



**City of Phoenix**  
 PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-15-13-7**  
 August 30, 2013

**Maryvale Village Planning Committee Meeting Date** September 11, 2013  
**Planning Commission Hearing Date** October 8, 2013  
**Request From:** C-2 (22.10 acres)  
**Request To:** PUD (22.10 acres)  
**Proposed Use** Planned Unit Development to allow a mix of uses including commercial and multi-family development  
**Location** Southwest corner of 67th Avenue and McDowell Road  
**Owner** SWC 67th Avenue LLC  
**Applicant/Representative** Paul Gilbert, Beus Gilbert PLLC  
**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designations</b>		Commercial	
<b>Street Map Classification</b>	McDowell Road	Arterial	50 foot south half street
	67th Street	Arterial	50 foot west half street
<p><b>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.</b></p> <p>This proposal provides employment opportunities in close proximity to the I-10 freeway and a potential light rail station at the intersection of 67th Avenue and the I-10 allowing for access to employees in the Maryvale Village and surrounding areas.</p>			
<p><b>LAND USE ELEMENT, GOAL 3, POLICY 5: ENCOURAGE THE DEVELOPMENT OR REDEVELOPMENT OF VACANT OR UNDERUTILIZED PARCELS WITHIN THE URBANIZED AREA THAT IS CONSISTENT WITH THE CHARACTER OF THE AREA OR WITH THE AREA'S TRANSITIONAL OBJECTIVES.</b></p> <p>This proposal will develop a vacant site that is close to a proposed light rail, major bus routes and transportation arteries.</p>			

**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.**

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-10 Freeway.

**Area Plan**

**TRANSIT ORIENTED DEVELOPMENT STRATEGIC POLICY FRAMEWORK**

The City Council adopted Western Light Rail Extension proposes a station at 67th Avenue and I-10. The subject site is within the Suburban Commuter Center Place Type of the city-adopted Transit Oriented Development Strategic Policy Framework. This place type encourages office employment, colleges and trade schools, hotels and limited housing.

**Background/Issues/Analysis**

**SUBJECT SITE**

1. The request is to rezone a 22.10-acre site located at the southwest corner of McDowell Road and 67th Avenue, from C-2 to PUD. The site is currently vacant with no existing buildings.
2. The General Plan designation for the parcel is Commercial. The parcels to the north and east are also designated Commercial and the parcel to the west is designated Residential 15+ du/ac. The request is consistent with the site and surrounding designations.
3. The site has three street frontages; the I-10 Freeway on the south, 67th Avenue on the east, and McDowell Road on the north. Only the west side of the site is developed with an apartment complex. A proposed light rail station for the Western Light Rail Extension will be on the north side of the I-10. At the time of this report, the station has not been confirmed as to which side of 67th Avenue it will be located. With the freeway on one side, arterial streets on two other sides, and a planned transit station for the future, the property is suitable for increased intensity of development.

**SURROUNDING USES & ZONING**

4. **North**  
Directly north of the subject site is multiple parcels zoned C-2 that contain a gas station and strip retail.

**West**

The parcel directly to the west of the subject site is multi-family residential with R-3A zoning.

**South**

Interstate 10 is directly to the south of the subject site.

**East**

67th Avenue is adjacent to the subject site. Across 67th Avenue to the east is a parcel zoned C-2 with a gas station and a vacant parcel zoned C-2 HGT/WVR for 56-feet.

**PROPOSAL**

5. The proposal includes a number of suburban and auto-oriented uses, while the site is conceptually illustrated to accommodate a transition to transit-oriented development (TOD) when a light rail station is constructed at 67th Avenue. The PUD provides sufficient flexibility to allow this transition to occur.

The PUD is separated into Option A for auto-oriented uses and development standards, and Option B for TOD uses and standards.

The proposed mechanism for this transition is determined by the Planning and Development Director or his/her designee with coordination with Valley Metro.

6. Below is a summary of the proposed standards for the subject site as described in the attached PUD narrative date stamped August 30, 2013, Attachment B.

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

**Land Use**

The narrative proposes various uses under the following zoning districts: Commercial Office (C-O), Neighborhood Retail (C-1), Intermediate Commercial (C-2) and Multi-family Residential (R-5). Option B (TOD uses) does not list a number of auto-oriented uses, such as car washes and drive-thrus.

**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 requirement. Additional performance standards are added to auto oriented uses such as car rentals for Option B (TOD uses).

**Development Standards**

The building heights are up to 60 feet for Option A and 75 feet for mixed-use development within Option B. Single-use developments will still be at 60 feet for Option B. Dwelling unit density is a maximum of 43.5 du/ac in both options.

The building setbacks for Option A are 15 feet fronting McDowell Road and 10 feet along 67th Avenue. Option B allows for 10 feet along McDowell and zero along 67th Avenue in order to promote buildings along a pedestrian corridor that provide a more walkable environment.

### **Landscape Standards**

Landscape standards vary throughout the project and also depend on whether the development is proceeding under Option A or Option B.

