



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-17-13-4

August 2, 2013

Maryvale Village Planning Committee Meeting Date August 14, 2013

Planning Commission Hearing Date September 10, 2013

Request From: R-4 (15.17 Acres)

Request To: PUD (15.17 Acres)

Proposed Use Planned Unit Development to allow Commercial, Industrial and Residential Uses

Location Approximately 750 feet east of the southeast corner of 59th Avenue and McDowell road

Owner The ViaWest Group

Applicant/Representative Michael Curley, Earl, Curley and Lagarde, P.C.

Staff Recommendation Approval, subject to stipulations

General Plan Conformity

| | | | |
|---|---------------|--|---------------------------|
| General Plan Land Use Designations | | Residential 15 + du/ac – Pending (Mixed-use commercial & commerce/business park) | |
| Street Map Classification | McDowell Road | Arterial | 50-foot south half street |

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.

This proposal provides employment opportunities in close proximity to the I-10 freeway and a potential light rail station at the intersection of 59th Avenue and the I-10 allowing for access to employees in the Maryvale Village and surrounding areas.

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.

This proposal will develop a vacant site that is close to a proposed light rail, major bus routes

and transportation arteries.

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 building and landscape standards within the Development Narrative are sensitive to the surrounding residential uses and are conducive to development adjacent to the I-10.

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 15.17 acre site located approximately 750 feet east of the southeast corner of 59th Avenue and McDowell Road, from R-4 to PUD. The site currently consists of vacant buildings previously used for a charter school.
2. The General Plan Land Use Map designation is Residential 15 + du/acre, however, the applicant has requested a concurrent General Plan Amendment to Mixed-Use (Commercial & Commerce/Business Park). The General Plan Amendment case is GPA-MV-1-13-4.
3. The City Council adopted Western Light Rail Extension proposes a station at 59th 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.

SURROUNDING USES & ZONING

4. **North**
A single-family residential development zoned R1-6 is to the north of the subject property. A frontage road buffers the development from McDowell Road.

West

Immediately west of the subject site is a vacant parcel zoned R1-6.

South

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

East

A multi-family residential development zoned R-4A is adjacent to the subject property to the east.

PROPOSAL

5. The proposal was developed utilizing the PUD zoning designation which allows an applicant to propose uses, development standards, and design guidelines for a site. One of the goals of this process is to allow the applicant to develop standards

that respond to the surrounding environment more so than conventional zoning districts allow. The end result is property rezoned with standards crafted specifically for the site.

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

6. Below is a summary of the proposed standards for the subject site as described in the attached PUD narrative date stamped July 30, 2013, Attachment B. Many of the proposed standards were derived from the standards of the Commerce Park/Commercial zoning district.

Land Use

The narrative proposes uses under the following zoning districts: Commercial Office (C-O), Neighborhood Retail (C-1), Intermediate Commercial (C-2), and Commerce Park District (CP) of the Phoenix Zoning Ordinance.

Development Standards

The maximum proposed building height is 40 feet and the maximum lot coverage is 50%. The perimeter setbacks are 40 feet along McDowell Road, 20 feet along the east and west perimeters and 5 feet along the southern perimeter.

Landscaping Standards

A mix of two and three inch caliper trees placed 20 feet on center within a minimum 30 foot setback are proposed along McDowell Road to promote human comfort and visual interest surrounding the site. A 15 foot landscape setback is on the eastern interior property line and a 10 foot landscape setback is on the western interior property line.

Parking

Parking requirements shall comply with the city of Phoenix Zoning Ordinance.

Shading

The narrative proposes a shade program where 50% of key pedestrian paths will receive relief from the sun measured at noon, summer solstice.

Design Guidelines

The Development Narrative does not propose any new design guidelines; therefore all applicable design guidelines outlined in the Guidelines for Design Review section of the Zoning Ordinance will apply.

Phasing

The project will be constructed in a phased manner depending on market demand.

Signage

Signs for this PUD will be in conformance with the Sign section outlined in the Zoning Ordinance.

Sustainability

The narrative proposes several options to incorporate sustainability principles which may include a recycling program, light colored roofs and design for effective

water use.

STREETS AND TRAFFIC

7. The Street Transportation Department has indicated that there are right-of-way improvements needed for this site. Stipulations have been added to address these improvements.
8. A Traffic Impact Statement was approved by the Street Transportation Department on April 25, 2013.

MISCELLANEOUS

9. **Water**

The current site has a fireline and domestic water meters from a 12-inch ACP water main located on the north side of McDowell Road. There is a 16-inch RCP (Reinforced Concrete Pipe) water main on the south side of McDowell Road but should not be utilized for domestic use due to the pipe type being RCP and the water main classified as a transmission main.

Sewer

There is a 24-inch sewer main parallel with and adjacent to the south property line with an existing 8-inch sewer stub for connection from COP manhole 206. There is also a 10-inch and 15-inch sewer in McDowell Road. It shall be the developer's responsibility to assess the contours and depth of sewer mains to determine where the optimal location for connection can be made.

10. 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.

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 ViaWest 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 July 30, 2013.
2. A minimum 10-foot sidewalk easement shall be dedicated along the south side of McDowell Road, as approved by the Planning and Development Department.
3. The applicant shall complete a Red Border Letter to notify the Arizona Department of Transportation (ADOT) of development adjacent to its freeway corridor and submit it to the Street Transportation Department, with a copy to the Planning and Development Department Traffic Engineer and Civil Plans Reviewer.
4. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

