



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-51-24-1
June 11, 2024

Deer Valley Village Planning Committee Meeting Date: June 18, 2024

Planning Commission Hearing Date: August 1, 2024

Request From: County [RU-43](#) (Pending S-1 DVAO) (Rural Zoning District - One Acre Per Dwelling Unit, Pending Ranch or Farm Residence, Deer Valley Airport Overlay District) (6.49 acres)

Request To: [CP/GCP DVAO](#) (Commerce Park District / General Commerce Park Option, Deer Valley Airport Overlay District) (6.49 acres)

Proposal: Commerce Park / Light Industrial

Location: Approximately 710 feet east of the northeast corner of 19th Avenue and Park View Lane

Owner: Brown Family Trust

Applicant/Representative: Clark Diepholz, Hawkeye Development, LLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>	Commerce / Business Park		
<u>Street Classification Map Designation</u>	Park View Lane	Local	0-foot north half street
<i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; EMPLOYERS (JOB CREATION); 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.</i>			
The proposal is located within the Deer Valley Major Employment Center, which is home to a large labor pool within easy access to the regional freeway system. This proposal will facilitate job creation in targeted high growth/high-wage industry sectors and targeted trade industry sectors.			

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; AIRPORTS; LAND USE PRINCIPLE: Encourage the development of city-owned and non-city-owned parcels near the airport to airport-compatible land uses surrounding the city's airports.

The subject site is near the Phoenix Deer Valley Airport and the proposed use is complimentary to and compatible with airport operations.

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

The proposal, as stipulated, will provide enhanced levels of shade which will provide thermal comfort for employees and pedestrians.

Applicable Plans, Overlays, and Initiatives

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

[Deer Valley Airport Overlay District](#) – See Background Item No. 7.

[Complete Streets Guiding Principles](#) – See Background Item No. 8.

[Tree and Shade Master Plan](#) – See Background Item No. 9.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 10.

[Zero Waste PHX](#) – See Background Item No. 11.

[Transportation Electrification Action Plan](#) – See Background Item No. 12.

[Phoenix Climate Action Plan](#) – See Background Item No. 13.

[Conservation Measures for New Development](#) – See Background Item No. 14.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Plant nursery and outdoor storage	County RU-43 (Pending S-1 DVAO)
North	Plant nursery and utility corridor	County RU-43
South (across Park	Landscaping storage yard	County IND-2 and County RU-43

View Lane)		
East	Plant nursery	County RU-43
West	Vacant	S-1 and County RU-43

CP/GCP DVAO (Commerce Park District / General Commerce Park Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
Maximum Lot Coverage	50%	Approx. 40% (Met)
Maximum Building Height	18 feet within 30 feet of perimeter lot line; 1-foot increase in height for every 3 feet of additional setback up to 56 feet in height; up to 80 feet with use permit	32 feet, 11 inches – 35 feet, 4 inches within approx. 40 feet - 74 feet perimeter lot lines* (Not Met)
<i>Minimum Building Setbacks</i>		
Perimeter Lot Line on a Street	30 feet	South (Park View Lane): Approx. 74 feet, 6 inches (Met)
Perimeter Lot Line not on a Street	20 feet	North: Approx. 40 feet – 59 feet (Met)
		East: Approx. 60 feet (Met)
		West: Approx. 43 feet – 60 feet (Met)
<i>Minimum Landscape Setbacks</i>		
Perimeter Lot Line on a Street	30 feet	South (Park View Lane): 25 feet* (Not Met)
Perimeter Lot Line not on a Street, Adjacent to Residential Zoning	5 feet	North: 10 feet (Met)
		East: 10 feet (Met)
		West: 10 feet (Met)
Minimum Parking	127 spaces required 1 space per 1,000 square feet of gross floor area (industrial shell building) 1 space per 300 square feet of floor area (office) 105,301 square feet proposed (industrial shell building) 6,379 square feet proposed (office)	159 spaces (Met)

*Site plan modification or variance required.

