



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-16-17-1
 May 9, 2017

Deer Valley Village Planning Committee Hearing Date: May 18, 2017
Planning Commission Hearing Date: June 8, 2017

Request From: S-1 (1.31 acres)
 RE-43 (0.27 acres)

Request To: C-1 (1.58 acres)

Proposed Use: Neighborhood retail center

Location: Northeast corner of 67th Avenue and Pinnacle Peak Road

Owner: M Brothers 67th Avenue, LLC Suite 245

Applicant/Representative: Nick Wood, Esq, Snell & Wilmer LLP

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Residential 0 to 2 dwelling units per acre	
Street Map Classification	67th Avenue	Major Arterial	65 feet east half street (City of Peoria)
	Pinnacle Peak Road	Local	0 feet (Maricopa County)
<u>CONNECT PEOPLE AND PLACES CORE VALUE</u>			
<i>OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i>			
It is reasonable to support an increase to C-1 zoning at the subject site. The site has been designed as a small scale commercial center that will provide neighborhood commercial uses to the immediate area, as well as an equestrian trail.			
<u>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE</u>			
<i>ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.</i>			
The proposed zoning will allow the opportunity for new businesses to locate in Phoenix, on the subject site.			

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE

CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

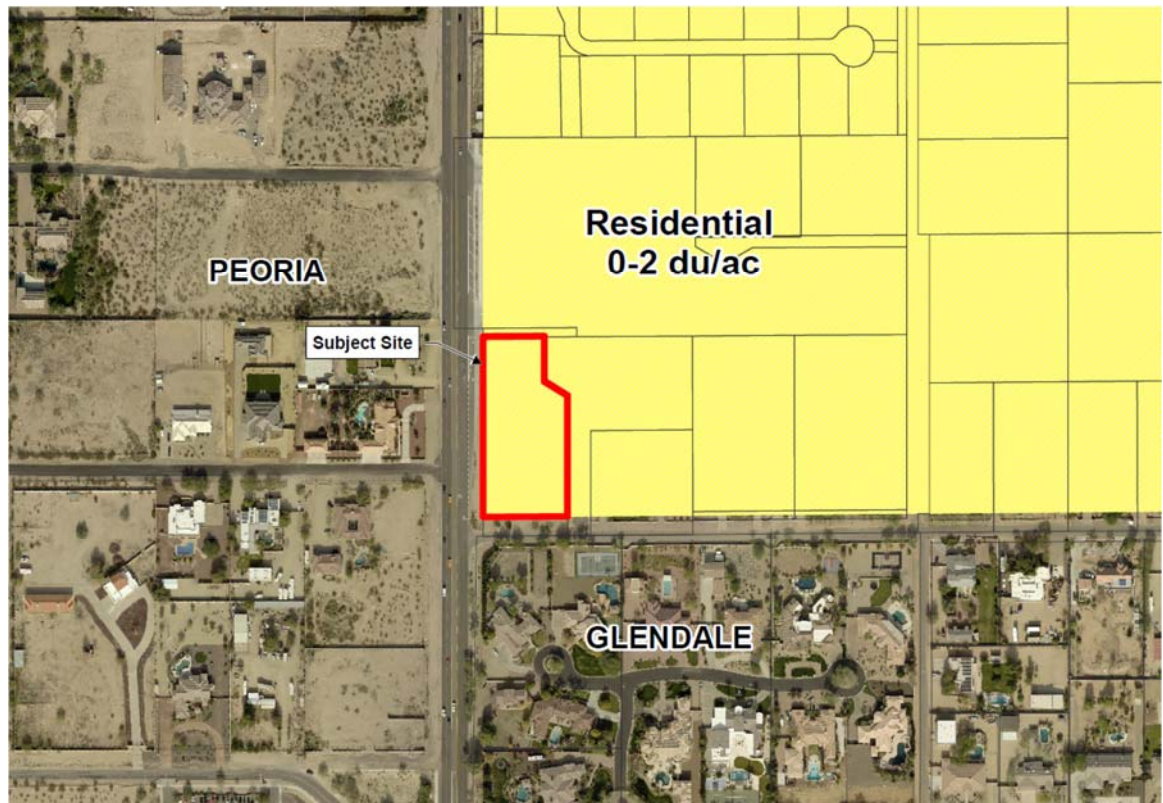
The proposed zoning will allow for the site to develop with neighborhood commercial uses at a scale that is appropriate for the area. The site is uniquely situated in a semi-rural area, on a major arterial street, and not immediately adjacent to single-family residential uses.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	S-1 and RE-43
North	School	R1-18
South	Single-family residential	RR-45 (Glendale)
East	Vacant land owned by school	S-1 and RE-43
West	Single-family residential	SR-43 (Peoria)

C-1 (Neighborhood Retail)		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
<i>Building Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	Met – 25 feet
Interior sides	<u>North</u> <u>East</u>	25 feet for 15-foot high building 25 feet for 15-foot high building
		Met – 25 feet Met – 25 feet
<i>Landscape Setbacks</i>		
Street	Minimum 20 feet, Average 25 feet	Met – 25 feet
Interior sides	<u>North</u> <u>East</u>	10 feet 10 feet
		Met – 20 feet Met – 10 to 25 feet
Lot Coverage	Maximum 50%	Met – 25%
Building Height	Maximum 30 feet (Stipulated to maximum 20 feet)	Met – 15 feet
Parking	Medical/Retail Minimum 59 spaces	Met – 60 spaces

Background/Issues/Analysis

1. This is a request to rezone a 1.58-acre site from S-1 (Ranch or Farm Residence) and RE-43 (Residential Estate – One Family Residence) to C-1 (Neighborhood Retail) to allow for a neighborhood retail center.
2. The property has a General Plan Land Use Map designation of Residential 0 to 2 dwelling units per acre, as does the surrounding area to the north and east. The rezoning proposal is not consistent with the General Plan land use designation; however a general plan amendment is not required because the rezoning request is for less than 10 acres. The area to the west is within the City of Peoria and the area to the south is within the City of Glendale.



3. The subject site is vacant. The property north of the site is developed with a school and is zoned R1-18 (Single-Family Residence District). The area east of the site is zoned S-1 (Ranch or Farm Residence). Immediately east of the site is also vacant and is owned by the school. The next property east is an assisted living home and further east are rural residential homes. Pinnacle Peak Road to the south is within Maricopa County's jurisdiction. The other side of Pinnacle Peak Road is developed with large estate homes in the City of Glendale. 67th Avenue to the west is within the City of Peoria's jurisdiction. There is a rural residential neighborhood with some vacant lots on the other side of 67th Avenue.



4. The proposed site plan depicts a small scale neighborhood commercial center with two buildings. One building is proposed along the east side of the site at 12,650 square feet and the other building on the north side at 3,400 square feet. An outdoor dining or seating area is proposed between the buildings. Parking is proposed along the street sides of the property and in front of the buildings, with vehicular access on both 67th Avenue and Pinnacle Peak Road. An equestrian trail is also proposed behind the larger building, along the east side of the site.
5. The proposed building elevations depict a one story building with a flat roof and varying roofline. A mix of materials, building pop-outs, metal awnings, and a neutral color palette are proposed. Staff is recommending a stipulation to require general conformance to the building elevations, as well as a maximum building height of one story and 20 feet.
6. The Public Transit Department is requiring construction of a bus stop pad along northbound 67th Avenue north of Pinnacle Peak Road, built according to City of

Phoenix Standard Detail P1262 and placed approximately 60 to 110 feet from the intersection.

7. The Street Transportation Department does not require any specific right-of-way dedications or improvements. The right-of-ways adjacent to the site are both outside of the Phoenix city limits. As mentioned previously 67th Avenue to the west is within the City of Peoria's jurisdiction and Pinnacle Peak Road is within Maricopa County's jurisdiction. The developer will need to work with the other jurisdictions for review and permitting of streets, sidewalk, landscaping, and driveways.
8. No known archaeological work is necessary for this project. 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.
9. No fire code issues are anticipated with this case and 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 1255 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
11. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development. The requirements and assurances for water and sewer service are determined during the site plan application review.
12. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonment may be required.

Findings

1. The request is not consistent with the General Plan Land Use Map designation of Residential 0 to 2 dwelling units per acre, however a general plan amendment is not required because the rezoning request is for less than 10 acres.
2. The proposed zoning will allow for the site to develop with neighborhood commercial uses at a scale that is appropriate for the area.