Writer

Jacob Zonn
August 2, 2013

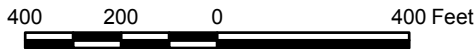
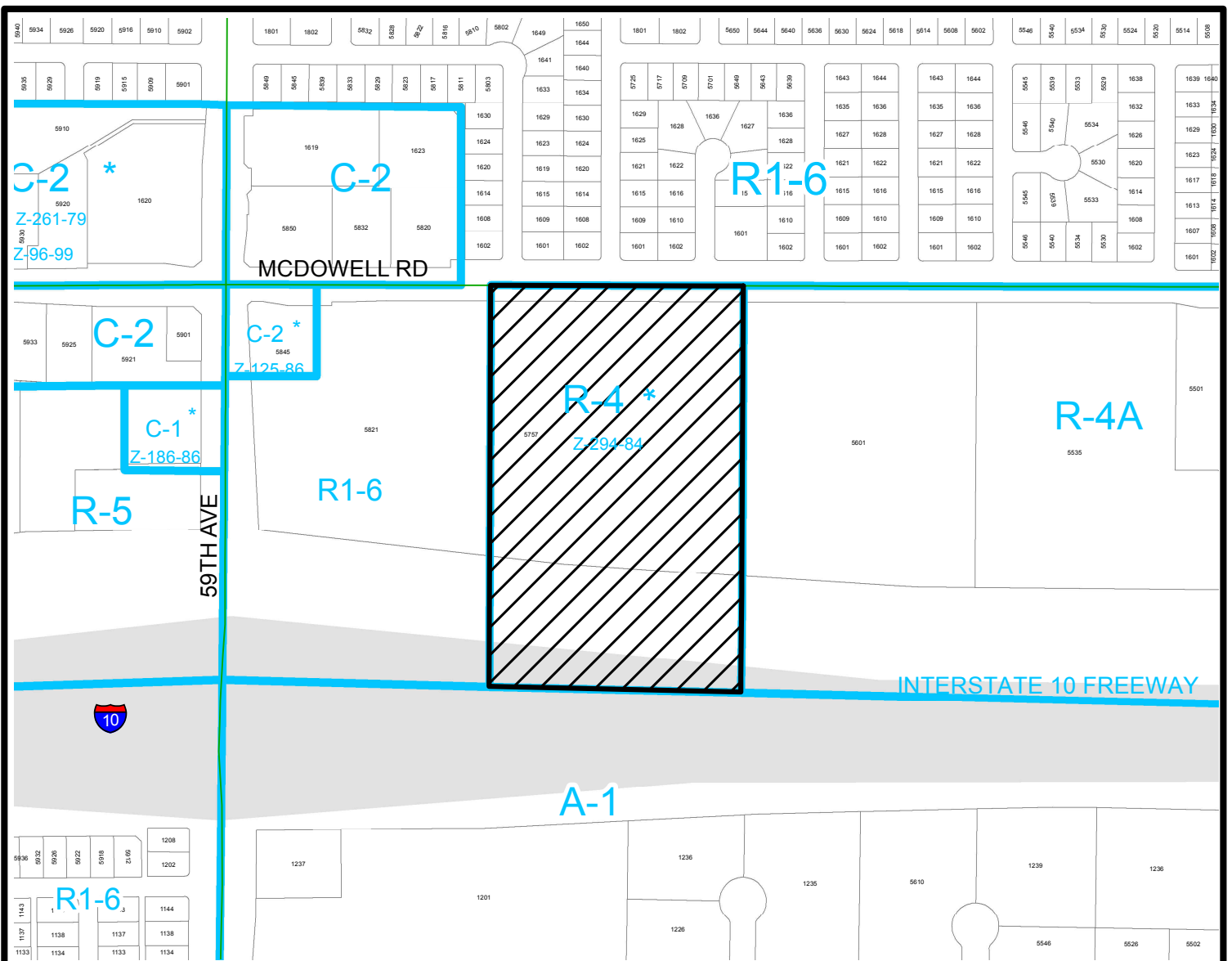
Team Leader

Josh Bednarek

Attachments

Attachment A: Sketch Map

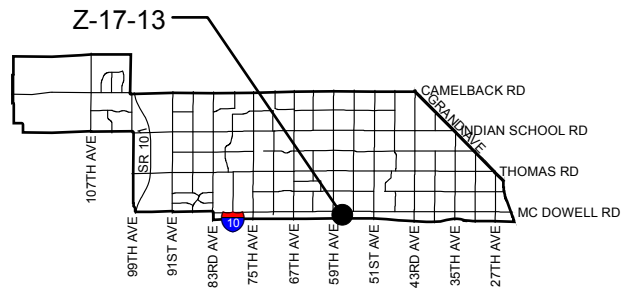
Attachment B: ViaWest PUD Narrative date stamped July 30, 2013



CITY OF PHOENIX PLANNING DEPARTMENT

MARYVALE VILLAGE

CITY COUNCIL DISTRICT: 4



| | | | |
|--|--|--|--|
| APPLICANT'S NAME: Michael Curley | | REQUESTED CHANGE: FROM: R-4, (15.17 a. c.) TO: PUD, (15.17 a. c.) | |
| APPLICATION NO. Z-17-13 | DATE: 4/19/13 | REVISION DATES: | |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 15.17 Acres | AERIAL PHOTO & QUARTER SEC. NO. Q12-15 | ZONING MAP G-5 | |
| MULTIPLES PERMITTED R-4 PUD | CONVENTIONAL OPTION 440 220 | * UNITS P.R.D. OPTION 528 264 | |

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



ViaWest Center

A Planned Unit Development

- for -

57th Avenue & McDowell Road

Case No. Z-17-13-4

Land Use and Development

Standards Narrative

1st Submitted: June 2013

2nd Submittal: July 2013

Draft Public Hearing Revisions:

July 30, 2013

Council Adopted:

Developer/Owner:

The ViaWest Group

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***Principles
&
Development Team***

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.

This PUD provides the regulatory zoning provision designed to guide the implementation of the overall development plan through the City of Phoenix development review and permit process. The provisions provided within this PUD shall apply to all property within the PUD project boundary. The zoning and development standards provided herein amend various provisions provided by the City of Phoenix Zoning Ordinance (as adopted and periodically amended). In the event of a conflict between a use, a development standard, or a described development procedure between the City of Phoenix Zoning Ordinance and the PUD, the PUD shall prevail.

PUD
General Statement

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A. Executive Summary

The purpose of the ViaWest Center Planned Unit Development (“PUD”) is to create specific standards to guide the development of the approximate 10.85 acre parcel located east of the southeast corner of 59th Avenue and McDowell Road. The request seeks to allow for development that does not fit within the conventional boundaries of underlying zoning districts, possible unusual mixed use developments or unusual land parcels. The subject property encompasses all of the above characteristics.

B. Purpose and Intent

1. Project Overview and Goals

OVERVIEW:

The purpose of this PUD located on approximately 10.85 acres of property located east of 59th Avenue and McDowell Road (on the north side of the I-10 West Freeway) is to enable the creation of an infill, employment campus that caters to a broad range of supportive uses.

The concept behind the subject request is to provide the ability for meaningful development to occur in response to current market conditions both now and in the future. As market trends continue to evolve and new business ventures seek to locate in this the area, this document will provide a general framework of guidelines, expectations of permitted uses and design standards in order to ensure compatibility with the general area.

