

An aerial photograph of a residential development. The image shows a large area with many small, rectangular units arranged in rows. There are several parking lots with cars parked. A swimming pool is visible in the lower right corner. The overall scene is a typical suburban or residential development.

A Planned Unit Development

for
MCP Holdings / ELS

Case No.

Z-8-19-8

NARRATIVE

First Submittal 1-25-19

Second Submittal April 18, 2019

Third Submittal 9-26-19

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TABLE OF CONTENTS

A. PURPOSE & INTENT..... 3
 Planned Unit Development
 Project Overview and Goals
 Overall Design Concept

B. LAND USE PLAN 4

C. LIST OF PERMITTED USES6

D. DEVELOPMENT STANDARDS.....8
 1. Existing Facilities.....8
 2. Development Standards Table.....9
 3. Landscape Standards Table.....10
 3.1 Southern Ave Streetscape.....11
 3.2. Perimeter Landscape Buffers.....12
 3.3. Parking Areas.....12

E. DESIGN GUIDELINES.....13
 1. Parking.....13
 2. Fences/Walls.....13
 3. Architectural Character.....14
 4. Bicycle Parking.....14
 5. Amenities.....14
 6. Shade.....14
 7. Lighting.....15

F. SIGNS.....15

G. SUSTAINIBILITY.....16

H. INFRASTRUCTURE.....16
 1. Grading and Drainage.....16
 2. Water and Wastewater.....16
 3. Circulation Systems.....17

I. SCHEDULE FOR LANDSCAPE IMPROVEMENTS.....17

EXHIBITS.....18
 1. Vicinity Map & Aerial.....19
 2. Historic Aerial Maps (4).....20-23
 3. Existing Zoning, and Surrounding Land Uses.....24
 4. General Development Site Plan.....25
 5. Proposed Landscape Buffers Plan.....26
 6. Conceptual Landscape Plan.....27
 7. Perspective View – Southern Avenue Streetscape.....28
 8. Comparable Development Standards.....29
 9. Legal Description.....30



A. PURPOSE & INTENT

1. Planned Unit Development: This Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for this particular business (landscape contracting, maintenance, and nursery) on this particular property. Provisions not specifically regulated by the PUD are governed by the Mixed-Use Agricultural District (MUA) – Section 649 and the Baseline Area Overlay District (BAOD) – Section 651 of the Phoenix Zoning Ordinance. 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.

2. Project Overview and Goals: On behalf of MCP Holdings LP, the property owner (Owner), Gilmore Planning & Landscape Architecture (Applicant) respectfully submits for consideration this application to rezone approximately 14.81 gross acres / 14.6 net acres (the Subject Property) from Suburban S-1 BAOD, to Planned Unit Development (PUD) BAOD. The Property includes three parcels located at 3307, 3315, and 3329 E. Southern Avenue in Phoenix, Arizona. Refer to the attached Vicinity Map and Aerial Map - **Exhibits 1A & 1B**, for the location of the Property. The Owners are seeking to rezone the property to PUD BAOD so they may continue their existing business. ELS is a landscape contracting business that provides installation and maintenance services to General Contractors, Developers, Land Investors, Homeowners Associations, and Property Managers. This location does not provide or has ever provided a retail service that would attract general public interaction. The plant nursery produces plant material that is available for their projects, for wholesale within the industry, and/or as a contract grow providing designated quantities for upcoming installations. On-site parking is provided for employees, business vehicles stored on-site, equipment storage, and parking for related support services. ELS has been operating at this location for 40 years.

The total land area by ownership is 14.6 acres. The Maricopa County Assessor’s Office identifies three parcels, 122-81-029, 122-81-030, and 122-81-027B that comprise the MCP Holdings LP. ELS is part of the Ownership and has been on this property since 1979, refer to **Exhibit 2 A-D** for historic photos of the area that indicate the agricultural use and the plant nurseries.

3. Overall Design Concept: ELS is an existing full-service landscape contractor that has been in business 40 years, of which 39 have been on this site. After so many years, the business operations on-site have evolved based on the growth of the company, the nursery demands imposed by a fluctuating market, and an efficient distribution of operational activities that addresses the functional demands of their internal activities. Employee parking has historically been separated by the two divisions that comprise ELS, Construction



versus Maintenance. This separation is primarily related to the start times, where construction crews typically start an hour before the maintenance crews. Maintenance is oriented to the northwest corner, and Construction is oriented to the east side. This has helped to limit the internal traffic circulation and avoid conflicts with company trucks, office staff parking, and guest/vendor parking. The parking of company trucks is also separated by these divisions, as well as their service and repair areas. The storage of construction equipment and material is centered within the property where it is effectively screened from any public view. The green houses, plant nursery and the green waste/mulching yard are all located towards the south side where circulation is purposely restricted. These nursery uses are appropriate buffers for the residential parcels to the south and reflect the same/similar uses along the east and west sides of the property. Refer to the General Development Site Plan, **Exhibit 4**.

B. LAND USE PLAN

The context of this established land use at this location within the surrounding area south of Southern Avenue is an important feature, and we believe is a primary consideration in seeking the City's support and approval of the PUD application. The Baseline Area Overlay District (BAOD) extends from Central Avenue east to 40th Street and Southern Avenue south to the South Mountain Park. The BAOD was established to encourage and protect the rural/agricultural character of the area while allowing development in accordance with the Baseline Area Master Plan. While the focus of the BAOD are the improvements along Baseline Road, and the site design standards for new residential and commercial projects, there is a lot of attention given to enhancing landscape character, setbacks, and establishing design guidelines that incorporate rural character in a project's architecture and site improvements. This PUD will utilize the design standards and guidelines of the MUA district for any new developments proposed within the defined boundary of this PUD. Recognizing the primary intent to retain the existing landscape business, any new structures, and site improvements will be based on the design criteria of the MUA and BAOD Districts.

The property immediately north of Southern Avenue is the Treehouse Green Valley Mobile Home Park, zoned R-5 that has been in place for many decades. This R-5 zoning extends west past 32nd Street and further east of the subject property approximately 250 feet to an existing residential area zoned R1-6. The R-5 zoning is the City's highest density multi-family zoning district allowing up to 43.5 dwelling units per acre. This area north of Southern Avenue will eventually develop predominantly as higher density residential. The Baseline Area Master Plan highlights this issue:

“Some of the recent development which has moved west along Baseline Road from the Pointe Hilton at South Mountain has compromised this character and detracted from the open space atmosphere of the area.”

This R-5 area along the north side of Southern Avenue is being developed with higher density apartments, and the R-5 zoning will continue to attract high density housing. Although it is acknowledged that this north side is outside the BAOD, this proposed PUD along with all the other landscape businesses situated south of Southern Avenue should be protected from the development pressures to change land uses. This PUD can be an effective tool to preserve the purpose and intent of the General Plan MUA designation and BAOD.

As stated previously, the intent of the ELS PUD is to retain the existing landscape business and plant nursery. As a landowner within the BAOD, MCP Holding and ELS is committed to the enhancement of the Southern Avenue frontage with a new landscape and decorative vertical pipe fence as encouraged within the MUA zoning district. Parking on-site that is visible to Southern Avenue will be screened by a new streetscape installation. Existing and future employee parking areas will be situated near the center of the property and landscaped with indigenous trees selected for shading with planter islands placed the end of rows and throughout the parking area. Interior side and rear property lines will also be landscaped as required by the MUA district with indigenous trees and shrubs.

The distribution of land uses on the Subject Property can generally be defined as a north half and south half division, where the north half is oriented towards landscape construction and landscape maintenance, the south half is oriented to the nursery business. This has been the established pattern of landscape activities on the property for many decades, with the expectation that this general distribution will continue until there is a decision to redevelop and or expand portions of these permitted land uses, at which time an application for Site Plan Approval will be processed. This PUD is intended to support these established uses: however; any future development beyond the initial landscape buffers will be subject to the development standards and design guidelines within this PUD and the design criteria of the MUA and BAOD Districts.

Existing Land Use

Landscape & Maintenance Operations & Accessory Uses	+/- 7.6 Ac
Plant Nursery / Greenhouses / Outdoor Material Storage	+/- 7.0 Ac
Total	14.6 Ac

Along the north side of this separation boundary between the landscape contracting business and the nursery uses, will be a reorganized employee parking area that incorporates the installation of shade trees for employee parking. The on-site circulation is well established having been constantly in use for nearly 40 years. The General Development Site Plan included here as **Exhibit 4** generally represents the current and proposed use of the property including the listed permitted and permitted accessory uses.



C. LIST OF PERMITTED USES

The subject property has been the base of operations for ELS since 1979. The primary use is a full-service landscape and maintenance company and plant nursery. There are many labor related work tasks and supporting activities that typically define a well-managed construction company.

Permitted Uses: Although this PUD is using the MUA district as the basis of reference, the Owner and ELS have elected to restrict the permitted uses on the Subject Property based on a division of uses generally defined by the ‘North Half’ and ‘South Half’ of the Property as illustrated on the General Development Plan, Exhibit 4. Those permitted uses shall be limited to the following:

North Half

1. Landscape Construction: Like most construction companies, the actual construction and installation of plant material and irrigation systems occurs off the Subject Property at a construction site. This construction service can also include hardscape features such as: walks, plazas, ramadas, water features, playgrounds, etc. While the construction occurs off-site, the staging of work crews, the storage of construction material and equipment, and the servicing of related equipment necessary for the business of landscape installations occurs on this property.
2. Landscape Maintenance: Maintenance is a separate but related business from the landscape installation. It can be associated with a new installation, or it can be marketed to existing projects requiring long term maintenance of an existing landscape. These services can include: mowing, weed control, irrigation evaluations and programming, replacement of plant material, etc. Again, like the construction side of the business, this service occurs off-site. The staging of work crews and the storage and servicing of related equipment necessary for the business of landscape maintenance occurs on this property.
3. Office, administrative and professional.
4. Maximum of one caretaker’s unit on-site, maximum of 1,200 square feet.