Background / Issues / Analysis

SUBJECT SITE

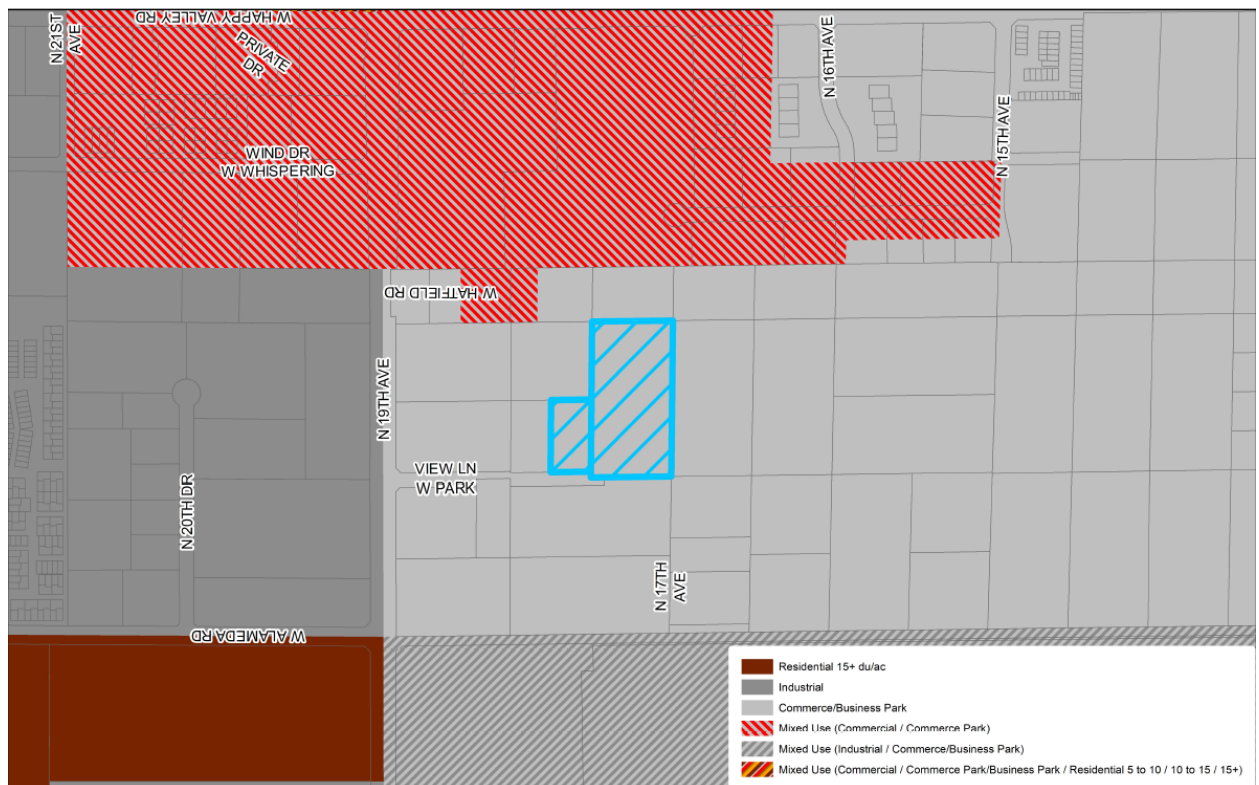
1. This request is to rezone 6.49 acres located approximately 710 feet east of the northeast corner of 19th Avenue and Park View Lane from County RU-43 (Pending S-1 DVAO) (Rural Zoning District - One Acre Per Dwelling Unit, Pending Ranch or Farm Residence, Deer Valley Airport Overlay District) to CP/GCP DVAO (Commerce Park District / General Commerce Park Option, Deer Valley Airport Overlay) for a commerce park / light industrial development.

The subject site is currently going through the annexation process into the City of Phoenix from Maricopa County and contains a plant nursery and outdoor storage.

GENERAL PLAN LAND USE MAP DESIGNATION

2. The General Plan Land Use Map designation for the subject site is Commerce/Business Park. The proposal for CP/GCP DVAO zoning is consistent with that designation.

The General Plan Land Use Map designation for the area to the north, south, east and west is also Commerce/Business Park.