GOALS:

The goal of the ViaWest Center PUD is to become a preferred option for employment-related uses in the west valley area. This PUD has been prepared pursuant to Section 671 of the Zoning Ordinance of the City of Phoenix in order to establish the regulatory framework for this plan that will emerge and develop over the next decade.

This land use and development standards narrative is intended to be a stand-alone document comprised of zoning regulations, including permitted uses, development standards and design guidelines for the project. Further, this PUD includes general background information to help illustrate the intent of the development. All images including the site plan and illustrative photos of various types of uses are conceptual representations of the proposed character and quality of the development. Plans and documents with specific designs will be processed through the City of Phoenix site plan review process in accordance with Section 507. Provisions not specifically regulated by the ViaWest Center PUD are governed by the City’s zoning ordinance. This PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements.

2. Overall Design Concept

The site is located adjacent to one of the City’s most desirous employment and industrial corridors and enjoys excellent regional access due to its strategic location just off the I-10 West Freeway. As previously noted, the subject property also has immediate access to major arterials in 59th Avenue, McDowell Road and 51st Avenue.

The site's critical setting adjacent to the freeway corridor and arterial roadways gives the proposed plan a unique opportunity to attract a wide spectrum of commercial, office, and commerce park users who seek excellent freeway access and nearby employment, commercial services and good public transportation.

The proposed building architecture will provide a distinct yet complimentary environment in keeping with other existing types of uses in the area. Specific building layout and overall architecture will be determined upon a future user (which is undetermined at this time).

ViaWest Center is a planned, employment campus development that will provide opportunities for a stand-alone or combination of uses including (but not limited to) business park/commerce park uses, office, restaurants, banks, general retail uses as well as storage and manufacturing.

The development plan emphasizes a varied approach to incorporate significant building and landscape setbacks along the site perimeter in order to maximize separation between uses and to minimize potential impacts on the existing residential uses north and east of the subject site. Further, the conceptual plan demonstrates the need for providing a variety of mature trees and a low-water use plant palette along McDowell Road.

Example of Low-Water Plant Palette



The request to establish comparable zoning with the Mixed Use General Plan land use designation seeks to accommodate flexibility for future design and site improvements, once a specific use has been determined. Upon approval of zoning entitlements, a more detailed and comprehensive site plan with building elevations will be submitted to the City for review and approval.

C. Development Plan

1. Site, Location, Acreage & Context

The subject property is situated east of the southeast corner of 59th Avenue and McDowell Road, immediately adjacent to the I-10 West Freeway off-ramp. The property is generally bounded by McDowell Road and a variety of commercial and residential uses to the north, vacant land to the west, an apartment complex to the east and the Interstate 10 West Freeway to the south.

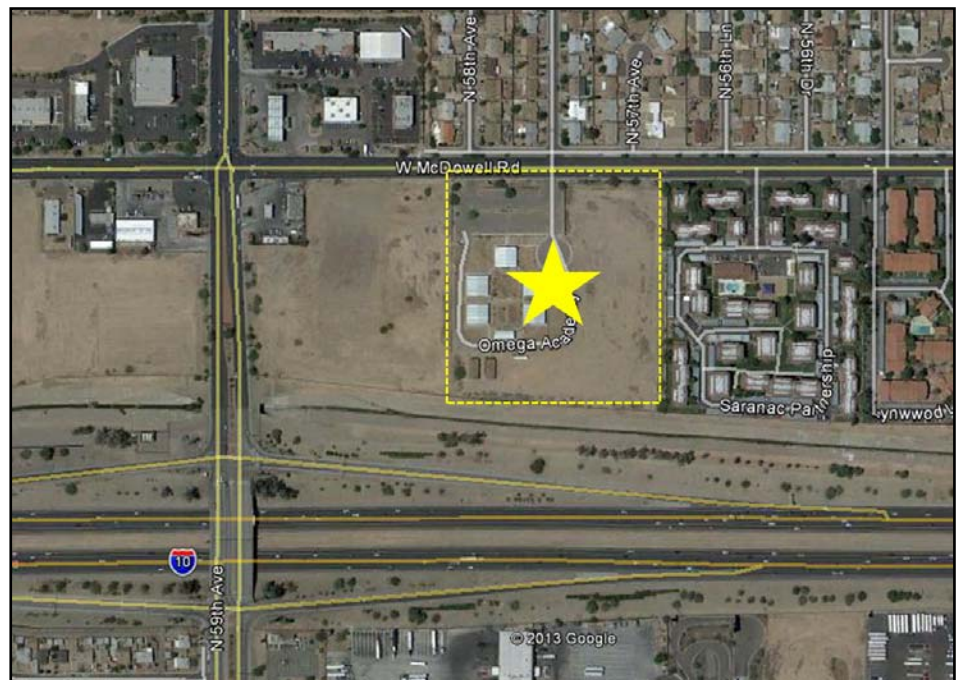
The subject request seeks to rezone the property from the current R-4 (Multi-Family) to Planned Unit Development (PUD) to allow for the development of business/commerce park users and other employment campus uses which implements the greater vision of the City of Phoenix's vision concept for development along the Interstate 10 (I-10) West Freeway corridor.

D. Location & Conditions

2. Topography & Natural Features

The topography of the existing 10.85 acre property is relatively flat with no natural features. The western half of the site was formerly utilized as a K-12 school (Omega Schools) which has remained vacant for nearly two years while the remaining balance of the site has remained vacant for much longer. At present the balance of the site remains in its natural desert condition with moderate growth of typical low-lying desert vegetation, including shrubs, bushes and trees.

Vicinity Map of Subject Property
East of 59th Avenue & McDowell Road



E. General Plan Conformance

The current General Plan Land Use designation for the subject property is 15+ du/ac Higher Density Residential land use which allows for higher density attached housing, multi-family condos, or apartments.

The ViaWest Center PUD which seeks a Mixed Use land use designation meets several General Plan objectives:

COMPATIBLE USES & TRANSPORTATION

A significant goal of the General Plan is to encourage integration of compatible uses so as to provide a cohesive environment that is in harmony with the existing character of the general area. The subject property is located within the Maryvale Village as defined by the City of Phoenix General Plan. Further, the General Plan designates the general area immediately south of the I-10 West Freeway as an “Employment Center” with the potential for there to be a “Future Employment Concentration” strip adjacent to the north side the freeway. The ViaWest Center PUD is consistent with these adopted policies which support employment-related uses at this general location.

