



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-68-20-1
February 9, 2021

Deer Valley [Village Planning Committee](#) Meeting Date: February 11, 2021

[Planning Commission](#) Hearing Date: March 4, 2021

Request From: A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay) (77.17 acres)

Request To: PUD DVAO (77.17 acres)

Proposed Use: A mix of industrial and commerce park uses

Location: Southeast corner of 7th Avenue and Pinnacle Peak Road

Owner: Arizona State Land Department

Applicant / Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Denial as filed, approval of 59.24 acres

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Current: Industrial	
		Proposed (GPA-DV-3-20-1): Mixed Use (Industrial / Commerce / Business Park)	
<u>Street Map Classification</u>	7th Avenue	Not designated	0-foot west half street
	Pinnacle Peak Road	Arterial	0 and 55-foot south half street (right-of-way easement)
<i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING / INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.</i>			
The proposed PUD permits commerce park and industrial uses in area designated for these types of uses.			

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; JOB CREATION (EMPLOYERS); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.

The proposed PUD will reinforce the location as a destination for employment uses within the Deer Valley Major Employment Center.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; AIRPORTS; LAND USE PRINCIPLE: Continue to carefully monitor and evaluate all future land uses around the airports, protecting the airport from incompatible development that could pose a safety hazard to aircraft passengers, or to individuals living or residing in those areas.

The proposed PUD restricts residential land uses and establishes a land use mix that will be compatible with the Deer Valley Airport's operations.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The PUD contains development standards and guidelines that require a significant landscape setback along the perimeter streets. This landscape setback will provide for a double row of trees adjacent to sidewalks.

Applicable Plans, Overlays, and Initiatives

[Deer Valley Airport Overlay District](#): See Background Item No. 4

[Deer Valley Major Employment Center](#): See Background Item No. 5

[Deer Valley Village Character Plan](#): See Background Item No. 11

[Tree and Shade Master Plan](#): See Background Item No. 12

[Complete Streets Guidelines](#): See Background Item No. 13

[Zero Waste PHX](#): See Background Item No. 14

Background/Issues/Analysis

PROPOSAL

1. This request is to rezone approximately 77.17 acres at the southeast corner of 7th Avenue and Pinnacle Peak Road from A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay) to PUD DVAO (Planned Unit Development, Deer Valley Airport Overlay District).

The proposal includes a portion of property currently owned by the City of Phoenix for the Deer Valley Airport. As discussed in the departmental comments below, the Aviation Department has chosen not take part in the rezoning request. The original request area as well as the staff recommended request area are shown below in Figure 1.

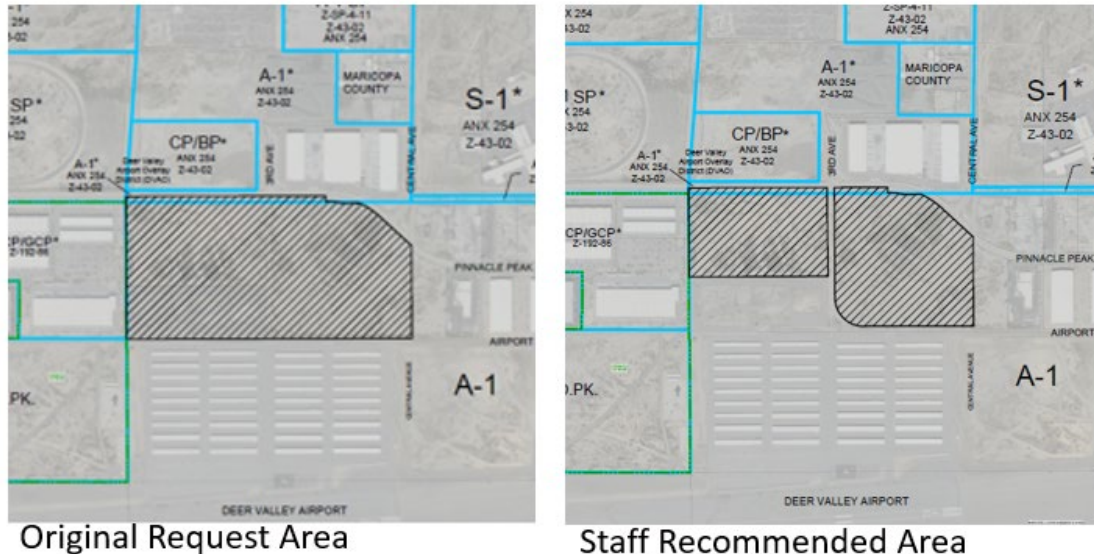


Figure 1: Source: City of Phoenix Planning and Development Services Department

Staff is recommending that only the property owned by the Arizona State Land Department be included in the request. The original request area as well as the staff recommended request area are shown below in Figure 1.