General Plan Land Use Map

Source: Planning and Development Department

SURROUNDING LAND USES AND ZONING

3. To the north of the subject site is a plant nursery and utility corridor within Maricopa County zoned RU-43 (Rural Zoning District – One Acre Per Dwelling Unit).

To the south of the subject site, across Park View Lane, is a landscaping storage yard within Maricopa County zoned IND-2 (Light Industrial Zoning District) and RU-43.

To the east of the subject site is a plant nursery within Maricopa County zoned RU-43.

To the west of the subject site is vacant land both within the City of Phoenix and Maricopa County, zoned S-1 (Ranch or Farm Residence) and RU-43.

PROPOSAL

4. **Site Plan**

The site plan, attached as an exhibit, proposes two warehouse buildings with office spaces with approximately 105,301 square feet of total warehouse floor area and approximately 6,379 square feet of total office floor area. Three truck bays are proposed for the two warehouse buildings. Refuse enclosures are proposed on the western center of the site. A total of 159 parking spaces, including seven ADA parking spaces, are proposed. Vehicular access is proposed from two driveways on the west and east sides of the south side of the site from Park View Lane. A 10-foot landscape setback is proposed along the perimeter of the site and a 25-foot landscape setback is proposed along Park View Lane. Staff does not recommend general conformance to the site plan since the proposal does not meet the required building height stepback provision for perimeter lot lines and the minimum required landscape setback for a perimeter lot line on a street.

To enhance the landscaping for the site, staff recommends that the required landscape setbacks be planted with minimum two-inch caliper, large canopy shade trees, planted 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree. This is addressed in Stipulation No. 1.

In order to enhance employee health and wellness, staff recommends that one outdoor employee resting area of no less than 400 square feet, or two 200-square-foot areas, be provided on the site, and include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75 percent using shade trees and/or architectural shade. This is addressed in Stipulation No. 2.

To enhance pedestrian safety and visibility, staff recommends that where pedestrian walkways cross a vehicular path, the pathway be constructed of an alternative material or pavement treatment that visually contrasts parking and drive aisle surfaces. This is addressed in Stipulation No. 3.

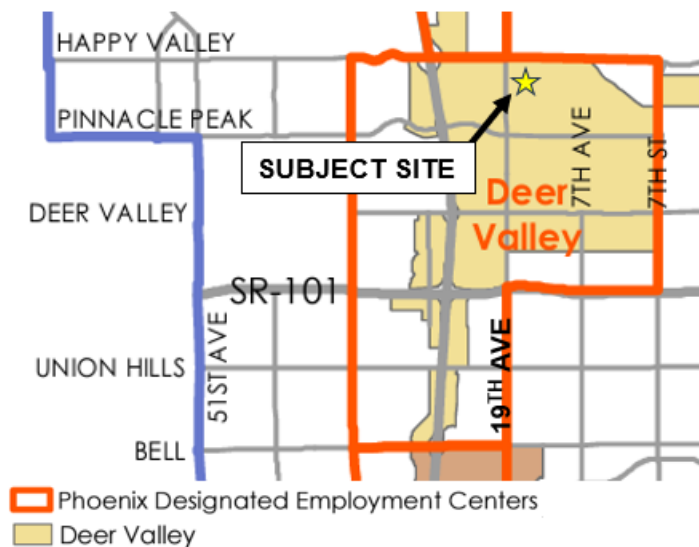
5. **Elevations**

The building elevations, attached as an exhibit, proposes a maximum of 35 feet and 4 inches in height and includes a variety of colors, materials, breaking of massing, articulation, variation in rooflines, and glazing. Staff does not recommend general conformance to the elevations since the proposal does not meet the the building height stepback provision for perimeter lot lines.

PLANS, OVERLAYS, AND INITIATIVES

6. **Deer Valley Major Employment Center**

The subject site is located within the Maricopa Association of Governments (MAG) designated Deer Valley Major Employment Center and within the city designated Deer Valley Employment Center. The substantial size and diverse nature of the labor pool found in the Deer Valley area is a key factor in contributing to the overall attractiveness of this employment center. Employers located within the area have access to nearly 450,000 workers within a 20-minute drive time, and within a 30-minute drive, the number of workers increases to more than 850,000. The size of the labor force will continue to increase as additional development occurs in this area. The Deer Valley Employment Center boasts about 9.3 million square feet of office space, 3.0 million square feet of flex space, and over 11.9 million square feet of industrial space. This proposal adds commerce park uses that will add to the employment in a designated employment center.