South Half

1. Nursery for Plant Material: Many landscape construction companies have developed their own plant material nurseries to help manage the availability and cost, especially under a “contract for grow” relationship. Outside production of containerized plant material is integral to the process of upsizing product. The Property has frames on-site for greenhouses, which are used primarily for shrubs, groundcovers, annuals, and specimen accents – cactus species. The larger area of the nursery is used for boxed or container trees.



Permitted Accessory Uses – North Half

1. Staging area for work vehicle and equipment storage.
2. Maintenance and repair of work vehicles and equipment only associated with ELS. Maintenance is intended to address minor repairs and servicing of the construction equipment and company vehicles, and not intended for any fabrication or painting.
3. Indoor preparation and storage of irrigation systems, equipment and machinery.
4. Accessory buildings used for the storage of work tools, shop equipment, irrigation equipment, fertilizers and chemicals typical for the industry.

Permitted Accessory Uses – South Half

1. Mulching of green waste associated with the nursery and maintenance operations of ELS. Generating green waste is an integral by-product of the landscape industry. ELS crews collect and spread the green waste to hasten the drying. The dried material is then stockpiled to a maximum height of 6 feet. This stockpile of green waste is situated a minimum of 50 feet east of the west property line and 300 feet north of the south property line. ELS will manage this stockpile within a defined area that will be a maximum of 125 feet in width and 300 feet in length. This material is stored on-site for an average of 2-3 months at which time an outside contractor will grind the stored green waste and remove from the Property. Refer the General Development Plan **Exhibit 4**.
2. Outside fabrication of containers for plant material and storage of landscape construction material (decomposed granites, various sizes of decorative rock, boulders, railroad ties, etc).

D. DEVELOPMENT STANDARDS

As stated previously, this PUD is intended to preserve the business operations of ELS. Except for the new streetscape along the Southern Avenue frontage, parking lot landscaping and the interior perimeter landscape buffers, there are no new structures or uses proposed at the current time. These development standards are intended to direct the design of site improvements for all new renovations associated with the permitted and accessory uses. This PUD primarily uses the MUA zoning district and applicable sections of the BAOD as the basis for these development standards. Final design solutions will be resolved with the Site Plan Approval applications for future site development projects following the development standards outlined below.

1. Existing Facilities

As a basis of reference for the site development standards, the following table lists the existing structures including accessory buildings and related parking. This table will be used to evaluate future developments on-site that are related to the permitted and permitted accessory uses. Future improvements shall comply with the development standards of the MUA district unless otherwise amended with this PUD.

Existing Facilities	Building SF	Parking	Parking	Site
Const. / Maint./ Nursery		Required	Provided	Coverage
Office / Admin. 1Sp / 300sf	10,200	34	42	1.6%
Storage Buildings	11,170	N/A		1.8%
Open Canopies	<u>7,400</u>	N/A		<u>1.2%</u>
Employee Pkg. (1/3 Emp)		(1)	124	
Overflow Parking			<u>20</u>	
Totals	28,770	34	186	4.5%

Notes

(1) There is no specific reference for parking requirements for construction companies within Section 702 C. Parking Requirements of the Phoenix Zoning Ordinance. ELS has established a working knowledge of their parking requirements based on 40 years of business on this Property. Their working formula provides 1 space per 3 employees and an allowance for active market conditions with additional overflow parking provided. With a total work force that fluctuates between 350-400 employees, the current total is 186 spaces provided.



2. Development Standards Table

This table shall apply to all new improvements / projects on the property.

Perimeter Building Setbacks	Building
Front Yard - Min.	40' (1)
Side Yard - Min.	20'
Rear Yard - Min.	25'
Perimeter Landscape Setbacks	
Front Yard - Min.	40' (1)
Side Yard - Min.	10'
Rear Yard - Min.	10'
Maximum Building Height	20'
Lot Coverage - Max.	20% (2)
Parking - Required	
Office/Adm.	1/300sf
Employee	1/3 Emp
Bicycle	1/25 Emp
Landscaped Area - Parking	15%

Notes

- (1) Front yard building and landscape setback shall be 40 feet for all new structures. The existing buildings shall be exempt and will not be allowed to expand any closer to Southern Ave. Front yard setbacks shall be landscaped except for guest parking, which shall be setback a minimum of 35 feet and screened by a 3-foot minimum wall, berm or hedge. No more than 35% of the frontage along Southern Ave may have parking within the front yard setback.
- (2) The main building and all accessory buildings shall not occupy more than twenty percent (20%) of the gross lot area. Shade structures (greenhouses) accessory to the plant nursery with fabric or plastic film that do not exceed 14 feet in height shall not be included in lot coverage calculations.

3. Landscape Standards Table

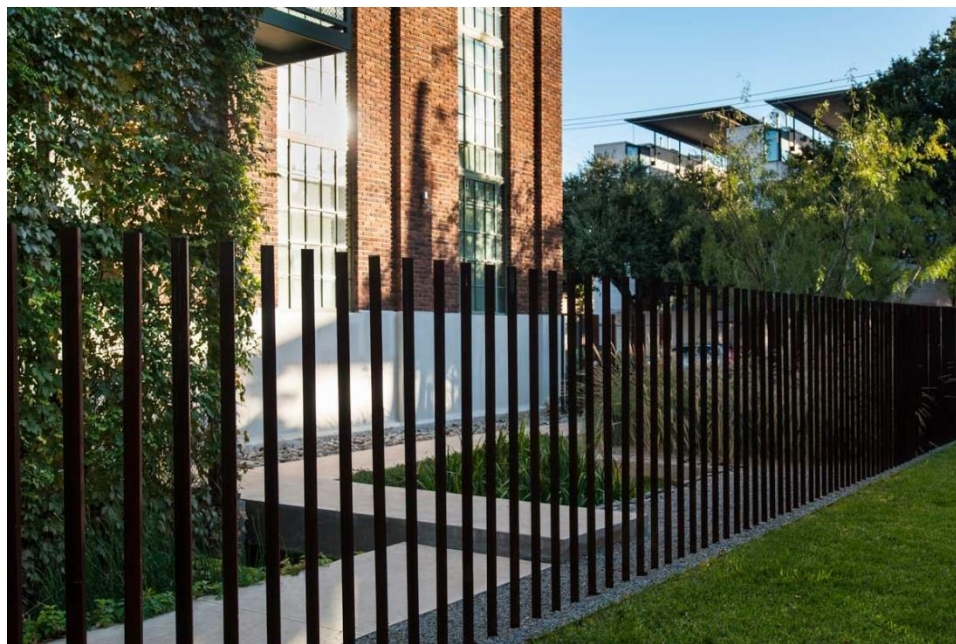
Southern Ave Frontage				
Front Yard - Min. Landscape Setback	40' (1)			
Trees - 1 per 25' or in equivalent grouping				
2" caliper	50%			
3" caliper	25%			
4" caliper	25%			
Shrubs - 5 Gal	5 per tree			
Groundcovers - 1 Gal	as required to achieve 50% live coverage			
Perimeter Landscape Buffer - Side & Rear				
Landscape Setback	10' Min. (2)			
Trees - 60% 2" Caliper, 40% 1" caliper	1 Tree / 20'			
Shrubs: 5 Gal	5 per tree			
Parking Lot Landscapes (excluding perimeter req'ts., work vehicle & equip. storage areas)				
Interior surface area - excluding req'd setbacks	15% min.			
Planter Islands - 120sf min. per island per row	at end of aisle and every +/- 12 spaces			
Trees - 60% 2" Caliper, 40% 1" caliper	1 per island per row			
Shrubs - 5 Gal.	5 per tree			
Foundation Landscaping Adjacent to Buildings				
Buildings within 100' of Southern Ave ROW or adjacent to public entries to the building	Min. 25% of the exterior wall length shall be landscaped with a min. 5' wide planter (min. 5' oc) or arcade or similar feature.			

Notes

- (1) Front yard building and landscape setback shall be 40 feet for all new structures. The existing buildings shall be exempt and will not be allowed to expand any closer to Southern Ave. Front yard setbacks shall be landscaped except for parking, which shall be setback a minimum of 35 feet and screened by a 3-foot minimum wall, berm, or hedge. No more than 35% of the frontage along Southern Ave may have parking within the front yard setback.
- (2) This 10' landscape setback shall extend around the perimeter of the Property. Selected Trees may include: Evergreen Elm (Ulmus), Palo Verde (Parkinsonia species), Mesquite (Prosopis species), Desert Willow (Chilopsis species), Ironwood (Olneya tesota), Pistachio (Pistacea species), and Acacia (Acacia species). Selected Shrubs may include: Green Hopseed (Dodonea) Leucophyllum - species, Senna shrubs, Jojoba, and Tecoma species.



3.1 Southern Ave Streetscape: The major portion of the existing frontage is currently paved and used for parking. Except for the three driveways and any proposed pedestrian walkways, this area will be renovated with a new landscape. The existing green screen fencing will be removed and a new vertical pipe fence with no horizontal members will be installed at or beyond the 40' setback. Refer to the attached Concept Landscape Plan attached as **Exhibit 6**. In order to maintain some consistency along this street frontage, the predominant quantity of street trees will match or be similar in character with the existing, including: Evergreen Elms (Ulmus), Pine (Pinus species) Pistachio (Pistacea), Ash (Fraxinus), Desert Willow (Chilopsis), Crepe Myrtle (Lagerstroemia), Willow Acacia (Acacia Salacina). As a landscape contractor, ELS may also promote the installation of new species selected to showcase visual character, branching, trunk color, flowering color, fall color, etc. This frontage is also situated at the low end of the property and will be designed to hold storm water runoff. While there will be no turf, ELS will showcase the installation of groundcovers, shrubs, specimen accents, and various types of boulders and decomposed granite providing an attractive and unique presentation to Southern Avenue. At maturity, there will be 50% shade coverage over this Southern Avenue streetscape.