The PUD provides a zoning and regulatory framework to permit a mix of commerce park and industrial land uses. The subject property is State Trust Land and is managed by the Arizona State Land Department (ASLD). The ASLD, in partnership with the City of Phoenix, has identified strategically located parcels that are positioned to provide maximum benefit to the Trust's Beneficiaries when auctioned. Proceeds from ASLD auctions go to a variety of beneficiaries including public schools and the state's public universities. The subject property's proximity to the Deer Valley Airport and Interstate 17 Freeway position it well for future investment.

EXISTING SITE CONDITION

2. The site is currently vacant. Exhibit B attached to this report is an aerial map of the subject property and surrounding area.

GENERAL PLAN LAND USE MAP DESIGNATIONS, LAND USES AND ZONING

3. The table below (Figure 2) provides a summary of the onsite and surrounding General Plan (GP) Land Use Map designations, existing land uses and zoning.

Location	GP Land Use	Existing Land Uses	Zoning
North	Industrial	Vacant Land, Warehouse	A-1 DVAO and CP/BP DVAO
South	Public/Quasi-Public	Deer Valley Airport	A-1 DVAO
East	Industrial	Vacant Land	A-1 DVAO
West (Across 7th Avenue)	Industrial	Commerce Park and Fed Ex Distribution Center	S-1 SP DVAO, CP/GCP DVAO (Approved CP/GCP DVAO)

Figure 2: Surrounding Land Use Designations, Land Use and Zoning

The property’s current General Plan Land Use Map designations only permit industrial land uses on the site. A companion General Plan Amendment request (GPA-DV-3-20-1) proposes a Mixed Use land use designation of Industrial / Commerce / Business Park. This Mixed Use designation will allow commerce park and industrial land uses the flexibility to locate on any portion of the site in compliance with the PUD’s development standards.

The property is zoned A-1. The A-1 designation was part of Annexation No. 86 which established equivalency zoning for the subject property and surrounding properties when the City annexed them in 1972.

The PUD’s proposal for both commerce park and industrial land uses is consistent with the zoning on adjacent properties. The subject site is adjacent to property with either some portion of the property zoned Commerce Park or Light Industrial on all four sides.

DEER VALLEY AIRPORT OVERLAY DISTRICT

4. The site falls within the boundaries of the Deer Valley Aripport Overlay District (DVAO). The City Council adopted the DVAO in 2006 to protect the health, safety and welfare of persons and property in the vicinity of Deer Valley Airport (DVA) and to protect the long term viability of DVA as a general aviation facility by ensuring land use compatibility with airport operations, protecting navigable airspace from physical encroachment and requiring permanent notice of flight operations to property owners.

The DVAO establishes different regulatory areas within its boundaries – Areas 1, 2 & 3. Area 1 of the DVAO places a restriction on residential development within A-1 zoned properties. Areas 2 & 3 have additional use restrictions and Area 3 has additional building height restrictions. The subject properties fall within the boundaries of Area 1. Figure 3 on the following page is a map of the boundaries of the DVAO Areas along with the proposed subject

site boundary.

The proposed PUD will maintain and adhere to the the DVAO. The PUD's permitted use list is consistent with the DVAO's restrictions and goes even further to completely restrict residential land uses. The PUD's regulatory framework ensures that the property will develop in a manner that is compatible with the ongoing operations of the Deer Valley Airport.

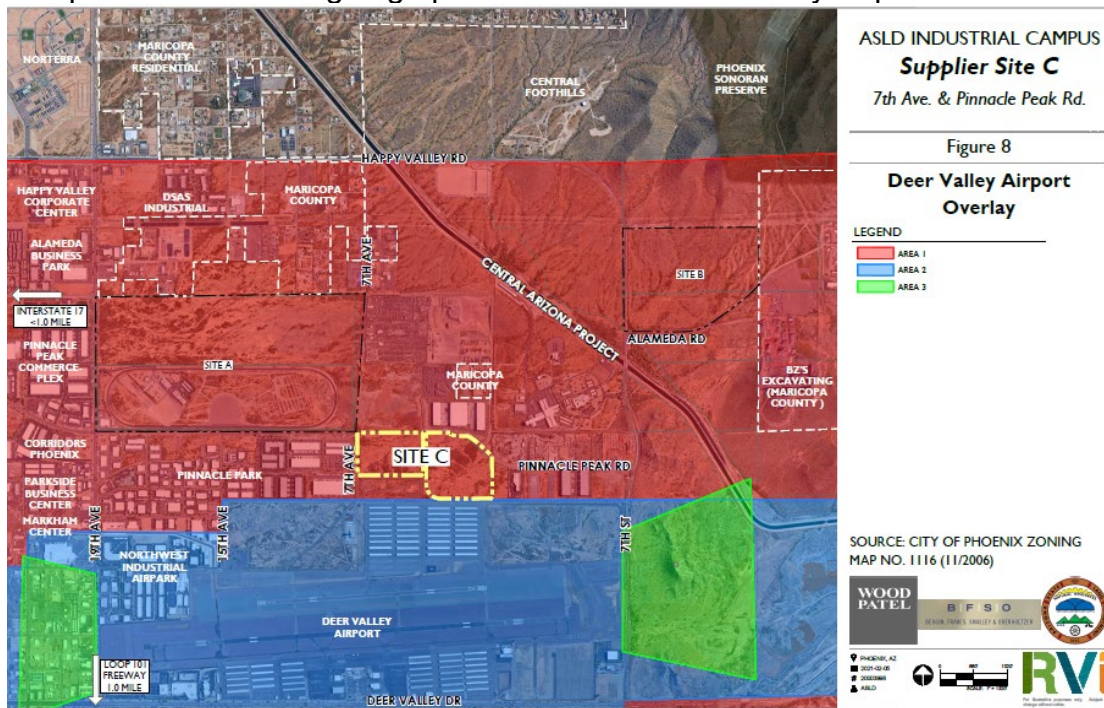


Figure 3: DVAO Areas (Source: RVI)

