



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

## Staff Report: Z-SP-1-17-1

April 11, 2017

<b>Deer Valley Village Planning Committee Hearing Date</b>	April 20, 2017
<b>Planning Commission Hearing Date</b>	May 4, 2017
<b>Request From:</b>	C-2 DVAO (0.50 acres)
<b>Request To:</b>	C-2 DVAO SP (0.50 acres)
<b>Proposed Use</b>	Massage establishment and all underlying C-2 uses
<b>Location</b>	Southeast corner of I-17 and Happy Valley Road
<b>Owner</b>	Vestar Arizona, XXXI, LLC
<b>Applicant/Representative</b>	Rod Jarvis, Earl, Curley & Lagarde, PC
<b>Staff Recommendation</b>	Approval with a stipulation

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Mixed Use (Commercial / Commerce-Business Park)	
<b>Street Map Classification</b>	Black Canyon Highway (I-17)	ADOT right-of-way	
	Happy Valley Road	Major Arterial	85 feet south half right-of-way
<b>CONNECT PEOPLE AND PLACES CORE VALUE</b>			
<i>OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i>			
<b>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE</b>			
<i>DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.</i>			
The proposed massage establishment will add to the diversity of employment opportunities in the area, as well as providing a sought after service and resource to residents and employees in the area. The use is compatible with other uses existing within the shopping center and surrounding area.			

**Area Plans / Special Planning Areas**

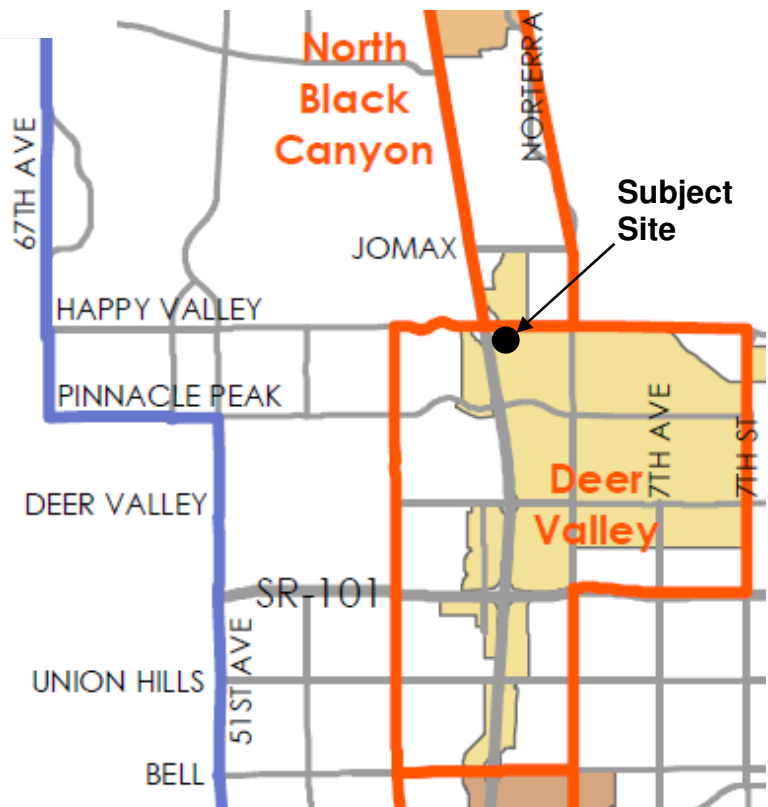
**DEER VALLEY AIRPORT OVERLAY**

The subject site is located within the Deer Valley Airport Overlay District (DVAO), Area 1 and the proposed use does not conflict with the provisions of the overlay district. 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 property owner will be required to record a disclosure notice to future owners or tenants of the property regarding the proximity to the Phoenix Deer Valley Airport.

**DEER VALLEY EMPLOYMENT CENTER**

The site is located in the Deer Valley Employment Center, along the Interstate-17 freeway and is in a predominantly commercial area.

The proposed use will add to the diversity of employment opportunities in the area.



**Surrounding Land Uses/Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Shopping Center (Happy Valley Towne Center)	C-2 DVAO
<b>North</b>	Shopping Center (Shops at Norterra)	C-2 M-R PCD
<b>South</b>	Hotel	C-1 SP DVAO (Approved) C-2 M-R DVAO
<b>East</b>	Shopping Center (Happy Valley Towne Center)	C-2 DVAO
<b>West</b>	Freeway Park and Rode Facility and Correctional Facility	C-2 DVAO S-1 DVAO

### **Background/Issues/Analysis**

1. This is a request to rezone 0.50 acres from C-2 DVAO (Intermediate Commercial, Deer Valley Airport Overlay) to C-2 SP DVAO (Intermediate Commercial, Special Permit, Deer Valley Airport Overlay) to allow a massage establishment and all underlying C-2 uses.
2. The General Plan land use designation for the subject site is Mixed Use (Commercial / Commerce-Business Park). The proposal is consistent with the General Plan designation and the land uses in the area.
3. The requested rezoning area is within an existing building that is part of the Happy Valley Towne Center, a shopping center with several major tenants. The rezoning area includes a vacant suite as well as additional space in the event there is opportunity to expand in the future.



