



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-66-C-96-1
October 29, 2018

Rio Vista [Village Planning Committee](#) November 13, 2018
Meeting Date:

[Planning Commission](#) Hearing Date: December 6, 2018

Request From: [C-2](#) or [CP/GCP](#) PCD (1.48 acres), [C-2 PCD](#) (1.59 acres)

Request To: [C-2 HGT/WVR PCD](#) (3.07) acres

Proposed Use: Height waiver to allow 3 stories and 40 feet

Location: Northwest corner of 41st Drive and Fortune Drive

Owners: Tim Rutjes

Applicant/Representative: Nathan Anderson

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Mixed Use (Commercial / Commerce Park)	
Street Map Classification	41st Drive	Minor Collector	30-foot west half
	Fortune Drive	Local	30-foot north half
<p>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: <i>Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></p> <p>As stipulated, the scale and design will be respectful and compliment the surrounding commercial uses.</p>			
<p>CORE, CENTERS AND CORRIDORS; LAND USE PRINCIPLE: <i>Plan cores, centers and corridors to include a variety of land uses: office, retail shopping, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.</i></p> <p>The subject site is located within a business park in the Anthem PCD. The addition of a hotel use will aide in providing a mixture of businesses and tenants within the Rio Vista Village and along the Interstate 17 freeway.</p>			

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The subject site is currently vacant and underutilized. Development of the site will provide property improvements and will be an added benefit to the area.

Applicable Plans, Overlays and Initiatives

Reimagine Phoenix

See Background Item No. 12.

Surrounding Land Uses/Zoning

	Land Use	Zoning
On Site	Vacant Land	C-2 or CP/GCP PCD, C-2 PCD
North	Motorcycle sales and auto repair	C-2 PCD
South	Commercial park and warehouse	CP/GCP PCD
East	Vacant land, hotel and self-storage and truck rental	PCD
West	Commercial retail and services	C-2 PCD

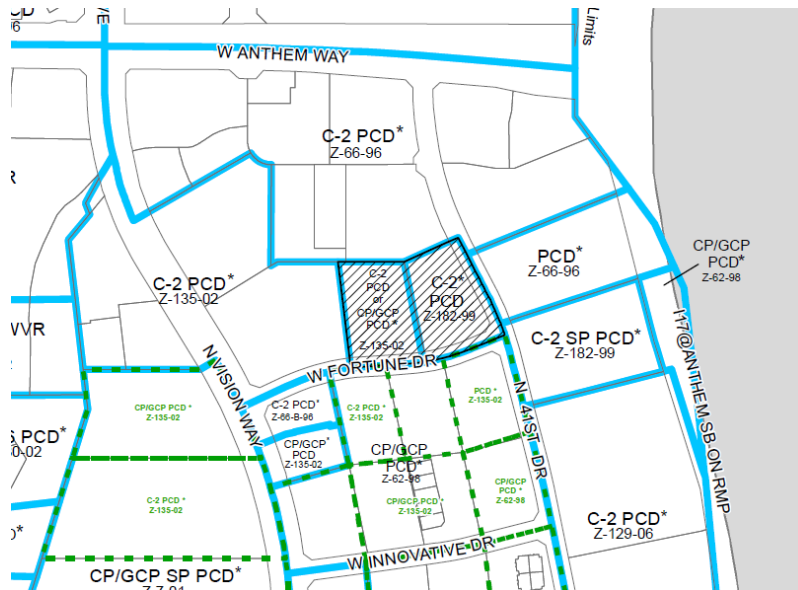
Intermediate Commercial (C-2) with a height waiver

<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
<i>Landscaped Setbacks</i>		
Street	Average 30 feet	Met- 30 feet
Interior	0 feet adjacent to C-2	Met- Approx. 10 feet
<i>Building Setbacks</i>		
Street	Average 30 feet	Met- 30 feet
Interior	0 feet	Exceeds – Approx. 70 feet
Lot Coverage	50% maximum	Met-16 %
Building Height	30 feet maximum, 56 feet maximum with height waiver	Met- 38 feet

Background/Issues/Analysis

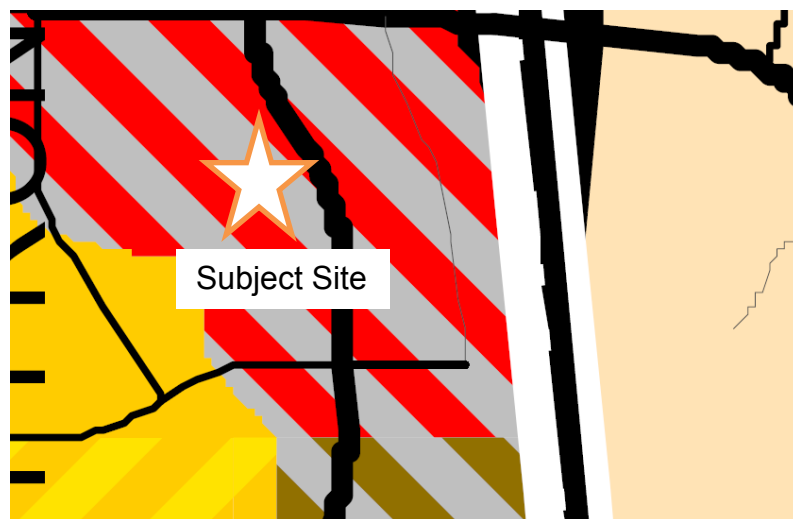
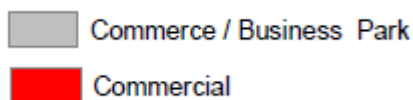
SUBJECT SITE

1. This is a request to rezone a 3.07-acre site located at the northwest corner of 41st Drive and Fortune Drive. The request is to rezone from 1.48 acres of C-2 or CP/GCP PCD (Intermediate Commercial or Commerce Park/General Commerce Park, Planned Community District) and 1.59 acres of C-2 PCD (Intermediate Commercial, Planned Community District) to 3.07 acres C-2 HGT/WVR PCD (Intermediate Commercial, Height Waiver) to allow commercial uses with a height waiver for up to 3 stories and 40 feet, as stipulated. The proposed use is a hotel.



Source: City of Phoenix Planning and Development Department

2. The General Plan Land Use Map designation for the subject site is Mixed Use (Commercial/Commerce Park). The proposed use is consistent with the General Plan Land Use Map designation.

