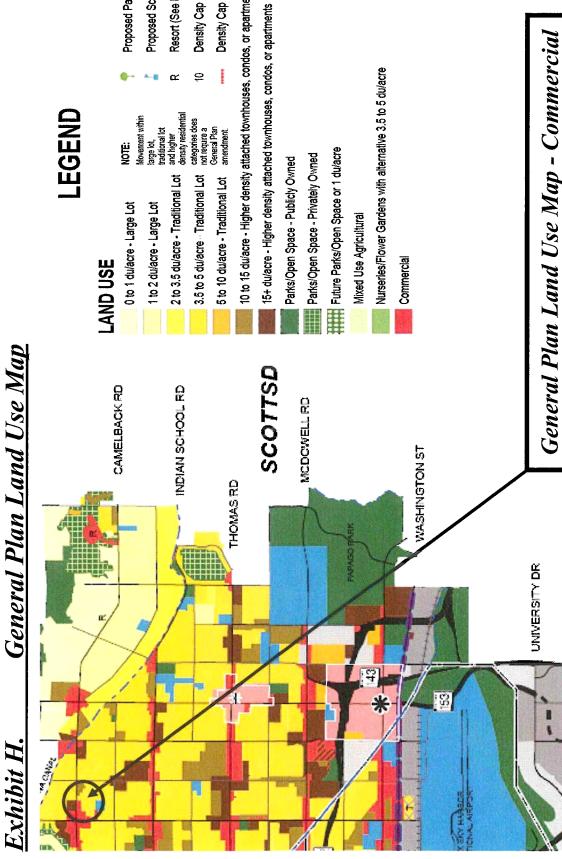
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Resort (See NOTES: below) Proposed School in Area Proposed Park in Area Density Cap Limit 10 to 15 du/acre - Higher density attached