DEER VALLEY MAJOR EMPLOYMENT CENTER

- The subject site is located within 1.75 mile of the Interstate 17 Freeway and within the Deer Valley Major Employment Center. The proposed PUD will position the site to add additional employment opportunities within the employment center and within close proximity to a major freeway corridor.

PUD NARRATIVE

- The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied. Stipulation No. 1 includes a requirement to provide an updated version

of the narrative after City Council approval.

7. **Land Use:** The PUD permitted use list consists of the permitted uses from the A-2 Industrial District and the Commerce Park District's General Commerce Park option. The use list will permit a variety of uses that are consistent with the permitted uses in the surrounding area and will be compatible with the operations of Deer Valley Airport. In order to ensure that the site is development with the desired employment-oriented uses and with the goal of ensuring compatibility with the Deer Valley Airport, the PUD prohibits residential uses on the property.

8. **Development Standards:** The PUD establishes a uniform set of development standards for the entire site. A full list of the development standards can be found on page 8 in the PUD Narrative. Below is a summary that highlights some of the development standards.

- **Building Height:** Maximum 80 and in addition to the building height exceptions outlined in the Zoning Ordinance (Section 701.B), non-habitable mechanical equipment and structures that may include, but are not limited to, elements such air separators, exhaust pipes, storage tanks, and gas processing equipment are permitted up to 150 feet in height.
- **Open Space:** For any property development in excess of 56 feet: A minimum of ten 10 percent of the parcel's total net area shall be open space with appropriate landscaping and other employee-oriented amenities.
- **Building / Landscape Setbacks**
 - o Arterial or Collector Street: 50 feet minimum.
 - o Local Street: 20 feet minimum.
 - o Not adjacent to a street: 0 feet minimum.
 - o Airport strip that bifurcates the property shall comply with streetscape setbacks.

The PUD's standards for landscape setbacks exceed those in the Commerce Park / General Commerce Park and A-2 zoning districts. The landscape setback standards will provide for a significant buffer between the onsite uses and the adjacent streets. The PUD also contains enhanced landscaping standards for the landscape setbacks. The setbacks along streets will be required to provide a tree every twenty feet, five shrubs per tree and a minimum of 60 percent of the setback area having live ground cover. The airport strip that bifurcates the property shall comply with street setbacks, as recommended in Stipulation No. 1.b. as it is planned to be utilized as a road in

the future.

The PUD utilizes the Zoning Ordinance standards for parking, signs, lighting and screening.

9. **Streetscape & Other Guidelines:** The PUD Narrative outlines additional provisions to enhance the projects interface with public streets. The PUD will require the provision of a detached sidewalk along the site's perimeter streets with a double row of trees. The PUD also contains guidelines that address the design of buildings and open space.
10. **Development Phases:** The PUD does not propose a phasing schedule for the site. Infrastructure improvements and enhanced streetscapes are addressed in the PUD Narrative and the stipulations will be administered as redevelopment occurs on the site.

PLANS AND INITIATIVES

11. **Deer Valley Character Plan:** The Deer Valley Village Planning Committee and Phoenix City Council adopted the Deer Valley Village Character Plan in 2018. Development of a Character Plan by each of the fifteen Village Planning Committees was called for in the 2015 General Plan Update. The Deer Valley Village Character Plan celebrates the village's assets and highlights elements of the 2015 General Plan that the Deer Valley Village Planning Committee identified as most relevant to their community. The PUD Narrative addresses several of the General Plan policies identified in the Character Plan including support for land use and rezoning cases that facilitate the location of employment generating uses in employment centers and development of sites with existing infrastructure and transportation capacity.
12. **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.

The PUD contains the following provisions that help to advance the goals of the Tree and Shade Master Plan:

- Minimum 75 percent shading of all publicly accessible sidewalks and trails along arterial and collector roadways by means of vegetation at maturity and/or shade structures.
 - Detached sidewalks along both sides of public streets with single trunk trees.
13. **Complete Streets Guidelines:** In 2014, the City of Phoenix City Council

adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The PUD Narrative specifically addresses the Complete Street Guidelines in sections 6c on pages 3 through 8.

The General Plan's Trail Map call for a multi-use trail (MUT) along the south side of Pinnacle Peak Road. Stipulation No. 2 has been included requiring the dedication of the trail easement and eventual construction of the trail.