This picture illustrates the proposed 6-foot vertical pipe fencing that will be installed at the landscape setback along the Southern Avenue frontage.

3.2 Perimeter Landscape Buffers

Perimeter Fencing: The MUA zoning district Section 649 J. Design Guidelines and Standards, 1. Fences and walls. a. states that “Solid fences and walls should be prohibited on the perimeter of a lot or development except for screening of parking or mechanical equipment.” (P) Also, “Open fencing in the MUA District should be both functional and attractive”. Throughout the MUA and BAOD districts, there is a general emphasis to retain an open character that will enhance the open visibility of the historic agricultural uses. In accordance with this MUA Guideline, the entire perimeter of the Property will be fenced. The streetscape along E. Southern Ave. will have a decorative 6-foot-high vertical pipe fence constructed of 1¼ – 1½ inch diameter steel pipe that will be treated to allow the pipe to rust. These vertical pipes will be spaced at less than 4” clear and without any horizontal support, as pictured on the previous page 11. This fence is both functional and decorative. The fencing along the east, south, and west sides will retain the existing chain link fencing, which admittedly is just functional. The only variation in this perimeter screening is the east half of the south side where the adjacent residential property owner had previously constructed an existing 6 foot plus CMU Wall.

Perimeter Landscape: The MUA zoning district also calls for the perimeter boundaries to be defined by landscape buffers that are 10 feet in width. This proposed landscape buffer will include the installation of low water canopy type trees spaced 20 feet on-center or in equivalent groupings, along with five 5-gallon low water shrubs per tree.

Selected Trees may include: Evergreen Elm (Ulmus), Palo Verde (Parkinsonia species), Mesquite (Prosopis species), Desert Willow (Chilopsis species), Ironwood (Olneya tesota), Pistachio (Pistacea species), and Acacia (Acacia species).

Selected Shrubs may include: Green Hopseed (Dodonea) Greencloud Sage (Leucophyllum species), Cassia (Senna species), Jojoba, Fairy Duster (Calliandra), and Tecoma species.

3.3 Parking Areas: As a landscape contracting and maintenance company, ELS does not promote any general public interaction on-site. There is no retail activity that would attract anyone other than employees or industry related vendors to enter the property. On-site parking is intended to be efficient, secured, and not visible from Southern Avenue. In keeping with the intent of the BAOD and the MUA zoning, expansions to the existing employee parking lots shall incorporate indigenous shade trees such as Mesquite, Palo Verde, Evergreen Elms, or similar tree types that can shade these parking areas. Shade trees shall be placed at the end of the parking aisles and at intervals of approximately 10-12 spaces that will achieve the targeted 15% coverage.

E. DESIGN GUIDELINES

Design guidelines are typically related to a proposed commercial project and/or residential subdivision. Site development programming can then create design guidelines for architectural character, various site improvements, and the project landscape. The goal of this PUD is to allow ELS to maintain its established business. Other than the new street frontage landscape, the defined perimeter buffers, and organizing the existing parking and storage areas on-site, there is no 'new' development. The three existing office structures facing onto Southern Avenue have been previously renovated, maintained, and will remain in place in their current condition. These guidelines are therefore oriented to new structures or a reorganization of the permitted uses involving a site plan approval process.

In consideration of this PUD, any new development or redevelopment involving the expansion of existing structures shall use the Design Guidelines within the MUA District, Section 649 J. 1.-8., Section 651, and Section 507 Tab A of the Phoenix Zoning Ordinance as the design reference, unless otherwise modified within this PUD.

- 1. Parking:** As is typical for landscape construction and maintenance companies, the majority of employees arrive early in the morning where crews are organized and daily work schedules established. At ELS, the work crews are generally split evenly between construction and maintenance. For the past 10 years, ELS has been an active participant in the H2B program. ELS has hired 120 workers from Mexico for 10 months a year. Most of these H2B workers do not own cars, but purposefully live close by. A number of these employees have bicycles, they walk, take a Valley Metro bus, and many car pool. Considering this employee profile, parking has historically been satisfied based on a ratio averaging one space per three employees. The number of employees can fluctuate from 350 to 400, which equates to approximately 117 spaces to 134 employee spaces, plus an overflow consideration for another 10-20 spaces increasing the employee parking provided to approximately 144. As described above, this employee parking is located near the center portion of the Property with an additional 34 spaces required for office staff and 10 spaces for guests that are distributed towards the front of the Property; 12 spaces on the west side, 25 spaces south of the center office building, and 5 spaces along the east side. The total parking on-site will be a minimum of 186 spaces.
- 2. Fences/Walls:** In accordance with the BAOD, the new fencing along Southern Ave will be a 6' high vertical pipe fence using steel posts at spacings less than 4 inches between the vertical pipes. The vertical pipe will be untreated steel allowing the finish to rust. This new screening will be setback a minimum of 40 feet from the front property line and will be installed between the three existing building and extending to the east and west property lines. Each driveway will include new gates of similar design and finish.

Relocating the fencing to the front yard setback will open the view of the new front yard landscape extending across all three parcels, which is a stated goal within the MUA

zoning district. Ultimately, this frontage shall reflect the design criteria requirements within Section 649 J.1, and Section 703 of the Phoenix Zoning Ordinance. Refer to the attached Concept Landscape Plan **Exhibit 6** for a typical screen wall elevation.

The streetscape along Southern Ave shall consider the landscape goals of the BAOD and the MUA districts and reflect the character of the existing streetscape of the other landscape contractors/growers located along the south side of Southern Avenue east of the Subject Property.

3. **Architectural Character:** The existing ELS structures along the Southern Avenue frontage are original residential structures that have been previously renovated to facilitate business and administrative activities. In accordance with the BAOD, these buildings will remain in place and maintained in their current condition. Considering the design guidelines of both the MUA and BAOD, any future expansions will be oriented to their side or rear areas and building heights limited to the one story / 20' height limit. Future façade improvements shall incorporate the “Building Orientation and Massing” presumptions of the MUA District, Section 649, J.2.

Of special consideration is the new streetscape along the Southern Ave frontage, which will open views to these structures. The parking will be removed creating a front yard landscape and establishing a strong “sense of place” for ELS and the BAOD.

4. **Bicycle Parking:** The H2B program has generated bicycle usage by company employees who prefer to not to rely on a vehicle. Proximity to their residence and the availability of designated bike lanes along Southern Avenue has helped. There is a central bicycle parking area with a bike rack for approximately 10 - 15 bikes where they may be secured. The actual usage varies by season and employee interest.
5. **Amenities:** Amenities that might typically be associated with a mixed-use project and/or a new residential community does not apply. However; having been in business for almost 40 years, ELS has learned the importance of promoting social interaction with their employees. ELS takes great care of their employees by scheduling barbeques on and off-site as well as various family-oriented events.
6. **Shade:** Except for the Southern Avenue frontage and the company truck parking, shade will be oriented around the office buildings and where employee gatherings occur. The balance of the property is used by ELS for parking/storing company trucks, staging crews, indoor and outdoor storage of construction and maintenance equipment, vehicle repair, construction material storage, and the plant nursery. On site security dictates a more open environment where motion activated lights and cameras can maintain a clear line of sight. There are areas on-site and within the employee parking areas where native trees have been allowed to mature and provide shade. These are being maintained and additional trees will be installed to build on this character achieving 15% landscape area.

New on-site development involving pedestrian walkways and gathering areas should be shaded a minimum of 50% at maturity per City of Phoenix Ordinance Section 507 Tab A.II.B.6.1. New development shall be defined as new structures and/or expansion of the existing buildings and parking areas.



7. **Lighting:** Lighting and security is a management issue that has prompted the installation of perimeter lighting and cameras. The existing poles used for the parking lots and security lighting shall be replaced with poles that shall not exceed a maximum of fifteen (15) feet in height including lamp, pole, and base within one hundred fifty (150) feet of a residential district. These light poles shall be spaced around the perimeter of the parking areas and shielded to minimize any leakage of lighting beyond the property. Parking lot and security lighting shall not exceed a maximum of twenty-five (25) feet in height adjacent to other non-residential nurseries and/or landscape contractor yards. Future lighting improvements shall also address the lighting standards outlined in Section 23-100 of the Phoenix City Code.

F. SIGNS

ELS will install a project identification sign along the Southern Avenue frontage. The final design for the new frontage landscape will determine the best location for a monument sign. This will be processed as a separate application for a sign permit. There may be additional directional signage near the three driveways. All signage shall meet both MUA and BAOD guidelines. Primary signage shall comply with Section 705, table D-1, the secondary low volume street classification of the Phoenix Zoning Ordinance that is applicable commercial uses. In addition, this sign shall also incorporate the use of natural material that includes a minimum base of 18" as prescribed in both the BAOD and the MUA districts.

G. SUSTAINABILITY

ELS has been in operation on this property since 1979. The nature of this business activity supports a sustainable ecology for the City of Phoenix: The following items generally characterize those sustainable efforts, some of which are standards to be enforced by the City.