The rear yard to the south abuts the freeway right of way and is intended to be oriented to pedestrians, primarily light rail passengers. Building setbacks along this perimeter shall be used to form inviting access to retail services. Transit oriented retail development would employ wide walkways in the setback area with space for shoppers to stroll and window shop, and restaurants with outdoor dining. Canopies will overhang store fronts and shade trees will be used to enhance the walkways. A sewer easement near the south property line precludes buildings in the south 33 feet of the site. Residential development would employ a more traditional landscape with drought tolerant plants and a pedestrian connection to a future light rail station if it locates adjacent to this property. In the alternative, conventional suburban development may occur here, particularly if no light rail station materializes on the adjacent right of way.

The side yard (west) is a shared property line with an apartment complex, zoned R-3A. While the applicant will explore the potential for pedestrian connection from the apartments to (and through) the site, the level of interest by the owner of the apartments is unknown at this time.

The landscape setbacks are 10-feet along McDowell Road and 67th Avenue. There is flexibility for zero landscape setback along 67th Avenue if Option B is used.

### **Parking**

Required parking standards will address both auto-oriented development and transit-oriented development. Option A, on-site parking will be based on the needs of auto-oriented retail, office and residential development. Option B standards will apply to transit-oriented development. The standards of Section 702 shall apply except as modified. In the event of a conflict between Section 702 and the PUD provisions below, the PUD shall control.

### **Shade**

In both options, the narrative proposes that 50 percent of all pedestrian walkways and sidewalks be shaded by a combination of shade trees, building canopies, overhangs, arcades, or other shade methods as measured at 12 noon on the summer solstice.

**Design Guidelines**

The Development Narrative does not propose any new design guidelines, therefore, all applicable design guidelines set forth in Section 507 Tab A of the Zoning Ordinance will apply.

**Phase**

Specific phases are currently not being considered by the applicant.

**Signage**

Signage will include three freeway pylon signs along the I-10 Freeway that may be used to identify any business within the subject site. There will be no off-site advertising. The approximate locations of these signs are shown on the Conceptual Master Site Plan Exhibit in the Development Narrative.

**Sustainability**

The narrative proposes several options to incorporate sustainability principles which include the use of the city's Green Construction Code, high roof solar reflective index and design for effective water use. A minimum of three of the items listed in the Development Narrative shall be implemented with the development of each parcel.

**STREETS AND TRAFFIC**

7. A Traffic Impact Study shall be submitted to the Street Transportation Department for review. A stipulation has been added to address any recommendations from that study.

**MISCELLANEOUS**

8. 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.

The parcel may be served by the existing City of Phoenix water and sewer system pending capacity review and approval during the site plan review process. Design and construction of any needed facilities will be the responsibility of the developer.

9. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.
10. 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. Staff still has concerns regarding the following items listed below:

- a. Section G – Development Standards: Delete Allowed uses, Required review, Street standards and On-lot common retention from Option A and B. These are not needed since they are duplicating Zoning Ordinance language.
- b. Section G – Landscape Standards – Parking Areas: Change 1 inch caliper to 2 inch caliper in order to provide more immediate shade to parking area.

### **Findings**

1. The site is within a ½ mile from a proposed light rail station and existing I-10 freeway, and is within the Suburban Commuter Center Place Type of the city-adopted Transit Oriented Development Strategic Policy Framework.
2. The proposed uses provide future employment opportunities for the Maryvale Village and surrounding areas.
3. The proposed rezoning is compatible with surrounding zoning patterns and land use within the area.

### **Stipulations**

1. An updated Development Narrative for the Gateway Plaza 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 Development Narrative date stamped August 30, 2013, as modified by the following stipulations:
  - a. Page 40, Table G, Option A and B: Applicant shall delete “Allowed uses”, “Required review”, “Street standards” and “On-lot common retention” rows from Option A and B under Section G – Development Standards.
  - b. Page 43 and 44, Parking Area: The landscape planters within the parking areas shall contain a minimum of 2-inch caliper tree or greater per ten parking spaces and a minimum of three 5-gallon shrubs shall be planted per tree, as approved by the Planning and Development Department.
2. Right-of-way totaling 55 feet shall be dedicated for the south half of McDowell Road, as approved by the Planning and Development Department.
3. The existing 22-foot right-of-way easement along 67th Avenue shall be dedicated as right-of-way, as approved by the Planning and Development Department.

4. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by the Planning and Development Department and the Street Transportation Department.
5. The driveways along McDowell Road shall align with the existing driveways on the north side of the street, as approved by the Planning and Development Department. Driveway access may be restricted based upon Traffic Impact Study.
6. The applicant shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.