14. **Reimagine Phoenix:** As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The PUD Narrative does not address how recycling will be provided on site.

COMMUNITY CORRESPONDENCE

15. At the time of this report the Planning and Development Department had not received any comments from the community regarding this request.

INTERDEPARTMENTAL COMMENTS

16. **Public Works Department, Flood Plain Management Division:** 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 1280 L of the Flood Insurance Rate Maps (FIRM) dated January 29, 2015.
17. **Fire Department:** The Department's Fire Prevention Division saw no issues with the request but did emphasize that the site or/and building(s) shall comply with the Phoenix Fire Code. The Department went on to note that the water supply for the site is unknown at this time and will need to be addressed to meet the required fire flow per the Phoenix Fire Code.
18. **Street Transportation Department:** The Street Transportation Department provided several comments related to street planning, design and pedestrian safety that have been addressed in the PUD Narrative. Stipulation Nos. 3 through 8 address the requirements for the project to dedicate the necessary right-of-way for adjacent streets, street construction and the requirement for a traffic impact study.
19. **Public Transit Department:** The Public Transit Department requested the PUD Narrative address pedestrian safety connectivity, safety and comfort between any public transit facilities and buildings on the site. These requests are addressed in Stipulation Nos. 2 through 5.

20. **Aviation Department:** The Aviation Department reviewed the request and shared that they were not interested in including the airport property as part of the request. Due to the property's proximity to the Deer Valley Airport, the Aviation Department has requested requiring coordination with the Federal Aviation Administration and additional notice to prospective purchasers. These requests are addressed in Stipulations Nos. 10 and 11.
21. **Archaeology Office:** The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation 12.

OTHER

22. Development and use of the site are 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 PUD provides a framework for the development of the site and positions the area for future investment.
2. The PUD contains standards that ensures development on the site will be consistent with the area's character and compatible with surrounding uses and the ongoing operation of the Deer Valley Airport.
3. The PUD will further establish the site as a destination for employment uses that maximize the site's existing transportation infrastructure assets.

Stipulations

1. An updated Development Narrative for the ASLD Supplier Site C 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 dated February 1, 2021 as modified by the following stipulations.
 - a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
1st Submittal: December 11, 2020
Hearing Draft: February 1, 2021

City Council adopted: TBD

- b. Add standards to the narrative that indicate that the property adjacent to the City of Phoenix strip that bifurcate the PUD area shall be treated as non-collector/non-arterial street for purposes of landscape and setback requirements.
 - c. Update all exhibits and acreage to reflect the updated property boundary exclusive of the City of Phoenix Deer Valley Airport parcel.
2. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along Pinnacle Peak Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as modified and approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
3. The developer shall dedicate 55-feet of right-of-way and construct the south half of Pinnacle Peak Road for the full limits of the project, west of Central Avenue, per Cross Section C standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.
4. The developer shall dedicate 50-feet of right-of-way and construct the south half of Pinnacle Peak Road for the full limits of the project, east of Central Avenue, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.
5. The developer shall dedicate 40-feet of right-of-way and construct the east side of 7th Avenue for the full limits of the project per the City of Phoenix collector street standards, as approved by the Planning and Development Department.
6. The developer shall dedicate and construct the remainder of the existing cul-de-sac at the southern end of 7th Avenue, as approved by Planning and Development Department.
7. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Street Transportation Department to set up a meeting to discuss requirements of the study. The TIS shall include a signal warrant analysis for the intersections of 7th Avenue and Pinnacle Peak Road, 7th Street and Pinnacle Peak Road and Central Avenue and Pinnacle Peak Road. The developer shall be responsible for and additional dedications and cost of improvements as required by the approved Traffic Impact Study.
8. All designated public roadways shall meet the City of Phoenix, Storm Water

Design Manual for wash crossings.

9. 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.
10. The developer shall submit 7460 Forms to FAA and receive FAA no hazard determination or mitigations approved by FAA for both temporary (eg, construction cranes) and permanent (eg, structures) development, prior to final site plan approval as modified and approved by the Aviation and Planning and Development departments.
11. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport, as required by the State, prior to final site plan approval as modified and approved by the Aviation and Planning and Development Departments.
12. 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