Stipulations

1. The development shall be in general conformance with the elevations date stamped April 13, 2017, as approved by the Planning and Development Department.

2. The maximum building height shall be one story and 20 feet.
3. The developer shall construct a bus stop pad along northbound 67th Avenue north of Pinnacle Peak Road. The bus pad shall be built according to City of Phoenix Standard Detail P1262 and placed approximately 60 to 110 feet from the intersection of 67th Avenue and Pinnacle Peak Road.
4. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by Maricopa County Department of Transportation and the City of Peoria. All improvements shall comply with all ADA accessibility standards.
5. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer

Racelle Escolar

May 9, 2017

Team Leader

Joshua Bednarek

Exhibits

Sketch Map

Aerial Map

Site Plan, Landscape Plan, Elevations, and Color Sketch date stamped April 13, 2017

CITY OF PEORIA

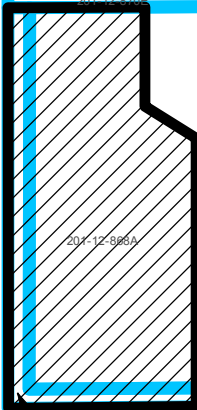
N 67TH AVE

R1-18
PRD *
Z-42-13

201-12-514B S-1

201-12-514C

201-12-515B
201-12-515D



S-1

201-12-870D

201-12-555

201-12-556

201-12-871C

201-12-513A

201-12-513B

W-PINNACLE-PEAK-RD

RE-43

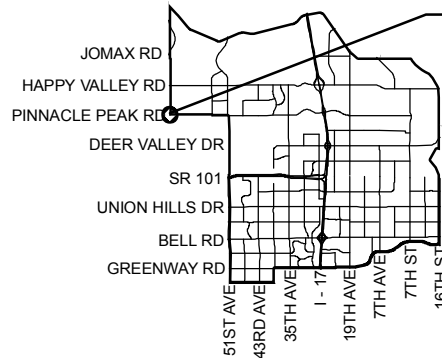
200-03-005C

200-03-004B

200-03-003B

CITY OF GLENDALE

Z-16-17



Feet

200 100 0 200

DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



APPLICANT'S NAME: Nick Wood, Esq, Snell & Wilmer LLP

APPLICATION NO. Z-16-17

DATE: 03/22/2017
REVISION DATES:

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

1.58 Acres

AERIAL PHOTO & QUARTER SEC. NO. QS 45-13

ZONING MAP O-4

REQUESTED CHANGE:

FROM: S-1, (1.31 a.c.),
RE-43, (0.27 a.c.)

TO: C-1, (1.58 a.c.)