townhouses, condos, or apartments Density Cap

BRCADWAY RD

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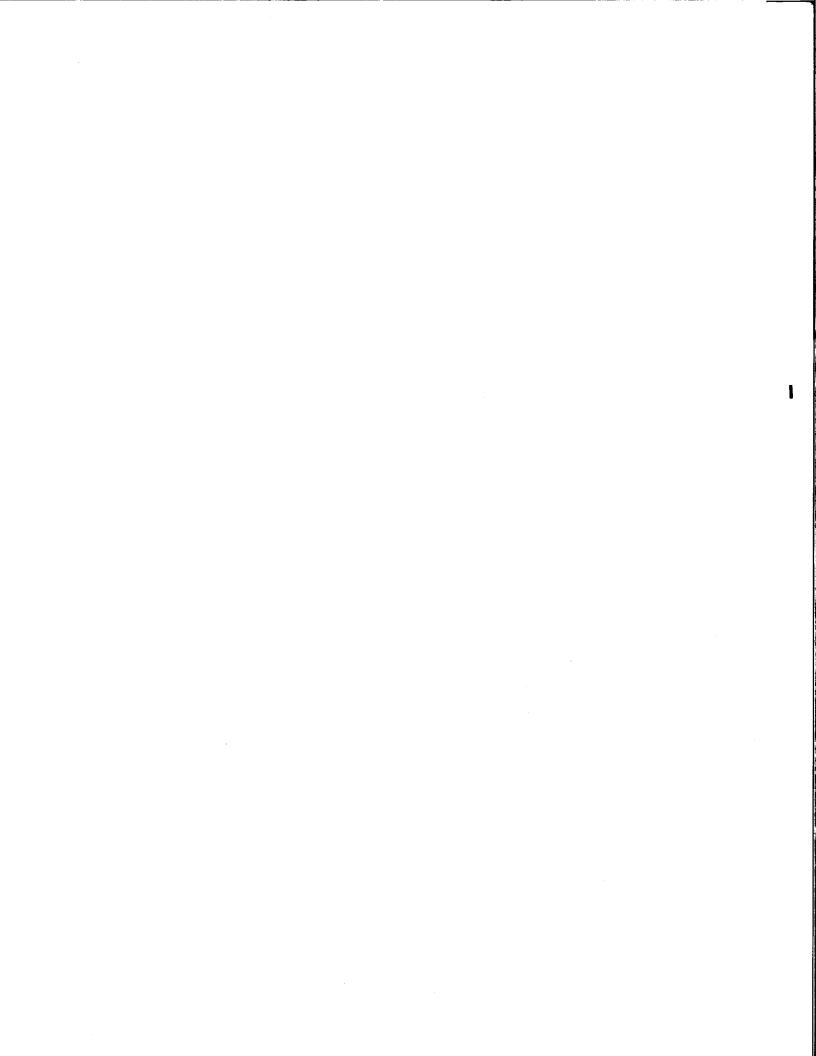
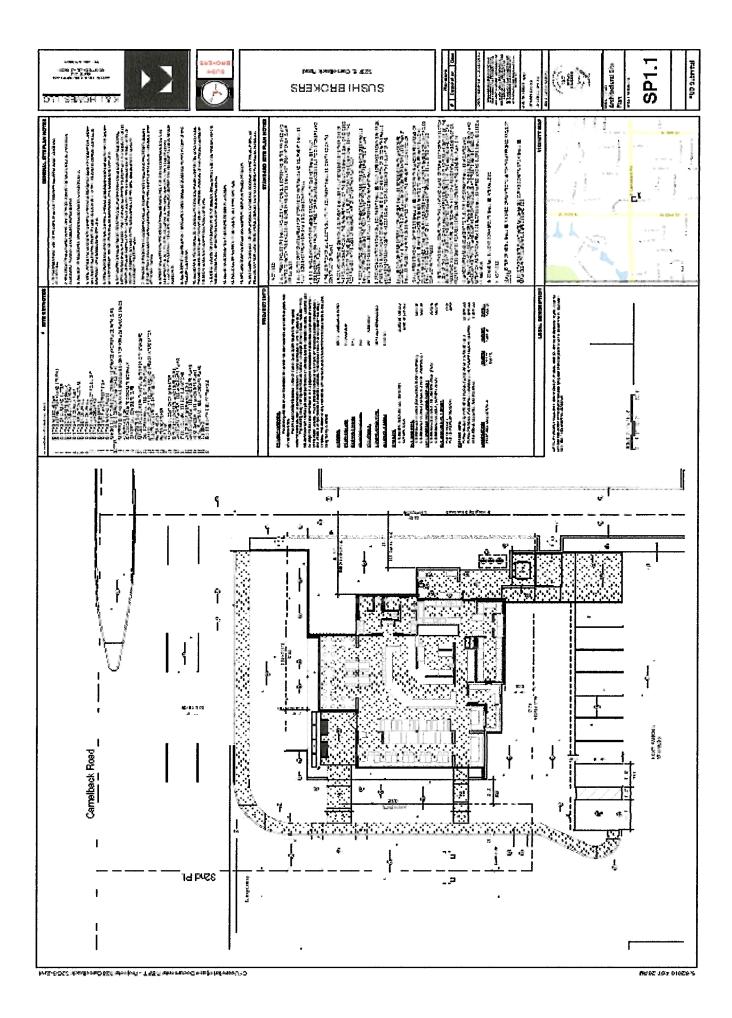
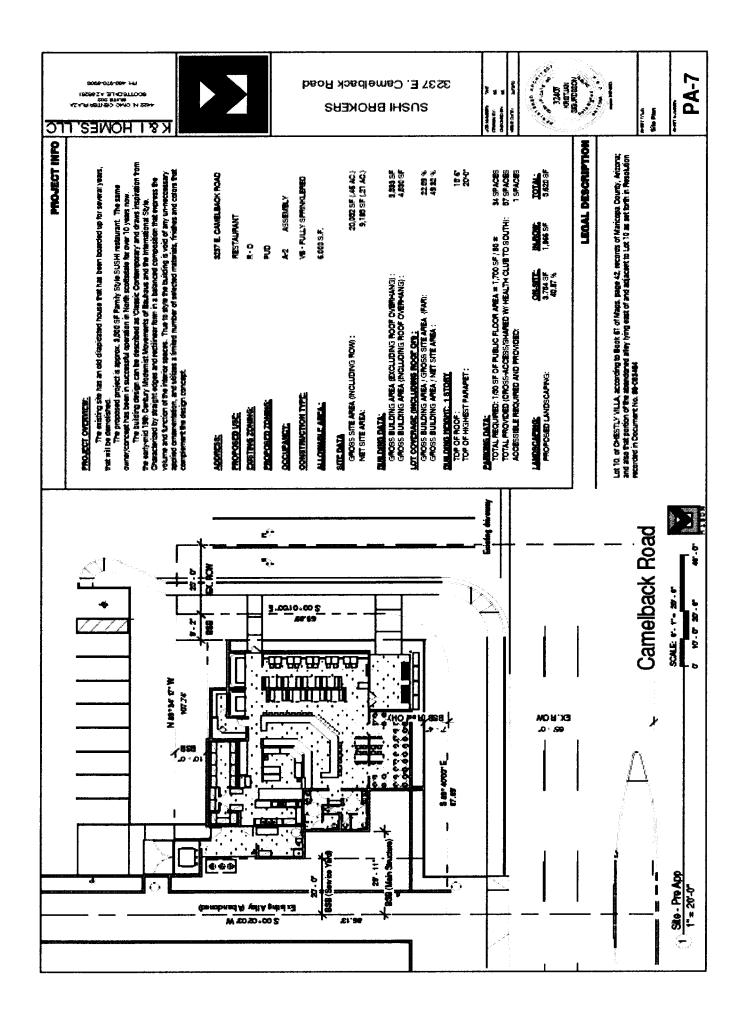


Exhibit I.