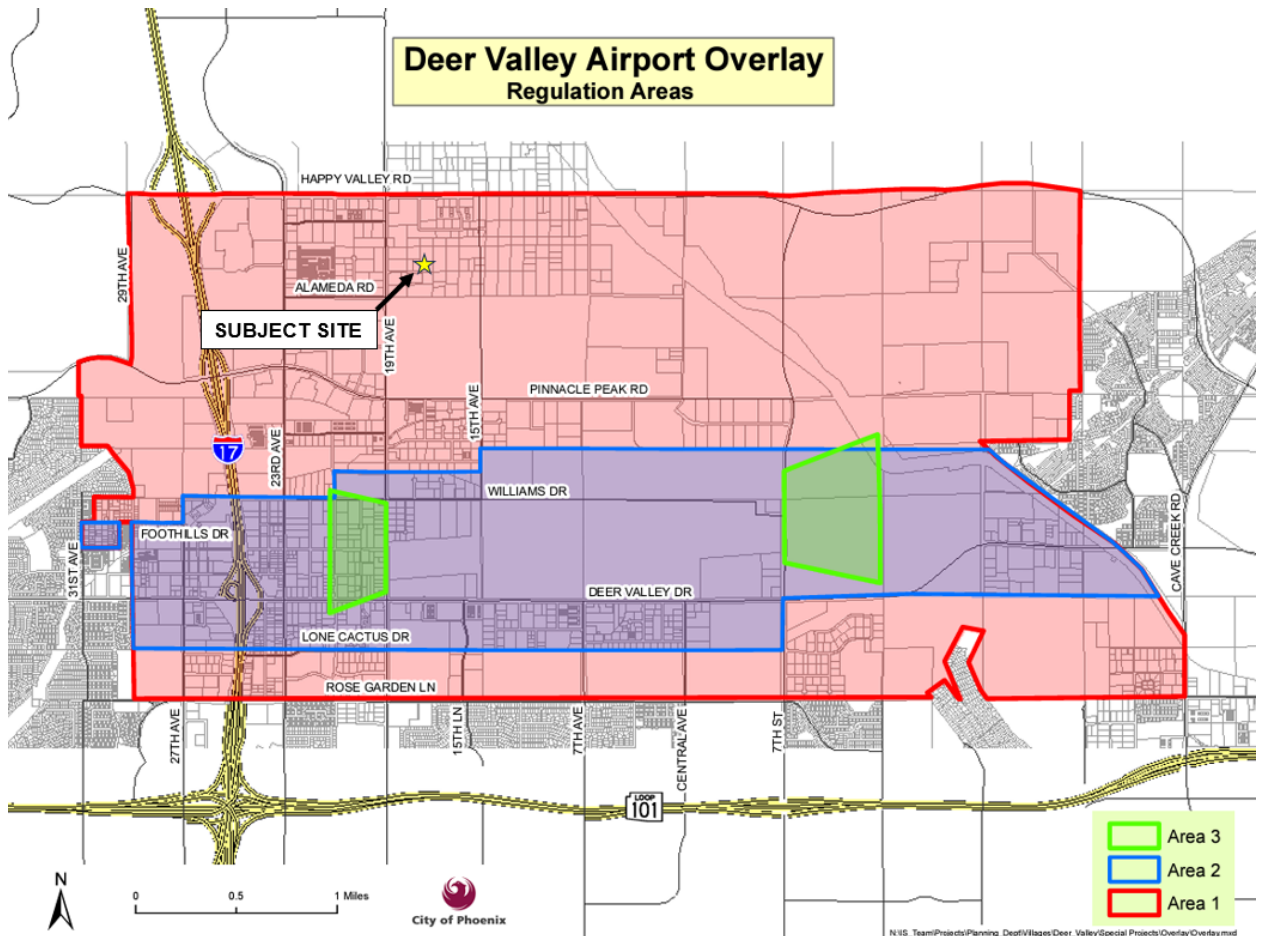


*Major Employment Centers Map
Source: Planning and Development Department*

7. **Deer Valley Airport Overlay District**

The subject site is located within the Deer Valley Airport Overlay District (DVAO), Area 1, and the proposed uses and height are consistent 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 proposed development is consistent with the character of the Phoenix Deer Valley Airport area, is compliant with height restrictions, and the property owner will be required to record a disclosure notice to prospective purchasers regarding the proximity to the Phoenix Deer Valley Airport (per sec. 658.D of the Phoenix Zoning Ordinance).