MULTIPLES PERMITTED

S-1, RE-43

C-1

CONVENTIONAL OPTION

1, 1

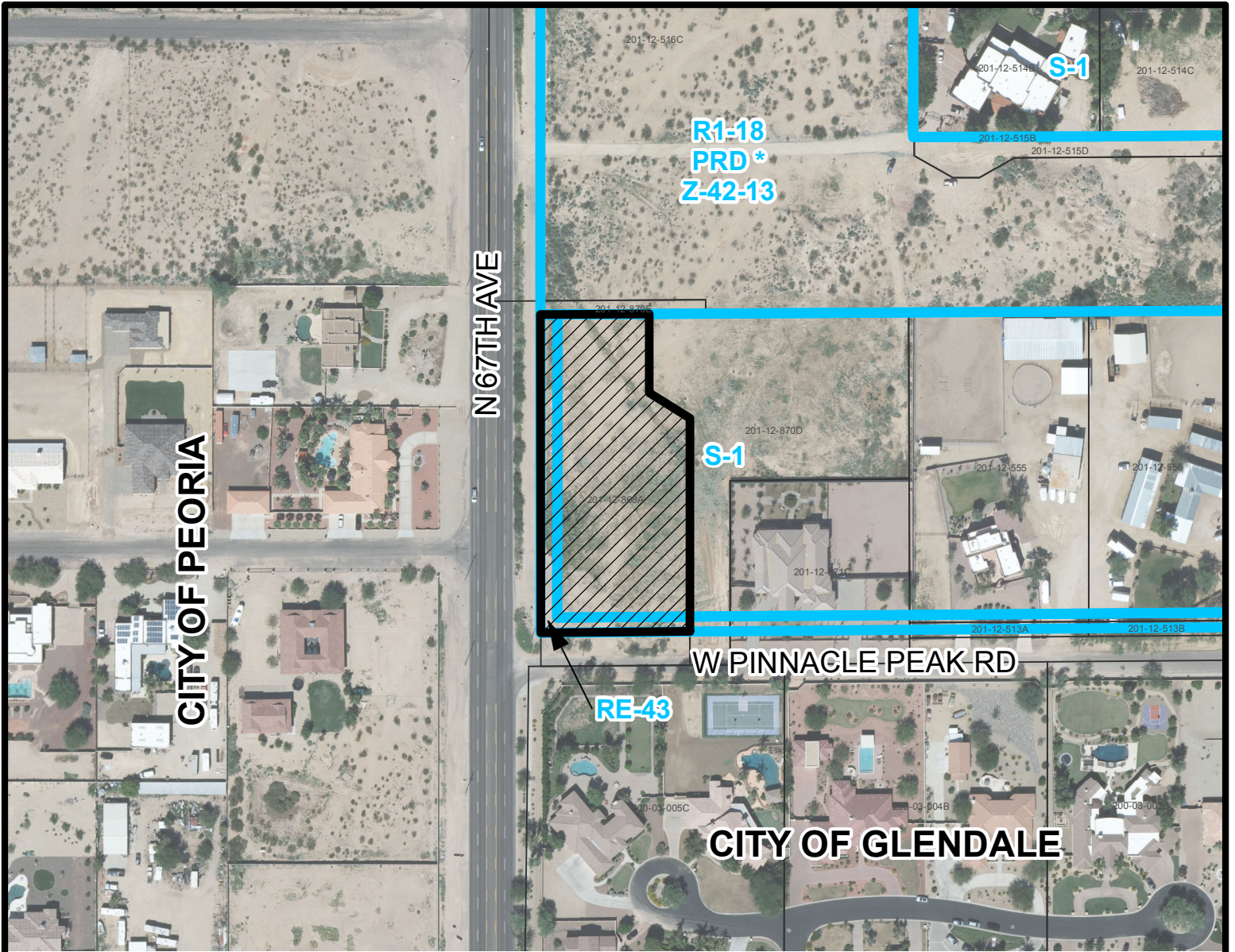
22

* UNITS P.R.D. OPTION

N/A, N/A

27

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



CITY OF PEORIA

N 67TH AVE

**R1-18
PRD*
Z-42-13**

S-1

W PINNACLE PEAK RD

RE-43

CITY OF GLENDALE

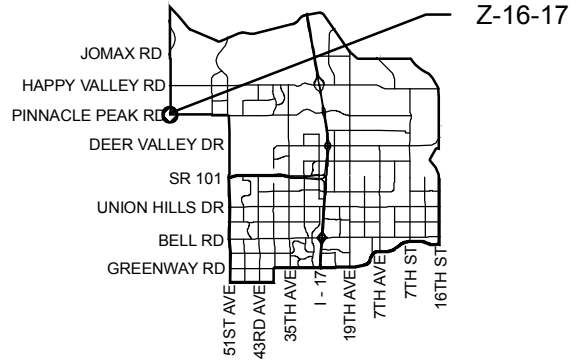


Feet

200 100 0 200

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C-1

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1, 1

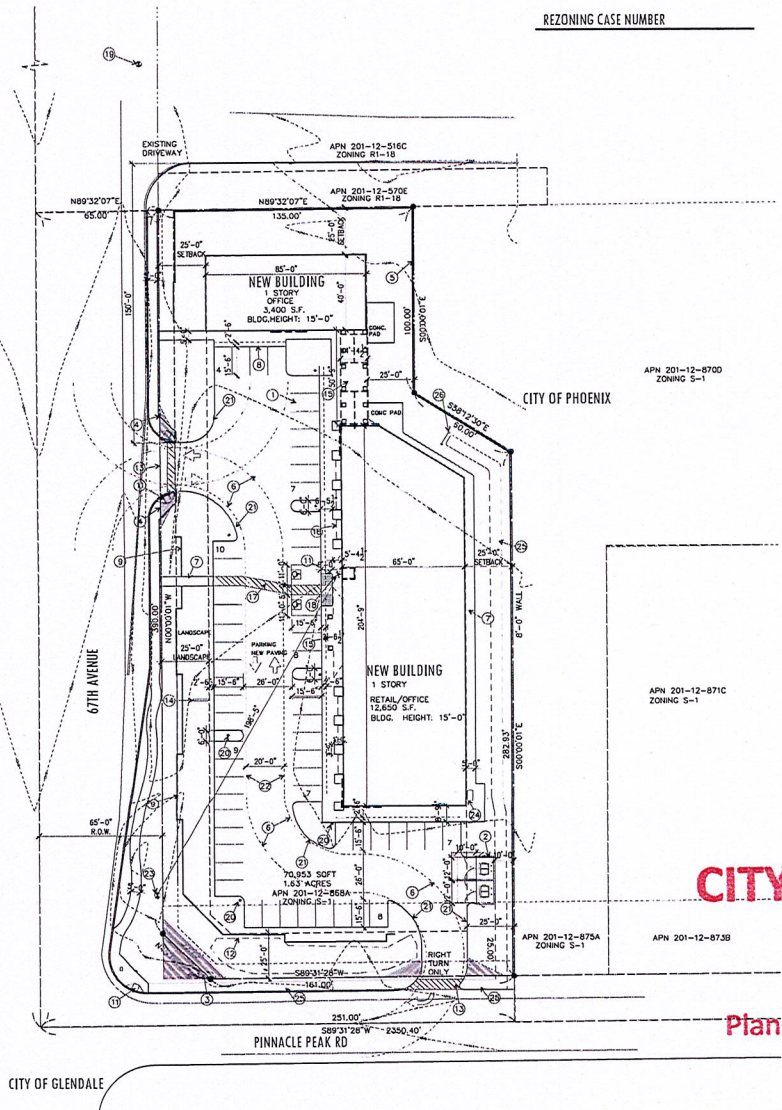
22

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

N/A, N/A

27

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



REZONING CASE NUMBER

PROJECT TEAM

OWNER:
48 Bishara 67th Avenue, LLC
PH: (602) 332-3100
CONTACT: DANNY MISHAL
EMAIL: dandev@group@gmail.com

ARCHITECT:
Merge Architectural Group, LLC
600 N 4th Street, Suite 112
Phoenix, AZ 85004
PH: (602) 635-1581
CONTACT: Carlos Murrieta, AIA
EMAIL: carlos@mergeag.com

CIVIL:
ICJ ENGINEERING LLC
2175 South Price Rd Ste 121
Chandler, AZ
PH: (480) 278-2771
CONTACT: OMAR QORAYMIS
EMAIL: oqoraym@icjengineering.com

PROJECT DATA

PROJECT DESCRIPTION
NEW DEVELOPMENT OF COMMERCIAL BUILDING, FOR RETAIL/OFFICE USE.

PROJECT LOCATION:
6670 W PINNACLE PEAK RD
PHOENIX, AZ

PROPOSED USE:
COMMERCIAL, RETAIL/OFFICE

CURRENT ZONING:
S-1 + RE-43

PROPOSED ZONING:
C-1

PARCEL #
201-12-866A

PROJECT USE:
RETAIL/OFFICE

SITE AREA:
GROSS 70,953 SF 1.63 ACRE
NET 70,953 SF

BUILDING AREA:
OFFICE/RETAIL/ 12,850 S.F.
OFFICE/ 3,400 S.F.
TOTAL 16,250 S.F.

CONSTRUCTION TYPE
40
SPRINKLERS: Y
EMERGENCY LIGHT: Y

GENERAL SITE PLAN NOTES

- "DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES."
- "ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND."
- "STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'x 33' ALONG THE PROPERTY LINES AT STREET INTERSECTION WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'."
- "ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE OF THE SITE."
- "OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS."
- "ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT."
- "ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND ALL OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS."
- "BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS."
- "ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS AND PERMITS. NO SIGNS ARE APPROVED FOR THIS PLAN."
- "TO AUTHORIZE MINOR AMENDMENT TO THE PLAN IN THE FUTURE:"

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN FOR THE PURPOSE OF FUTURE AMENDMENTS PROVIDED THAT IF MODIFICATIONS ARE MADE, THE PROFESSIONALS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY OF THIS PLAN.

SIGNATURE OF COPYRIGHT OWNER _____ DATE _____
PRINTED NAME OF COPYRIGHT OWNER _____

LEGAL DESCRIPTION

THAT PORTION OF C.L.O. LOT 4, SECTION 7, TOWNSHIP 4 NORTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SECTION 7 AND BEING ALSO THE SOUTHWEST CORNER OF SAID C.L.O. LOT 4;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 4 400 FEET;
THENCE NORTH 80 DEGREES 28 MINUTES 00 SECONDS EAST, 200.00 FEET;
THENCE SOUTH 00 DEGREES 04 MINUTES 00 SECONDS EAST, 100.00 FEET;
THENCE SOUTH 88 DEGREES 18 MINUTES 31 SECONDS EAST, 60.00 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 307.84 FEET;
THENCE SOUTH 89 DEGREES 27 MINUTES 31 SECONDS WEST, 251.00 FEET;
TO THE POINT OF BEGINNING.
EXCEPT THE WEST 65.00 FEET THEREOF.

KEYNOTES

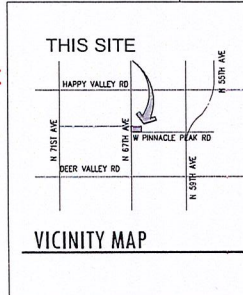
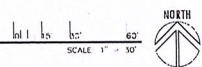
- 5'x8' PARKING SPACE TYPICAL.
 - TRASH ENCLOSURE PER CITY OF PHOENIX PUBLIC WORKS DETAILS, COLOR/FINISH TO MATCH BUILDING.
 - 33' x 33' SIGHT VISIBILITY TRIANGLE.
 - 10' x 20' SIGHT VISIBILITY TRIANGLE.
 - 8' H. MASONRY WALL AT ADJACENT RESIDENTIAL.
 - FIRE TRUCK TURNING RADIUS 33'45/35'
 - 5' SIDE WALK, TYPICAL UNL.O.
 - 6'-6" SIDEWALK, TYPICAL AT PARKING UNL.O.
 - J-O' PERIMETER SCREEN WALL.
 - NOT USED.
 - CONCRETE ACCESSIBLE RAMP 1:12
 - STONE RETENTION AREA SEE CIVIL DRAWINGS
 - NEW DRIVE
 - MONUMENTAL SIGN
 - CANOPY
 - ANNING
 - PAINT STRIPING
 - FIRE DEPARTMENT CONNECTION
 - EXISTING FIRE HYDRANT
 - SITE LIGHT 12'-0" HEIGHT
 - FIRE ROUTE
 - PROPOSED FIRE HYDRANT
 - ELECTRICAL EQUIPMENT
 - TRAIL
 - HORSE HITTING POST
- RED FIRE LINE STRIPING SHALL BE PAINTED SAFETY RED, 6 IN. WIDE, ON CURBS AND/OR WHERE INDICATED. MUST INCLUDE THE WORDS "NO PARKING - FIRE LANE."