February 9, 2021

Exhibits

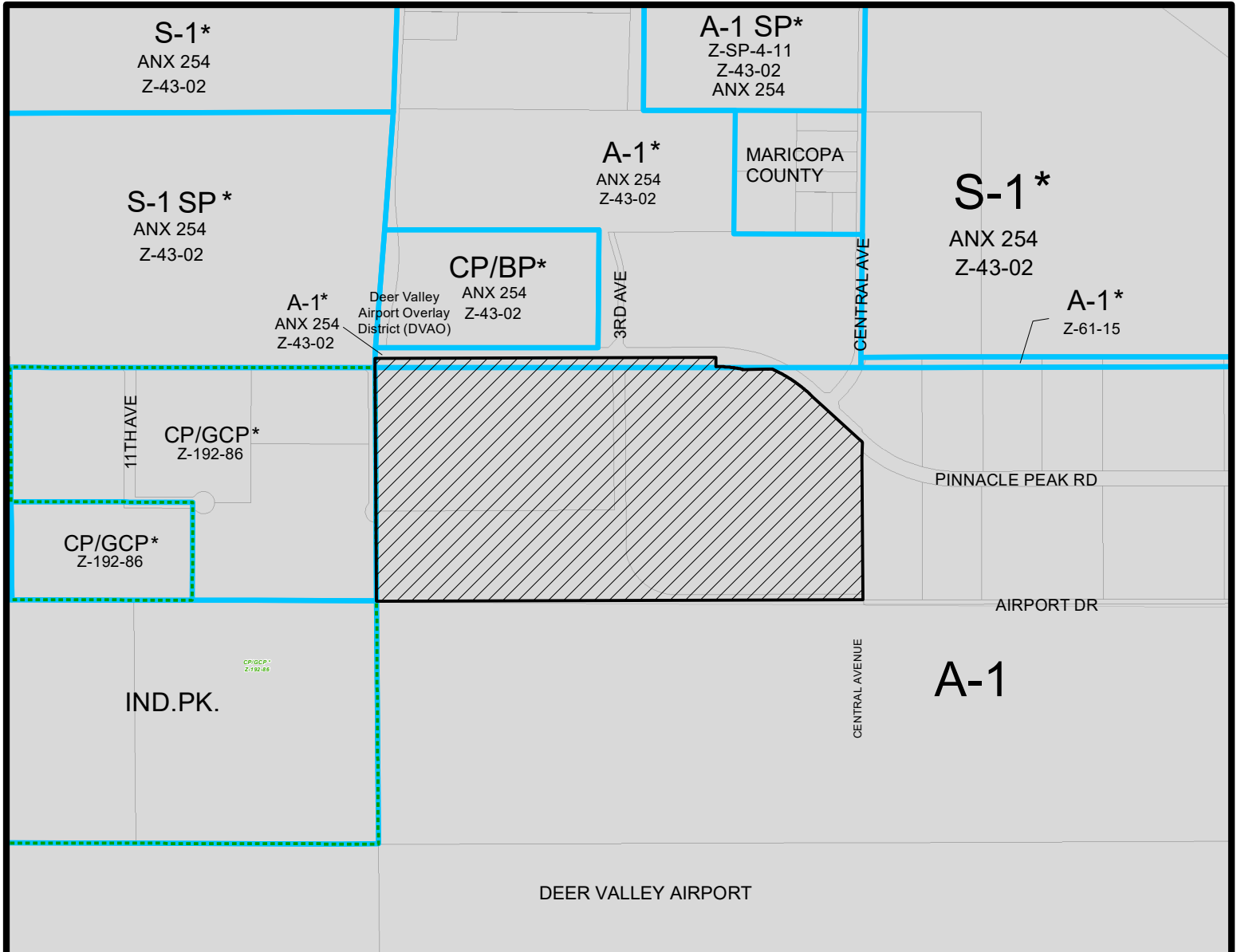
Zoning sketch map

Aerial sketch map

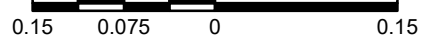
Proposed Zoning sketch map

Proposed Aerial sketch map

[ASLD Supplier Site C PUD Narrative Hearing Draft](#) date stamped February 1, 2021