1. Compliance with Specific Goals & Adopted Land Use Policies:

- 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.

- GOAL 4.
MIXED LAND USE DEVELOPMENT:
Mixed land use patterns should be developed within urban villages and at smaller scales to minimize the number of length of trips.

- GOAL 5.
INTEGRATION OF LAND USE AND TRANSPORTATION SYSTEMS:
An integrated land use and transportation system, which furthers the urban village model, minimizes the adverse impacts of the transportation system on housing businesses and public uses, should be encouraged:

Policy 2: Locate major traffic-generated land use on major streets in areas planned for such uses, or near parkway and freeway access and transit center or light rail transit stations, and avoid use of local streets.

- GOAL 8.
INCOMPATIBLE LAND USES:
Housing adjacent or within the vicinity of incompatible land uses should be protected from the impacts of those land uses, to the greatest extent feasible.

- GOAL 11.
GENERAL PLAN LAND USE MAP AND ZONING CONFORMITY:
The General Plan Land Use Map shall show the generalized land use plan for the City and the proposed street system with the exception of local streets. Zoning granted subsequent to the adoption of the General Plan or any amendments shall be in conformity with the land use category shown and defined on the General Plan.

EMPLOYMENT

Another major goal of the urban village model is to achieve an optimum threshold of 1.25 jobs to housing within each village. Available economic reports for the Maryvale Village reveal that the projected 2020 ratio is .87 jobs per household, indicating the area is underserved for jobs. This site is appropriately located for an employment campus which will allow uses such as office, commercial and commerce park related uses in order to increase the number of direct and indirect employment opportunities. Businesses will continue to locate in this area due to the exceptional freeway and future light rail access.

ENERGY CONSERVATION

The proposed PUD promotes energy conservation by providing employment-related uses within proximity of major arterial roadways, existing and proposed freeway expansion corridor as well as the future light rail system. Direct vehicular access from the site to arterial roadways will provide the necessary connectivity to regional transportation systems (I-10 West Freeway and future 202 South Mountain Freeway) without interrupting traffic patterns of local and/or collector roadways. The proposal achieves a logical pattern of development that may evolve over time in order to encourage transit ridership.

- 2. Compliance with Specific Goals & Adopted Circulation Policies:

- GOAL 3.
URBAN PUBLIC TRANSIT:
Encourage greater use of transit to reduce traffic congestion, conserve energy, and improve air quality.

Policy 1: Expand all forms of mass transit service to significantly increase the proportion of all trips using transit and reduce the proportion of trips in automobiles.



2012 Arizona Centennial Freeway Sign Interstate-10 Freeway

F. Zoning and Land Use

The development standards proposed are largely unchanged from the General Commerce Park zoning district except to recognize the property’s setting and eliminate the need for future variances.

The existing land uses and zoning adjacent to the site are as follows:

| Surrounding Land Uses and Zoning | | |
|---|---------------------------|-------------------|
| | Land Use | Zoning |
| On site | Vacant | R-4 (Z-294-84) |
| North | Commercial; Single-Family | C-2 and R1-6 |
| South | I-10 West Freeway | n/a |
| East | Apartments | R4-A |
| West | Vacant | R1-6 |

Immediately north of McDowell Road, there are a variety of uses including a Checker Auto Store, convenience/gas market, a commercial retail center anchored by the Dollar Store as well as single-family homes. Clearly, the pattern of development in this area consists of a mix of land uses including employment-related commerce park centers which are located approximately 1 mile from the site, just east of 51st Avenue along the north side of I-10 Freeway.

1. Land Use Category

ViaWest Center embraces a more intense employment campus with medium to low intensity uses including commercial retail, commerce and colleges/trade schools uses to compliment the accessibility and visibility of the I-10 West Freeway. In reviewing the City's General Plan and Zoning map as well as the development patterns in the immediate area, it is clear that the predominant land use within the vicinity of this freeway-orientated site is that of employment related uses, with little to no single family development located adjacent to the freeway. This PUD request clearly represents the highest and best use for the subject property as it provides opportunities for a variety of land uses through common design elements.

2. Land Use Compatibility

The proposed land use plan for ViaWest Center includes a single land use designation in order to promote the intent of the PUD and to accommodate flexibility with uses through design requirements and ensure compatibility among future land use opportunities within the project developed properties in the surrounding area as well as major regional capital investments that

are being made to the I-10 West Freeway as part of the future Loop 202 South Mountain Freeway system.

The subject PUD zoning request seeks a companion request to amend the existing 15+ du/acre Higher Density land use to allow for the proposed Mixed-Use land use designation (Case GPA-MV-1-13-4).

Further, The Arizona Department of Transportation and the Federal Highway Administration have recently released their Draft Environmental Impact Statement for the Loop 202 South Mountain Freeway Study which anticipates various freeway connection alternatives including a section of the new freeway to align with the 59th Avenue freeway interchange, just west of the subject site. The proposed South Mountain Freeway will provide a freeway connection between the I-10 East Freeway along the Pecos Road alignment and I-10 West Freeway and has been a critical part of the Maricopa Association of Governments' Regional Freeway Program since it was first included in funding through Proposition 300 approved by Maricopa County voters in 1985. It is the last section of freeway needed to complete the Loop 202 and Loop 101 freeway systems which is necessary for high-quality regional mobility.

G. List of Uses

ViaWest Center PUD allows for significant flexibility regarding land uses. The underlying intent of this PUD is to accommodate office, retail, and/or employment-related uses in any combination or to allow the development of the property under a single land use over the entire 10.85 acre property.

The following is a comprehensive list of permitted uses within the ViaWest Center PUD:

1. Permitted Principal Use:

- All permitted uses under the following zoning districts: Commercial Office (“C-O”), Neighborhood Retail (“C-1”), Intermediate Commercial (“C-2”), and Commerce Park District (“CP”) of the Phoenix Zoning Ordinance as amended and adopted by the City of Phoenix.
- Any similar uses to those permitted by the above-referenced zoning districts above as determined by the Planning and Development Director and/or their designee.

2. Permitted Accessory Use:

- Uses permitted as accessory use to a Permitted Principal Use as required by the City of Phoenix Zoning Ordinance.