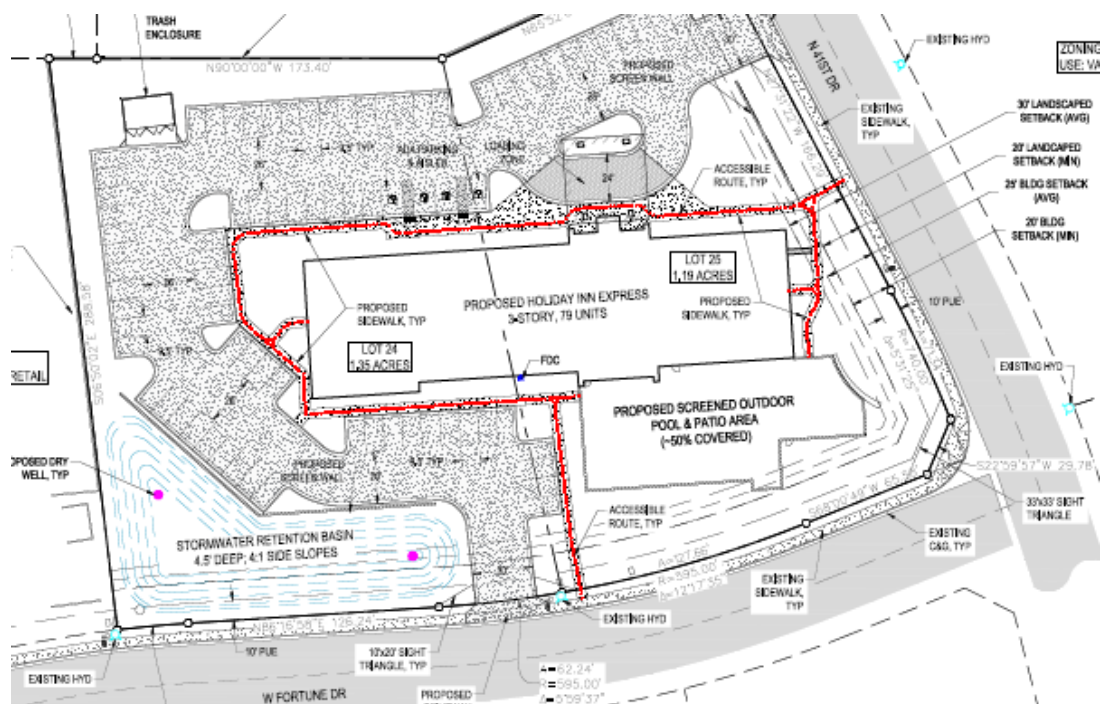


Source: City of Phoenix Planning and Development Department

PROPOSAL

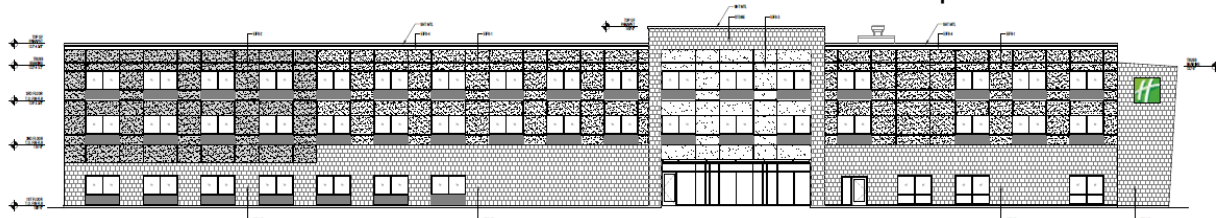
3. The subject site is within the Anthem PCD (Z-66-96). To ensure the proposed development complies with the standards that are part of the Anthem PCD, Stipulation No. 2 is recommended.

4. The proposed site plan depicts the main entry of the hotel facing north with the outdoor pool area fronting onto Fortune Drive. Staff has recommended general conformance to the site plan submitted. This is addressed in Stipulation No. 1.



Source: JLA

5. Although the site is not located within the North Black Canyon Overlay District, staff has recommended several stipulations that would ensure the development is compatible to the natural desert environment. Development standards from the North Black Canyon Overlay District this is addressed in Stipulation Nos. 3, 5 and 6.
6. General Conformance to the elevations has been recommended given the variation in massing and articulation of the wall planes. This is addressed in Stipulation No. 1. As shown on the elevations, there are window mechanical units. To achieve a high level of architectural quality, staff has recommended that those units be internalized or be flush with the wall plane and screened with a decorative embellishment. This is addressed in Stipulation No. 7.



Source: JLA

7. The C-2 zoning district regulations indicate that a maximum height of two stories and 30 feet is permitted, but not to exceed the height of 4 stories and 56 feet upon finding that such additional height is not detrimental to adjacent properties or the public welfare in general. The height being proposed is 3 stories and 36 feet. Staff is recommending a stipulation to limit the maximum building height to 3 stories and 40 feet. This is addressed in Stipulation No. 4.

COMMUNITY INPUT SUMMARY

8. At the time this staff report was written, staff has received one letter of opposition and a call of opposition. The neighbor that submitted a letter of opposition has concerns about the proposed height. The phone call that was received was regarding the deed restrictions on the property that preclude a hotel use.

INTERDEPARTMENTAL COMMENTS

9. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
10. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 0835 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
11. 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 No. 8.

OTHER

12. 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. 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 provision of recycling containers was not addressed in the applicant's submittals.
13. 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 abandonments, may be required.

Findings

1. The proposal will allow for the development of a lot that has been vacant since annexation and the development will contribute to the enhancement in the area.
2. The proposal is compatible with the surrounding commercial uses.
3. The additional height will not have negative impacts to the surrounding properties.

Stipulations

1. The development shall be in general conformance with the site plan and elevations date stamped June 19, 2018, as modified by the following stipulations and approved by the Planning and Development Department.
2. Compliance with all applicable stipulations from the Anthem PCD (Z-66-96), as approved by the Planning and Development Department.
3. The color and material palette for the buildings shall be determined at site plan review and shall be muted and blend with, rather than contrast strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
4. The maximum building height shall be 40 feet.
5. All retention areas shall be natural and organic in shape, as approved by the Planning and Development Department.
6. The glazing on all building windows shall have a maximum reflectivity of 20%, as approved by the Planning and Development Department.
7. Any external climate mechanical equipment shall be flush with wall plane and screened through decorative embellishment or the system shall be internalized, as approved by the Planning and Development Department.
8. 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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October 29, 2018