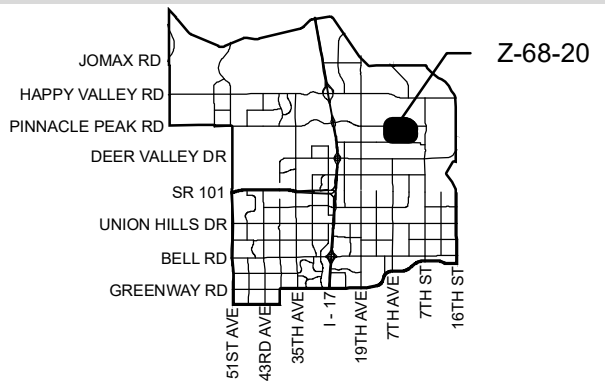


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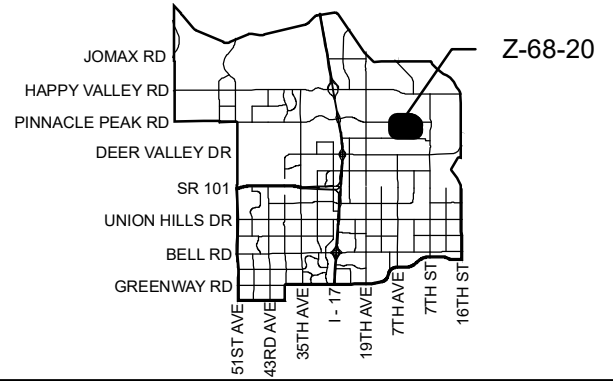
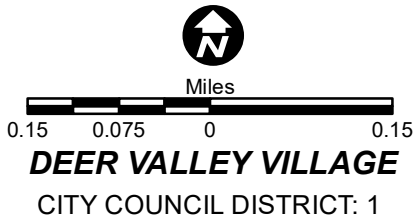
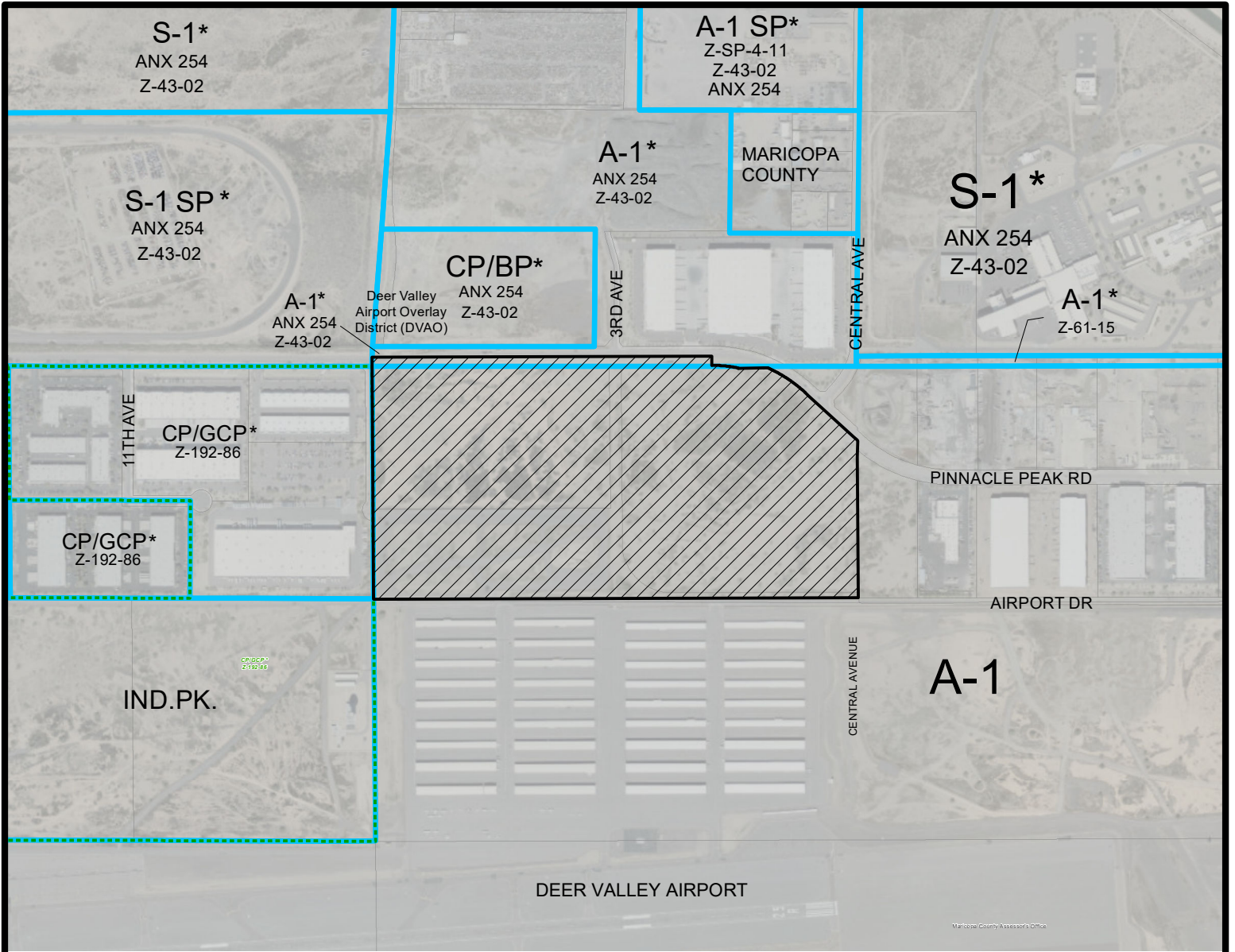


DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1

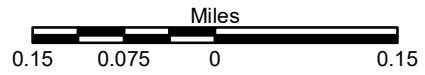
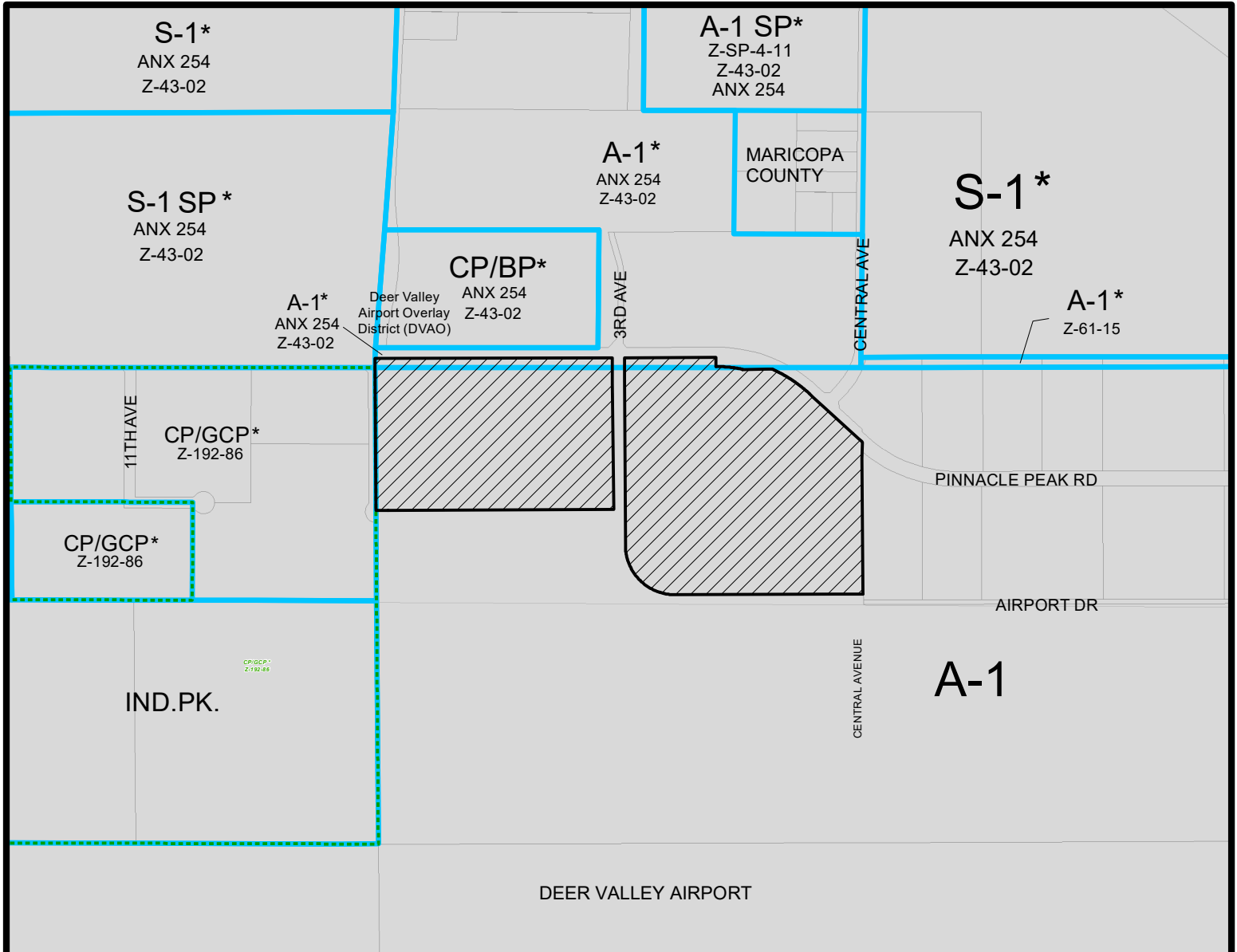


APPLICANT'S NAME: City of Phoenix Planning and Development Department		REQUESTED CHANGE: FROM: A-1 DVAO (77.17 a.c.)	
APPLICATION NO. Z-68-20	DATE: 12/22/2020	REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 77.17 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 44-27	ZONING MAP O-8	TO: PUD DVAO (77.17 a.c.)
MULTIPLES PERMITTED A-1 DVAO PUD DVAO	CONVENTIONAL OPTION N/A N/A		* UNITS P.R.D. OPTION N/A N/A
* Maximum Units Allowed with P.R.D. Bonus			

