



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-35-17-1
April 19, 2021

Deer Valley Village Planning Committee Meeting Date	May 19, 2021
Planning Commission Hearing Date	June 3, 2021
Request From:	R-5 DVAO , 2.05 acres
Request To:	A-1 DVAO , 2.05 acres
Proposed Use	Moving and storage facility
Location	Approximately 390 feet north of the northeast corner of 24th Avenue and Lone Cactus Drive
Owner/ Applicant	Douglas A. Rupp
Representative	Brenda Johnson
Staff Recommendation	Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Designation</u>		Industrial	
<u>Street Map Classification</u>	24th Avenue	Local	25-foot east half street
<p>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</p> <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 (DVAO). It is reasonable to allow an increased level of intensity to industrial zoning to allow for a moving and storage facility, with appropriate screening and landscaping along the streets and adjacent to the multifamily residential properties. The overall area is intended for industrial uses.</p>			
<p>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING AND INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.</p> <p>The proposed zoning also allows for the expansion of industrial uses in a targeted industrial area.</p>			

STRENGTHEN OUT LOCAL ECONOMY CORE VALUE; 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.

The subject site is in close proximity to the Phoenix Deer Valley Airport and the proposed use is compatible with airport operations.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Require appropriate transitions/buffers between neighborhoods and adjacent uses.

Although the surrounding the proposed development are zoned for residential use, it is highly unlikely to develop with residential uses due to the way the area is redeveloping, the General Plan Land Use map designation of Industrial and the area being within Area 2 of the DVAO. Stipulations are proposed to provide impact-mitigating features such as sufficient setbacks and buffering in order to protect the existing residential and any potential residential use from any impacts that may be imposed by the more intense use. The proposed development, as stipulated, is compatible with adopted plans and the general land use pattern in the area. Area 2 of the DVAO prohibits several assembly uses and residential uses in commercial districts.

Applicable Plans, Overlays and Initiatives

[Deer Valley Major Employment Center](#) – See Background Item No. 6

[Tree and Shade Master Plan](#) – See Background Item No. 7

[Zero Waste PHX](#) – See Background Item No. 8

Surrounding Land Uses/Zoning

	Land Use	Zoning
On Site	Storage	R-5 DVAO
North	Single-family Residence	R-5 DVAO
South	Vacant/outdoor Storage	R-5 DVAO
East	Multifamily Residential and Vacant	R-5 DVAO
West (across 24th Avenue)	Single-family residential	R-5 DVAO

A-1 District – Light Industrial		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Gross Acreage</i>		2.05 gross acres
<i>Building Setbacks</i>		
North	Minimum 30 feet closed building; Minimum 150 feet open buildings / uses	Met - 325 feet
West	Minimum 25 feet closed building; Minimum 75 feet open buildings / uses	*Not Met - 20 feet
South	Minimum 30 feet closed building; Minimum 150 feet open buildings / uses	*Not Met - 10 feet
East	Minimum 30 feet closed building; Minimum 150 feet open buildings / uses	*Not Met - 22 feet
<i>Landscape Setbacks</i>		
North	Minimum 0 feet	Not identified
West (24th Avenue)	A total landscaped area not less than eight feet times the lot frontage, measured in square feet, shall be provided between property lines abutting public right-of-way and the principal building or structure; and of this total area, a landscaped strip of not less than five feet in depth shall be located between the front property line and the parking area, exclusive of driveways and walkways.	Not identified
South	Minimum 0 feet	Not identified
East	Minimum 0 feet	Not identified
<i>Lot Coverage</i>		Met – Approximately 3.5%, Phase 1
<i>Building Height</i>	56 feet, 80 feet with use permit	Met – 30 feet
* Not met per Zoning Ordinance Standard. The plan must be revised, or variance approval is		

required in order to vary from the minimum requirements.

Background/Issues/Analysis

1. SUBJECT SITE

The request is to rezone 2.05 gross acres from R-5 DVAO, (Multifamily Residence District, Deer Valley Airport Overlay) to A-1 DVAO (Light Industrial, Deer Valley Airport Overlay) to allow a moving and storage facility.

The subject site was annexed into the City of Phoenix from Maricopa County in 1972. The site is comprised of two lots. Both of which are large lot residential that formerly had mobile homes on them and were later used as truck storage.

Access to the site is off of 24th Avenue.



Maricopa County Historic Aerials, Source: Maricopa County

2. ZONING AND LAND USE

Subject Site:

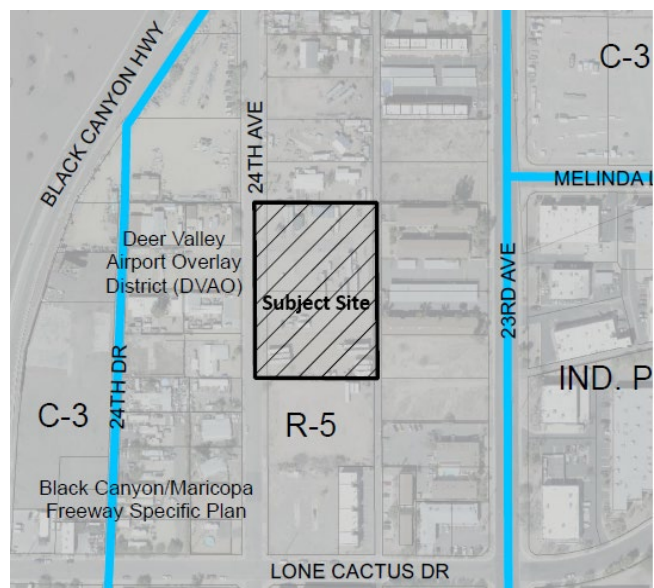
The subject site is zoned R-5 (Multifamily Residence District) and is currently being used for storage.