Page 7 of 7

Writer

Kaelee Wilson

October 29, 2018

Team Leader

Samantha Keating

Exhibits

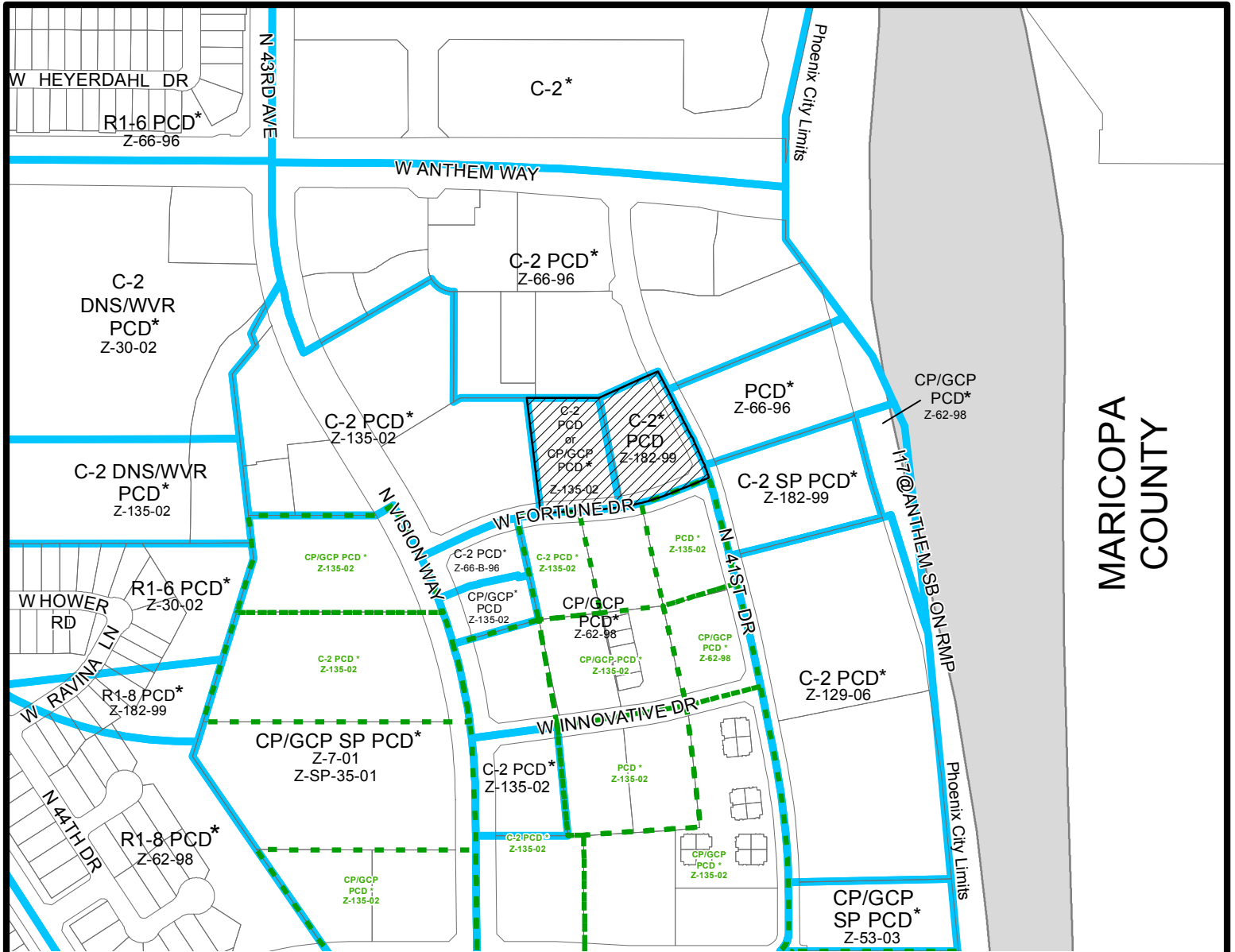
Sketch Map

Aerial Map

Conceptual Site Plan, date stamped June 19, 2018 (1 page)

Conceptual Elevations, date stamped June 19, 2018 (1 page)

Community Correspondence (3 pages)



MARICOPA
COUNTY



Feet

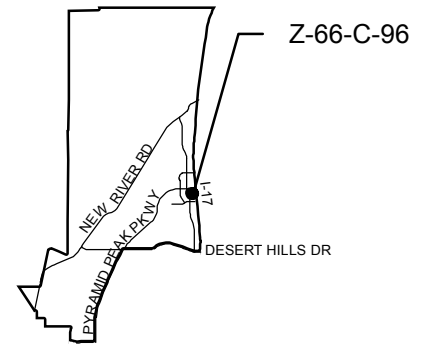
31,000 15,500 0 31,000

RIO VISTA VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Nathan Anderson**

APPLICATION NO. **Z-66-C-96**

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

3.07 Acres

DATE: **9/6/2018**
REVISION DATES:

10/8/2018

10/30/2018

AERIAL PHOTO &
QUARTER SEC. NO.

QS 68-19

ZONING MAP

U-6

REQUESTED CHANGE:

FROM: **C-2 or CP/GCP PCD (1.48 a.c.)
C-2 PCD (1.59 a.c.)**

TO: **C-2 HGT/WVR PCD (3.07 a.c.)**

MULTIPLES PERMITTED

C-2 or CP/GCP PCD, C-2 PCD

C-2 HGT/WVR PCD

CONVENTIONAL OPTION

21, N/A

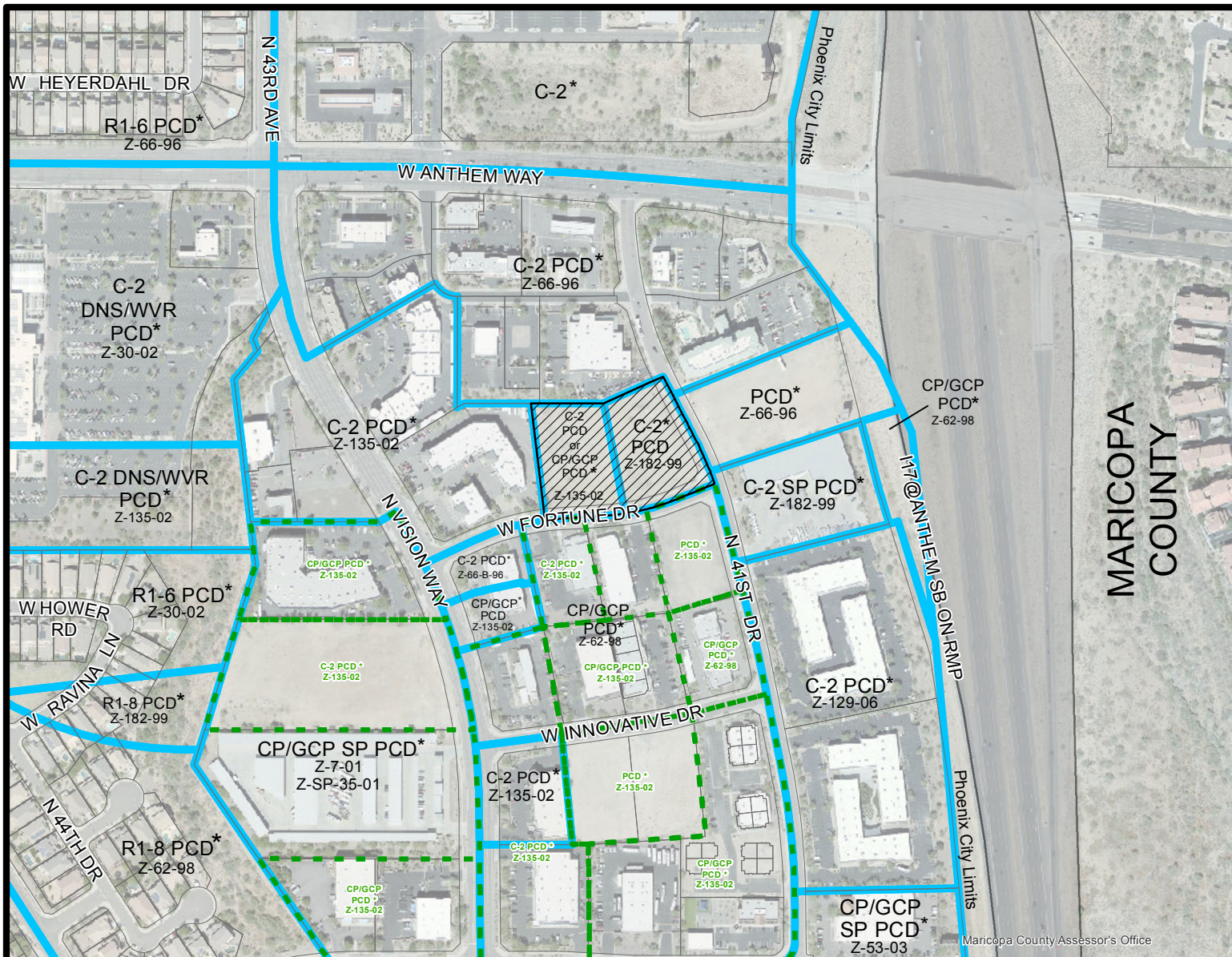
44

* UNITS P.R.D. OPTION

27, N/A

53

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



Feet

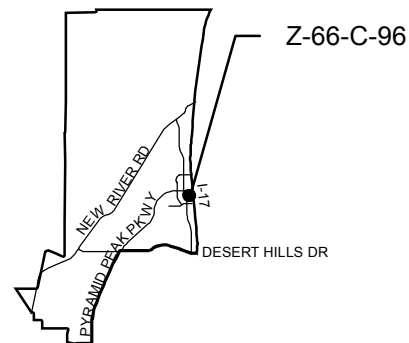
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RIO VISTA VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Nathan Anderson**

APPLICATION NO. **Z-66-C-96**

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ZONING MAP

U-6

REQUESTED CHANGE:

FROM: **C-2 or CP/GCP PCD (1.48 a.c.)
C-2 PCD (1.59 a.c.)**

TO: **C-2 HGT/WVR PCD (3.07 a.c.)**

MULTIPLES PERMITTED

C-2 or CP/GCP PCD, C-2 PCD

C-2 HGT/WVR PCD

CONVENTIONAL OPTION

21, N/A

44

* UNITS P.R.D. OPTION

27, N/A

53

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



VICINITY MAP - ANTHEM, PHOENIX, AZ

PROJECT INFORMATION

PROJECT NAME: HOLIDAY INN EXPRESS

LJA PROJECT #: 17114

APPLICANT: TIM RUTJES
AAZH, LLC
PO BOX 1080
YANKTON, SD 57078
PHONE: 605-665-6023
FAX: 605-665-8983

CIVIL ENGINEER: TROY TOOZ
LIGHTOWLER JOHNSON ASSOCIATES, INC.
700 MAIN AVE
FARGO, ND 58103
PHONE: 701-293-1350
FAX: 701-293-1353

PROJECT DESCRIPTION: CONSTRUCTION OF A 3-STORY, 80 UNIT HOLIDAY INN EXPRESS HOTEL WITH ASSOCIATED PAVED PARKING LOT AND DRIVE AISLES, CONCRETE CURB & GUTTER, CONCRETE SIDEWALK, OUTDOOR POOL AND PATIO AREA, LANDSCAPING FEATURES, UNDERGROUND UTILITIES (SANITARY SEWER SERVICE, WATER SERVICES (DOMESTIC AND FIRE), STORM SEWER COLLECTION SYSTEM, AND DRY UTILITIES), AND STORMWATER RETENTION BASIN.

LOT SALES PROPOSED: NO

SITE INFORMATION

ADDRESS: 4114 & 4124 W FORTUNE DR, PHOENIX, AZ 85086
LEGAL DESCRIPTION: LOTS 24 & 25, ANTHEM COMMERCE PARK 33.2
ZONING: C-2 PCD (INTERMEDIATE COMMERCIAL, PLANNED COMMUNITY DISTRICT)
ZONING CASE NUMBERS: Z-66-96, Z-182-99 (LOT 25); Z-135-02 (LOT 24)
SITE ACREAGE: 133,779 SF (3.07 ACRES) GROSS
110,666 SF (2.54 ACRES) NET
LOT COVERAGE: 21,702 / 133,779 = 16.2%
FLOOR AREA RATIO: 48,960 / 133,779 = 36.6%

BUILDING SETBACKS

ADJACENT TO STREETS: AVERAGE 25'; MINIMUM 20' PERMITTED FOR UP TO 50% OF STRUCTURE, INCLUDING PROJECTIONS
NOT ADJACENT TO STS: 0' (ADJACENT TO C-2 / CP)

LANDSCAPED SETBACKS

ADJACENT TO STREETS: AVERAGE 30'; MINIMUM 20' FOR UP TO 50% OF THE FRONTAGE
NOT ADJACENT TO STS: 0' (ADJACENT TO C-2 / CP)