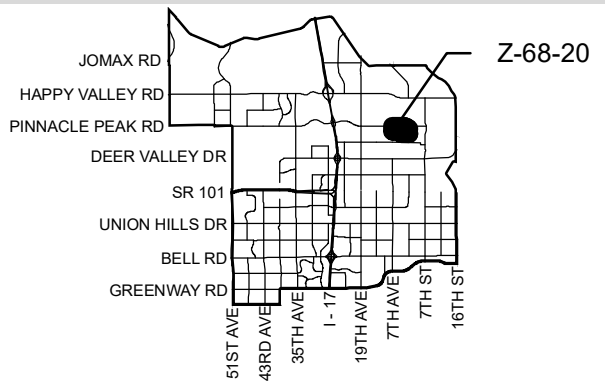


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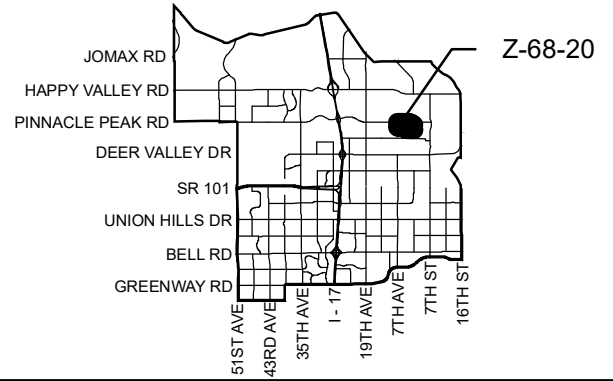
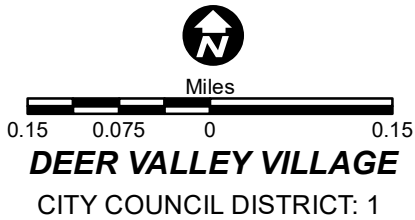
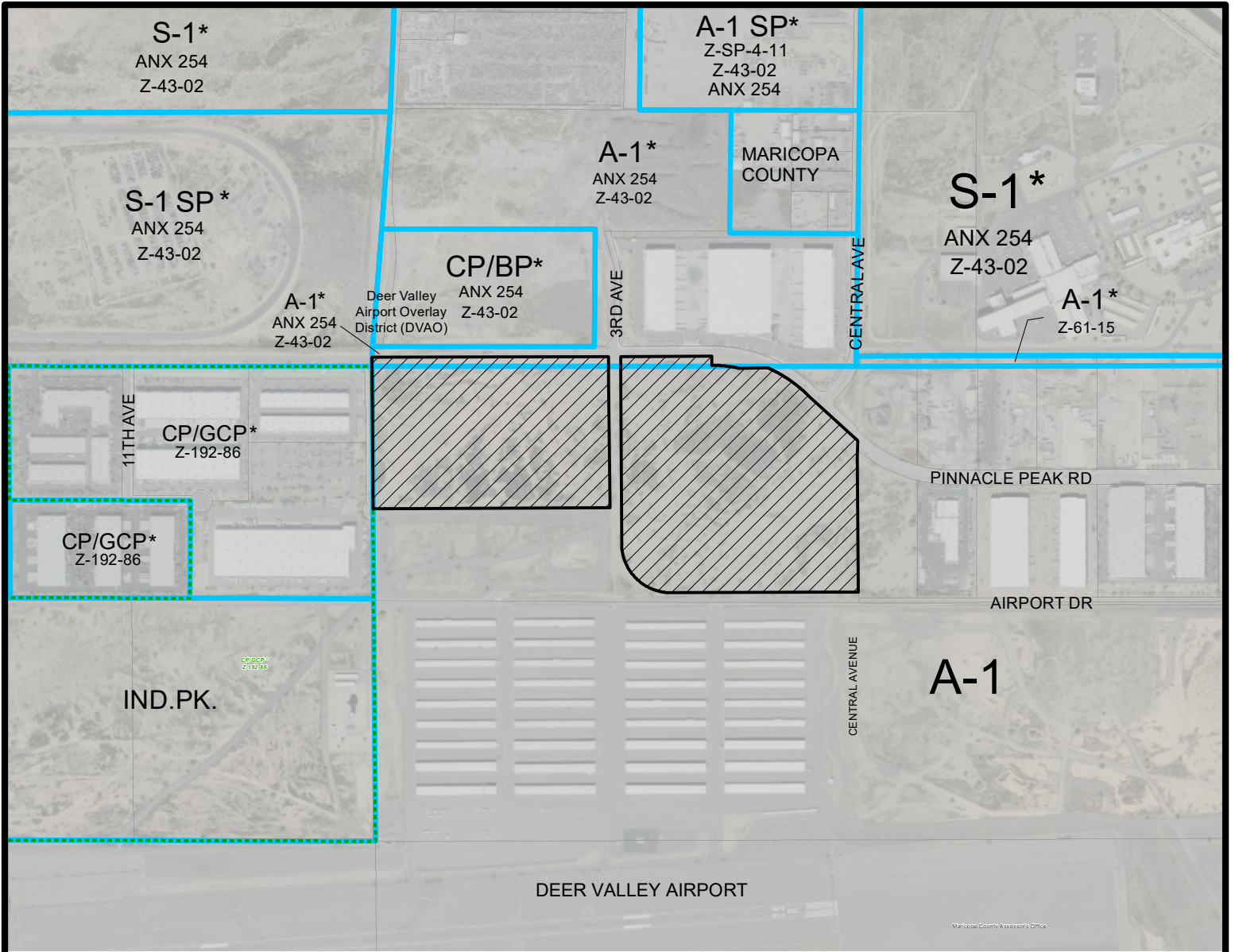
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DEER VALLEY VILLAGE
CITY COUNCIL DISTRICT: 1



APPLICANT'S NAME: City of Phoenix Planning and Development Department		REQUESTED CHANGE: FROM: A-1 DVAO (59.24 a.c.)	
APPLICATION NO. Z-68-20	DATE: 12/22/2020	REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 59.24 Acres	2/01/2021		
	AERIAL PHOTO & QUARTER SEC. NO. QS 44-27	ZONING MAP O-8	TO: PUD DVAO (59.24 a.c.)
MULTIPLES PERMITTED A-1 DVAO PUD DVAO	CONVENTIONAL OPTION N/A N/A		* UNITS P.R.D. OPTION N/A N/A
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