North:

The parcel abutting the subject site on the northernmost portion contains a mobile home and is currently zoned R-5 (Multifamily Residence District) through Annexation No. 86.

South:

The parcel to the south of the subject site is zoned R-5 (Multifamily



Surrounding Zoning, Source: Planning and Development Department

Residence District) through Annexation No. 86 and is currently vacant.

East:

Immediately east of the subject site, across the alley, are apartments and vacant land.

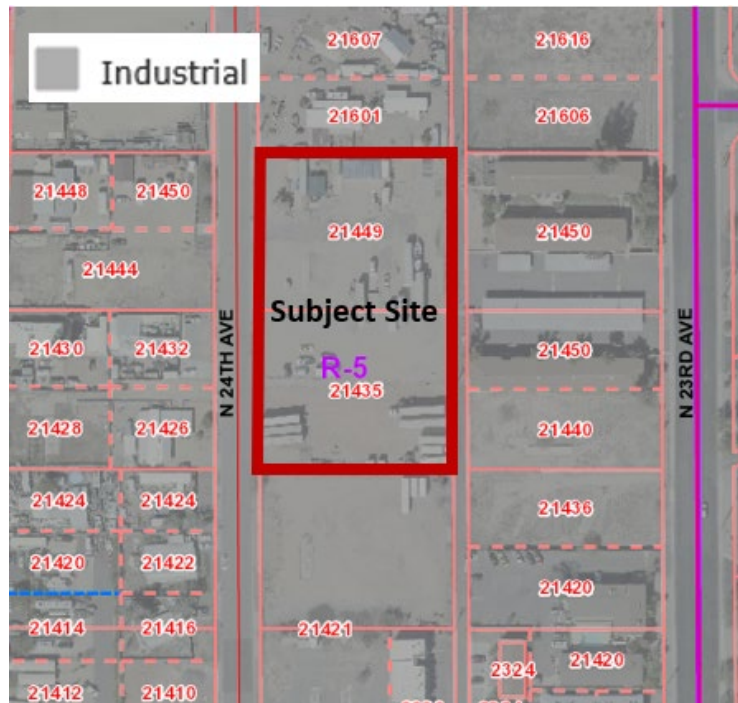
West:

Immediately west of the subject site, across 24th Avenue, are several mobile homes zoned R-5, approved through Annexation No. 86.

3. The General Plan Land Use Map depicts the site as Industrial. The proposed use and zoning classification are consistent with the General Plan Land Use Map designation.

North, East South and West:

The General Plan Land Use Map designation for the properties surrounding the site are also Industrial.



General Plan Land Use Map, Source: Phoenix Planning and Development Department

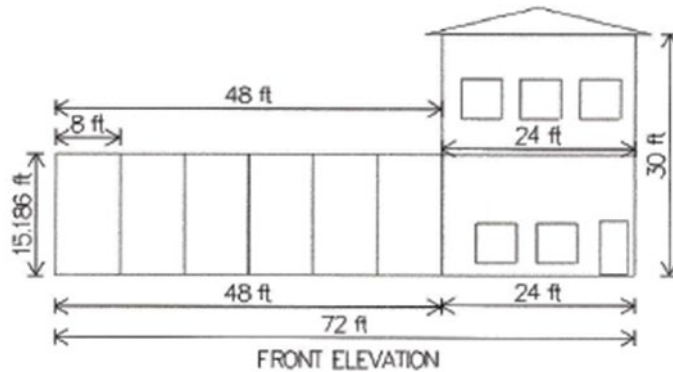
4. SITE PLAN

The conceptual site plan depicts a moving and storage building on the southernmost portion of the site as depicted on the site plan exhibit. The site plan indicates a single main point of entry off of 24th Avenue. Due to its location immediately adjacent to residential uses, staff is recommending a series of stipulations to enhance the perimeter treatment of the site and to mitigate any potential impact from the proposed use to neighboring residential. Staff is recommending a minimum building setback of 50 feet along the east property line, adjacent to multifamily. Further, staff is recommending a minimum 10-foot landscape setback be provided along the east and north property lines to include shade trees placed 20 feet on center or in equivalent groupings with 25 percent of the trees being a minimum 4-inch caliper and 75 percent of the trees being a minimum 3-inch caliper. Lastly, staff is recommending solid walls be constructed

along the north and east property lines adjacent to residential uses. These are addressed in Stipulation Nos. 4, 5 and 7.

5. ELEVATIONS

The conceptual elevations depict a two story office building measuring approximately 30 feet in height on the 24th Avenue frontage with single story storage units behind the office structure along the southern property boundary measuring approximately 15 feet in height. Staff is



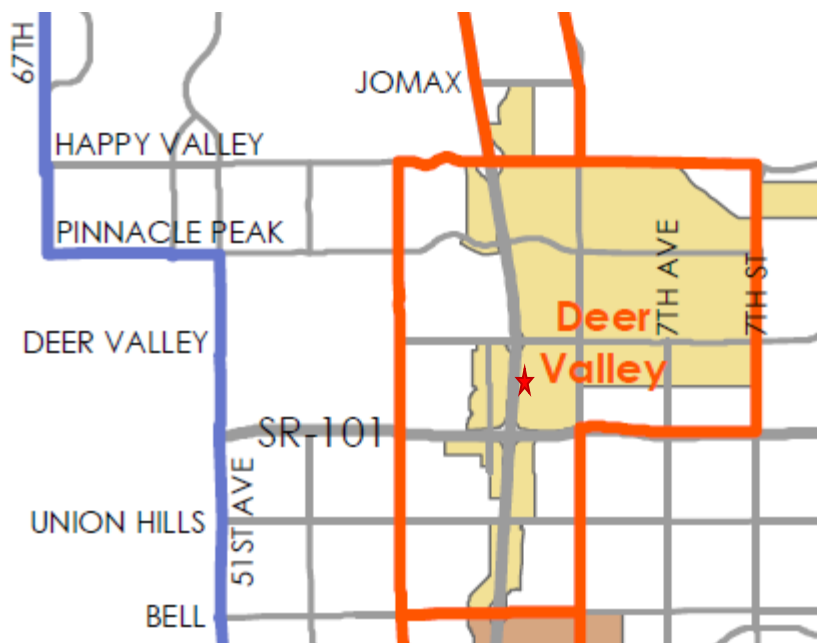
Conceptual Elevations, Source: Douglas Rupp

recommending that the maximum building height on the subject site be limited to two stories and 30 feet. To ensure enhanced visual interest is implemented, staff has stipulated that all elevations contain various architectural embellishments and detailing. These are addressed in Stipulation Nos. 1 and 3.