Deer Valley Airport Overlay Regulation Areas Map
Source: Planning and Development Department

8. **Complete Streets Guiding Principles**

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. To provide a safe pedestrian environment, staff recommends that enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles (Stipulation No. 2). Additionally, staff recommends a detached sidewalk per Stipulations No. 14 which will ensure a more comfortable and safe walking environment and Stipulation Nos. 4 and 5 will encourage the use of bicycles by providing the infrastructure for bicycle parking and

electrical charging capabilities.

9. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff recommends a detached shaded sidewalk along Park View Lane with trees planted between the back of curb and sidewalk, enhanced planting standards in the required landscape setbacks, and shading for employee resting areas. These are addressed in Stipulation Nos. 1, 2 and 14.

10. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan also supports options for both short-and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations, including commerce park employment centers. Stipulation No. 4 requires bicycle parking spaces be provided on the site for each building.

11. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The applicant's submittal materials note that recycling will be consistent with City of Phoenix requirements.

12. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. To achieve the goals of the Plan, staff

recommends that a minimum of one of the bicycle parking spaces include standard electrical receptacles for electric bicycle charging capabilities, and that a minimum of five percent of the required parking spaces include EV Capable infrastructure. These are addressed in Stipulation Nos. 5 and 6.

13. **Phoenix Climate Action Plan**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Metro Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 7, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

14. **Conservation Measures for New Development**

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to "Build the Sustainable Desert City". The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 8 through 12, which addresses the following:

- Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List to be utilized.
- Landscaping to be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
- Pressure regulating sprinkler heads and drip lines to be utilized in any turf areas to reduce water waste.
- A minimum of 25 percent of surface parking areas to be shaded by structures, by minimum two-inch caliper shade trees, or a combination thereof.
- Prior to final site plan approval, documentation to be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years.

COMMUNITY INPUT SUMMARY

15. At the time this staff report was written there was no correspondence received from

members of the public.

INTERDEPARTMENTAL COMMENTS

16. The Street Transportation Department requested the following, which are addressed in Stipulations Nos. 13 through 17:
- Dedication and construction of the north half of Park View Lane.
 - A detached sidewalk with a landscape strip for the north side of Park View Lane.
 - All existing overhead utilities within the public right-of-way to be undergrounded.
 - Unused driveways to be replaced with sidewalk, curb, and gutter, and any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets to be replaced, and all off-site improvements to be upgraded to be in compliance with current ADA guidelines.
 - Street improvements with all required elements and according to ADA standards.

OTHER

17. The site is not located in an area identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, ground-disturbing activities must cease to allow the Archaeology Office time to assess the materials. This is addressed in Stipulation No. 18.
18. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 19.
19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposal is located with the Deer Valley Major Employment Center and is compatible with the land use transition in the area to employment uses.
3. The proposed zoning is consistent with the goals and policies of the Deer Valley Airport Overlay and will provide additional employment opportunities in the village.

Stipulations

1. Required landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center or in equivalent

- groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
2. One outdoor employee resting area of no less than 400-square feet or two 200-square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper, large canopy, shade trees, and/or architectural shade, as approved by the Planning and Development Department.
 3. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
 4. A minimum of two bicycle parking spaces shall be provided for each building through Inverted U and/or artistic racks located near the front office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 5. A minimum of one of the required bicycle parking spaces for each building shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
 6. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Capable infrastructure, as approved by the Planning and Development Department.
 7. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
 8. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
 9. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

10. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
11. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures, by minimum 2-inch caliper, large canopy, shade trees, or a combination thereof.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north half of Park View Lane, adjacent to the development, as approved by the Planning and Development Department.
14. A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed along the north side of Park View Lane, adjacent to the development, and planted with minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings. Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
15. All existing overhead utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
16. Unused driveways shall be replaced with sidewalk, curb, and gutter. Also, any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets shall be replaced and all off-site improvements shall be upgraded to be in compliance with current ADA guidelines.
17. All streets within and adjacent to the development shall be constructed 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.
18. 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.