City Enforced Standards

- This PUD will install a new street frontage landscape along Southern Ave and shade trees installed at strategic locations around the parking areas and along the perimeter of the Property for screening and shade.
- Perimeter landscape buffers will use low water plant material reducing the Properties total water demand.
- The employee parking area will be landscaped with shade trees in parking islands.
- Security lighting will use motion sensors to limit night-time lighting, reduce power consumption, and include shield to limit overspill onto adjacent properties.
- The project landscape has no turf. The irrigation system utilizes automatic controllers and water sensors that manages an efficient watering schedule by season.

ELS Best Management Practices

- The major portion of the property is unimproved, but maintained. Paved surfaces are minimal and storm water runoff is held on-site and allowed to percolate.
- The nursery activities are an ecologically friendly use and the green waste is dried and grinded for mulch and used for blending with native soils to create a backfill mix, and more importantly, this green waste does not end up in a landfill.
- The property retains surface water rights from SRP for irrigation, which reduces the use of domestic water for plant material.
- Given the current operations and the fact that no new development is proposed other than the Southern Avenue streetscape, parking lot landscaping, and the perimeter landscape buffers, the use of this property does not contribute to the Valley's heat island effect, but promotes sustainable best management practices with efficient parking ratios, mulching of green waste for reuse rather than contributing to the landfill.

H. INFRASTRUCTURE

1. **Grading & Drainage:** The property is relatively flat with an average slope that is less than one percent falling in grade from south to north. Having been in operation for nearly 40 years, the property has been in constant use with various activities necessary for business operations. Other than the new landscape along Southern Ave and adjusting some parking aisles, there is no other development proposed.
2. **Water Wastewater:** This business/property will utilize the water and sewer infrastructure already in-place. No new water or sewer mains are anticipated for this Property.
3. **Circulation Systems:** Southern Avenue has an existing 33-foot south right-of-way for the major portion of the frontage, approximately 450 feet. The eastern 45 feet has a 40-foot south half right-of-way. The existing street improvements include 5 lanes of traffic, 2 lanes each way and a common left turn lane, curb, gutter, and attached sidewalk. There are three existing driveways providing access into and out of the property. The east driveway is used primarily for the landscape construction crews, the center driveway is for office/ administration staff and guests, and the west driveway is primarily used for the landscape maintenance crews. These driveways will remain in-place.

I. Schedule for Landscape Improvements

The landscape improvements associated with this PUD will be completed within 6 months of Council Approval, and will include the following:

1. **Southern Avenue Streetscape:** A primary consideration for ELS is the installation of the new landscape along the entire Southern Avenue frontage. This landscape shall include the minimum 40-foot front yard setback except for existing structures, driveways, and pedestrian walks and paths. Please refer to Exhibits 6 and 7 Landscape Plan and the Perspective View.
2. The perimeter interior landscape buffers.
3. The employee parking area will be landscaped with planter islands placed at each end of the aisle, and at intervals not exceeding 10 parking stalls.
4. All of the landscape improvements will be supported by an automatic irrigation system using PVC pipe/laterals.

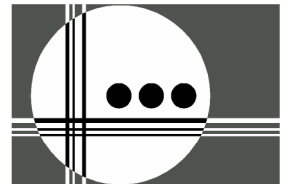
EXHIBITS

1. Vicinity Map
2. Historic Aerial Maps (4)
3. Existing Zoning, and Surrounding Land Uses
4. General Development Site Plan
5. Proposed Landscape Buffers Plan
6. Conceptual Landscape Plan
7. Perspective View – Southern Avenue Streetscape
8. Comparable Development Standards – S-1/ MUA/ BAOD/ ELS-PUD
9. Legal Description



MCP HOLDINGS LP
 3307, 3315, 3329
 E. SOUTHERN AVENUE

EXHIBIT 1
 VICINITY MAP



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 2211 N. 7th Street T 602.266.5622
 Phoenix, Az 85006 www.getgilmore.com

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PHOENIX, AZ

PREPARED FOR: MCP HOLDINGS LP

SCALE: NTS
 DATE: 9.26.19
 GPLA JOB# 18046 NORTH



Historical Aerial Photography



9/2/2018, 1:16:28 PM

Maricopa County

Highway

- Interstate\State\US\Other Highway
- Ramp
- Arterial
- Local

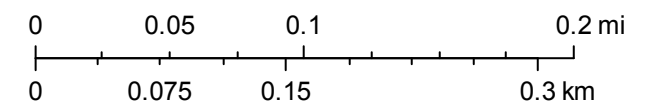
Image

- High : 248
- Low : 0
- Aerial Photography

1986
MCP HOLDINGS, LC / ELS

EXHIBIT 2A

1:4,514



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Historical Aerial Photography



9/2/2018, 1:21:38 PM

Maricopa County

Highway

- Interstate\State\US\Other Highway
- Ramp
- Arterial
- Local

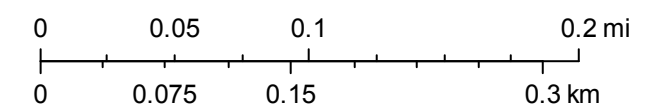
Image

- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Aerial Photography

1996
MCP HOLDINGS, LC / ELS

EXHIBIT 2B

1:4,514



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Historical Aerial Photography

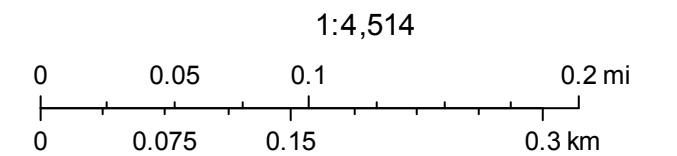


9/2/2018, 1:19:43 PM

- Maricopa County
- Highway**
 - Interstate\State\US\Other Highway
 - Ramp
 - Arterial
 - Local

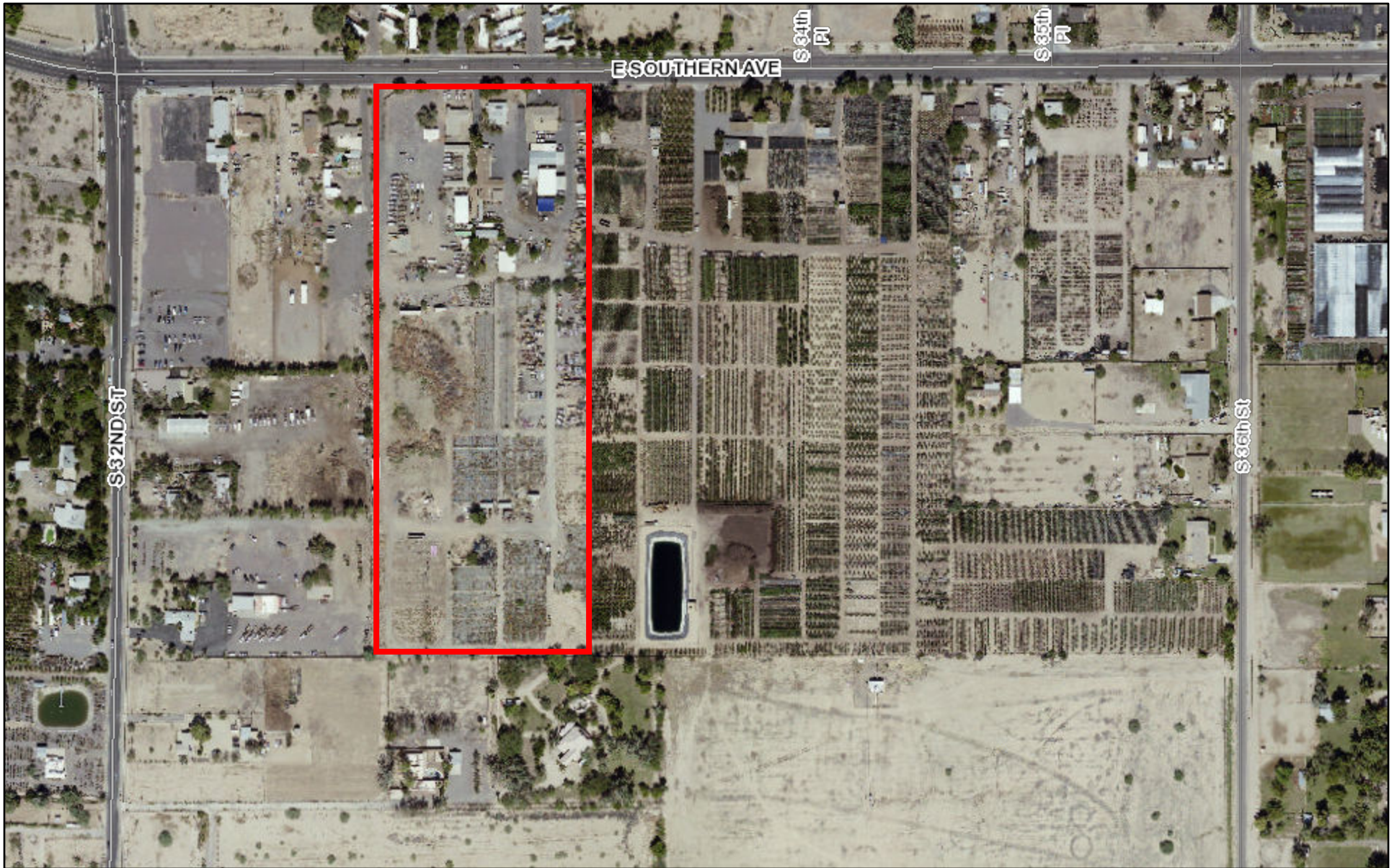
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 - High : 255
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- Image**
 - High : 255
- Aerial Photography

2006
MCP HOLDINGS, LC / ELS
EXHIBIT 2C



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Historical Aerial Photography









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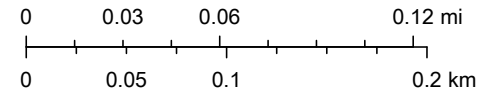
2016