CITY OF PHOENIX

APR 13 2017

Planning & Development
Department

PRELIMINARY SITE PLAN



APPROVALS

KIVA # 16-3069
SDEY # 1600554
QS#F. 45-13



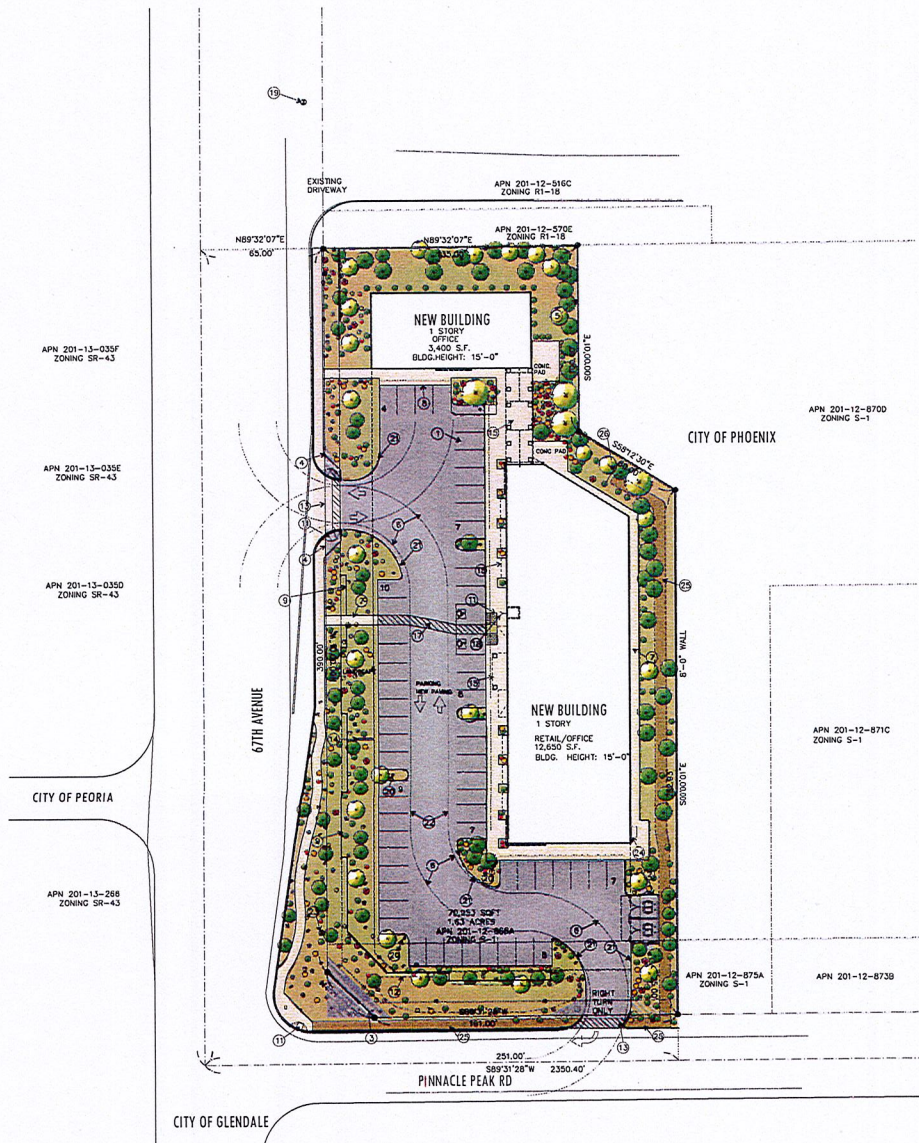
OWNER INFORMATION
M. Brothers 67th Avenue LLC
Contact: Danny Mishal
PH: (602) 332-3100
email: dandev@group@gmail.com

PROJECT:
COMMUNITY BUILDING
DEVELOPMENT FOR RETAIL /
OFFICE USE
6677 W. Pinnacle Peak Road
Phoenix, Arizona

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SITE PLAN

DATE: 4/10/17
SHEET: A100



- KEYNOTES**
- 8.5'x10' PARKING SPACE TYPICAL.
 - BRUSH ENCLOSURE PER CITY OF PHOENIX PUBLIC WORKS DETAILS: COLOR/FRESH TO MATCH BUILDING.
 - 33' X 33' SIGHT VISIBILITY TRIANGLE.
 - 10' X 20' SIGHT VISIBILITY TRIANGLE.
 - 6" H. WASHDOWN WALL AT ADJACENT RESIDENTIAL.
 - FIRE TRUCK TURNING RADIUS 35/45/35'
 - 5' SIDE WALK, TYPICAL U.M.C.
 - 6'-4" SIDEWALK, TYPICAL AT PARKING U.N.O.
 - 3'-0" PERMETER SCREEN WALL.
 - NOT USED.
 - CONCRETE ACCESSIBLE RAMP 1:12.
 - STONE RETENTION AREA SEE CIVIL DRAWINGS.
 - NEW DRIVE.
 - MONUMENTAL SIGN.
 - CANOPY.
 - PAINTING.
 - PAINT STRIPING.
 - FIRE DEPARTMENT CONNECTION.
 - EXISTING FIRE HYDRANT.
 - SITE LIGHT 12'-0" HEIGHT.
 - RED FIRE LANE PAINT AND SIGNAGE.
 - FIRE ROUTE.
 - PROMISED FIRE HYDRANT.
 - ELECTRICAL EQUIPMENT.
 - LOADSTATION PARTNERSHIP.
 - HORIZ. MOUNTING POST.

- LANDSCAPE NOTES**
- CONCEPTUAL LANDSCAPE PLAN IS SCHEMATIC IN NATURE. AT THE TIME OF LANDSCAPE CONSTRUCTION DRAWINGS ACTUAL LOCATIONS, QUANTITIES, SEEDS AND SPECIES SHALL BE DETERMINED AND WILL BE PER CITY CODES.
 - ALL TREES USED WITHIN THIS PROJECT SHALL BE NURSERY GROWN OR SALVAGED FROM SITE.
 - ALL LANDSCAPE AREAS SHALL RECEIVE AN IRRIGATION SYSTEM.
 - ALL PLANT MATERIALS SHALL BE INSTALLED PER CITY REQUIREMENTS. PLANT MATERIAL INSTALLED WITHIN VISIBILITY TRIANGLES SHALL BE OF A SPECIES THAT DOES NOT GROW MORE THAN 30'.
 - ALL NON TURF AREAS SHALL RECEIVE A 2" DEPTH OF DECOMPOSED GRANITE.
 - RETENTION SHOW IN CONCEPTUAL REFER TO ENGINEERING PLANS FOR GRADING AND DRAINAGE CONFIGURATION.
 - ALL EARTHWORK WILL BE DONE TO DRAIN AWAY FROM SIDEWALKS AND STRUCTURES.

CONCEPTUAL PLANT PALETTE

BOTANICAL NAME	COMMON NAME	SIZE
TREES		
CERODIUM "DESERT MUSEUM"	DESERT MUSEUM PALOVERDE	24" BOX
QUERCUS VIRGINIANA	LIVE OAK	36" BOX
ACACIA ANEURA	MULGA	36"/24" BOX
SHRUBS		
CAESALPINA MEXICANA	MEXICAN BIRD OF PARADISE	3 GALLON
CECALPINA PALCHERRIMA	RED BIRD OF PARADISE	3 GALLON
LEUCOPHYLLUM CANDIDUM	VIOLET SILVERLEAF	3 GALLON
LEUCOPHYLLUM LYNN'S LEGACY	LYNN'S LEGACY SAGE	3 GALLON
MULLENBERGIA CAPILLARIS	REGAL MIST GRASS	3 GALLON
RUELLIA PENINSULARIS	SKA-B RUELLIA	3 GALLON
CACTUS & SUCCULENTS		
AGAVE VILANDRIANNA	OCTOPUS AGAVE	3 GALLON
ALOE BARBADENSIS	YELLOW FLOWER MEDICINAL ALOE	3 GALLON
HESPERALOE FUNIFERA	COHARLAN ESPERALOE	3 GALLON
HESPERALOE PARVIFLORA	RED YUCCA	3 GALLON
LANTANA MONTEVIDEOSSIS	TRAILING LANTANA	3 GALLON
LANTANA SPECIOSA	"NEW GOLD"	3 GALLON
MISCELLANEOUS		
DECOMPOSED GRANITE	2" MINUS "WALKER COLO" 2" DEPTH	

- LANDSCAPE AREA**
- 25'-0" STREET LANDSCAPE
 - 10'-0" ADJACENT LOTS
 - INTERIOR PARKING AREA: 25,714
 - INTERIOR LANDSCAPE PROVIDED: 3,670 (14%)
 - MIN INTERIOR SURFACE AREA REQUIRED: 10%

APPROVALS

KIVA #	16-3069
SDEV #	1600554
OS#:	45-13

CITY OF PHOENIX
 APR 13 2017
 Planning & Development
 Department

PRELIMINARY LANDSCAPE PLAN
 SCALE: 1" = 30'
 NORTH

MERGE ARCHITECTURAL GROUP
 600 N 4th ST, SUITE 112
 PHOENIX ARIZONA 85004
 P (602) 635 1581
 F (602) 635 1581
 merge@mergeag.com

OTHER INFORMATION
 M. Brothers 67th Avenue LLC
 Contact: Danny Matral
 P: 602.730.1100
 email: dan@brothersgroup.com

PROJECT:
 COMMUNITY BUILDING
 DEVELOPMENT FOR RETAIL /
 OFFICE USE
 6677 W. Pinnacle Peak Road
 Phoenix, Arizona