6. DEER VALLEY MAJOR EMPLOYMENT CENTER


The site is located in the Deer Valley Major Employment Center and is in an area predominantly planned for commerce park and industrial uses.

The proposal adds employment options within the employment center by rezoning to A-1.



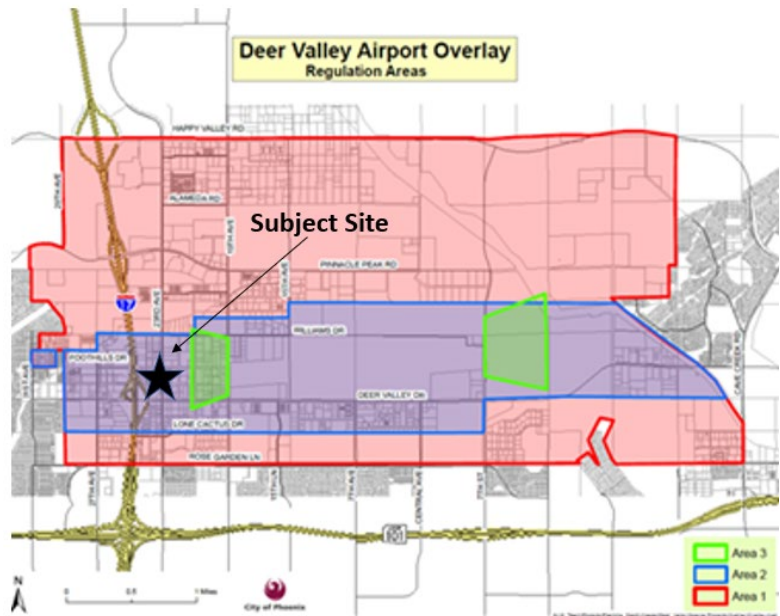
Employment Center Map, Source: City of Phoenix

MAJOR EMPLOYMENT CENTERS

 Phoenix Designated Employment Centers

7. **DEER VALLEY AIRPORT OVERLAY DISTRICT, AREA 2**

All properties in the vicinity are within the Deer Valley Airport Overlay District (DVAO), Area 2. 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 complimentary to and compatible with airport operations.



Deer Valley Airport Overlay Map, Source: Phoenix Planning and Development Department

7. **TREE AND SHADE MASTER PLAN**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City’s planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhanced shade within the development. Staff is recommending stipulations for a shaded and detached sidewalk along 24th Avenue in addition to enhanced tree and landscape areas and planting standards along the north and east property lines as well as trees in the parking area to provide 25 percent shade a maturity. These are addressed in Stipulation Nos. 2, 5 and 6.

8. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city’s overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs.

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant’s submittals.

COMMUNITY INPUT SUMMARY

9. At the time the staff report was written, staff had not received any community correspondence.

INTERDEPARTMENTAL COMMENTS

10. The Aviation Department commented that the site is located within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace. The Aviation Department is requesting a Notice to Prospective Purchasers of Proximity to disclose the existence and operational characteristics of the Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property. Further, the developer is required to grant and record an aviation easement, provide a No Hazard Determination for the proposed development and file a Form 7460. These are addressed in Stipulation Nos. 10, 11 and 12.
11. The Floodplain Management Division of the Public Works Department commented It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 1290 M of the Flood Insurance Rate Maps (FIRM) dated September 18, 2020.
12. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. However, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.
13. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
14. The Street Transportation Department has proposed stipulations requiring that all street improvements within and adjacent to the development be constructed with all mandatory elements. In addition, the developer shall dedicate right-of-way for the east side of the property for 20 foot-wide alley. These are addressed in Stipulation Nos. 8 and 9.

OTHER

15. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event

archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulation Nos. 13 through 15.

16. 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 zoning is consistent with the General Plan Land Use Map designation of Industrial and within the Deer Valley Airport Overlay.
2. The proposed development provides additional protections for nearby residential uses through site design and enhanced development standards.
3. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment that will help to reduce the urban heat island effect.

Stipulations

1. The building height shall not exceed 30 feet.
2. The public sidewalk along 24th Avenue shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the standards below. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings. Fifty percent of the required trees shall be a minimum 3-inch caliper and 50 percent shall be a minimum 2-inch caliper.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. All perimeter building elevations shall contain architectural embellishments and detailing such as material changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.

4. A minimum building setback of 50 feet shall be provided along the east property line, abutting residential zoning.
5. A minimum 10-foot landscape setback shall be provided along the east and north property lines and shall include shade trees placed 20 feet on center or in equivalent groupings. 25 percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper, as approved by the Planning and Development Department.
6. The developer shall plant shade trees in and around the employee and customer parking area to provide shade for 25 percent of the parking area at maturity, as approved by the Planning and Development.
7. A solid wall shall be constructed along the north and east property lines adjacent to residential uses. The walls shall consist of solid masonry or similar material and shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. The developer shall dedicate 4-feet of right-of-way for the east side of the property for a total 20 foot-wide alley, as approved by the Planning and Development Department.
10. The property owner shall record documents that 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.
11. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
12. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to

clearing and grubbing, landscape salvage, and/or grading approval.