MCP HOLDINGS, LC / ELS

EXHIBIT 2D

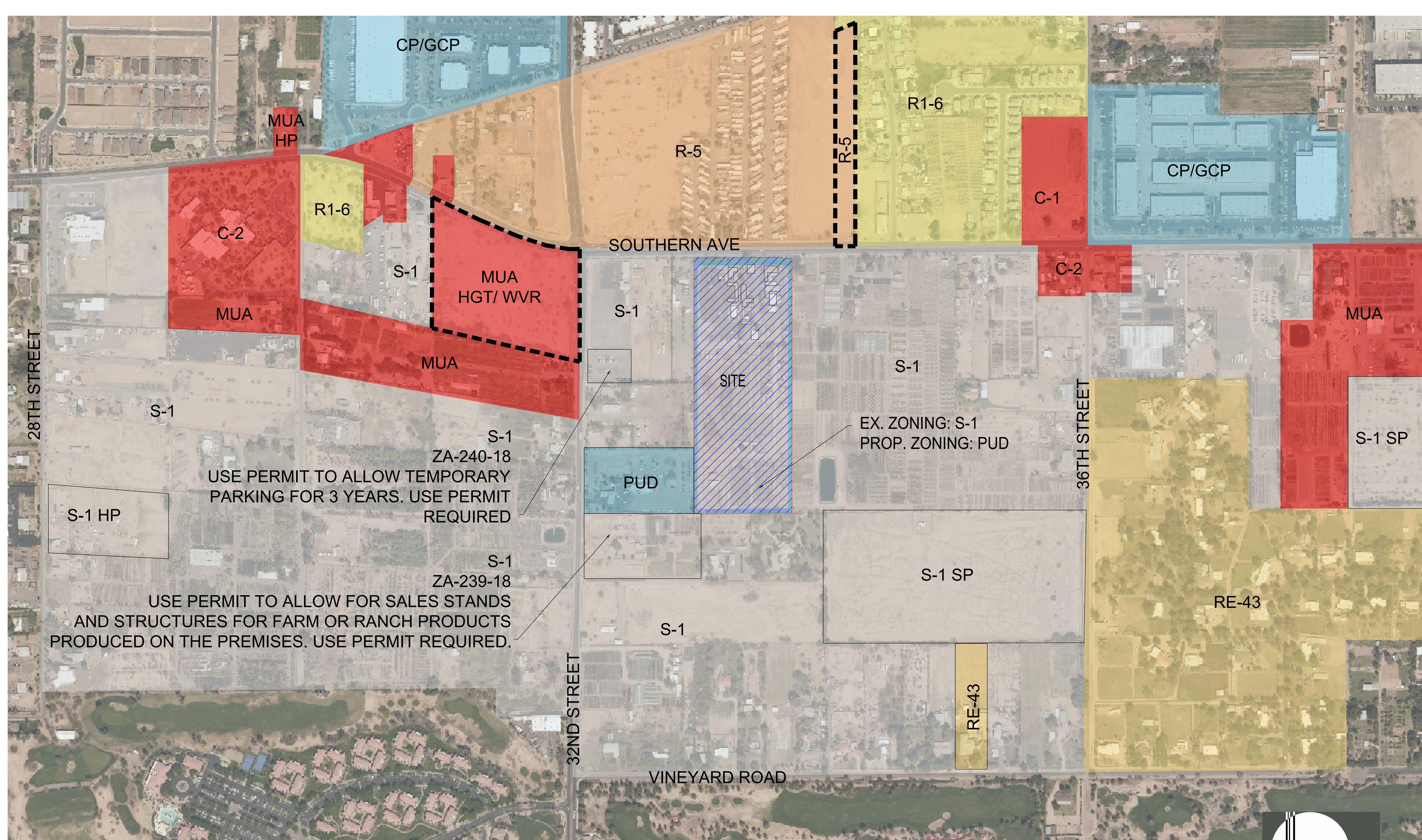
-  Maricopa County
-  Highway
-  Local
-  Interstate\State\US\CA
-  Arterial
-  Ramp

1:4,514



Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Office of Enterprise Technology/GIS
© 2017 Maricopa County



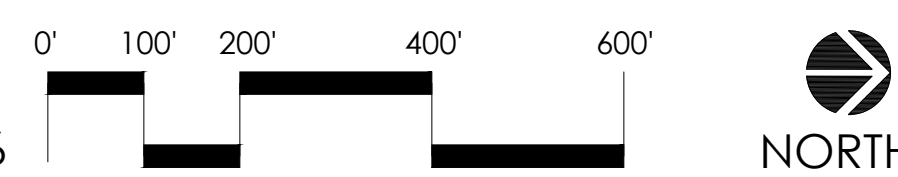
MCP HOLDINGS LP 3307, 3315, 3329 E. SOUTHERN AVENUE

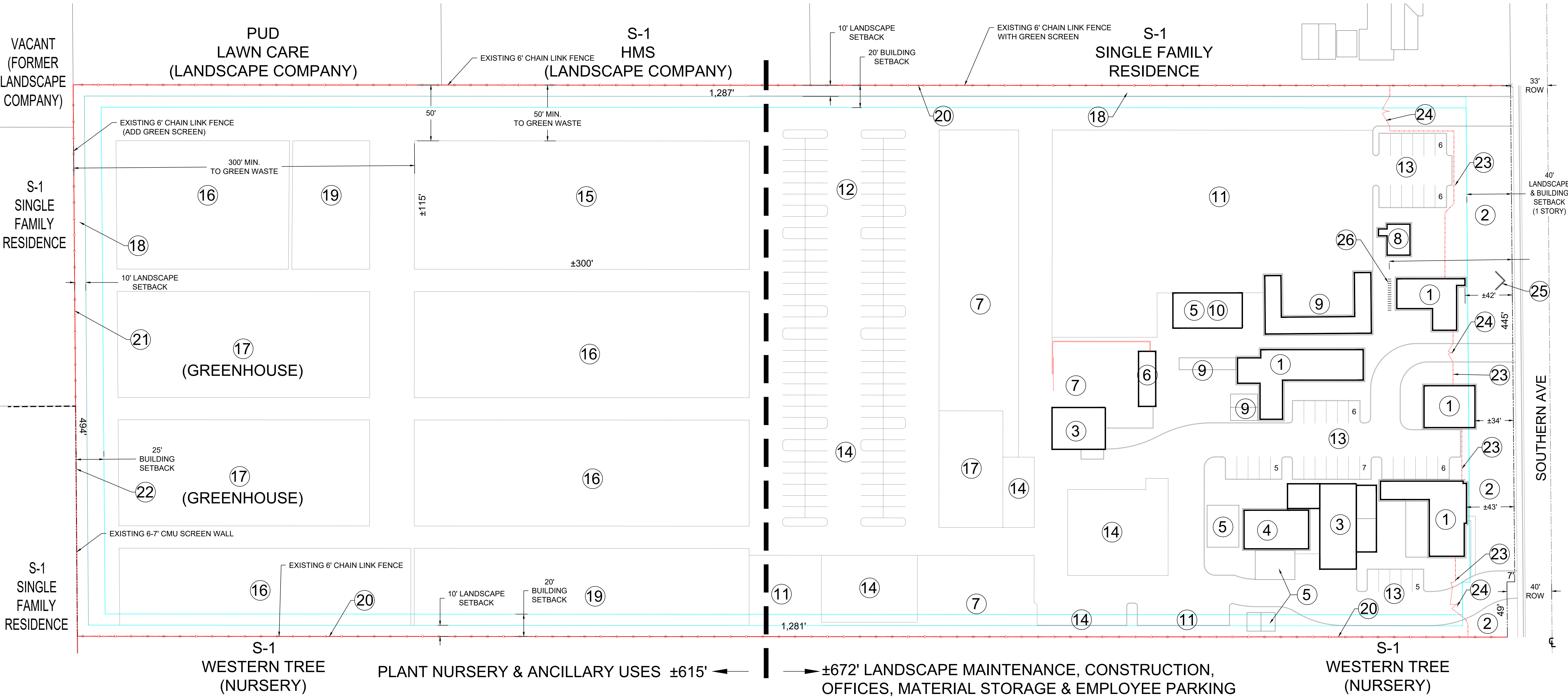
EXHIBIT 3 EXISTING ZONING PLAN

PHOENIX, AZ
 PREPARED FOR: MCP HOLDINGS LP & ELS

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SCALE: 1" = 200'
 DATE: 9.26.19
 GPLA JOB# 18046





LAND USE SUMMARY				
Gross Land Area	14.81 (14.8) Ac			
Net Ownership	14.59 (14.6) Ac			
Land Use				
Landscape & Maintenance Operations & Accessory Uses	± 7.6 Ac			
Plant Nursery / Greenhouses / Outdoor Material Storage	± 7.0 Ac			
	Total	14.6 Ac		
Existing Facilities				
	Building SF	Parking Required	Parking Provided	Site Coverage
Const. / Maint./ Nursery				
Office / Admin. 1Sp / 300sf	10,200	34	42	1.6%
Storage Buildings	11,170	N/A		1.8%
Open Canopies	7,400	N/A		1.2%
Employee Pkg. (1/3 Emp)		(1)	124	
Overflow Parking			20	
Totals	28,770	34	186	4.5%

DEVELOPMENT STANDARDS	
Perimeter Building Setbacks	
Front Yard - Mn.	40' (1)
Side Yard - Mn.	20'
Rear Yard - Mn.	25'
Perimeter Landscape Setbacks	
Front Yard - Mn.	40' (1)
Side Yard - Mn.	10'
Rear Yard - Mn.	10'
Maximum Building Height	
	20'
Lot Coverage - Max.	
	20% (2)
Parking - Required	
Office/Adm.	1/300sf
Employee	1/3 Emp
Bicycle	1/25 Emp
Landscaped Area - Parking	15%

NOTES:
 (1) FRONT YARD BUILDING AND LANDSCAPE SETBACK SHALL BE 40 FEET FOR ALL NEW STRUCTURES. THE EXISTING BUILDINGS SHALL BE EXEMPT AND WILL NOT BE ALLOWED TO EXPAND ANY CLOSER TO SOUTHERN AVE. FRONT YARD SETBACKS SHALL BE LANDSCAPED EXCEPT FOR GUEST PARKING, WHICH SHALL BE SETBACK A MINIMUM OF 35 FEET AND SCREENED BY A 3 FOOT MINIMUM WALL, BERM OR HEDGE. NO MORE THAN 35% OF THE FRONTAGE ALONG SOUTHERN AVE MAY HAVE PARKING WITHIN THE FRONT YARD SETBACK.
 (2) THE MAIN BUILDING AND ALL ACCESSORY BUILDINGS SHALL NOT OCCUPY MORE THAN TWENTY PERCENT (20%) OF THE GROSS LOT AREA. SHADE STRUCTURES (GREENHOUSES) ACCESSORY TO THE PLANT NURSERY WITH FABRIC OR PLASTIC FILM THAT DO NOT EXCEED 14 FEET IN HEIGHT SHALL NOT BE INCLUDED IN LOT COVERAGE CALCULATIONS.