The proposed massage establishment will be an Elements Massage. The building is located at the southwest corner of the shopping center.

4. The existing vacant suite and surrounding suites are depicted on the photographs below:



5. The City of Phoenix requires licensing for the massage practitioner, the massage establishment and anyone with 20% or more interest in the establishment.
6. The subject site is located in proximity to the Deer Valley Airport. As such the Aviation Department has proposed a stipulation requiring property owners to disclose the existence and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The requested Notice to Prospective Purchasers follows policy set regarding the properties in the City of Phoenix underlying the flight patterns of the Phoenix Deer Valley Airport.
7. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in Shaded Zone X, on panel 1280 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
8. 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 abandonment may be required.

### **Findings**

1. The proposal is consistent with the Mixed Use (Commercial / Commerce-Business Park) General Plan Land Use designation.
2. The proposal will provide a specialized commercial service that caters to the diverse needs of the community within an existing shopping center.

**Stipulation**

1. The property owner shall record documents that disclose the existence and operational characteristics of the 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.

**Writer**

Racelle Escolar

April 11, 2017

**Team Leader**

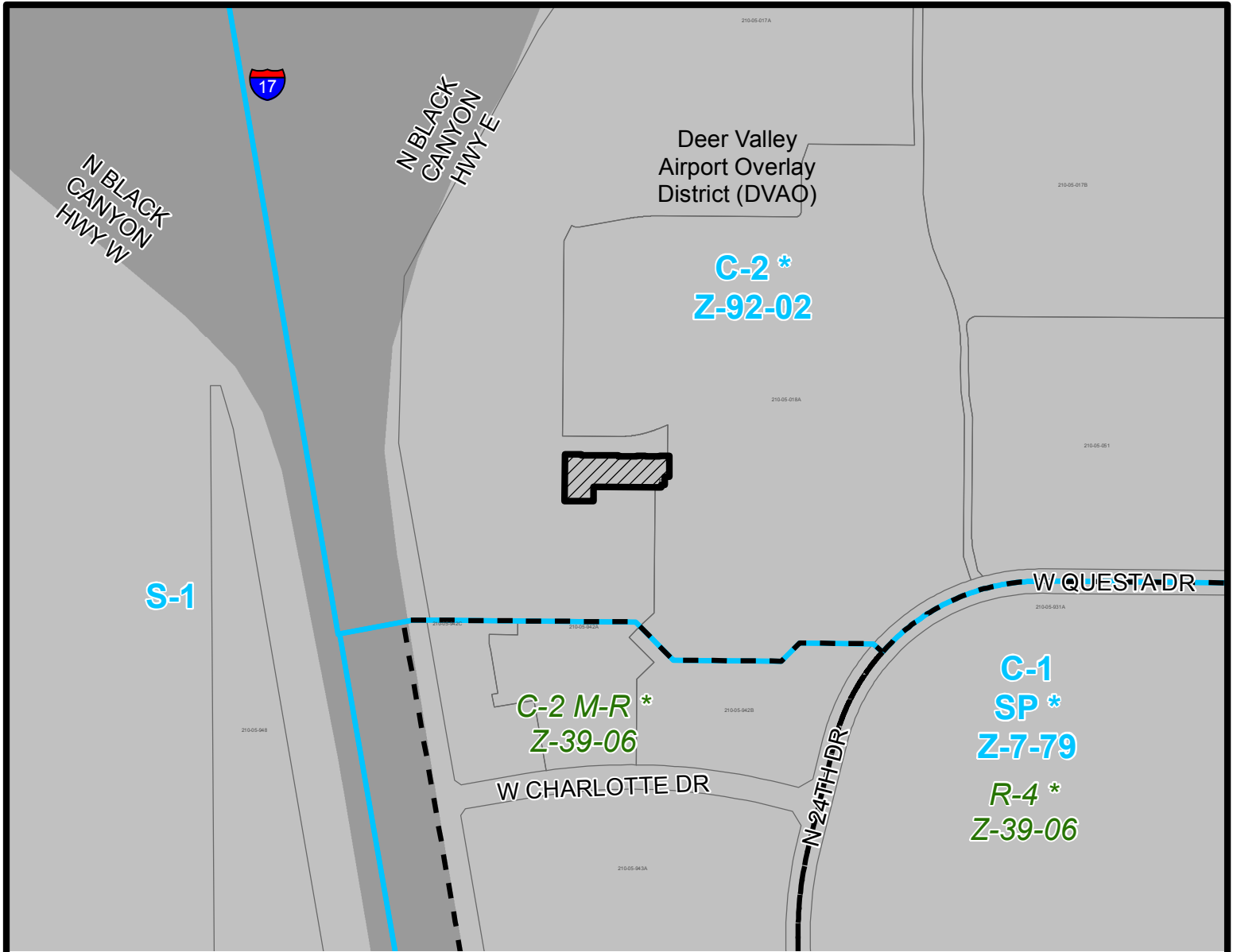
Joshua Bednarek

**Attachments**

Sketch Map

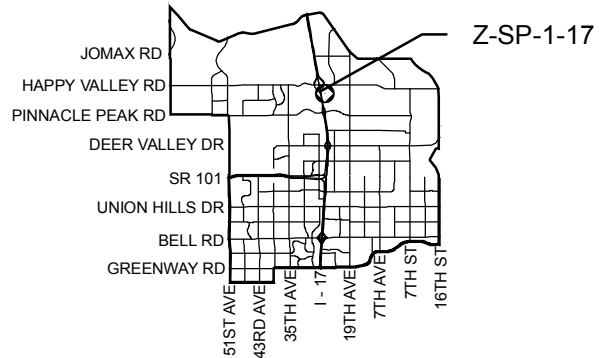
Aerial Map

Site Plan



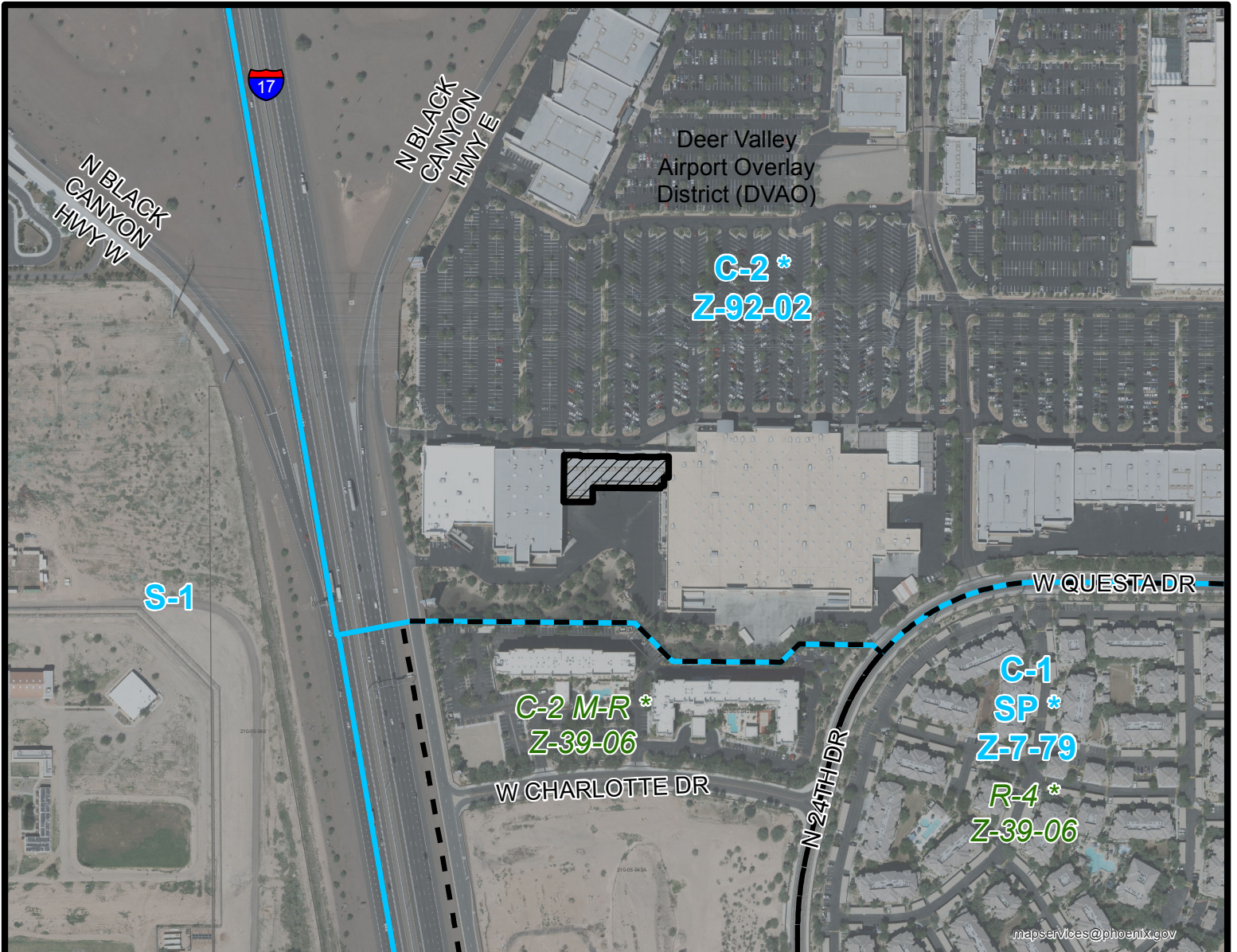
**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 1