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19. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Matteo Moric

Adrian Zambrano

June 11, 2024

Team Leader

Racelle Escolar

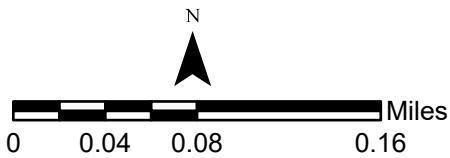
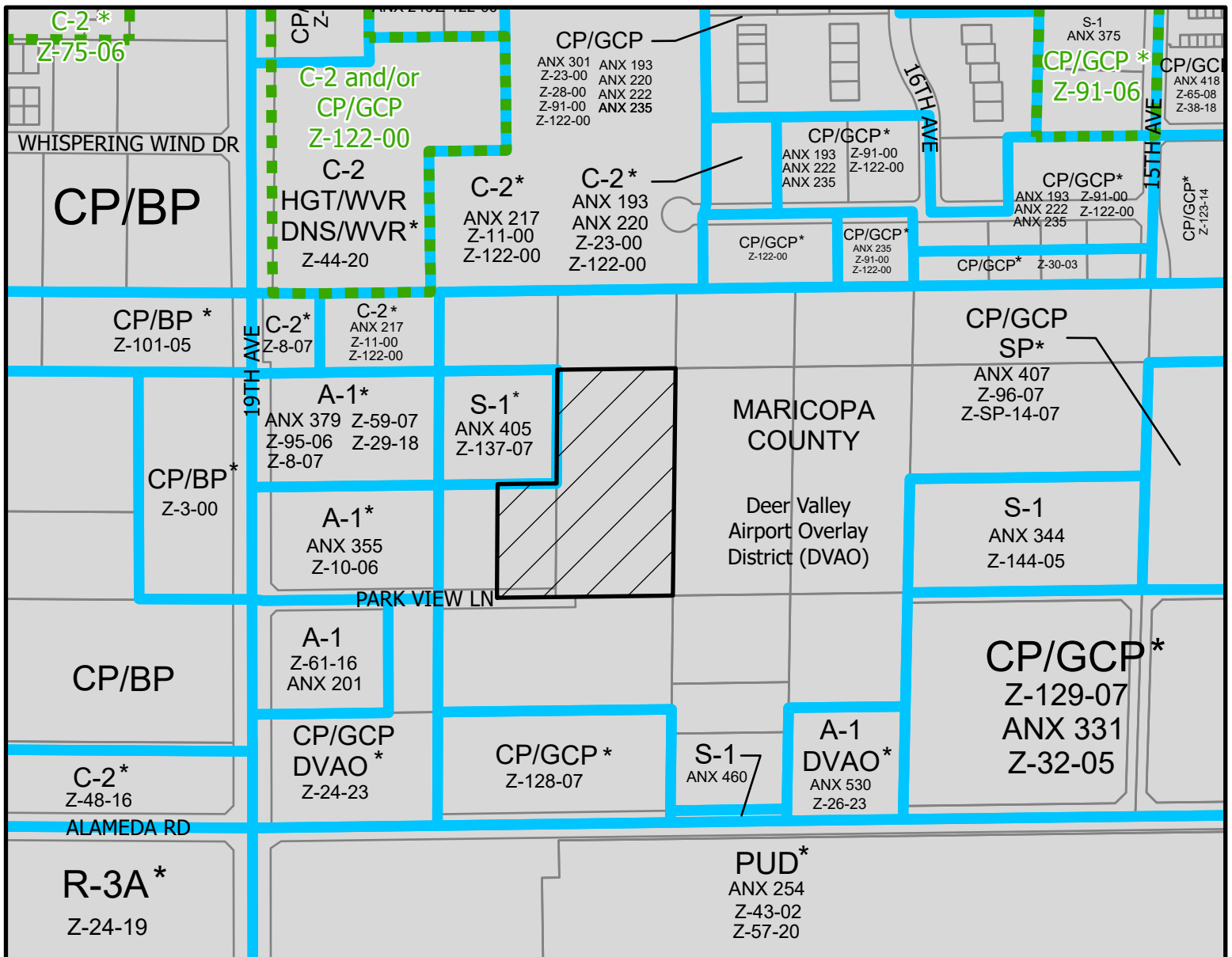
Exhibits