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 SHEET TITLE

LANDSCAPE PLAN

DATE: 4/10/17
 SHEET: L001



EAST ELEVATION (MAIN) 3/32" = 1'-0"



NORTH ELEVATION 3/32" = 1'-0"



SOUTH ELEVATION 3/32" = 1'-0"



WEST ELEVATION (REAR) 3/32" = 1'-0"

MATERIAL/COLOR KEY NOTES

- (A) STUCCO FINISH
DUNE EDWARDS - DEB134
SHORTBREAD LRV 75
- (B) STUCCO FINISH
DUNE EDWARDS - DETB37
SEAGULL WALL LRV 81
- (C) STUCCO FINISH
DUNE EDWARDS - DET 87B
FRESH SNOW LRV 87
- (D) STONE MEXERO
CORIMACO, COASTAL BROWN
- (E) DUAL PANE ALUMINUM WINDOW
BRONZE, GLASS 1" INSULATED LOW E
- (F) ROOF METAL
DARK BRONZE
- (G) FUTURE SIGN BY TENANT

NOTE:
ALL EXTERIOR MOUNTED ELECTRICAL OR
MECHANICAL PANELS/BOXES TO BE PAINTED
TO MATCH THE BUILDING.

NOTE: ANY ROOF TOP EQUIPMENT TO BE
SCREENED BY BUILDING PARAPET

APPROVALS	
KIVA #	16-3069
SDV #	1600554
DS#:	45-13

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OF MERGE ARCHITECTURAL GROUP. ANY
UNAUTHORIZED USE SHALL VOID THE ARCHITECT'S
SEAL AND REPEATABLE HEREIN AND NO
PROFESSIONAL LIABILITY SHALL BE INCURRED.

ELEVATIONS

DATE: 03/13/17
SHEET

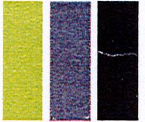
CITY OF PHOENIX
APR 13 2017
Planning & Development
Department

MERGE
ARCHITECTURAL
GROUP
600 N 4th ST, SUITE 112
PHOENIX ARIZONA 85004
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F (602) 635 1581
merge@mergeag.com

SEAL
OVER INFORMATION
M. Brothers 67th Avenue LLC

PROJECT
COMMERCIAL BUILDING
DEVELOPMENT FOR RETAIL /
OFFICE USE
6670 W. Pinnacle Peak Road
Phoenix Arizona

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MERGE
ARCHITECTURAL
GROUP

600 N 4th ST, SUITE 112
PHOENIX ARIZONA 85004
P (602) 635 1581
F (602) 635 1581
merge@mergeag.com



SEAL

OWNER INFORMATION
M. Brothers 67th Avenue LLC

PROJECT
COMMERCIAL BUILDING
DEVELOPMENT FOR RETAIL /
OFFICE USE
6670 W. Pinnacle Peak Road
Phoenix Arizona



CITY OF PHOENIX

APR 13 2017

**Planning & Development
Department**

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DATE: 03/11/17
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Village Planning Committee Meeting Summary
Z-16-17-1

Date of VPC Meeting	May 18, 2017
Request From	RE-43 (0.27 acres) S-1 (1.31 acres)
Request To	C-1 (1.58 acres)
Proposed Use	Neighborhood retail
Location	Northeast corner of 67th Avenue and Pinnacle Peak Road
VPC Recommendation	Approval per staff stipulations with a modification to one stipulation and an addition of a stipulation
VPC Vote	6-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Racelle Escolar presented an overview of the proposed rezoning request, including the general plan land use designations in the area, location, zoning and uses, proposed site plan and elevations, findings, staff recommendation and stipulations.

Chairman Brett Jones inquired about the stipulation for a bus pad and if that includes a turn-in lane for the bus.

Ms. Escolar responded that the stipulation is only for the bus pad. She added that there is an existing deceleration lane for vehicles to turn right into the school property, north of the site.

The representative, **Mr. Nick Wood** with Snell & Wilmer, presented the request. He introduced the project team and explained that the proposed rezoning is for a neighborhood center. He presented exhibits showing the area surrounding the site. He explained the importance of the center serving the existing community and not being a destination that people outside of the area would drive to. It would serve existing traffic in the area. Mr. Wood explained that they did speak to one property owner across the street from the site that mentioned traffic as an issue in the area. He described the surrounding area, noting the school to the north. He stated that the site is not conducive for homes due to the traffic on 67th Avenue. Mr. Wood explained that the proposed buildings have been designed to be similar in size to homes in the area. Staff is proposing a stipulation for one story and 20 feet in height, however he proposed changing to 15 feet to keep the scale down and fit into the area. Mr. Wood presented the landscape plan and described the landscape proposed along the street sides. He described the locations of the driveways being away from the intersection and designed

to allow fire access around the site. He discussed the potential for a pork-chop to limit left turns on to Pinnacle Peak Road. Mr. Wood explained that the site has been designed to be a part of the neighborhood especially with respect to horses. He described the plan showing the pathway on the east side and a hitching post. Mr. Wood mentioned some potential uses for the buildings and went over the square footage. He reiterated that they would agree to a stipulation limiting the building height to 15 feet. He stated that the plan is not speculative. Mr. Wood went over the parking details and described the circulation. He presented the proposed building elevations and described them as low scale and blending in with the architecture in the area. He presented a rendering of the center with a view from 67th Avenue and explained that the design fits in to the suburban/horse area. Mr. Wood explained that he has reached out to staff at the surrounding jurisdictions. He stated that the council person from Glendale is supportive of the project. He explained that it does not make sense to build single-family homes on the site due to the traffic along 67th Avenue. He again reiterated the suggested change to the building height stipulation.

Chairman Jones asked about the number of lanes in 67th Avenue.

Mr. Wood responded that there are two lanes for traffic and a right turn lane for the school.

Ms. Trilese DiLeo asked about the location for the bus pad.

Ms. Escolar responded that the Public Transit Department has required that the bus pad be placed approximately 60 to 110 feet from the intersection.

Mr. Noel Griemsmann with Snell & Wilmer also responded that the bus would pull into the right turn lane to stop at the bus pad.

Vice-Chairman Joseph Grossman asked if the bus pad is already there and if the site is one of the last remaining vacant lots in the area.

Ms. Escolar responded that the bus pad is not existing yet.

Mr. Wood responded that it is one of the last vacant pieces within the city, along 67th Avenue. The other sides of the streets are within the cities of Peoria and Glendale. He stated that the site has always been vacant and has been used for dirt bike riding in the past. The property shape also does not make it conducive to build single-family homes.

The committee members asked about surrounding uses.

Mr. Wood responded that the vacant property to the northeast of the site is owned by the school. Then just east of the vacant property is an assisted living home, then horse property. Mr. Wood noted that the vacant lots further along Pinnacle Peak Road would most likely develop in the future with single-family homes. He stated that the proposed commercial use would not create noise or issues that would disturb the area.

Mr. Chuck Hansen a near-by property owner spoke in opposition to the request. He explained that he lives in Anthem, but owns 5 acres between 64th and 65th Avenues, north of Pinnacle Peak Road. He explained that development in the area has historically been convoluted. The area is quiet, low density, and includes horse properties. He described the zoning in the area and stated that there have been many zoning cases over the years. He originally opposed the assisted living home. He stated that the proposed zoning/use is not appropriate for the area. He indicated that he has not spoken with the applicant and was not invited to the neighborhood meeting. Mr. Hansen explained that Pinnacle Peak is not a through street and does not align on the west side of 67th Avenue. He expressed concerns that the proposed development would create traffic hazards at the intersection and traffic problems in the neighborhood. He explained that the traffic on 67th Avenue is horrible. It is the reason why he moved to a less busy area. He indicated that signs for no left turns would not be adhered to. He explained how the cut-through traffic would maneuver through the neighborhood to the south to use a traffic light to enter onto 67th Avenue. Mr. Hansen asked that access not be provided onto Pinnacle Peak Road.

Ms. DiLeo asked Mr. Hansen what type of development would be appropriate for the site.

Mr. Hansen explained that there should be something developed on the site. He expressed concerns about issues with the school to the north and that the heavy traffic on 67th Avenue makes the site no longer pleasing for residential, however it could still be used for residential.

Vice-Chairman Grossman asked for clarification about Mr. Hansen's concerns about traffic. He asked where the nearest commercial area is.