- LEGEND**
- 1. OFFICE - EXISTING
 - 2. NEW FRONT YARD LANDSCAPE
 - 3. INDOOR STORAGE - CONSTRUCTION
 - 4. VEHICLE REPAIR - CONSTRUCTION
 - 5. CANOPY - SERVICING
 - 6. CARETAKER UNIT
 - 7. LANDSCAPE & CONSTRUCTION MATERIAL OUTDOOR STORAGE
 - 8. STORAGE BUILDING
 - 9. INDOOR STORAGE - MAINTENANCE
 - 10. VEHICLE REPAIR - MAINTENANCE
 - 11. COMPANY VEHICLES & EQUIPMENT
 - 12. EMPLOYEE PARKING - MAINTENANCE
 - 13. VISITOR & OFFICE EMPLOYEE PARKING
 - 14. EMPLOYEE PARKING - CONSTRUCTION

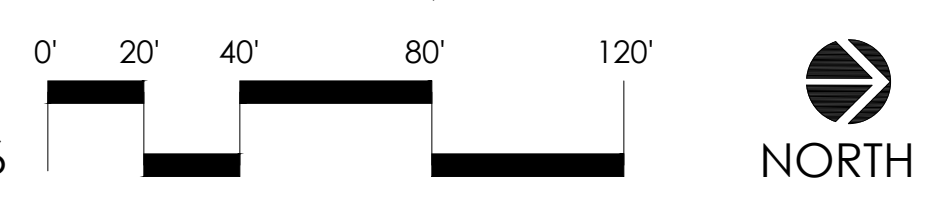
- 15. GREEN WASTE / MULCHING
- 16. OPEN SPACE/ PLANT MATERIAL/ TREE NURSERY
- 17. GREENHOUSE
- 18. 10' LANDSCAPE BUFFER
- 19. EQUIPMENT & MATERIAL OUTDOOR STORAGE
- 20. EXISTING CHAIN LINK FENCE WITH PRIVACY SCREEN (GREEN SCREEN)
- 21. EXISTING CHAIN LINK FENCE, PRIVACY SCREEN (GREEN SCREEN) TO BE ADDED.
- 22. EXISTING ±7 CMU WALL
- 23. NEW 6' DECORATIVE VERTICAL PIPE FENCE
- 24. NEW GATE
- 25. FUTURE SIGNAGE
- 26. EXISTING BICYCLE PARKING (20 SPACES)

MCP HOLDINGS LP 3307, 3315, 3329 E. SOUTHERN AVENUE

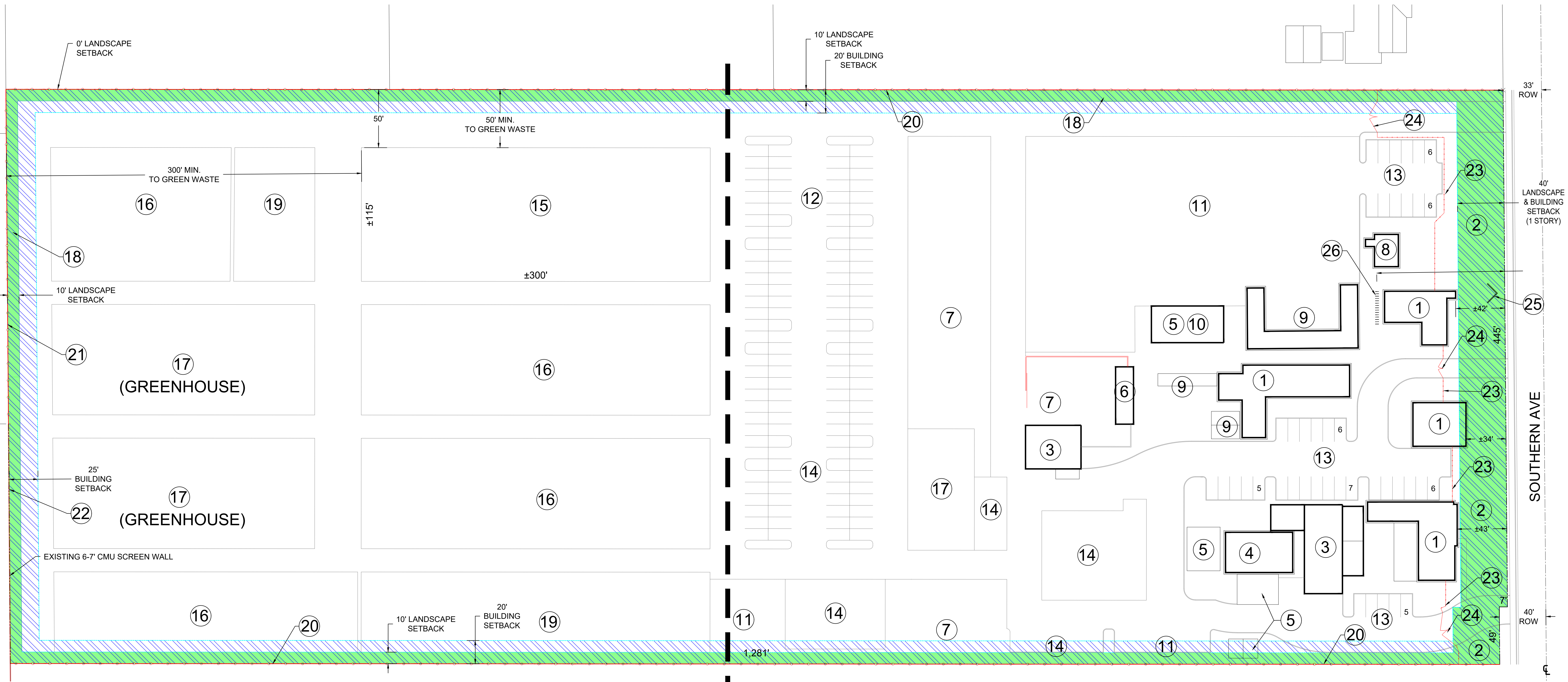
EXHIBIT 4 GENERAL DEVELOPMENT PLAN

PHOENIX, AZ
 PREPARED FOR: MCP HOLDINGS LP & ELS

SCALE: 1" = 40'
 DATE: 9.26.19
 GPLA JOB# 18046



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PLANT NURSERY & ANCILLARY USES ← | → LANDSCAPE MAINTENANCE, CONSTRUCTION, OFFICES, MATERIAL STORAGE & EMPLOYEE PARKING

LAND USE SUMMARY				
Gross Land Area	14.81 (14.8) Ac			
Net Ownership	14.59 (14.6) Ac			
Land Use				
Landscape & Maintenance Operations & Accessory Uses	± 7.6 Ac			
Plant Nursery / Greenhouses / Outdoor Material Storage	± 7.0 Ac			
	Total	14.6 Ac		
Existing Facilities				
Building SF	Parking Required	Parking Provided	Site Coverage	
Const. / Maint./ Nursery				
Office / Admin. 1Sp / 300sf	10,200	34	42	1.6%
Storage Buildings	11,170	N/A		1.8%
Open Canopies	7,400	N/A		1.2%
Employee Pkg. (1/3 Emp)		(1)	124	
Overflow Parking			20	
Totals	28,770	34	186	4.5%

DEVELOPMENT STANDARDS	
Perimeter Building Setbacks	
Front Yard - Mn.	40' (1)
Side Yard - Mn.	20'
Rear Yard - Mn.	25'
Perimeter Landscape Setbacks	
Front Yard - Mn.	40' (1)
Side Yard - Mn.	10'
Rear Yard - Mn.	10'
Maximum Building Height	
	20'
Lot Coverage - Max.	
	20% (2)
Parking - Required	
Office/Adm.	1/300sf
Employee	1/3 Emp
Bicycle	1/25 Emp
Landscaped Area - Parking	15%

NOTES:
 (1) FRONT YARD BUILDING AND LANDSCAPE SETBACK SHALL BE 40 FEET FOR ALL NEW STRUCTURES. THE EXISTING BUILDINGS SHALL BE EXEMPT AND WILL NOT BE ALLOWED TO EXPAND ANY CLOSER TO SOUTHERN AVE. FRONT YARD SETBACKS SHALL BE LANDSCAPED EXCEPT FOR GUEST PARKING, WHICH SHALL BE SETBACK A MINIMUM OF 35 FEET AND SCREENED BY A 3 FOOT MINIMUM WALL, BERM OR HEDGE. NO MORE THAN 35% OF THE FRONTAGE ALONG SOUTHERN AVE MAY HAVE PARKING WITHIN THE FRONT YARD SETBACK.
 (2) THE MAIN BUILDING AND ALL ACCESSORY BUILDINGS SHALL NOT OCCUPY MORE THAN TWENTY PERCENT (20%) OF THE GROSS LOT AREA. SHADE STRUCTURES (GREENHOUSES) ACCESSORY TO THE PLANT NURSERY WITH FABRIC OR PLASTIC FILM THAT DO NOT EXCEED 14 FEET IN HEIGHT SHALL NOT BE INCLUDED IN LOT COVERAGE CALCULATIONS.