14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer

David Simmons

April 19, 2021

Team Leader

Samantha Keating

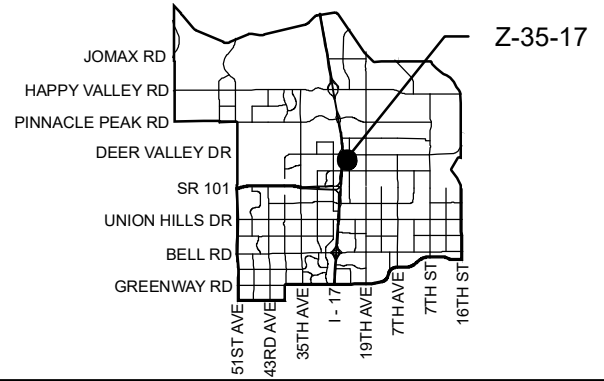
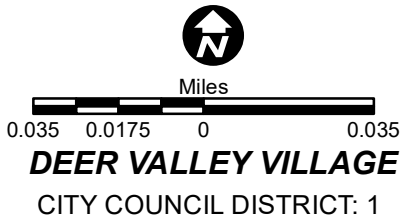
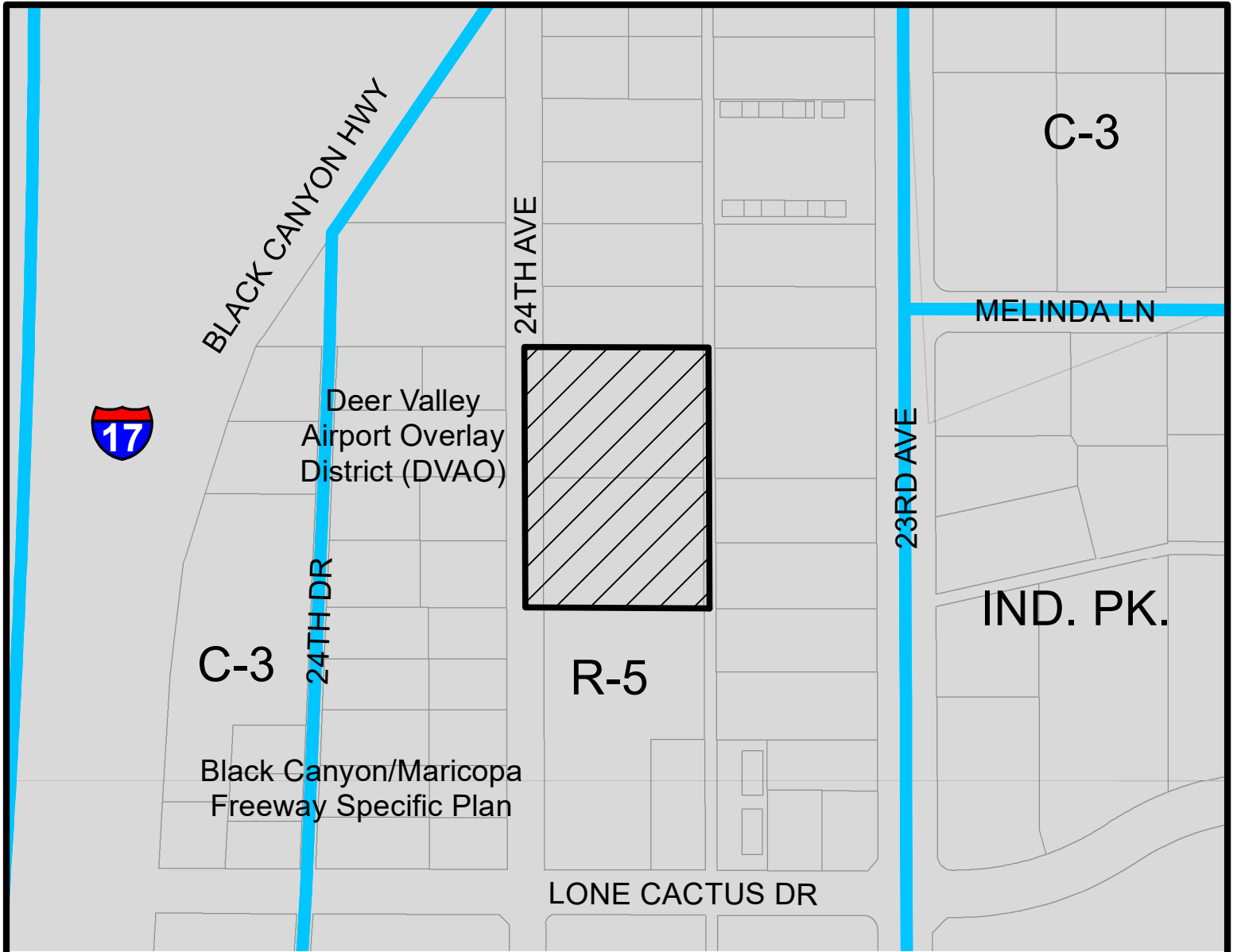
Exhibits