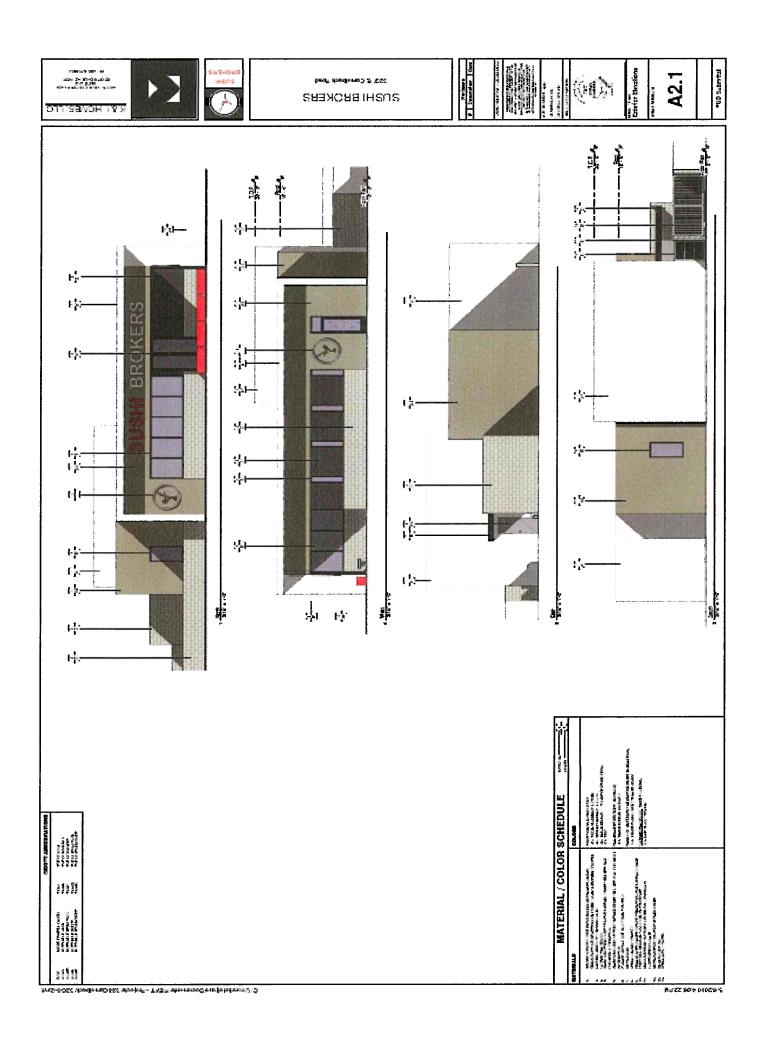
**Conceptual Site Plan** 

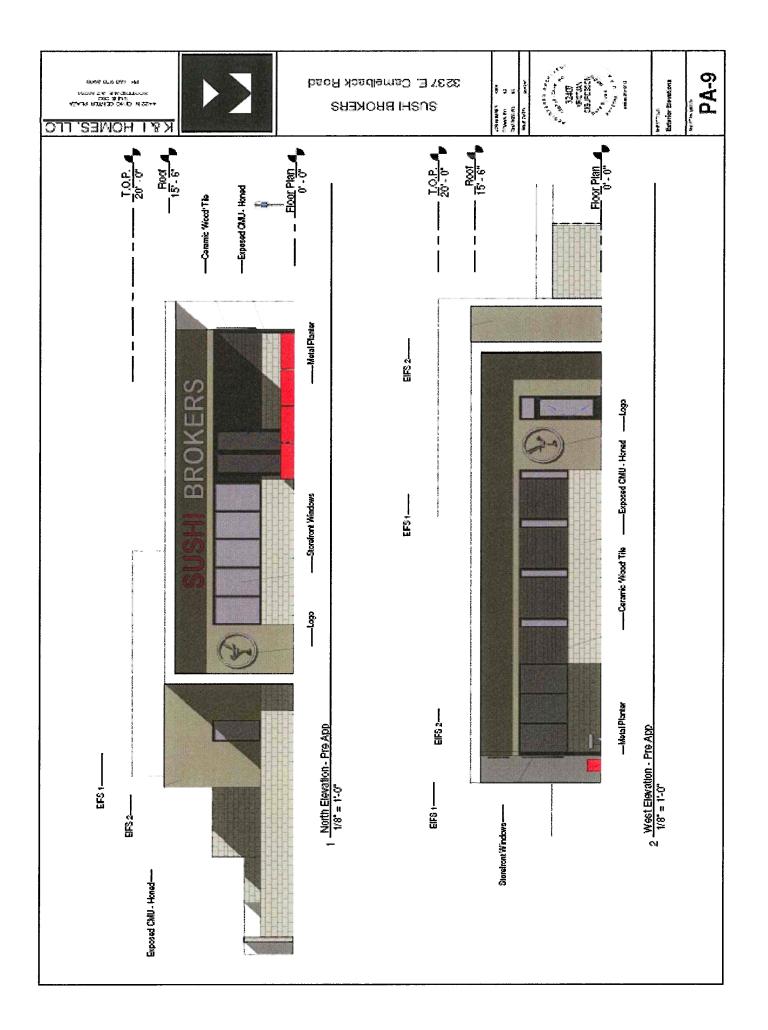
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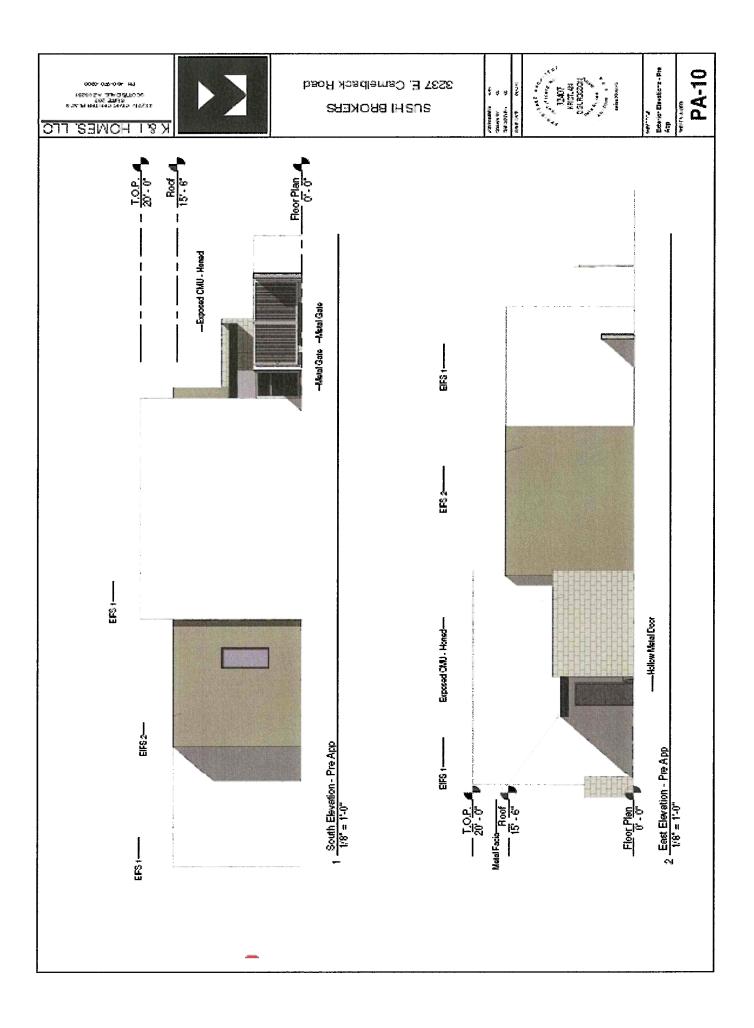




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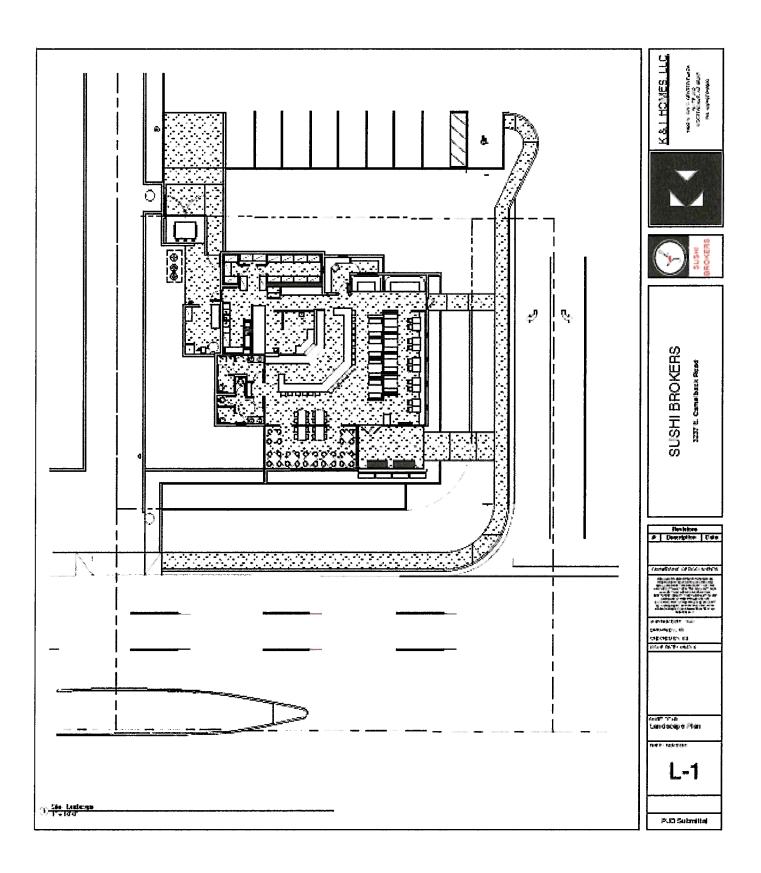




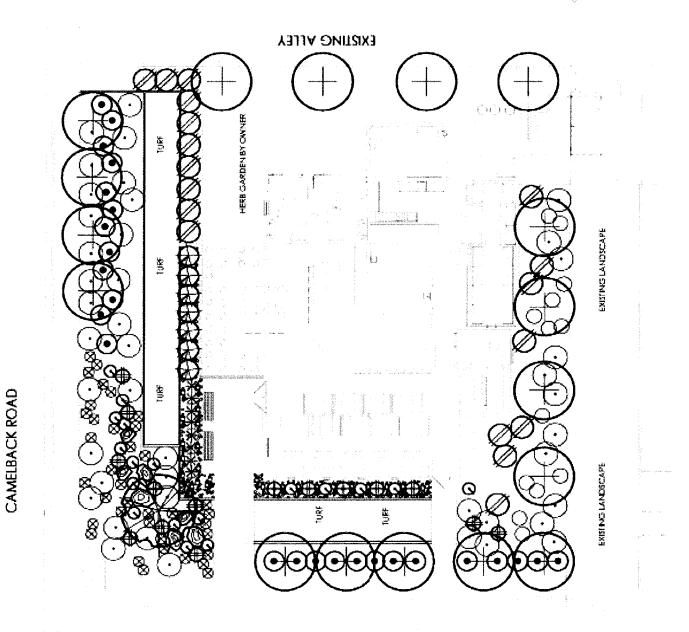


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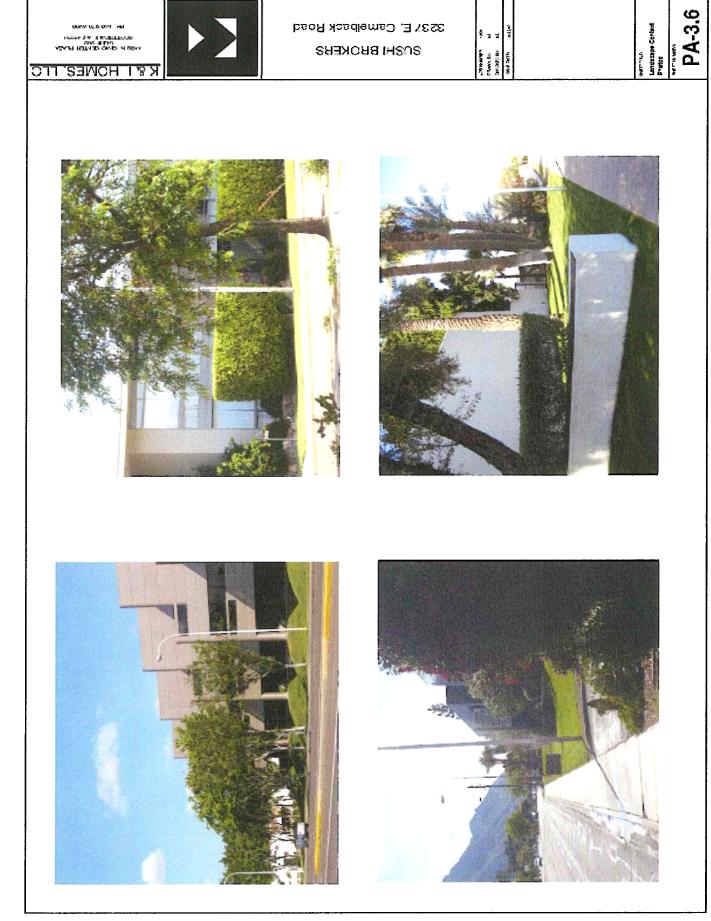
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PLANT NAME /SIZE		PERIMETER / ADJ. TO BUILDING	STREETSCAPE / ROW
		AREA: 3,804 SF	AREA: 1,866 SF
		QUANTITIES	QUANTITIES