Zoning Sketch Map

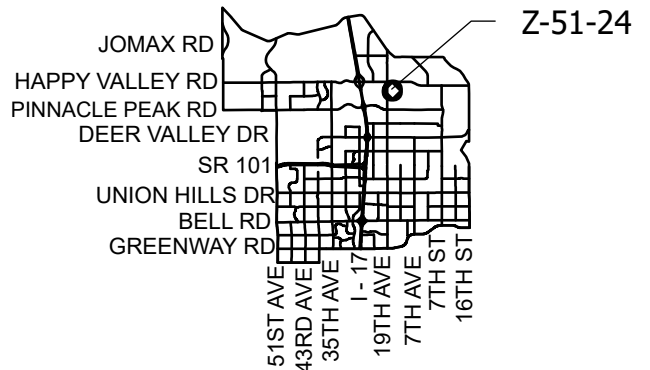
Aerial Sketch Map

Site Plan date stamped April 4, 2024

Elevations date stamped April 4, 2024



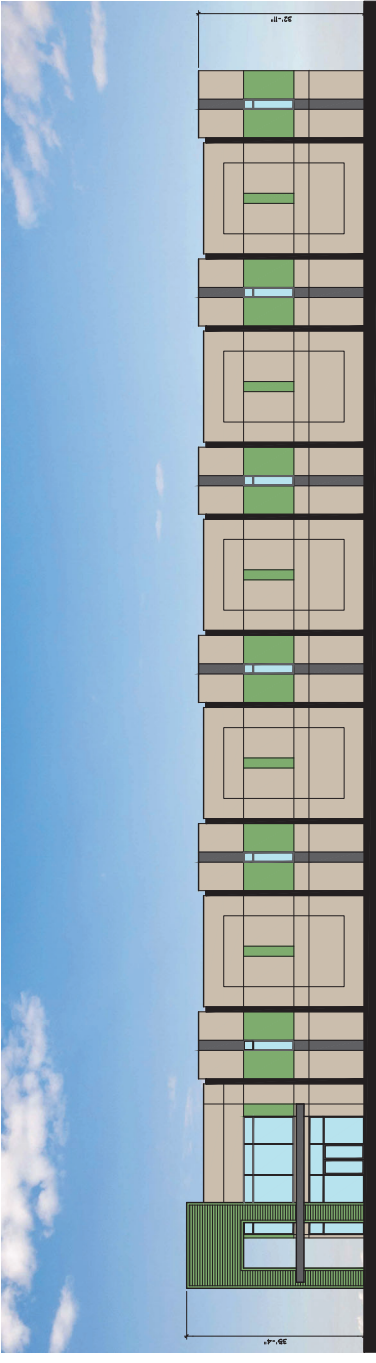
DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1