Sketch Map

Aerial Map

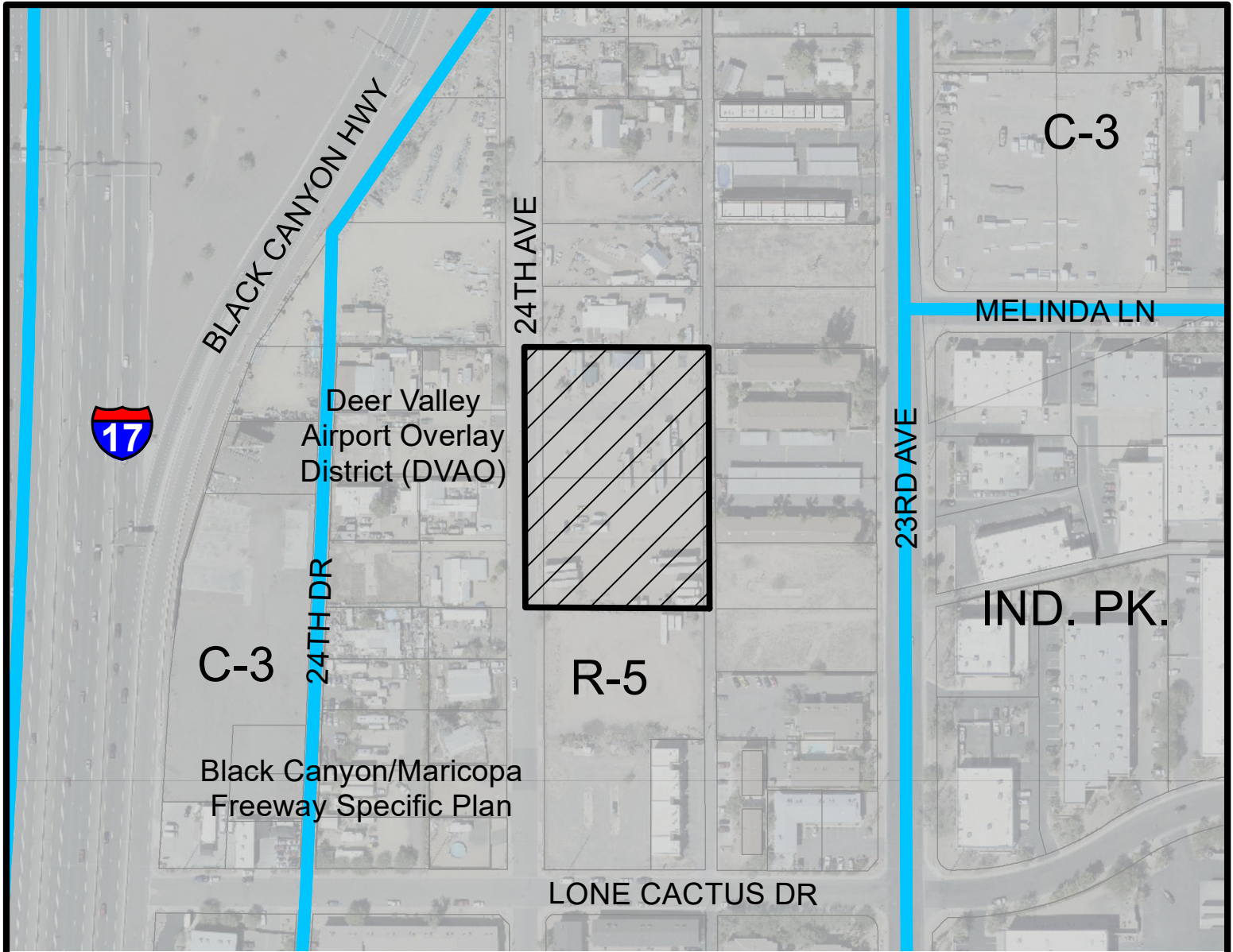
Conceptual Site Plan date stamped May 22, 2017 (2 pages)

Conceptual Elevations date stamped May 22, 2017

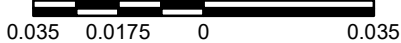


APPLICANT'S NAME: Douglas A. Rupp		REQUESTED CHANGE:	
APPLICATION NO.: Z-35-17		FROM: R-5 DVAO (2.05 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 2.05 Acres		<small>DATE:</small> 1/05/2021 <small>REVISION DATES:</small>	
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 42-23		<small>ZONING MAP</small> N-7	
TO: A-1 DVAO (2.05 a.c.)			
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
R-5 DVAO		89	
A-1 DVAO		N/A	
		* UNITS P.R.D. OPTION	
		107	
		N/A	

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



Miles

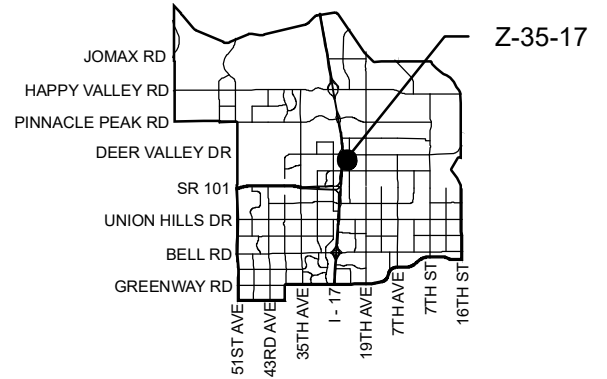


DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Douglas A. Rupp

APPLICATION NO. Z-35-17

DATE: 1/05/2021
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

2.05 Acres

AERIAL PHOTO & QUARTER SEC. NO.
QS 42-23

ZONING MAP
N-7

REQUESTED CHANGE:

FROM: R-5 DVAO (2.05 a.c.)

TO: A-1 DVAO (2.05 a.c.)