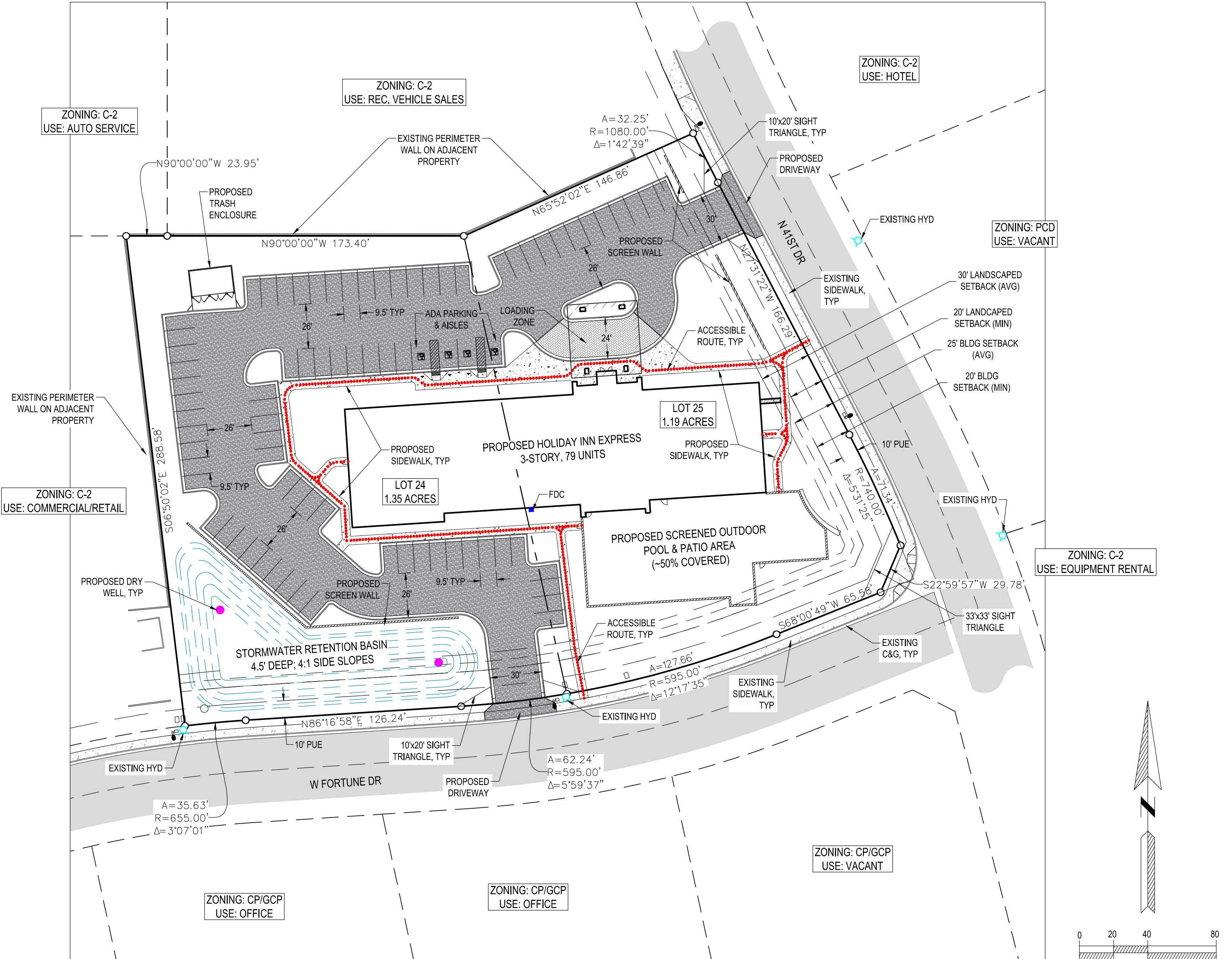
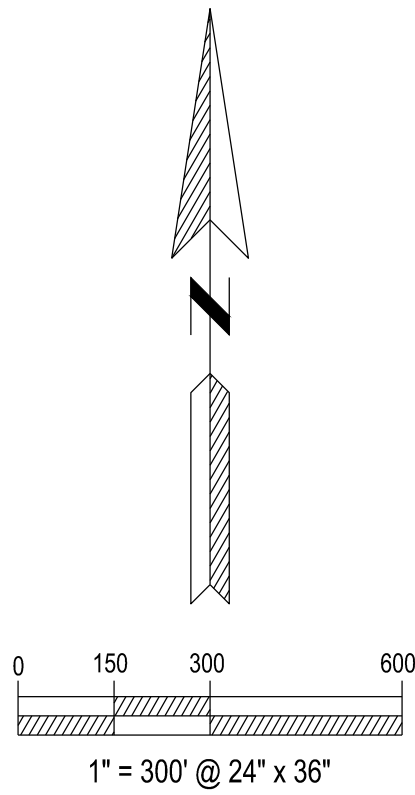
PROPOSED BUILDING INFORMATION

HEIGHT: 40'
STORIES: 3
CONSTRUCTION TYPE: V-A
GROSS BUILDING AREA: 48,960 SF (1ST FLOOR - 16,378 SF, 2ND & 3RD FLOORS - 16,291 SF)
COVERED AREA: 21,702 SF (1ST FLOOR - 16,378 SF, DRIVE-UNDER PORT - 1,724, PATIO - 3,600 SF)
USES: HOTEL WITH PRIVATE MEETING SPACE, EXERCISE FACILITY, OUTDOOR POOL, & DINING AREA

PARKING

REQUIRED: 1 SPACE PER 1 DWELLING UNIT OR ROOMING UNIT
1 SPACE/UNIT x 80 UNITS = 80 SPACES (INCLUDING ACCESSIBLE PARKING)
ACCESSIBLE PARKING PER ZONING ORDINANCE 702.G, TABLE 1 = 4 SPACES

PROVIDED: 76 STANDARD PARKING SPACES (9.5' x 18')
4 ACCESSIBLE PARKING SPACES (11' x 18' w/ 5' ACCESS AISLE)
80 TOTAL SPACES



SITE PLAN

ZONING CASES AND STIPULATIONS (APPLICABLE TO THIS DEVELOPMENT)

Z-182-99-1

- THAT DEVELOPMENT BE SUBJECT TO ALL PRIOR GUIDELINES AND STIPULATIONS APPROVED UNDER Z-66-96-1 AND Z-62-98-1 AS MAY BE MODIFIED BY THE FOLLOWING STIPULATIONS.
- THAT (CPTD) CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN PRINCIPLES SHALL BE USED IN THE DESIGN AND LAYOUT OF SITES, AS RECOMMENDED BY THE CPTD POLICE OFFICER, AT THE TIME OF PRELIMINARY SITE PLAN REVIEW AND APPROVED BY DEVELOPMENT SERVICES DEPARTMENT.