Mr. Hansen responded that there is commercial one mile north on Happy Valley Road and one mile south on Deer Valley Road. He stated that there are vacant suites within those commercial centers. He indicated that the proposed development is speculative because they do not know what will develop there, if it will be open late, and if it will serve alcohol.

Vice-Chairman Grossman asked about the cut-through traffic in the area.

Mr. Hansen responded that most people will take the easiest path to get onto 67th Avenue.

Vice-Chairman Grossman asked which jurisdiction had control over the Pinnacle Peak Road right-of-way.

Ms. Escolar responded that it is under the county's jurisdiction.

Mr. Hansen added that Glendale has primarily been responsible for the road. He also expressed concerns about the location of the trash dumpsters.

Vice-Chairman Grossman asked how long the site has been vacant for.

Mr. Hansen responded that the site has always been vacant and zoned S-1.

Ms. DiLeo agreed that there are traffic issues and valid concerns were raised. She asked if a traffic study has been completed or is required.

Mr. Wood responded that a traffic engineer is present to answer questions related to a traffic study. He indicated that the site would not be developed as a destination place, but rather a place that people already in the neighborhood would use.

Mr. Hansen wrapped up his comments, stating that he has been disappointed in the past with developers not following through on stipulations. He agreed that something should be built on the site, but was not supportive of the proposed request.

Mr. Ken Cunningham a near-by resident spoke in opposition to the request. He explained that the request is not in character with the area. He expressed concerns about traffic on Pinnacle Peak Road and relayed a time when an animal was killed. He stated that traffic on 67th Avenue is especially bad on Sundays from the church traffic. He indicated that he does not understand why there is a need for 1.5 acres for commercial zoning in the area. He expressed concerns with the variety of uses that would be allowed in C-1 zoning. Mr. Cunningham described the area and where other commercial areas were relative to the site. He expressed concerns that rezoning the site would set a precedent for Peoria to then rezone land to commercial along 67th Avenue.

Ms. Bonnie Baker a near-by resident spoke in opposition to the request. She agreed that the site should be developed, but not as a shopping center. She mentioned that ADOT has been working on traffic studies for the area. She expressed concerns about traffic on Pinnacle Peak Road and stated that it is already hard to access 67th Avenue especially during peak hours from school drop off/pick up. She indicated that there are more schools proposed in the area. She explained that there are already commercial areas available with multiple vacancies. She indicated that there is also more residential developing in the area. She reiterated that traffic is already a challenge in the area. She expressed that she did not want to see a gas station develop on the site and that she is not opposed to retail, but not all types of retail. She also expressed concerns about who would take over maintenance of the right-of-way. Since there are multiple jurisdictions involved no one has taken full responsibility. She explained that she found out about the rezoning when the sign went up and that she was not notified.

Chairman Jones asked staff what the distance is for the notification requirement.

Ms. Escolar responded that the applicant is required to notify all property owners within 600 feet of the property.

Ms. Baker asked why the City Manager from the other jurisdiction was notified. She explained that the school district needs specific distances for school buses. She

expressed opposition to access Pinnacle Peak Road and asked for assurance of what would be built on the site.

Mr. Spencer Kleinhans a near-by resident spoke in opposition to the request. He agreed with the other neighbors in regards to the traffic on 67th Avenue, especially on Fridays and the weekend. The traffic can back-up all the way to the Loop-101 freeway. He explained that other commercial sites in the area are at intersections with two arterial streets while this site only has one arterial street to disperse traffic onto. Mr. Kleinhans explained that there are residential properties on Pinnacle Peak and 10 more homes are proposed. He stated that the proposed parking with increase traffic up to 600 trips per day. He expressed concerns about the bus pad, since he has not seen buses in the area.

Chairman Jones clarified that the bus pad is to serve a future bus route.

Mr. Kleinhans continued that it is difficult to turn left onto 67th Avenue from Pinnacle Peak Road since there is too much traffic. He described the area as residential, rural, and quiet. He reiterated that there is other commercial in the area and that there is no economic demand for more commercial. There are no other commercial sites that use residential roads for access. He concluded that using Pinnacle Peak Road is out of the ordinary and that the rezoning would set a precedent along the west side of 67th Avenue to develop with commercial. The request does not maintain continuity of the neighborhood.

Mr. Wood provided a rebuttal. He indicated that change is a constant in the world. Things have changed in the neighborhood which has brought on traffic that was not previously in the area. Now there is a school and assisted living home in the area. The proposed commercial may generate more traffic and cause the use of alternative routes. Residential development would not be likely on the site. He relayed that the neighbors are okay with retail uses, but they are unsure what that will bring. The developer will need to build the site to attract specific uses. Mr. Wood explained that C-1 zoning is a neighborhood commercial zoning and would not include destination uses that generate new traffic – it depends on existing traffic. He explained that horse access can be provided. He explained that Phoenix is the fifth largest city in the country and the population is growing. He stated that the traffic engineer for the project is present to answer any questions related to traffic. As far as people not getting notified about the rezoning, he explained that his team always notifies a larger area than required and they also notified the neighboring cities. The sign has been installed on the site and he has not received any calls. All correspondence he has received has been supportive of the proposed use. The proposed commercial will encourage those in the neighborhood to not have to fight traffic to go to other commercial sites. He introduced the traffic engineer Dave Duffy from Civtech.

Ms. DiLeo asked what the traffic study entailed and what can be done to direct traffic in certain directions.

Mr. Dave Duffy from Civtech responded that the city requires a traffic study when the proposed traffic generation exceeds a certain level. The proposed project falls under

100 trips during peak hours. The size of the site does not normally warrant looking at traffic distribution, however rough calculations were completed. Mr. Duffy stated that 25% of the traffic on the site would use Pinnacle Peak Road and the driveway is designed to direct traffic to turn right.

Ms. Gail Bosgieter pointed out that the right-of way is under the county jurisdiction, but asked if it's possible to dedicate additional right-of-way and widen Pinnacle Peak Road to avoid traffic backing up.

Mr. Wood confirmed that the right-of-way is in the county and added that a dedication would not solve the problem. He indicated that they would be willing to agree to a stipulation requiring speed bumps with the neighborhoods approval. This would discourage the use of Pinnacle Peak Road.

Ms. Bosgieter disagreed and stated that the landscape area could be reduced and there could be additional area to dedicate right-of-way.

Mr. Griemsmann responded that the traffic reviewer noted that Pinnacle Peak Road could be kept at rural street standards.

Ms. Bosgieter expressed understanding and stated that an additional 10 feet could be paved to widen the intersection.

Mr. Wood agreed that they would be willing to stipulate to a dedication if the county or city will accept the dedication.

Ms. DiLeo inquired about the access onto Pinnacle Peak Road and if there is an alternative for fire access.

Mr. Wood responded that the city does not want to close the intersection.

Vice-Chairman Grossman asked about the concern with the dedication if it does not prevent traffic flow. He asked if a curb can be provided to discourage left turns on Pinnacle Peak Road.

Mr. Duffy explained that the purpose of the dedication would be to have separate lanes for right and left turns.

Mr. Wood responded that the driveway on Pinnacle Peak Road is designed at an angle to force right turns. Certainly someone can ignore it, but it is designed for right turns only. He recommended adding two stipulations. One to limit the building height to 15 feet and another to dedicate and improve Pinnacle Peak Road, if approved by the county/city.

Mr. Cunningham added that the neighborhood has been trying to get speed bumps installed, but the city will not consider it because the right-of-way is in the county. He reiterated concerns about traffic.

Ms. Baker added that the neighborhood was opposed to the assisted living home because there was already one within a quarter mile. The other home is in a different jurisdiction so the city did not include it within the quarter mile area. She also commented that if the traffic counts are proposed so low for the center how could it be economically feasible.

Mr. Hansen asked that the committee members consider that 65th Avenue to the south is only a one lane road.

Chairman Jones commented that the site is unique considering all of the different jurisdictions involved. He encouraged that those with concerns also voice their concerns to all jurisdictions involved.

MOTION: **Ms. Bosgieter** made the motion to approve the request per the staff stipulations with a modification to reduce the building height to 15 feet and an additional stipulation that the applicant pursue a right-of-way dedication of 10 feet for future right-of-way on the north side of Pinnacle Peak Road.

Stipulation No. 2:

The maximum building height shall be one story and ~~20~~ 15 feet.