MULTIPLES PERMITTED

R-5 DVAO

A-1 DVAO

CONVENTIONAL OPTION

89

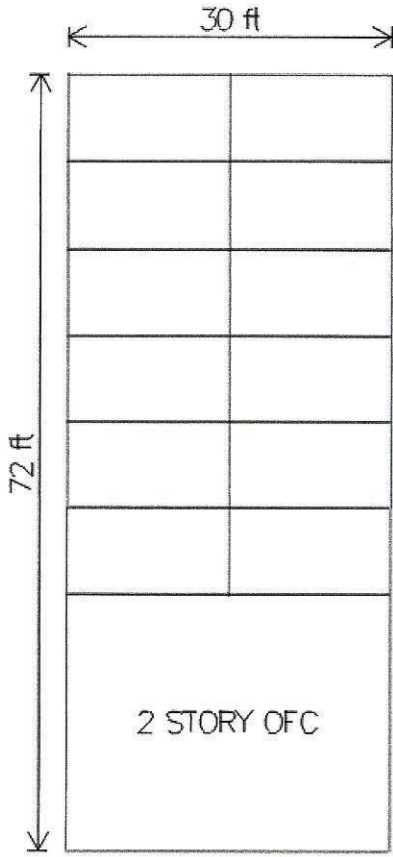
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*** UNITS P.R.D. OPTION**

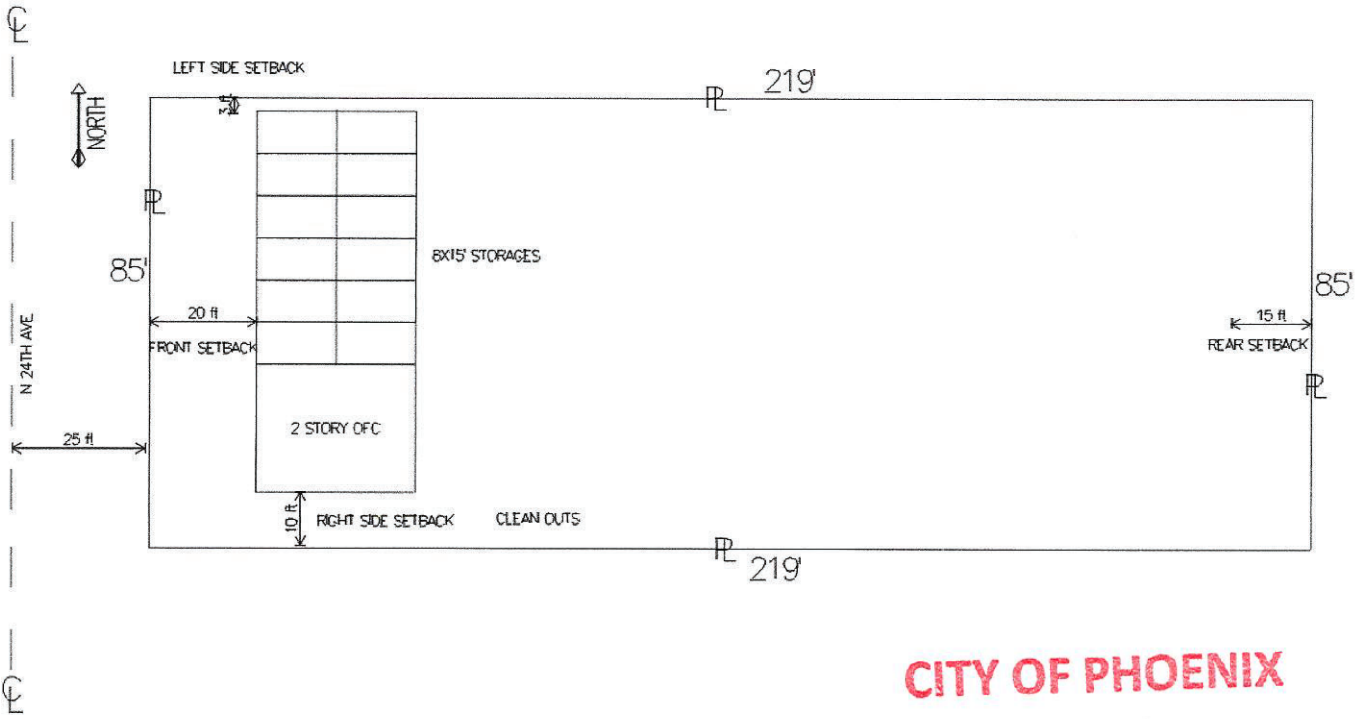
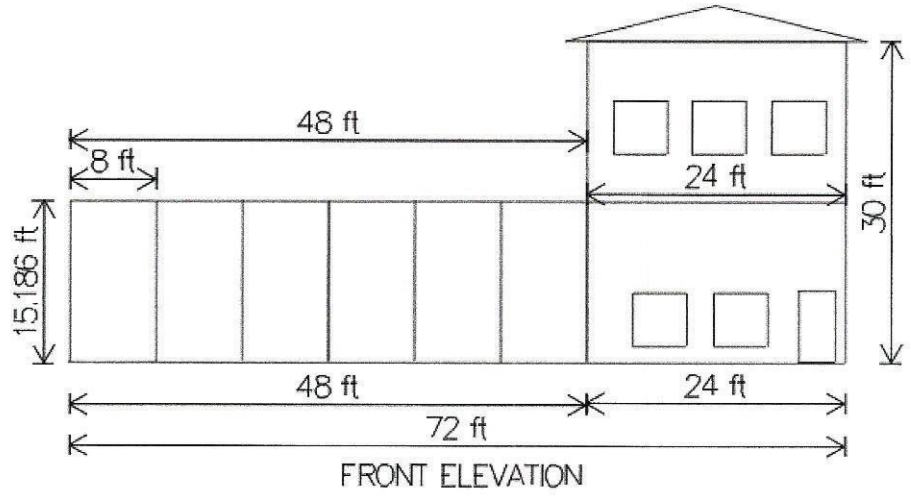
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N/A