**Writer**

Jacob Zonn

August 30, 2013

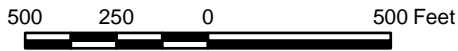
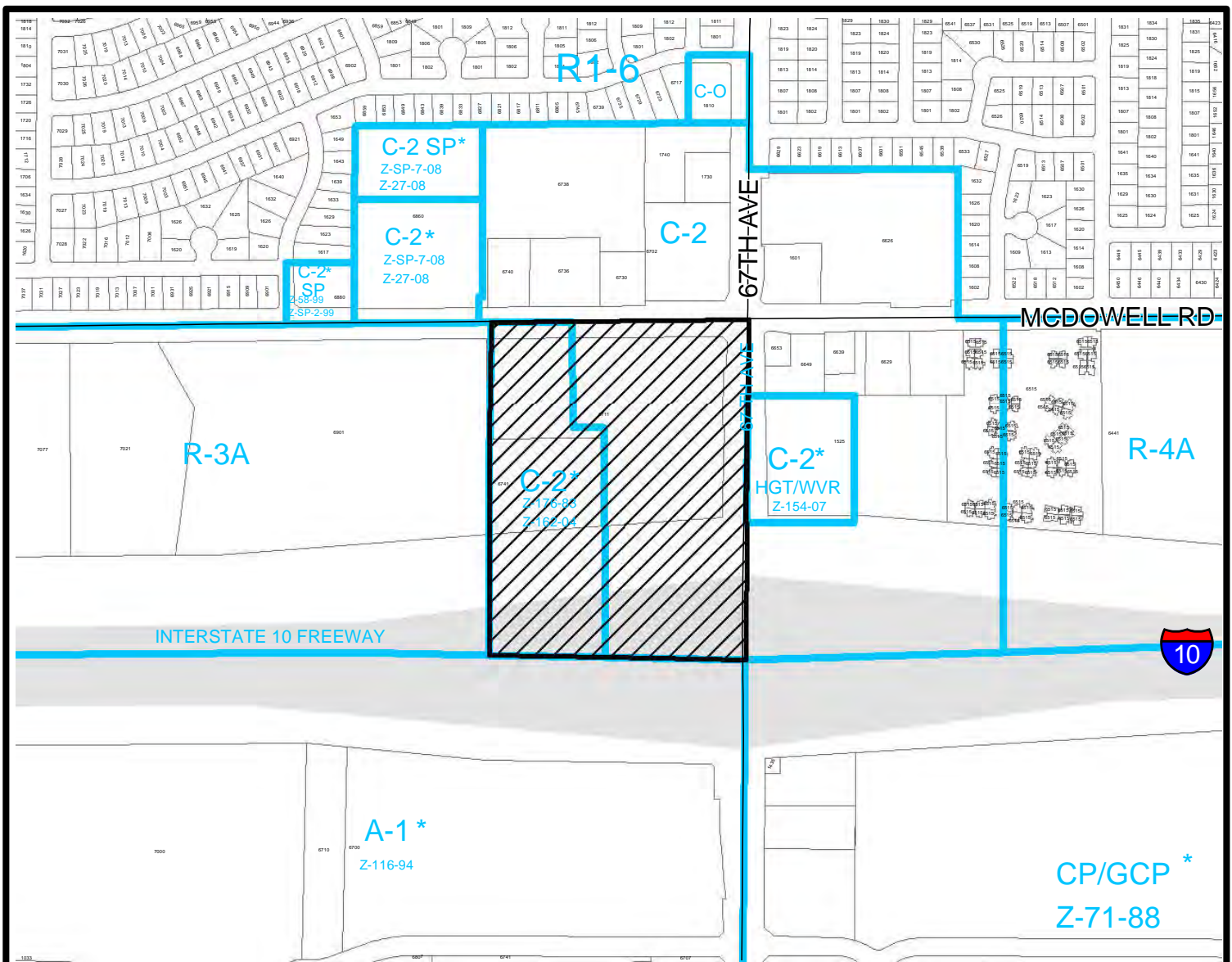
**Team Leader**

Josh Bednarek

**Attachments**

Attachment A: Sketch Map

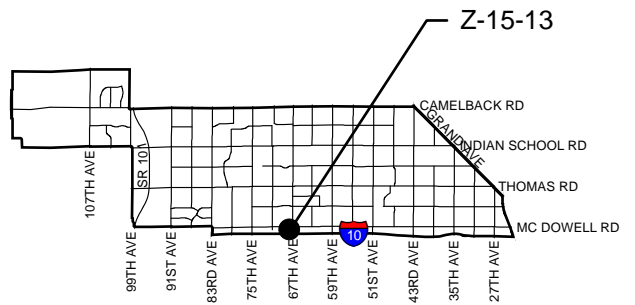
Attachment B: Gateway Plaza PUD Narrative date stamped August 30, 2013



CITY OF PHOENIX PLANNING DEPARTMENT

**MARYVALE VILLAGE**

CITY COUNCIL DISTRICT: 7



<b>APPLICANT'S NAME:</b> Beus Gilbert PLLC		<b>REQUESTED CHANGE:</b> FROM: C-2, (22.10 a. c.) TO: PUD, (22.10 a. c.)	
<b>APPLICATION NO.</b> Z-15-13	<b>DATE:</b> 04/10/13	<b>REVISION DATES:</b>	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  22.10 Acres	8/22/13		
	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> Q12-12	<b>ZONING MAP</b> G-4	
<b>MULTIPLES PERMITTED</b> C-2 PUD	<b>CONVENTIONAL OPTION</b> 320 961		<b>* UNITS P.R.D. OPTION</b> 384 1153

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