Stipulation No. 6:

THE APPLICANT SHALL PURSUE A RIGHT-OF-WAY DEDICATION OF 10 FEET FOR FUTURE RIGHT-OF-WAY ON THE NORTH SIDE OF PINNACLE PEAK ROAD.

Vice-Chairman Grossman seconded the motion. He echoed the Chairman's comments and urged that the neighbors work with the other jurisdictions and council members to address traffic concerns. He thanked the applicant for their recommended stipulations. He then indicated that the market will dictate what will be developed on the site.

Ms. Bosgieter pointed out that the Village Planning Committee is the recommending body. She encouraged the neighbors to also attend the Planning Commission hearing the voice their concerns as well.

VOTE: Approved 6-0.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no concerns with the Village Planning Committee recommendation to modify Stipulation No. 2 to reduce the building height to 15 feet.

The Village Planning Committee recommendation included the addition of Stipulation No. 6 to require that the applicant pursue a right-of-way dedication of 10 feet for future right-of-way on the north side of Pinnacle Peak Road. Staff has concerns that a 10-foot right-of-way dedication is an arbitrary number and may not be sufficient to address efficient and safe traffic conditions.

Staff has reviewed this stipulation with the Phoenix Street Transportation Department, has received comments from Maricopa County Department of Transportation, and has reached out to the City of Glendale; and recommends that rather than adding Stipulation No. 6, that Stipulation No. 4 be modified to include coordination with all adjacent jurisdictions regarding right-of-way improvements. Staff recommends the stipulations read as follows:

1. The development shall be in general conformance with the elevations date stamped April 13, 2017, as approved by the Planning and Development Department.
2. The maximum building height shall be one story and ~~20~~ 15 feet.
3. The developer shall construct a bus stop pad along northbound 67th Avenue north of Pinnacle Peak Road. The bus pad shall be built according to City of Phoenix Standard Detail P1262 and placed approximately 60 to 110 feet from the intersection of 67th Avenue and Pinnacle Peak Road.
4. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by Maricopa County Department of Transportation, THE CITY OF GLENDALE and the City of Peoria. All improvements shall comply with all ADA accessibility standards.
5. 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.

REPORT OF PLANNING COMMISSION ACTION
June 8, 2017

ITEM NO: 10	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-16-17-1
Location:	Northeast corner of 67th Avenue and Pinnacle Peak Road
Request:	RE-43, S-1 To: C-1 Acreage: 1.58
Proposal:	Neighborhood Retail Center
Applicant:	Nick Wood, Esq, Snell & Wilmer LLP
Owner:	M Brothers 67th Avenue, LLC Suite 245
Representative:	Nick Wood, Esq, Snell & Wilmer LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 5/18/2017 Approved, per staff stipulations with a modification to one stipulation and an additional stipulation. Vote: 6-0.

Planning Commission Recommendation: Approved, as recommended by the Deer Valley Village Planning Committee with the deletion of Stipulation #6 and a modification to Stipulation #4 as read into the record with an additional stipulation.

Motion discussion:

Commissioner Glenn made a motion to approve Z-16-17-1 as recommended by the Deer Valley Village Planning Committee with the deletion of Stipulation #6 and a modification to Stipulation #4 as read into the record with an additional stipulation that the drive on Pinnacle Peak be designed as a right out.

Commissioner Montalvo second the motion.

Ms. Escobar asked for clarification on whether the additional stipulation was to prohibit or discourage left turns.

Commissioner Glen responded that it was to discourage left turns.

Ms. Escobar suggested the stipulation read as “the developer shall install a traffic control measure to physically discourage left turns onto Pinnacle Peak Road, as approved by the Planning and Development Department.”

Commissioner Katsenes expressed that she would not be supporting this motion due to her concerns with the traffic issues surrounding this site and the additional issues that the attempts to mitigate traffic will create.

Commissioner Heck expressed the same concerns.

Motion details – Commissioner Glenn made a MOTION to approve Z-16-17-1 as recommended by the Deer Valley Village Planning Committee with the deletion of Stipulation #6 and a modification to Stipulation #4 as read into the record with an additional stipulation, as read into the record.

Maker: Glenn
Second: Montalvo
Vote: 5-2 (Katsenes and Heck)
Absent: Johnson
Opposition Present: Yes

Findings:

1. The request is not consistent with the General Plan Land Use Map designation of Residential 0 to 2 dwelling units per acre, however a general plan amendment is not required because the rezoning request is for less than 10 acres.
2. The proposed zoning will allow for the site to develop with neighborhood commercial uses at a scale that is appropriate for the area.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped April 13, 2017, as approved by the Planning and Development Department.
2. The maximum building height shall be one story and 20 15 feet.
3. The developer shall construct a bus stop pad along northbound 67th Avenue north of Pinnacle Peak Road. The bus pad shall be built according to City of Phoenix Standard Detail P1262 and placed approximately 60 to 110 feet from the intersection of 67th Avenue and Pinnacle Peak Road.
4. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans ~~approved~~-SUBMITTED FOR REVIEW TO by Maricopa County Department of Transportation, THE CITY OF GLENDALE and the City of Peoria. All improvements shall comply with all ADA accessibility standards. FINAL PLANS ARE TO BE AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.”
5. 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.
6. THE DEVELOPER SHALL INSTALL A TRAFFIC CONTROL MEASURE TO PHYSICALLY DISCOURAGE LEFT TURNS ONTO PINNACLE PEAK ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-16-17-1 Northeast corner of 67 th Avenue and Pinnacle Peak Road	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	X
		applicant	
APPEALED FROM:	PC 6/8/17	Karina Gabbard 602-369-4722	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 7/6/17	23654 N 67th Avenue Peoria AZ 85383	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
REASON FOR REQUEST: See attached			
RECEIVED BY:	AC / LO	RECEIVED ON:	6/15/17

Alan Stephenson
Sandra Hoffman
Tricia Gomes
Christina Encinas
Stephanie Saenz
Lilia Olivarez, PC Secretary
PLN All



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 15 2017

The **PLANNING COMMISSION** agenda for June 8, 2017 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

Planning & Development
Department

- 1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. June 15, 2017.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., June 15, 2017.

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. June 15, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. June 22, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-16-17-1
APPLICATION NO.

67th Ave / Pinnacle Peak
LOCATION OF APPLICATION SITE

June 8th 2017
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Karina Gabbard
PRINTED NAME OF PERSON APPEALING

Karina Gabbard
SIGNATURE

23654 N. 67th Ave
STREET ADDRESS

6-14-17
DATE OF SIGNATURE

PEORIA, AZ 85383
CITY, STATE & ZIP CODE

602-369-4722
TELEPHONE NO.

REASON FOR REQUEST
PLEASE SEE ATTACHED 3+ 1 cover

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Karina Gabbard
23654 N 67th Ave
Peoria Az. 85383

June 14, 2017

To Whom it may concern,

We live at 23654 N 67th Ave Peoria Az. 85383, directly facing the proposed rezoning for M Brothers 67th Avenue LLC Application Z-16-17-1 Whether it be Phoenix, Peoria or Glendale all of the homes and zoning in this area are zoned residential.

The proposed rezoning from S-1 ranch and R 1-6 single family residence to C-1(neighborhood retail) Will substantially degrade the existing visual character and quality of our residential surroundings. The proposed zoning is not consistent with the General Plan land use designation.

A Traffic Impact Statement provided by CivTec states trip generation for this residential area would consist of 686 visits per week (M-F only and does not factor in weekend traffic). This is 35,672(M-F) visits per year being dumped into a residential area. All immediate area residential streets consist of a 4"ab base and 4"asphalt. No curbs, gutters, sewers, rain collection or street lights that allow for our existing rural setting.

The narrative for the rezoning of this residential property states this would provide retail opportunities and services that are not currently available to our residential neighborhood. This could not be further from the truth.

Mr. Danny Mikhail (M Brothers 67th Ave LLC) states he is a home builder and cannot build a home on this property. Mr. Mikhail purchased this property(1.58 acres and 1.27 acres) knowing the existing zoning and the wide residential surroundings and unique area unlike any other. The narrative that this property can only be utilized as a commercial retail center is self-inflicted and far from the truth.

For anyone that travels 67th Ave, Parkside, Pinnacle Peak, W. Camino De Oro, W. Avenida Del Sol, Mariposa Grande and Calle Lejos (residential area streets) are aware of the extremely serious traffic challenges. Time of day and week prohibits right and left turns based on existing traffic volume. Commutators have discovered the path of least resistance and currently are utilizing residential streets and neighborhoods to change direction on 67th Ave. 35,672 commuters would be added to the already extremely stressed area.