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



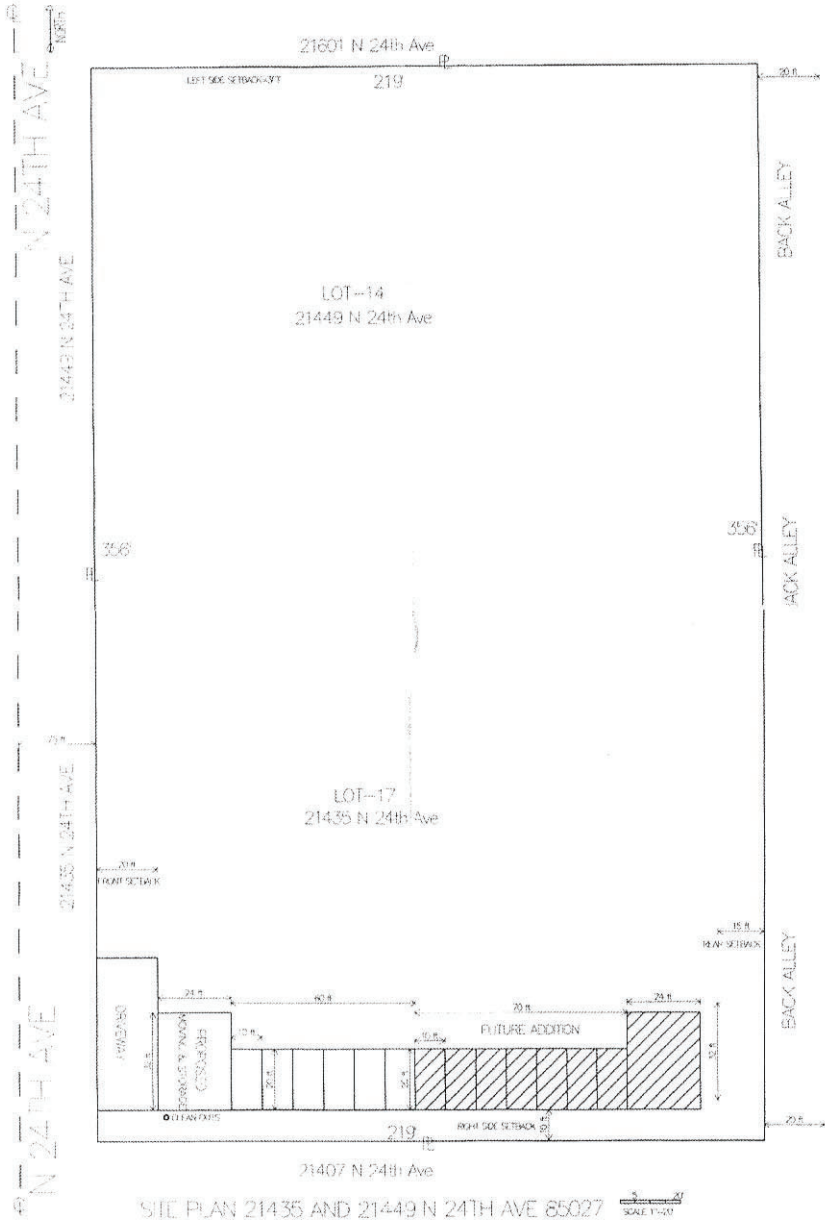
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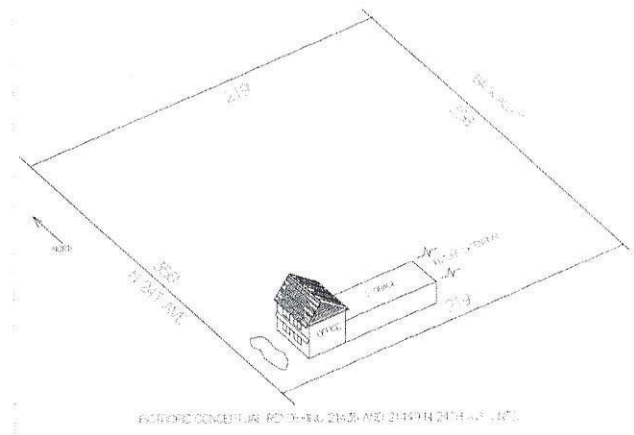
CITY OF PHOENIX