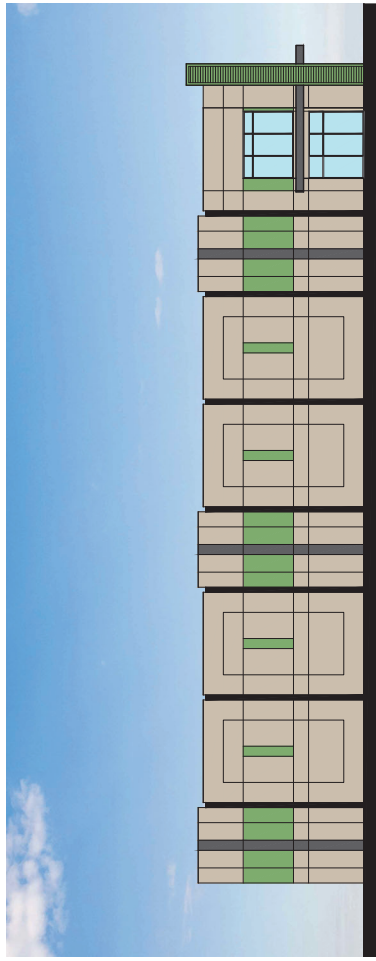
APPLICANT'S NAME: Hawkeye Development, LLC		REQUESTED CHANGE:	
APPLICATION NO: Z-51-24		FROM: COUNTY RU-43 (Pending S-1 DVAO) (6.49 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 6.49 Acres	DATE: 4/12/2024	TO: CP/GCP DVAO (6.49 a.c.)	
	REVISION DATES:		
MULTIPLES PERMITTED COUNTY RU-43 (Pending S-1 DVAO) CP/GCP DVAO	AERIAL PHOTO & QUARTER SEC. NO. QS 46-25	CONVENTIONAL OPTION N/A (6) N/A	
	ZONING MAP O-7	* UNITS P.R.D OPTION N/A (N/A) N/A	

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

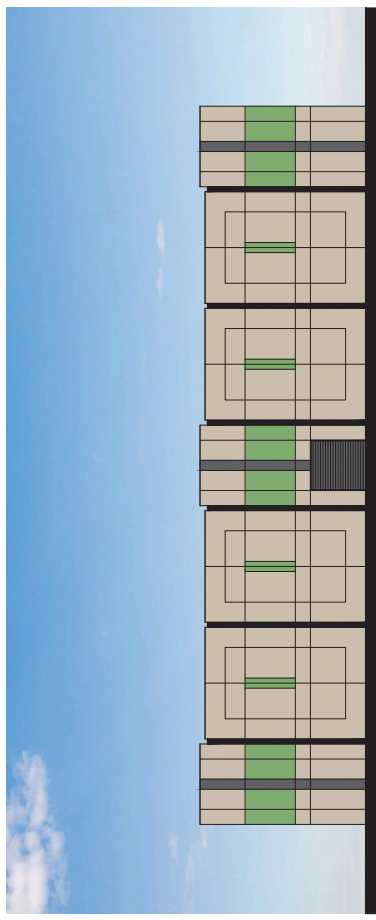
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 Department



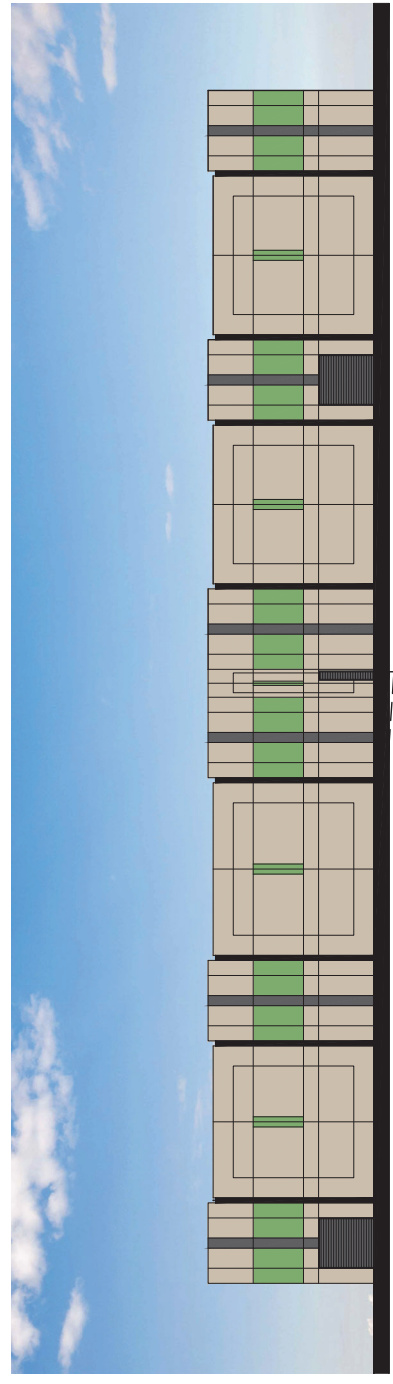
FRONT ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