LEGEND

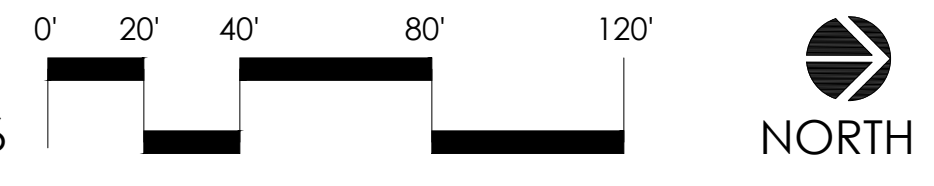
- 1. OFFICE - EXISTING
- 2. NEW FRONT YARD LANDSCAPE
- 3. INDOOR STORAGE - CONSTRUCTION
- 4. VEHICLE REPAIR - CONSTRUCTION
- 5. CANOPY - SERVICING
- 6. CARETAKER UNIT
- 7. LANDSCAPE & CONSTRUCTION MATERIAL OUTDOOR STORAGE
- 8. STORAGE BUILDING
- 9. INDOOR STORAGE - MAINTENANCE
- 10. VEHICLE REPAIR - MAINTENANCE
- 11. COMPANY VEHICLES & EQUIPMENT
- 12. EMPLOYEE PARKING - MAINTENANCE
- 13. VISITOR & OFFICE EMPLOYEE PARKING
- 14. EMPLOYEE PARKING - CONSTRUCTION
- 15. GREEN WASTE / MULCHING
- 16. OPEN SPACE/ PLANT MATERIAL/ TREE NURSERY
- 17. GREENHOUSE
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- 22. EXISTING ±7 CMU WALL
- 23. NEW 6' DECORATIVE VERTICAL PIPE FENCE
- 24. NEW GATE
- 25. FUTURE SIGNAGE
- 26. EXISTING BICYCLE PARKING (20 SPACES)

MCP HOLDINGS LP 3307, 3315, 3329 E. SOUTHERN AVENUE

EXHIBIT 5
PROPOSED LANDSCAPE BUFFER PLAN

PHOENIX, AZ
 PREPARED FOR: MCP HOLDINGS LP & ELS

SCALE: 1" = 40'
 DATE: 9.26.19
 GPLA JOB# 18046



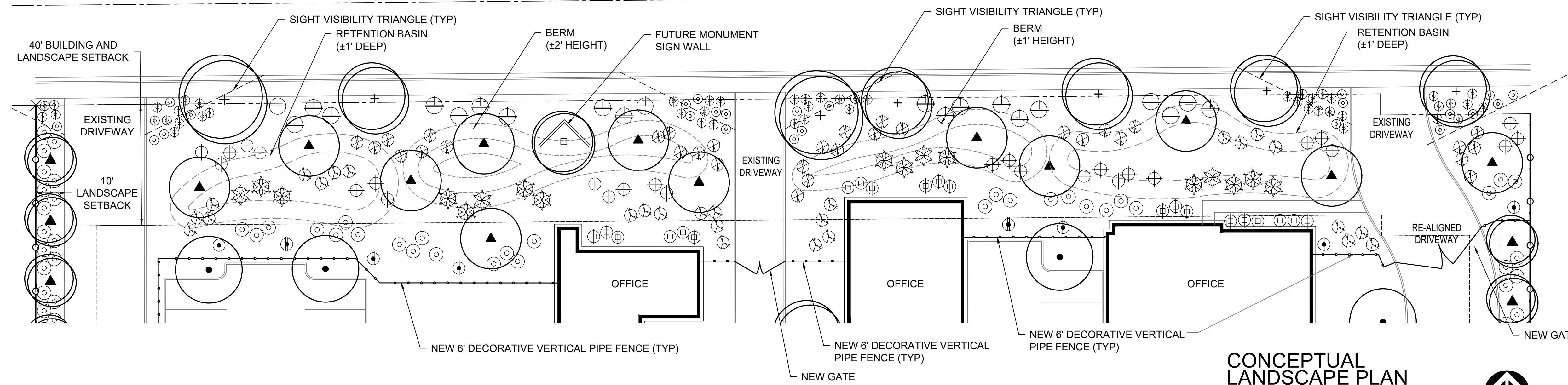
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SOUTHERN AVE

PLANT SCHEDULE

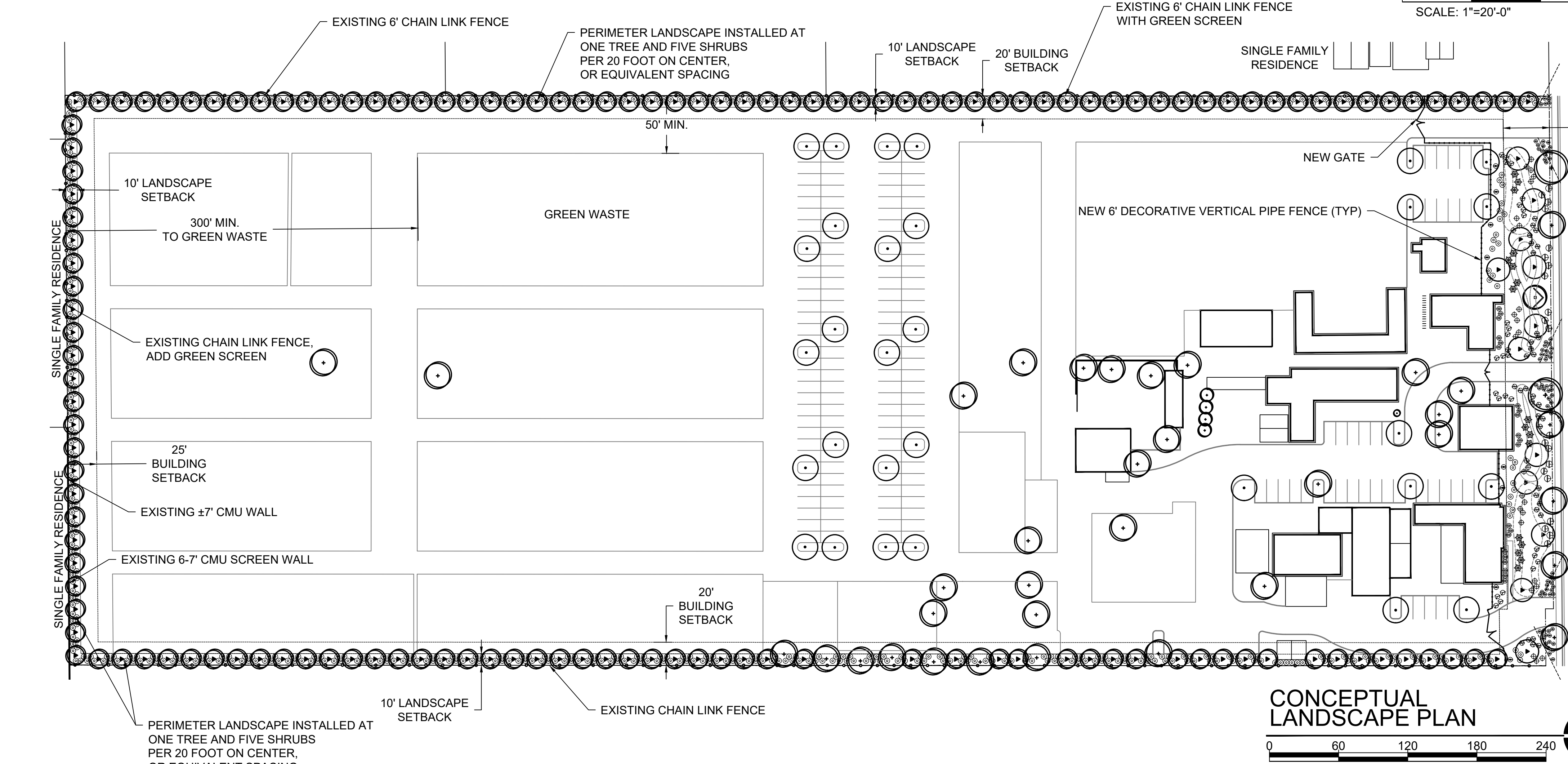
SYMBOL	BOTANICAL/COMMON NAME	CLPR/SIZE	A.N.A. SIZE (HxW)	QTY.	REMARKS
TREES					
○	PINUS ELDERICA MONDEL PINE	2" CAL.	20'X20'	-	STAKE AS REQUIRED STRAIGHT TRUNK UP TO 3 THEN BRANCHING
▲	LAGERSTROEMIA SP. CRAPE MYRTLE	2" CAL.	20'X20'	-	STAKE AS REQUIRED
●	PROSOPIS CHILENSIS 'THORNLESS' THORNLESS CHILEAN MESQUITE	1 1/15 GAL.	25'X25'	-	STAKE AS REQUIRED
○	OLNEYA TESTOSA IRON WOOD	1 1/15 GAL.	20'X15'	-	STAKE AS REQUIRED
+	EXISTING TREE	VARIES	25'X25'	-	STAKE AS REQUIRED
SHRUBS					
⊕	RUSSELLIA EUISETIFORMIS CORAL FOUNTAIN	5 GAL.		-	1 GPH EMITTER
⊕	CALLIANDRA CALIFORNICA RED FAIRY DUSTER	5 GAL.		-	1 GPH EMITTER
⊕	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO'™ RIO BRAVO SAGE	5 GAL.		-	1 GPH EMITTER
⊕	NERIUM OLEANDER 'PETITE PINK' DWARF PINK OLEANDER	5 GAL.		-	1 GPH EMITTER
⊕	DODONAEA VISCOSA HOPSEED BUSH	5 GAL.		-	1 GPH EMITTER
ACCENTS					
⊕	HESPERALOE PARVIFLORA RED YUCCA	5 GAL.		-	1 GPH EMITTER
⊕	MUHLENBERGIA CAPILARIS 'REGAL MIST' REGAL MIST DEER GRASS	5 GAL.		-	1 GPH EMITTER
⊕	DASYLIRION WHEELERI DESERT SPOON	5 GAL.		-	1 GPH EMITTER
GROUNDCOVER					
⊕	EREMOPHILA GLABRA 'MINGENOW GOLD' OUTBACK SUNRISE EMU	1 GAL.		-	1 GPH EMITTER
⊕	LANTANA SPP. 'NEW GOLD' LANTANA	1 GAL.		-	1 GPH EMITTER
	DECOMPOSED GRANITE 'EXPRESS GOLD' OR EQUAL	1/2" SCREENED			2" DEPTH ALL LANDSCAPE AREAS