<b>APPLICANT'S NAME:</b> Rod Jarvis, Earl, Curley & Lagarde, PC		<b>REQUESTED CHANGE:</b> FROM: C-2 DVAO, (0.50 a.c.) TO: C-2 SP DVAO, (0.50 a.c.)	
<b>APPLICATION NO.</b> Z-SP-1-17	<b>DATE:</b> 03/22/2017 <b>REVISION DATES:</b>		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 0.50 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 46-23	<b>ZONING MAP</b> O-7	
<b>MULTIPLES PERMITTED</b> C-2 DVAO C-2 SP DVAO	<b>CONVENTIONAL OPTION</b> 7 7		<b>* UNITS P.R.D. OPTION</b> 8 8

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



mapservices@phoenix.gov



Feet

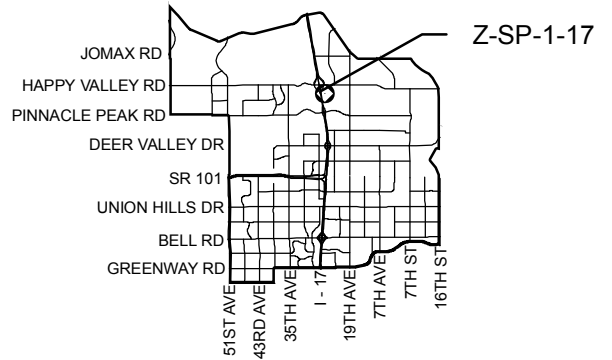
400 200 0 400

**DEER VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 1



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



**APPLICANT'S NAME:** Rod Jarvis, Earl, Curley & Lagarde, PC

**APPLICATION NO.** Z-SP-1-17

**DATE:** 03/22/2017  
**REVISION DATES:**

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

0.50 Acres

**AERIAL PHOTO & QUARTER SEC. NO.**  
QS 46-23

**ZONING MAP**  
O-7

**REQUESTED CHANGE:**

**FROM:** C-2 DVAO, (0.50 a.c.)

**TO:** C-2 SP DVAO, (0.50 a.c.)

**MULTIPLES PERMITTED**

C-2 DVAO

C-2 SP DVAO

**CONVENTIONAL OPTION**

7

7

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

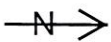
8

8

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



Proposed Elements Massage



# CITY OF PHOENIX

FEB 01 2017

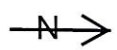
Planning & Development Department

Sheet A	
Lot 1	1,454 SF
Lot 2	1,833 SF
Lot 3	1,236 SF
Lot 4	1,568 SF
Lot 5	1,812 SF
Lot 6	2,236 SF
Lot 7	400 SF
Lot 8	1,562 SF
Lot 9	2,236 SF
Lot 10	1,143 SF
<b>Sheet C</b>	
Lot 11	2,236 SF
Lot 12	2,236 SF
<b>Sheet D</b>	
Lot 13	1,236 SF
Lot 14	2,236 SF
Lot 15	1,236 SF
Lot 16	2,236 SF
<b>Sheet E</b>	
Lot 17	1,236 SF
Lot 18	2,236 SF
Lot 19	1,236 SF
Lot 20	2,236 SF
Lot 21	1,236 SF
Lot 22	2,236 SF
Lot 23	1,236 SF
Lot 24	2,236 SF
Lot 25	1,236 SF
Lot 26	2,236 SF



Total Site Area  
82.64 Acres  
Building Area  
811,808 Square Feet  
Parking  
4,811 / 1,000 Square Feet

HAPPY VALLEY TOWNE CENTER  
Phoenix, Arizona



SEC of I-17 & Happy Valley Road  
B|R|R architecture