3. Prohibited Use:

- Adult-oriented land uses
- Check Cashing Facilities
- Pawn shops
- Piercing studio
- Tattoo shops/parlor
- Auto Title Loan

H. Development Standards

1. Development Standards:

The purpose and intent of the provisions defined within the ViaWest Center PUD is to promote a more intense mixed-use development that will provide opportunities for high-quality office and commerce park uses through compatible design features. The requested development standards are intended to allow this property the ability to bring together employment related uses in a cohesively planned urban setting given the existing and future site constraints.

The adjacent freeway and future aforementioned regional improvements to the general area necessitate that the site be developed without adhering to the traditional development standards. Since there are no residential homes that exist west and south of the site, there is no need for large building setbacks along those perimeter property lines. However, since the eastern property line is shared with an apartment complex, a significant buffer between properties has been provided to ensure compatibility between uses.

This non-residential project results in development standards that are consistent with similar types of commerce/office park sites.

Development Standards for the ViaWest Center PUD are listed below:

TABLE 1. Development Standards

| Development Standards | | | | | | | | | |
|--|---|------------------------|-----------------|---------------------|-----------------|---------------------|-----------------|----------------------|----------------|
| <i>Minimum Lot Width/Depth:</i> | None | | | | | | | | |
| <i>Building Setbacks/Build to lines (measured from property line):</i> | <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">McDowell Rd(Arterial):</td> <td style="text-align: right;">Minimum 40-feet</td> </tr> <tr> <td>East Property Line:</td> <td style="text-align: right;">Minimum 20-feet</td> </tr> <tr> <td>West Property Line:</td> <td style="text-align: right;">Minimum 20-feet</td> </tr> <tr> <td>South Property Line:</td> <td style="text-align: right;">Minimum 5-feet</td> </tr> </table> | McDowell Rd(Arterial): | Minimum 40-feet | East Property Line: | Minimum 20-feet | West Property Line: | Minimum 20-feet | South Property Line: | Minimum 5-feet |
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| East Property Line: | Minimum 15-feet | | | | | | | | |
| West Property Line: | Minimum 10-feet | | | | | | | | |
| South Property Line: | Minimum 5-feet | | | | | | | | |
| <i>Building Height:</i> | Maximum 40-feet; 3 stories | | | | | | | | |
| <i>Building Separation:</i> | Per City of Phoenix Building Code | | | | | | | | |
| <i>Lot Coverage</i> | Maximum 50% | | | | | | | | |

2. Landscaping Design:

Landscaping within the ViaWest Center PUD will enable the building layout to fit appropriately to the land. The development will provide a landscape palette that is ecologically sensitive to the desert environment through the use of regionally appropriate materials and low water plants, all while still being lush and attractive. The purpose of this Landscaping Design section is to provide a baseline requirement for landscape improvements and establish a common theme for the development as a whole. These landscape guidelines are intended to provide the framework for the development of the overall landscape character for the ViaWest Center PUD. The guidelines include all areas of the site including perimeter treatments, open spaces and parking areas. The objective of these guidelines is to unify the project.

- *Specific Perimeter Treatments*

The perimeter shall be developed to have a consistent look. It is encouraged that the perimeter shall have a themed street tree landscape appearance. The perimeter of the site shall also incorporate the use of flowering desert shrubs and groundcovers that will provide a sense of identity and be compatible with the environmental conditions of the area. Drought tolerant shade trees and architecturally themed perimeter screen walls shall be incorporated along all site edges.

The arterial landscape theme will set the tone for the development's appearance from the perimeter and/or public's visual point as well as from adjacent properties, and provide an attractive edge treatment in order to define the high quality nature of the ViaWest Center development. An appropriate mix of canopy trees, groundcovers and shrubs provided between street and sidewalk, and between the sidewalk and parking or building areas, can create the desired attractive environment, while maintaining the native desert feel desired within the project.

- *Site Entrances*

The entries into the site shall be clearly identified as project entry points. The site entrances shall include increased and cohesive plant massings, themed plant species. Examples of landscape treatment in these areas may include palms, with shrub accent and groundcover plantings that add to site walls and directional signage.

- *Plant Materials*

The plant materials used for the landscape environment will emphasize native and other drought tolerant species according to the Low Water Using Plant List Phoenix AMA, State of Arizona Department of Water Resources.

Landscape Standards for the ViaWest Center PUD are listed below:

TABLE 2. Landscape Standards

| <i>Landscape Standards</i> | <i>PUD</i> |
|---|---|
| <u>Setbacks:</u> | |
| Northern Property Line <i>(McDowell Road)</i> | 30' minimum setback |
| Western Property Line <i>(not adjacent to a street)</i> | 10' minimum setback |
| Eastern Property Line <i>(not adjacent to a street)</i> | 15' minimum setback |
| Southern Property Line <i>(not adjacent to a street)</i> | 5' minimum setback |
| <u>Streetscape:</u> | |
| <i>Plant Type</i> | <i>Minimum Planting Size</i> |
| Trees | Min. 2-inch caliper (50% of required trees) Min. 3-inch caliper or multi-trunk tree (50% of required trees) |
| | 1 tree per 20' on center or equivalent group- ings |
| Shrubs | Min. (3) 5-gallon shrubs per tree |
| <u>Perimeter (Not Adjacent to a street):</u> | |
| <i>Plant Type</i> | <i>Minimum Planting Size</i> |
| Trees | Min. 1-inch caliper (100% of required trees) |
| | 1 tree per 20' on center or equivalent group- ings |
| Shrubs | Min. (3) 5-gallon shrubs per tree |

In addition to the landscape standards provided in **Table 2.** the following standards shall also apply:

- 1) Landscaping within the landscape setbacks shall incorporate an appropriate mix of shade trees along all property lines.
- 2) Turf may be used within the landscaping area.

- *Other Development Standards*

3. Parking:

Parking requirements shall comply with the “Off-Street Parking and Loading” Section of the Zoning Ordinance, unless otherwise noted in this PUD.

4. Landscaping, Fences & Walls:

All landscaping, buffering, and walls shall comply with the “Landscaping, Fences, Walls” Section of the Zoning Ordinance, unless otherwise noted in this PUD.

5. Accessory Uses:

All accessory buildings and uses shall comply with the “Accessory Uses and Structures” Section of the Zoning Ordinance, unless otherwise noted in this PUD.

I. Design Guidelines

6. Lighting:

All lighting shall comply with “Environmental Performance Standards” Section of the Zoning Ordinance, unless otherwise noted in this PUD.

All lighting on the site must be completely shielded.