MAY 22 2017

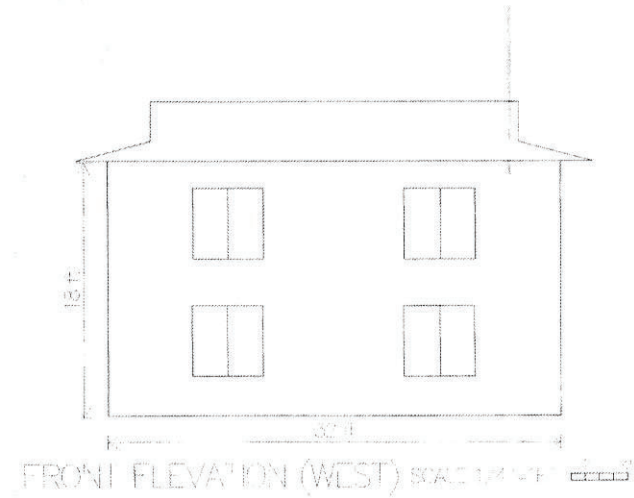
Planning & Development
Department



SITE PLAN 21435 AND 21449 N 24TH AVE 85027



ISOMETRIC CONCEPTUAL FRONT VIEW 21435 AND 21449 N 24TH AVE 85027



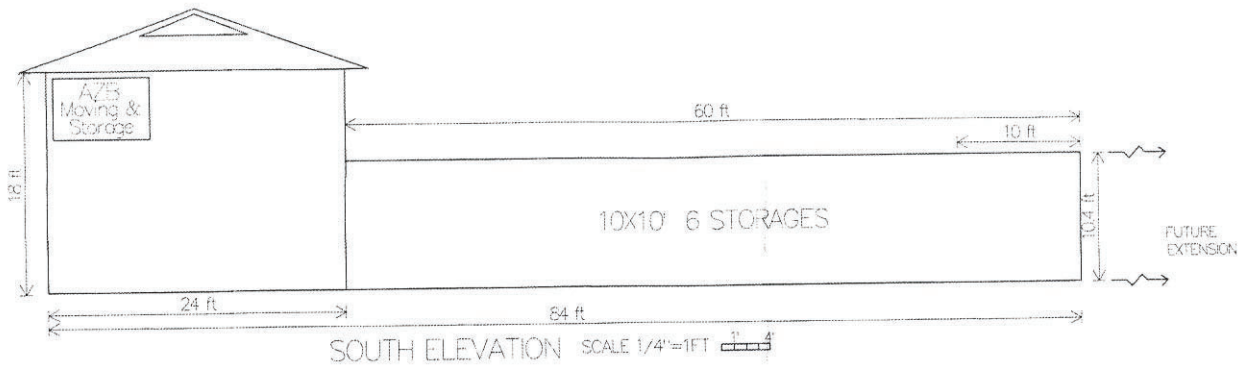
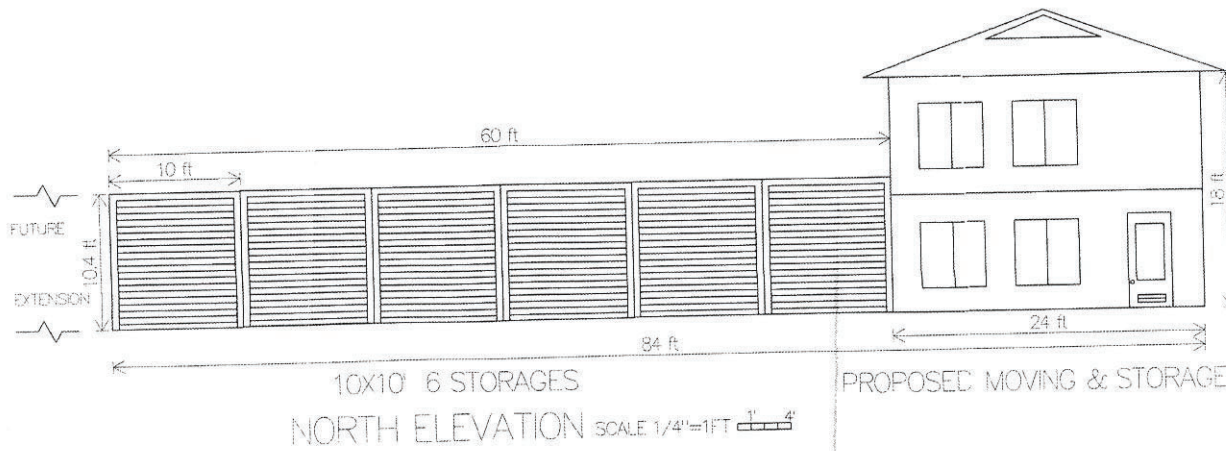
FRONT ELEVATION (WEST) SCALE 1/4" = 4'

RE-ZONING R-5 TO A-1
 APN 209-07-014
 21435 and 21449 N 24th Ave Phoenix 85027
 DOUGLAS RUPP OWNER/BUILDER
 77964 SQFT
 1ST DRAWN: 11MAY2017
 REVISED: 11MAY2017
 SHEET 1 OF 1

CITY OF PHOENIX
MAY 22 2017
 Planning & Development
 Department

Parcel	209-07-014
Owner	209-07-017
Lot Area	77964 SQFT
Lot Coverage	3.52%

PROJECT ADDRESS	21435 and 21449 N 24th Ave Phoenix 85027	TEL	602-760-2222
OWNER	DOUGLAS RUPP	MICK	1964
BUILDER	Black and James Living Trust	APN	209-07-014
Description	BLACK CANYON HEIGHTS	LOT SIZE	77164 SQFT
Zoning	R-5	Lot No.	1417
Existing Imp Covered Area	100	Sub Parcel	BLACK CANYON HEIGHTS
Proposed Covered Area	2794	Other Square Feet	N/A
Imp Covered Area	100	Lot Coverage Area Proposed	3.54%
Detached Structure	N/A	No of Stories	2
Basement	N/A		
1ST DRAWN	11MAY2017	REVISED	11MAY2017
SHEET	1 OF 1		



RE-ZONING R-5 TO A-1
 APN 209-07-014
 209-07-017
 Address 21435 and 21449 N 24th Ave Phoenix 85027
 DOUGLAS RUPP OWNER BUILDER Email douglasr@cox.net
 Zoning R-5 LOT SIZE 77964 SQFT
 DATED 06/17/17
 SHEET 1 OF 1

CITY OF PHOENIX

MAY 22 2017

Planning & Development
Department

Parcel	209-07-014
209-07-017	
Owner	Bob and Janice Living Trust
Lot Coverage	77964 SQFT
Residence	N/A
Garage	N/A
Pool/Spa	N/A
Shed	N/A
Other	2736
Total	2736
Lot Coverage	3.000%

RE-ZONING R-5 TO A-1	
PROPERTY ADDRESS	21435 and 21449 N 24th Ave Phoenix 85027
OWNER	DOUGLAS RUPP MCR 9914
BUILDER	Bob and Janice Living Trust
Description	BLACK CANYON HEIGHTS
Zoning	R-5
Lot No.	14-1
STR	24 4N 2E
Sub Division	BLACK CANYON HEIGHTS
Existing Living/Covered Area sqft	00
Lot Size	77964 SQFT
Addition Covered Area	N/A
Replacement New Covered Area	N/A
Proposed Covered Area	2736
Other Square Feet	N/A
Lot Coverage Area Proposed	3.000%
Detached Structures	N/A
Garages	N/A
No. of Stories	2
Basement	N/A
Soil	N/A
Estimated cost of material and labor	N/A
SHEET	1 OF 1
1ST DRAWN	15MAY2017
REVISIONS	1 2 3 4