Z-135-02-1

- THAT THE LANDSCAPED AREAS ADJACENT TO THE BUILDINGS SHALL BE A MINIMUM OF 25% OF THE LENGTH OF THE BUILDING FACADE FACING PUBLIC STREETS.
- THAT APPLICANT SHALL PROVIDE UPDATED PCD DEVELOPMENT PLANS REFLECTING ALL CHANGES RESULTING FROM THE APPROVAL OF THIS APPLICATION.
- THAT THE DEVELOPMENT GUIDELINES ON THE C-2 PCD PORTION OF THIS APPLICATION (PARCEL 32.2 OF APPROXIMATELY 7.44 ACRES) SHALL REFLECT THE HEIGHT, SETBACK, DENSITY, AND LOT COVERAGES ALLOWED THROUGH THE R-3A ZONING REQUIREMENTS.
- THAT ANY LOADING SPACES ADJACENT TO STREETS, FREEWAYS OR RESIDENTIAL ZONED PROPERTY SHALL BE SCREENED FROM VIEW, AS APPROVED BY DEVELOPMENT SERVICES DEPARTMENT.
- THAT C-2 PARCELS SHALL BE DEVELOPED IN ACCORDANCE WITH THE ANTHEM DESIGN GUIDELINES AND WITH A SIMILAR ARCHITECTURAL THEME. DESIGN CONSIDERATIONS ARE TO BE ESTABLISHED THROUGH THE DESIGN REVIEW PROCESS WITH THE DEVELOPMENT SERVICES DEPARTMENT TO REDUCE VISUAL INTRUSION INTO THE ADJOINING NEIGHBORHOOD THROUGH TEXTURE, BANDING, CORNICES, MATERIALS, ETC., TO PROVIDE A "SOFTENING" OF THE BUILDINGS. THE ARCHITECTURAL THEME FOR THE SITE IS TO BE APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT PRIOR TO CONSTRUCTION.
- THAT THE DEVELOPER SHALL SUBMIT A MASTER DEVELOPMENT PLAN(S) FOR REVIEW AND APPROVAL BY APPROPRIATE CITY DEPARTMENTS WHICH SHALL ADDRESS THE FOLLOWING ITEMS:
 - LANDSCAPING PLANS FOR THE PROJECT SHALL INCLUDE ONLY NATIVE AND NEAR-NATIVE SPECIES WITH THE PLANT LIST TO BE SUBMITTED AND APPROVED BY STAFF PRIOR TO THE APPROVAL OF THE FIRST ZONING CASE. TURF AREAS SHALL BE RESTRICTED TO SCHOOLS, PARKS/OPEN SPACES, COMMERCIAL CENTERS, DETENTION/RETENTION BASINS, THE ENCLOSED PORTIONS OF REAR YARDS AND FOR ACCENT AND VISUAL INTEREST IN NO MORE THAN 20% OF THE FRONT LOT AREA OF A RESIDENCE. ACCENT PLANTING WITH ARID REGION, DROUGHT-TOLERANT VARIETIES, NOT NECESSARILY NATIVE OR NEAR NATIVE, AS LONGS AS THEY ARE BIOLOGICAL COMPATIBLE, MAY BE USED FOR STRATEGIC AREAS SUCH AS ENTRIES AND PRIVATE REAR YARDS, IN LIMITED AMOUNTS AND IN ASSOCIATION WITH COMMERCIAL/INDUSTRIAL STRUCTURES FOR COLOR ENHANCEMENT. THIS ACCENT PLANT LIST SHALL BE SUBMITTED AND APPROVED BY STAFF PRIOR TO USE.
 - ALL SURFACES FOR STRUCTURES, ROOFS, WALLS AND FENCES THROUGHOUT THE DEVELOPMENT MASTER PLAN SHALL USE COLORS IN DESERT TONES.
 - REFLECTIVE BUILDING MATERIALS SHALL BE PROHIBITED.
 - THE DEVELOPER AND/OR MASTER HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR CONSTRUCTION OF ALL ROADWAYS. FURTHER, THE DEVELOPER SHALL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF ALL PRIVATE ROADWAYS, OPEN SPACE AND COMMON LANDSCAPE AREAS WITHIN THE PROJECT.
 - THE DEVELOPER SHALL NOT USE GROUNDWATER FOR GOLF COURSE IRRIGATION, RESIDENTIAL, INDUSTRIAL OR COMMERCIAL USES. THE ONLY TIME THE DEVELOPER MAY USE GROUNDWATER IS ON AN INTERIM BASIS EARLY IN CONSTRUCTION AND ON AN INTERIM BASIS FOR PUBLIC USES (SUCH AS THE FIRES STATION, SHERIFF SUBSTATION AND UTILITY YARD AND POTENTIAL SCHOOL SITES) UNTIL THE PERMANENT WATER SYSTEM IS COMPLETED AND HOOK-UP IS AVAILABLE TO THESE FACILITIES. EXCEPT FOR WATER NEEDED FOR CONSTRUCTION OF THE MAIN WATER DELIVERY PIPELINE AND OF THE WATER AND WASTEWATER TREATMENT FACILITIES, THE INTERIM PUMPING OF CONSTRUCTION GROUNDWATER REFERENCED ABOVE SHALL IN ALL EVENTS NOT EXCEED A MAXIMUM CONSTRUCTION PERIOD OF 18 MONTHS NOR A MAXIMUM AMOUNT OF 150 ACRE-FEET. ALL INTERIM PUMPING OF GROUNDWATER SHALL COMPLY WITH ADWR'S REGULATIONS PROVIDING FOR PROTECTION OF EXISTING GROUNDWATER USERS IN THE AREA. AT A MINIMUM THIS INTERIM SUPPLY OF GROUNDWATER SHALL BE RECHARGED INTO THE AQUIFER AS SOON AS THE RECHARGE FACILITY DESCRIBED IN THE DMP HAS BEEN FULLY PERMITTED AND CONSTRUCTED.
 - THE DEVELOPER SHALL PROVIDE WHATEVER EMERGENCY CONTROLLED ACCESS REQUIRED BY THE APPLICABLE AGENCIES.
- THAT ALL FREESTANDING SIGNAGE ON COMMERCIAL PARCELS SHALL BE MONUMENT TYPE (A MAXIMUM OF 8' IN HEIGHT).