7. Signs:

All signs shall comply with “Signs” Section of the Zoning Ordinance, unless otherwise noted in this PUD.

It is the intent of the PUD to create an attractive, high quality, mixed-use development incorporating a variety of architectural styles. Styles may, and should, vary while maintaining some common threads, which create compatibility between buildings and land uses. The representative images are for illustration purposes only, intended to communicate a general level of quality and design vocabulary and do not represent any specific buildings in the ViaWest Center.

Building Materials

Buildings within ViaWest Center will use the following approved exterior façade materials:

- Common clay brick.
- Architectural metal panels
- Poured in place, tilt-up or precast concrete provided that surfaces must be painted or have exposed aggregate finish (color and texture of exposed aggregate must be approved through the Design Review process).
- Stucco or EIFS (exterior insulated finish systems) type systems provided that finishes must be smooth or sand finish.
- Integrally colored concrete block, smooth face and/or split-face block units.
- Granite, marble or other natural stone.
- Ceramic tile.
- Sloped roofs may be flat concrete tile or architectural metal.
- Any roof access ladders shall be located inside the building.

- All roof drainage shall be interior roof drains or architecturally integrated into the building design.

Color Palette

Colors and light materials should be used to create visual harmony within ViaWest Center. The approved colors are as follows:

- Desert hues and other “earth tones”.
- Muted shades of blues, greens and reds found in the natural desert color vocabulary.
- Colors appearing in natural stone utilized in buildings.

J. Sustainability

The overall goal of this section is to identify sustainability standards which are an integral part of this project and also measurable and enforceable by the City. Further, this section identifies practices and/or techniques for which the property owner(s)/developer(s) will be responsible for as ViaWest Center continues to evolve.

This section seeks to promote fair, comprehensive and enforceable regulations that will create a positive sustainable environment for ViaWest Center. For example, providing a sustainable plant environment is important to the developers of ViaWest Center. Due to the growth and popularity of sustainable design, the US Green Building Council and its LEED rating system has ushered in demand for sustainable projects. ViaWest Center has derived many of the following standards from the LEED program. These objectives are set forth below:

City Enforceable Standards:

- Develop a shading program where 50% of key pedestrian paths will receive relief from the sun at noon on the summer solstice.

Practices highly encouraged by the Developer: While not a mandatory requirement the following development practices are considered desirable and should be pursued where practicable:

- Provide Water Efficient Landscaping (drought tolerant plants).
- Low water usage plumbing fixtures in the buildings.
- Low ‘e’ double pane windows.
- Recycling program for commercial users will be encouraged.
- Reduce “Heat Island” with light colored roofs or other techniques to improve the solar rating per the SRI (Solar Reflectance Index).
- The buildings’ HVAC systems may be designed to eliminate the usage of CFC’s and CFC based refrigerants.
- Using water based adhesives on all VCT and Vinyl flooring to minimize VOC off gassing.

K. Infrastructure

All street improvements, which include pavement, driveway curb cuts, attached sidewalks, landscaping, and streetlights adjacent to this site have been installed. No further off-site improvements are necessary at this time.

Grading and Drainage:

Will be submitted as part of the Planning and Development Department Site Plan submittal.

Water and Waste Water:

Water and wastewater infrastructure requirements will be determined at the time of the site plan or master plan review, when the final land-use and urban design of the property in question have been clearly identified and proposed water demands and wastewater generation and infrastructure locations have been clearly established. The project site may be served by the existing City of Phoenix water and wastewater systems pending capacity review and approval. Infrastructure improvements may be required to provide service. The improvements will be designed and constructed in accordance with City Code requirements and Water Service Department Design Standards, and Policies.

L. Phasing

ViaWest Center will be constructed in a phased manner depending on market demand. All needed off-site and on-site improvements will be constructed at the time each parcel is developed with a specific user. When a parcel is developed it will include needed street improvements to provide proper access to a street/frontage road, water and sewer connections into the City system, on-site storm water retention, and perimeter streetscape improvements adjacent to the parcel.

ViaWest Center
PUD Exhibits

Vicinity Map
Exhibit 1



**Proposed Zoning Plan
Exhibit 2**



Landscape Concept Character Plan
Exhibit 3

Conceptual Landscape Plan for:
5701 W. McDowell Rd
 Phoenix, Arizona



Applicant: Earl, Curley & Lagarde, P.C.
 3101 N. Central Ave. Suite 1000
 Phoenix, AZ 85012
 602-265-0094

Prepared for: ViaWest Group
 5110 N. 40th Street, Suite 110
 Phoenix, AZ 85018
 602-957-8300

Prepared by: Drifting Sands Design
 P.O. Box 24261
 Tempe, AZ 85285
 480-927-9208

Date: 6/11/2012

Approximate Scale: 0 50' 100' 200'

North

Notes:
 Plan is conceptual and subject to change.
 Not for construction purposes.

A Planned Unit Development
ViaWest Center 57th Avenue and McDowell Road

Legal Description

NO. 210-954-1079209

That part of the Northwest quarter of Section 5, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the intersection of the South line of the North 40 feet of said Northwest quarter with the East line of Lot 4 of said Section 5;

thence West (assumed bearing) along said South line, 644.14 feet to a point on an orthogonal line that intersects that North line of said Northwest quarter at a distance of 675.87 feet East of the Northwest corner of said Northwest quarter;