Mr. Woods (Snell & Wilmer) continues to promote the narrative that Peoria and Glendale are supportive of this project as well as the residential neighbors. This again could not be further from the truth.

I and many of our neighbors are in opposition of this purposed rezoning.

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

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		opposition	X
		applicant	
APPEALED FROM:	PC 6/8/17	Joy Giorgio 623-308-1345	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 7/6/17	6707 W Camino de Oro Peoria AZ 85383	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
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JUN 15 2017

Planning & Development
Department

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2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. June 15, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. June 22, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-16-17-1
APPLICATION NO.

67m Ave / Pinnacle Peak
LOCATION OF APPLICATION SITE

6-8-17
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Joy Giorgio (AKA: Bruning)
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

6707 W. Camino de Oro
STREET ADDRESS

6/14/17
DATE OF SIGNATURE

Peoria AZ 85383
CITY, STATE & ZIP CODE

(623) 308-1345
TELEPHONE NO.

REASON FOR REQUEST see attached letter.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

June 14, 2017

To whom it may concern:

We were surprised to hear that the city was considering a request to rezone the property located on the NE corner of 67th ave and Pinnacle Peak. We are opposed to any consideration to put a retail center at this location.

My family and I have owned our property (NE corner of 67th ave and Pinnacle Peak) for over 50 years. It was and still is important to us to maintain the integrity of the neighborhood and the family/ranch feel. The property that is in being considered for rezoning is currently zoned for residential estate/horse property. I do not want this to change to allow for any public/business use. If this were to change, our property values will decrease as well as our standard of living in addition to creating a more dangerous traffic situation.

Travelers are at risk already of a head on collision as the center turn lane is shared for each turn and the distance between Camino De Oro and Pinnacle Peak is too close to safely turn onto these residential streets. This is a daily challenge. When I'm traveling North on 67th Ave, turning left from the center turn lane onto Camino de Oro (my street) and there is another traveler heading south, turning left from the same center lane onto Pinnacle Peak, we are already at an increased risk of a head on collision. Adding 2 more turn-in's and 686 additional cars (according to their proposal), is unwise and extremely dangerous. 67th Ave, North of Deer Valley and South of Happy Valley is already extremely overburdened. This zoning change proposal would only add to the congestion and potential dangers by adding more traffic.

We are opposed to the rezoning and are very concerned about why the City of Phoenix would even entertain this idea based on the existing traffic dangers and adverse impact this center will have on existing home/property owners.

Thank you for considering this appeal prior to making any decisions about the rezoning request. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in cursive script, followed by the date "6/14/17" written in a similar style.

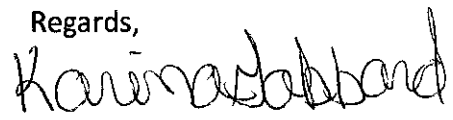
Joy Giorgio

(Maiden and previous married names: Joy Bruning; Joy Daugard)

Phone: 623-308-1345

This letter is in compliance for requesting a Hearing from the Phoenix City Council.

Regards,

A handwritten signature in black ink that reads "Karina Gabbard". The signature is written in a cursive style with a large, prominent "K" and "G".

Karina Gabbard

Trip Generation per Civ-Tec

M-F only Weekend traffic
 Not included

686 Visits per week M-F

52 weeks M-F

35,672 (M-F) per year

Commercial traffic dropped
 into Residential area

67th Avenue and Pinnacle Peak Road

Traffic Impact Statement

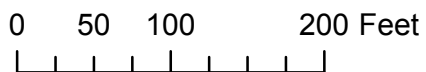
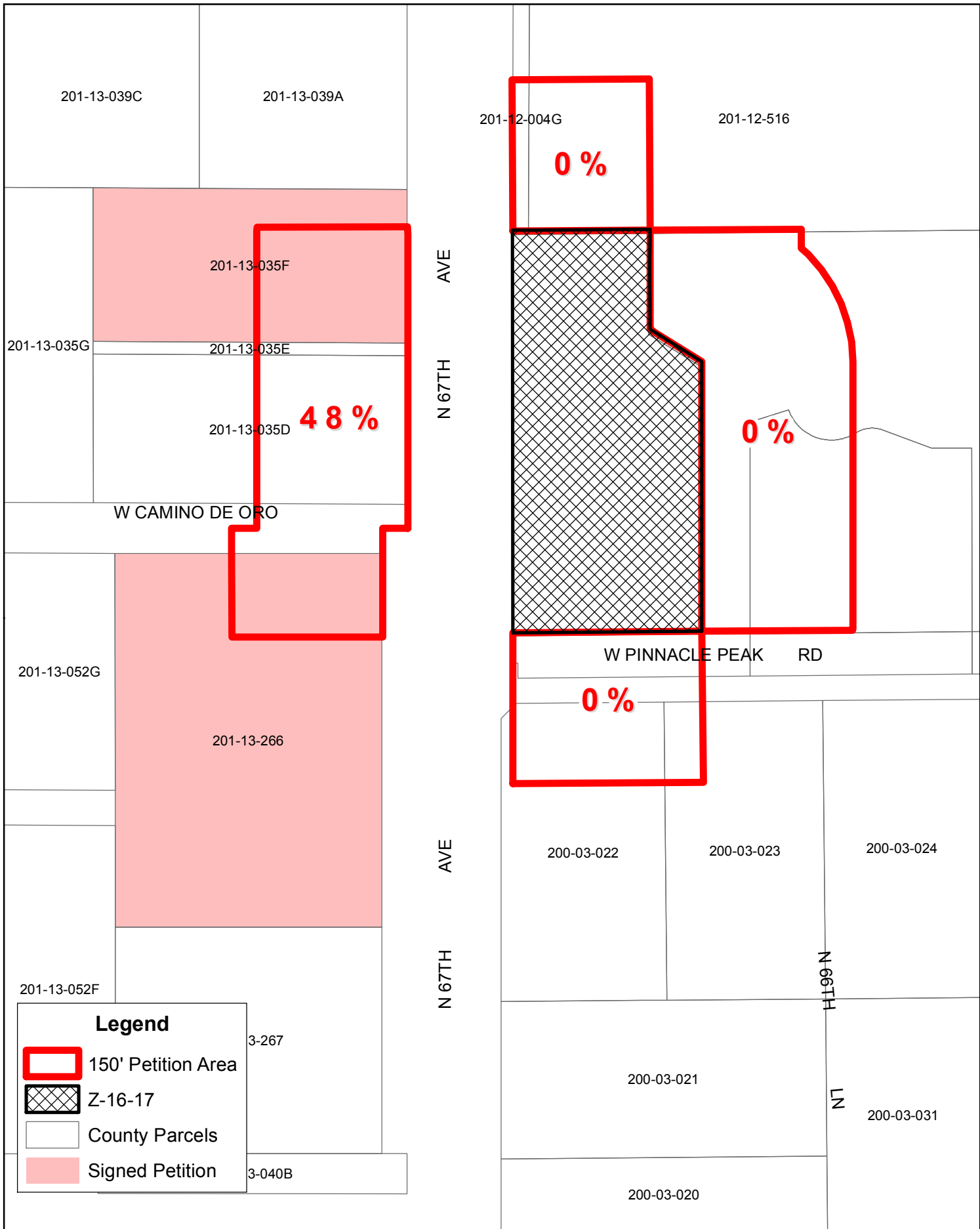
Proposed

Trip Generation

January 2017

Land Use	ITE LUC	ITE Land Use Name	Quantity	Units	AM Distribution		PM Distribution	
					In	Out	In	Out
Medical, dental or health office buildings and clinics	720	Medical-Dental Office Building	3,400	KSF	79%	21%	28%	72%
Specialty Retail Center	826	Specialty Retail Center	12,650	KSF	48%	52%	44%	56%

Land Use	ADT		AM Peak Hour			PM Peak Hour				
	Avg Rate	Total	Avg Rate	In	Out	Total	Avg Rate	In	Out	Total
Medical, dental or health office buildings and clinics	36.13	124	2.39	7	2	9	3.57	4	9	13
Specialty Retail Center	44.32	562	2.05	12	14	26	2.71	15	20	35
TOTALS		686		19	16	35		19	29	48



Petition Map for Z-16-17