NOTES:
1) TREE HEIGHTS AND CALIPERS WILL COMPLY WITH "ARIZONA NURSERY ASSOCIATION SPECIFICATIONS" FOR THAT TYPE AND SIZE OF TREE
2) LANDSCAPE TO BE WATERED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.



CONCEPTUAL LANDSCAPE PLAN

SCALE: 1"=20'-0"



CONCEPTUAL LANDSCAPE PLAN

SCALE: 1"=60'-0"

Landscape Standards		9/21/2019
Southern Ave Frontage		
Front Yard - Mn. Landscape Setback	40' (1)	
Trees - 1 per 25' or in equivalent grouping		
2" caliper	50%	
3" caliper	25%	
4" caliper	25%	
Shrubs - 5 Gal	5 per tree	
Groundcovers - 1 Gal	as required to achieve 50% live coverage	
Perimeter Landscape Buffer - Side & Rear		
Landscape Setback	10' Mn. (2)	
Trees - 60% 2" Caliper, 40% 1" caliper	1 Tree / 20'	
Shrubs: 5 Gal	5 per tree	
Parking Lot Landscapes (excluding perimeter req'ts., work vehicle & equip. storage areas)		
Interior surface area - excluding req'd setbacks	15% min.	
Planter Islands - 120sf min. per island per row	at end of aisle and every +/- 12 spaces	
Trees - 60% 2" Caliper, 40% 1" caliper	1 per island per row	
Shrubs - 5 Gal.	5 per tree	
Foundation Landscaping Adjacent to Buildings		
Buildings within 100' of Southern Ave ROW	Min. 25% of the exterior wall length shall	
or adjacent to public entries to the building	be landscaped with a min. 5' wide planter (min. 5' oc) or arcade or similar feature.	

NOTES:
(1) FRONT YARD BUILDING AND LANDSCAPE SETBACK SHALL BE 40 FEET FOR ALL NEW STRUCTURES. THE EXISTING BUILDINGS SHALL BE EXEMPT AND WILL NOT BE ALLOWED TO EXPAND ANY CLOSER TO SOUTHERN AVE. FRONT YARD SETBACKS SHALL BE LANDSCAPED EXCEPT FOR PARKING, WHICH SHALL BE SETBACK A MINIMUM OF 35 FEET AND SCREENED BY A 3 FOOT MINIMUM WALL, BERM, OR HEDGE. NO MORE THAN 35% OF THE FRONTAGE ALONG SOUTHERN AVE MAY HAVE PARKING WITHIN THE FRONT YARD SETBACK.
(2) THIS 10' LANDSCAPE SETBACK SHALL EXTEND AROUND THE PERIMETER OF THE PROPERTY. SELECTED TREES MAY INCLUDE: EVERGREEN ELM (ULMUS), PALO VERDE (PARKINSONIA SPECIES), MESQUITE (PROSOPIS SPECIES), DESERT WILLOW (CHILOPSIS SPECIES), IRONWOOD (OLNEYA TESTOTA), PISTACHIO (PISTACEA SPECIES), AND ACACIA (ACACIA SPECIES). SELECTED SHRUBS MAY INCLUDE: GREEN HOPSEED (DODONAEA) LEUCOPHYLLUM - SPECIES, SENNA SHRUBS, JOJOBA, AND TECOMA SPECIES.

MCP HOLDINGS LP 3307, 3315, 3329 E. SOUTHERN AVENUE CONCEPTUAL LANDSCAPE PLAN

PHOENIX, AZ
PREPARED FOR: MCP HOLDINGS LP & ELS

EXHIBIT 6



DATE: 9.26.19
GPLA JOB# 18046

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EXISTING



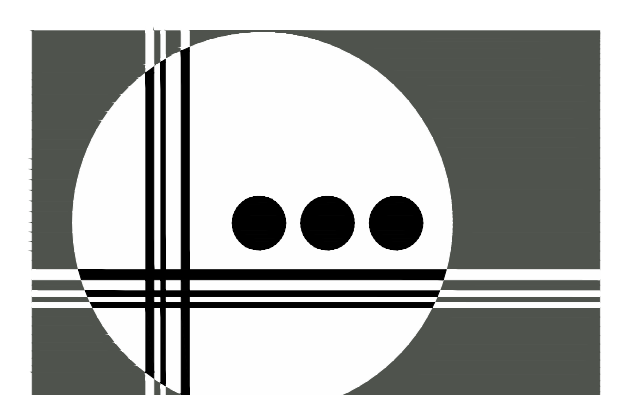
PROPOSED

MCP HOLDINGS LP
 3307, 3315, 3329 E. SOUTHERN AVENUE

PHOENIX, AZ
 PREPARED FOR: MCP HOLDINGS LP & ELS

EXHIBIT 7
 AERIAL IMAGERY
 AND RENDERING

SCALE: NTS
 DATE: 9.26.19
 GPLA JOB# 18046 NORTH



GILMORE
 PLANNING & LANDSCAPE ARCHITECTURE
 2211 N. 7th Street
 Phoenix, Az 85006
 T 602.266.5622
 www.getgilmore.com

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ELS - PUD Z-8-19-8

8/28/2019

COMPARISON of DEVELOPMENT STANDARDS

Zoning District	S-1 (Exist'g)	ELS - PUD	MUA	BAOD	Sub. S-1	ELS - PUD
Building Setbacks	Principal Bldg.				Accessory Bldg.	
Front Yard	40'	40' (1)	40'	N/A	40'	80'
Side Yard	30'	20'	15'	N/A	3'	10'
Rear Yard	30'	25'	20'	N/A	3'	10'
Landscape Setbacks						
Front Yard	N/A	40' (1)	35' avg	N/A	N/A	N/A
Side and Rear Yards	N/A	10'	10'	N/A	N/A	10'
Maximum Building Hgt.	30'	20'	20' - 1 story	30' - 2 story	20'	20'
Lot Coverage	10%	20% (2)	35%	N/A	15%	N/A (2)
Parking - Required	Per Code			N/A	N/A	N/A
Office/Adm. 1/300sf	34	34	34	N/A	N/A	N/A
Employee 1/3 Emp.	N/A		N/A	N/A	N/A	N/A
Parking - Provided		186	N/A	N/A	N/A	N/A
Office/Adm. 1/300sf		42	N/A	N/A	N/A	N/A
Employee 1/3 Emp.		144	N/A	N/A	N/A	N/A
Parking Area Landscape		10%	10%	15%	N/A	N/A



 6300 E Cave Creek Rd #202,
 Cave Creek, AZ 85331
 480.990.0545 office
 480.994.9097 fax
 www.everettalangroup.com

October 25, 2018

LEGAL DESCRIPTION

That portion of Lot 41 of BARTLETT-HEARD LANDS according to Book 13 of Maps, Page 35, records of Maricopa County Arizona, being more particularly described as follows;

BEGINNING at the Southwest corner of said 41 (1/2" rebar with cap 26404); thence North 0 Degrees 01 Minutes 53 Seconds East along the West line of said Lot 41 a distance of 1287.43 feet to a point on the South line of the North 33.00 feet of said Lot 41 (mag nail w/tag 26404); thence North 89 Degrees 30 Minutes 50 Seconds East along said South line a distance of 444.53 feet to a point on the East line of the West 115.43 feet of the East half of said Lot 41 (mag nail w/tag 26404); thence South 0 Degrees 01 Minutes 58 Seconds West along said East line a distance of 7.00 feet to a point on the South line of the North 40.00 feet of said Lot 41 (mag nail w/tag 26404); thence North 89 Degrees 30 Minutes 50 Seconds East along last said South line a distance of 49.46 feet to a point on the East line of the West 164.89 feet of the said East half of Lot 41 (1/2" rebar w/cap 26404); thence South 0 Degrees 01 Minutes 58 Seconds West along last said East line a distance of 1280.81 feet to a point on the South line of said Lot 41 (1/2" rebar w/cap 26404); thence South 89 Degrees 33 Minutes 31 Seconds West along last said South line a distance of 493.96 feet to the POINT OF BEGINNING.

Containing 14.59 acres, more or less