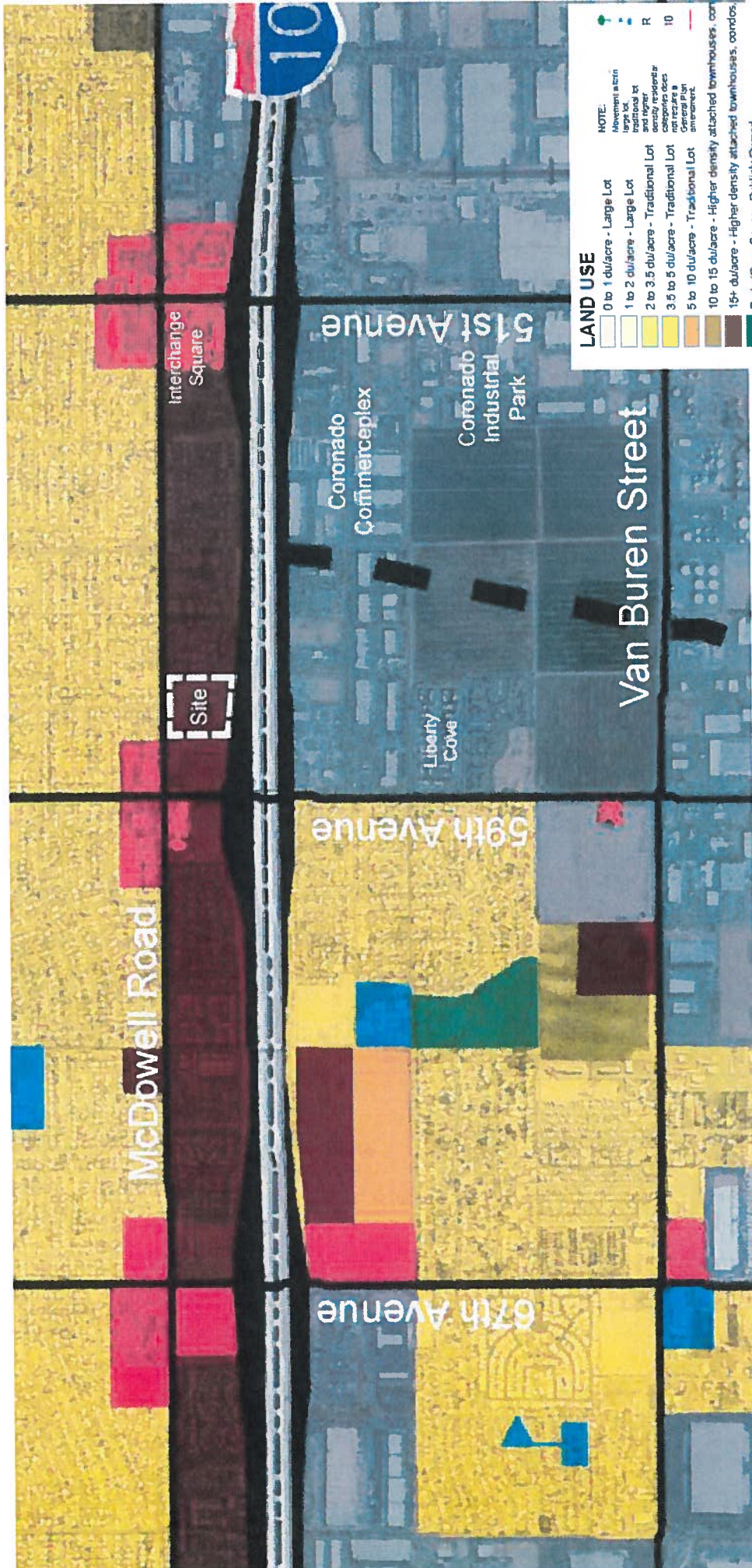
thence South along said orthogonal line 646.14 feet to a point on the Northerly right of way line of the Ehrenberg-Phoenix Highway as described in instrument recorded in Docket 15280, Page 1214, records of Maricopa County, Arizona;

thence South 83 degrees 54 minutes 31 seconds East along said Northerly right of way line, 188.78 feet;

thence continuing along said Northerly right of way, South 86 degrees 26 minutes 06 seconds East, 453.60 feet to a point on the East line of said Lot 4;

thence North 0 degrees 18 minutes 27 seconds East along said East line 694.80 feet to the POINT OF BEGINNING.

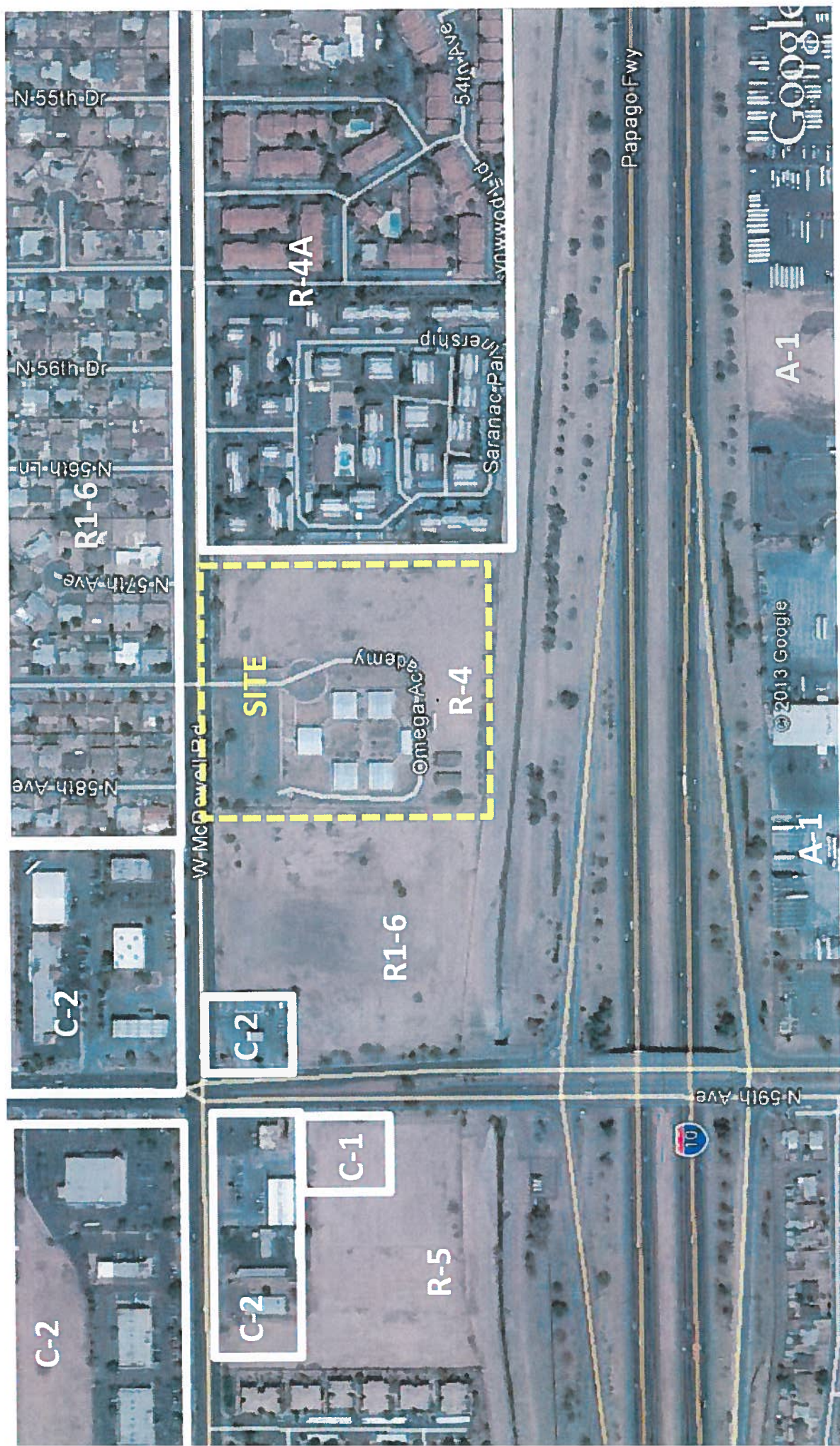
Existing General Plan Land Use Map Exhibit 5