LJA # 17114

CITY OF PHOENIX

JUN 19 2018

Planning & Development
Department

CITY TRACKING NOS.
KIVA: 18-630
SDEV: 1800147
PAPP: 1801210
PRLM #: _____
SCMJ #: _____
MDPR: 0202724

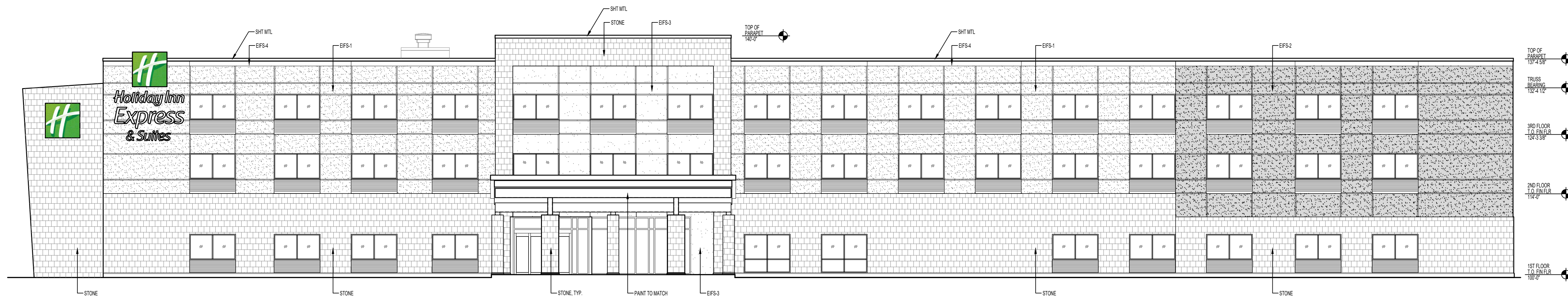
EX-1

SITE PLAN

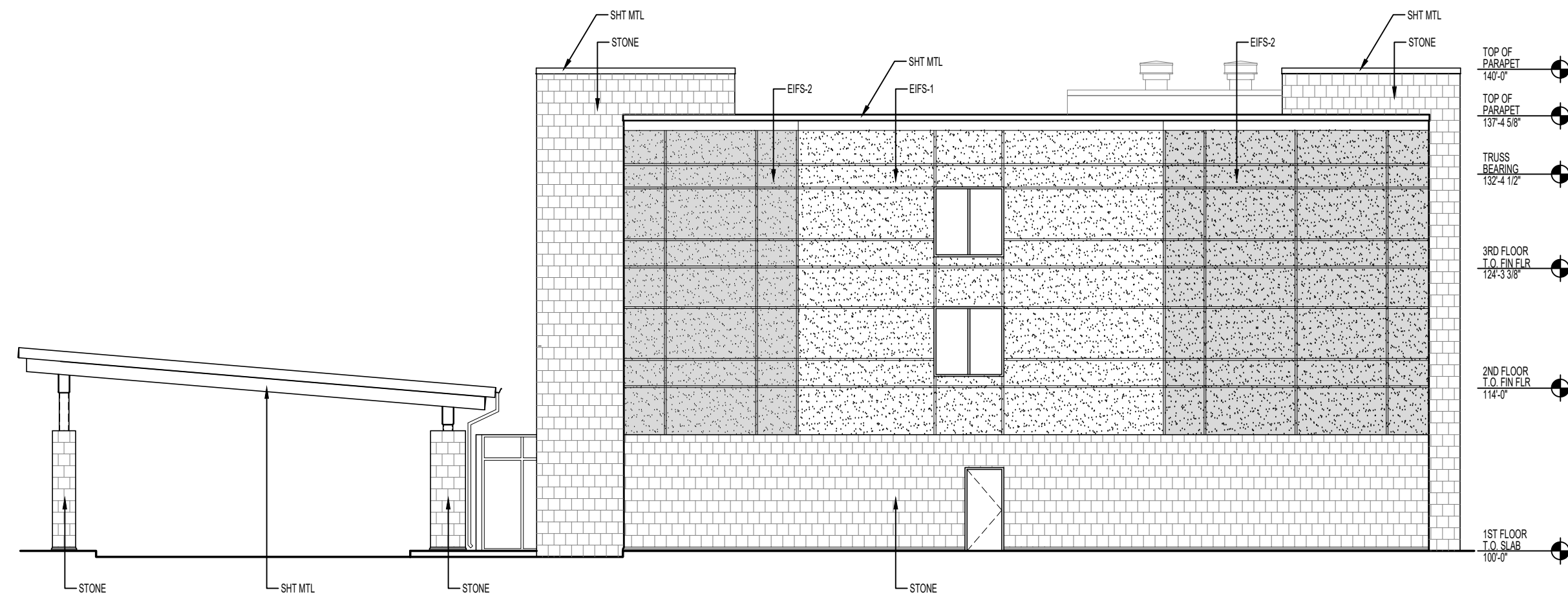
PROPOSED HOLIDAY INN EXPRESS
4114 & 4124 W FORTUNE DR
PHOENIX, ARIZONA

LJA ARCHITECTURE ENGINEERING
PLANNING LAND SURVEYING
FARGO, ND 701.293.1350
WILLISTON, ND 701.577.8833
WWW.LJA-1.COM

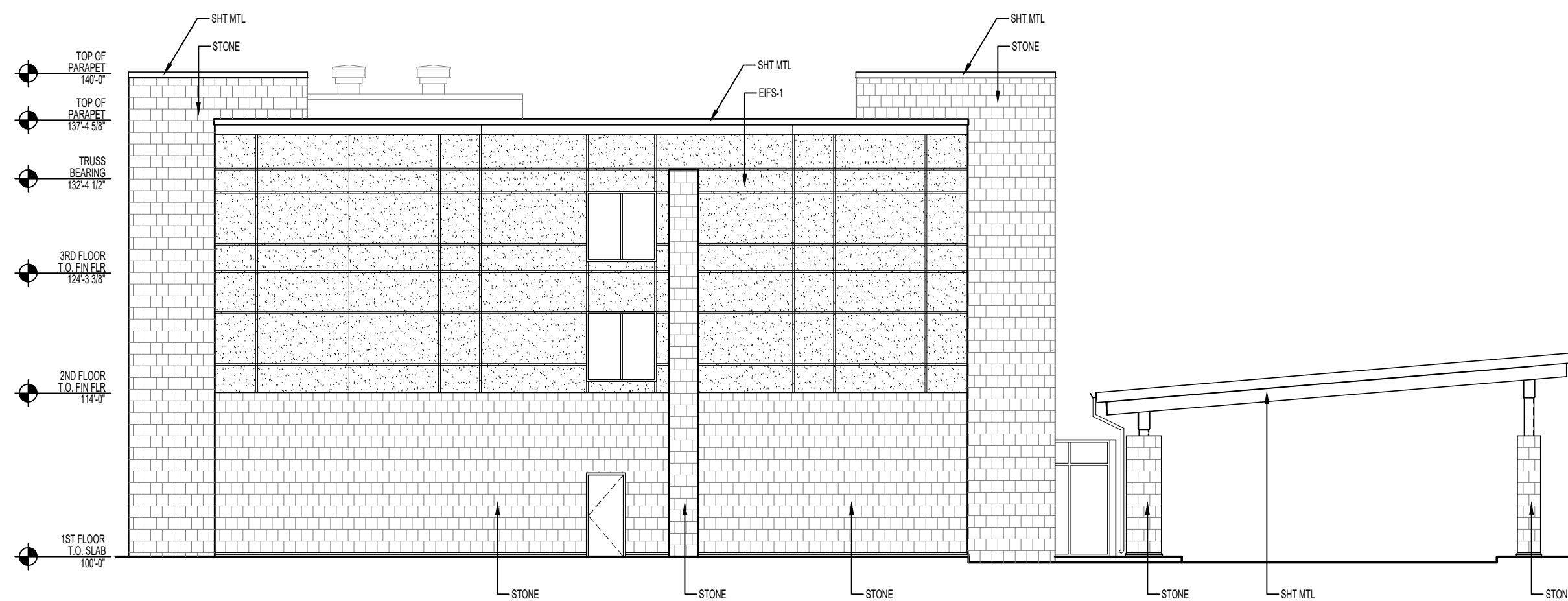
5/7/2018 3:27 PM F:\Projects\171114\Issue Sets\2018-05-07 Re-Doing Application\171114_EXHIBIT 4 - BUILDING ELEVATIONS.dwg