Θ	ACACIA SALICINA WILLOW ACACIA 2" CALIPER	8	9
()	OLNEYA TESOTA IRONWOOD 60' BOX SPECIMEN		1
•	FATSIA JAPON CA JAPANESE ARAUA 5 GALLON	7	
Θ	RUELLIA PENINSULARIS DESERT RUELLIA 5 GALLON		25
$\bigotimes$	TECOMA STANS 'GOLD STAR' 'GOLD STAR' TECOMA 5 GALLON	18	
٠	DASYLIRION LOG SS MUM MEXICAN GRASS TREE 5 GALLON	9	6
0	PORTULUCARIA AFRA ELEPHANT PLANT 5 GALLON	7	11
- <del>3</del> 0	"ANTANA 'NEW GOLD' 'NEW GOLD' LANTANA 1 GALLON	18	25
c <del>}</del> o	CONVOLVULUS CNEORUM BUSH MORNING GLORY 1 GA.LON	13	
****	PHYLLOSTACHYS AUREA GOLDEN BAMBOO S GALLON	8	
රුදින	GAZANIA RIGENS 'SUN GOLD' 'SUN GOLD' GAZANIA 1 GALLON	6	31
	3%3%3' SURFACE SELECT GRANITE BOULDER MINIMUM 2000bs EACH		7
*Q*P	MEXICAN BEACH PEBBLE IN PLANTERS 3° DEPTH	380 SF	
TURF	MID-IRON TURF SOD	835 SF	
	S" EXTRUDED CUR3 CONCRETE HEADER SEE <b>DETAIL</b>	256 LF	12 LF
	/2' MINUS MADISON GOLD DECOMPOSED GRANITE 2' DEPTH IN ALL LANDSCAPE AREAS	1,200 SF	1,800 SF



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See Following Page.

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- Pedestrian/Gathering areas: This area is pedestrian entry into the building and has the higher water use planting. The entry is flanked by two small panels of turf that accentuate the buildings architecture and long clean horizontal lines. The turf was kept to a minimum, and serves as overflow for patrons gathering. The lawn areas are held in check by concrete header for maximum water efficiency. Under the building overhang is the patron waiting area with benches. Here architectural planters have Bamboo with drip irrigation to buffer the entry and enhance the Asian theme. Along the base of the north glass curtain wall, a planter holds a formal row of Fatsia, chosen for the bold and architectural leaf shapes that compliment the architecture.
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