Surrounding Uses Map
Exhibit 6



Existing Zoning Map
Exhibit Z



Development/Conceptual Site Plan
Exhibit 8

Conceptual Site Plan for:
5701 W. McDowell Rd
Phoenix, Arizona

Plan Data:

Parcel Number: 103-27-005F

Project Area: +/-10.85 Acres (Gross)

+/- 9.90 Acres (Net)

Existing Zoning: R-4 Multi-Family Residence District

Proposed Zoning: Planned Unit Development

Applicant:

Earl, Curley & Lagarde, P.C.

Contact: Michael Curley

3101 N. Central Ave, Suite 1000

Phoenix, AZ 85012

602-265-0094

Prepared for:

ViaWest Group

5110 N. 40th Street, Suite 110

Phoenix, AZ 85018

602-957-8300

Prepared by:

Drifting Sands Design

P.O. Box 24261

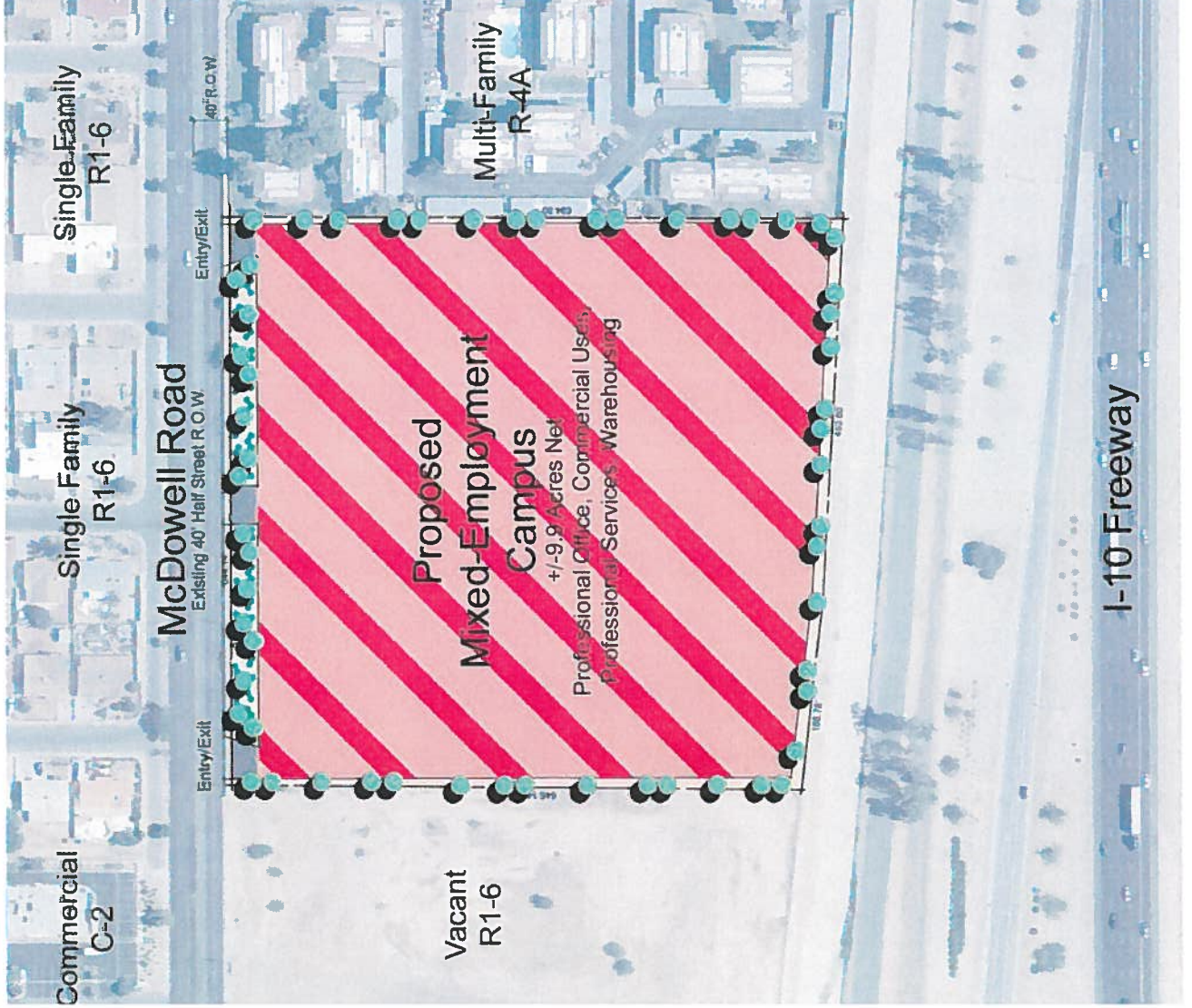
Tempe, AZ 85285

480-927-9208

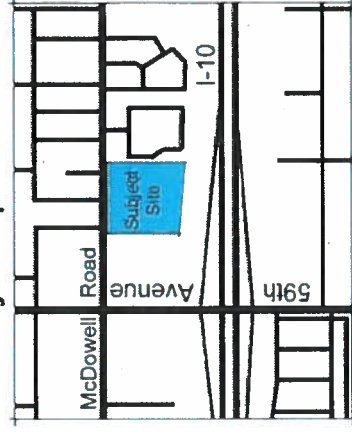
Notes:

Plan is conceptual and subject to change.

Not for construction purposes



Vicinity Map:



Date: 6/10/2012

Approximate Scale:
0 50' 100' 200'

North

A Planned Unit Development
ViaWest Center 57th Avenue and McDowell Road



Illustrative Photos of Architectural Character
Exhibit 9