1 NORTH BUILDING ELEVATIONS (FRONT)
SCALE: 3/32" = 1'-0"



2 WEST BUILDING ELEVATIONS (RIGHT)
SCALE: 3/32" = 1'-0"



3 EAST BUILDING ELEVATIONS (LEFT)
SCALE: 3/32" = 1'-0"



4 SOUTH BUILDING ELEVATIONS (BACK)
SCALE: 3/32" = 1'-0"

EXTERIOR MATERIALS LEGEND

- STONE:
FACINGS OF AMERICA- PENINE BEIGE
SANDSTONE-14, 12X12
- EIFS-1:
FIELD COLOR (BROWN), SANDSTONE FINISH
COLOR: SHERWIN WILLIAMS SW6095 TOASTY
- EIFS-2:
FIELD ACCENT (RED), SANDSTONE FINISH
COLOR: SHERWIN WILLIAMS SW7598 SIERRA REDWOOD
- EIFS-3:
ACCENT, SANDSTONE FINISH
COLOR: SHERWIN WILLIAMS SW7718 OAK CREEK
- EIFS-4:
ROOF BANDING, SANDSTONE FINISH
COLOR: SHERWIN WILLIAMS SW6092 LIGHTWEIGHT BEIGE
- SHT MTL:
SHEET METAL GRAVEL STOP TYPE COPING,
PAC-CLAD CUSTOM FABRICATED ROOF EDGE
FLASHING AND FASCIA
COLOR: MATCH SHERWIN WILLIAMS SW6092 LIGHTWEIGHT BEIGE

CITY OF PHOENIX

JUN 19 2018

Planning & Development
Department

CITY TRACKING NOS.

KIVA: 18-630
SDEV: 1800147
PAPP: 1801210
PRLM #: _____
SCMJ #: _____
MDPR: 0202724

EX-4

BUILDING ELEV

PROPOSED HOLIDAY INN EXPRESS
4114 & 4124 W FORTUNE DR
PHOENIX, ARIZONA

LJA ARCHITECTURE ENGINEERING
PLANNING LAND SURVEYING
FARGO, ND 701.293.1350
WILLISTON, ND 701.577.0833
WWW.LJA-1.COM

LJA # 17114

From: [Steve - Shelves](#)
To: [Kaelee Wilson](#)
Cc: steve@slidingshelfdepot.com
Subject: Opposition letter for removing the height restriction Holliday Inn Express Anthem
Date: Thursday, October 04, 2018 10:36:10 AM

To whom it may concern,

I would like to state my opposition to the proposed zoning changes to the property 4114 – 4124 W Fortune Drive which is being developed for the construction of a Holiday Inn Express (HIE)

I own Shelves That Slide INC which is located at 4125 W Fortune Drive. Our property is directly across Fortune Drive from the proposed site and will be at the rear of the proposed hotel. We were the only property owner represented at the Sept 24th meeting with the developer. We have several issues with the proposed change that we would like to state here

The proposed change in height will have a negative impact on our business as well as the other businesses in the area. The change is needed by the developer in order to get the number of rooms desired on to the lot. If the property is not large enough to build the desired structure another location should be found rather than changing the standards that the City of Phoenix has set for this and surrounding properties. It is not equitable to the other businesses in the area to make a change in the zoning after our buildings have been built. I am also concerned what a positive ruling on this case would mean for other vacant lots in the area including the lot directly east of our location. With the increased use of solar energy having structures of unequal height can mean the effectiveness of solar systems on surrounding buildings will be diminished

Anthem is a master planned community and as such there is a general use plan set for each property in the commerce park. There are two lots that have been designated for hotel / motel use. The first is the lot where the Hampton Inn is now located and the second is the vacant lot just south of the Hampton inn, that lot is currently for sale. If there is a need for another hotel in Anthem the lot that is designated for this use should be developed before another property's originally intended use is changed.

I would like to point out errors in the paperwork filed by LJA for AAZH LLC. The map provided shows that our property (4125 W Fortune) and the property to the west of us (4215 W Fortune) are both listed with a current use of office space and that is not correct. The use for our property is manufacturing. Our building is 14,000 sq feet with 11,000 of that being a production wood shop with a large dust collection system, two CNC machines and two spray booths. We have trucks coming in and out of our location throughout the day. The proposed hotel has a rear entrance / exit located directly across from our drive which could affect or be affected by our deliveries. The property next to us was originally a tire shop and now houses a service business that does HVAC, plumbing and electrical. That property is being leased and can change uses in the future. The office is only a small part of that building. The lot to the east of us which is the only other property directly across from the proposed site is currently vacant. That property is zoned cp/ccp as is ours and the property to our west so a use similar to ours is expected

There are no accommodations for large vehicle parking designated within the Holliday Inn Express property. It is quite probable that trucks or RV's with no place to park on property will end up parking on the street and this will cause traffic flow issues. The water retention also does not appear to be adequate. One water retention area with one dry well does not seem to be sufficient for over 2 ½ acres. We have 3 retention areas and one dry well on our 1 acre property. Currently the lot where HIE is proposed is below grade level of the surrounding area and much of the property floods during rains. If the property is filled in before construction begins it could easily cause flooding to the businesses in the area and could overwhelm existing water retention abilities

Anthem is a bedroom community with a master design. I ask that the original design intent and current zoning restrictions be followed

Thank you
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President
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