

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-21-24-1 May 10, 2024

Deer Valley Village Planning Committee Meeting Date: May 21, 2024

Planning Commission Hearing Date: June 6, 2024

Request From: [R-5 DVAO](#) (Multifamily Residence District, Deer Valley Airport Overlay District) (1.85 acres)

Request To: [A-1 DVAO](#) (Light Industrial District, Deer Valley Airport Overlay) (1.85 acres)

Proposed Use: Material and equipment storage

Location: Northeast corner of 24th Avenue and Lone Cactus Drive

Owner: Deer Valley Enterprises, L.L.C. c/o Joseph Kern

Applicant: Francisco Soto Revueltas

Representative: Kay Shepard

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Industrial		
Street Map Classification	24th Avenue	Local	25-foot east half street
	Lone Cactus Drive	Minor Collector	30-foot north half street

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE AND DESIGN PRINCIPLE: *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.*

The proposed project is situated 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 a targeted employment center.

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 industrial 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 Airport Overlay District](#) – See Background Item No. 6

[Deer Valley Major Employment Center](#) – See Background Item No. 7

[Black Canyon/Maricopa Freeway Specific Plan](#) – See Background Item No. 8

[Complete Streets Program](#) – See Background Item No. 9

[Tree and Shade Master Plan](#) – See Background Item No. 10

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 11

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

[Zero Waste PHX](#) – See Background Item No. 13

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

[Phoenix Climate Action Plan](#) – See Background Item No. 15

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant land	R-5 DVAO
North	Moving and storage facility	A-1 DVAO
South (across Lone Cactus Drive)	Multifamily residential	R-5 DVAO
East	Multifamily residential and vacant land	R-5 DVAO
West (across 24th Avenue)	Vacant land and single-family residences	R-5 DVAO

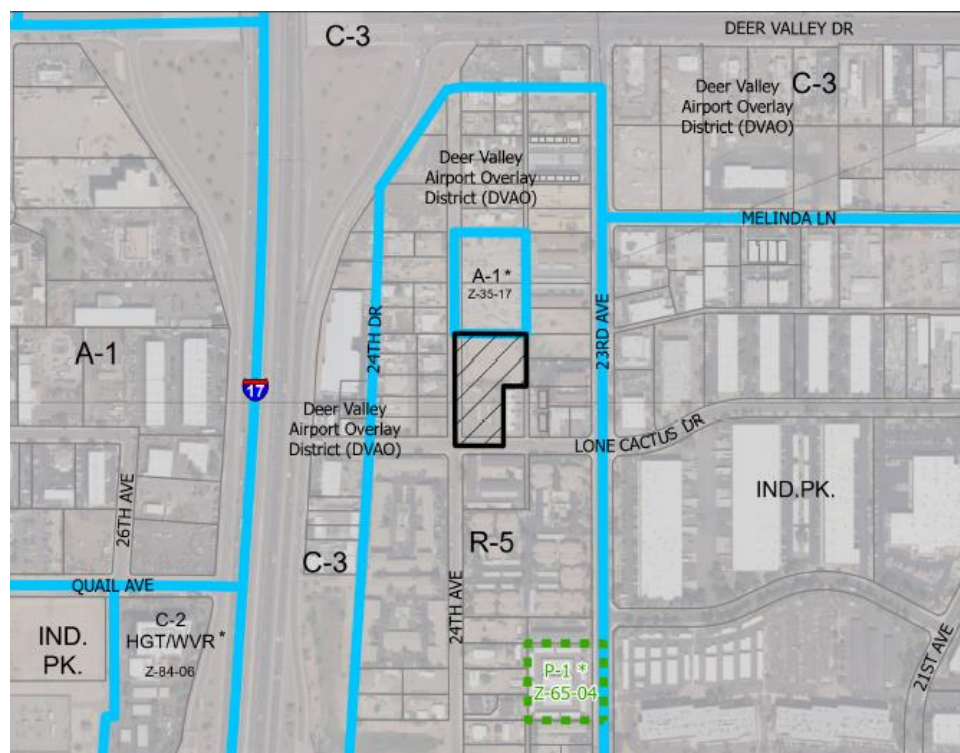
A-1 (Light Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
<i>Minimum Building Setbacks</i>		
North	0 feet	173 feet 4 inches (Met)
West (24th Avenue)	25 feet	31 feet 2 inches (Met)
East	30 feet	35 feet (Met)
South (Lone Cactus Drive)	25 feet	34 (Met)
<i>Minimum Landscaped Setbacks</i>		
North	0 feet	7 feet (Met)
West (24th Avenue)	0 feet	25 feet (Met)
East	0 feet	5 to 12 feet (Met)
South (Lone Cactus Drive)	0 feet	25 feet (Met)
Maximum Lot Coverage	No maximum	18.4% (Met)
Maximum Building Height	56 feet, up to 80 feet with use permit	19 feet (Met)

A-1 (Light Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
Minimum Parking	<p>Specified industrial use: 1 space per 1.5 warehouse or production workers</p> <p>10 spaces (15 workers)</p> <p>Office space 1 space per 300 square feet of administrative office square feet</p> <p>4 spaces (1,200 square feet of office)</p> <p>14 parking spaces required</p>	66 parking spaces (Met)

Background / Issues / Analysis

1. SUBJECT SITE

This request is to rezone 1.85 acres located at the northeast corner of 24th Avenue and Lone Cactus Drive. from R-5 DVAO (Multifamily Residence District, Deer Valley Airport Overlay District) to A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay District) for material equipment and storage.



Source: Planning and Development Department

2. SURROUNDING LAND USES AND ZONING

North of the subject site is zoned A-1 DVAO and is currently used as a moving and storage facility. The parcel across Lone Cactus Drive to the south is zoned R-5 DVAO and is developed with multifamily residential. The area to the east of the site is zoned R-5 DVAO and are developed with multifamily residences and include vacant land. West of the subject site across 24th Avenue is zoned R-5 DVAO and is used for single-family residences, and vacant land.

3. GENERAL PLAN LAND USE MAP DESIGNATION

The General Plan Land Use Map designation for the subject site is Industrial. The proposal for A-1 zoning is consistent with that designation.

The General Plan Land Use Map designations for all the sites surrounding the property, to the north, east, west and south are also Industrial.



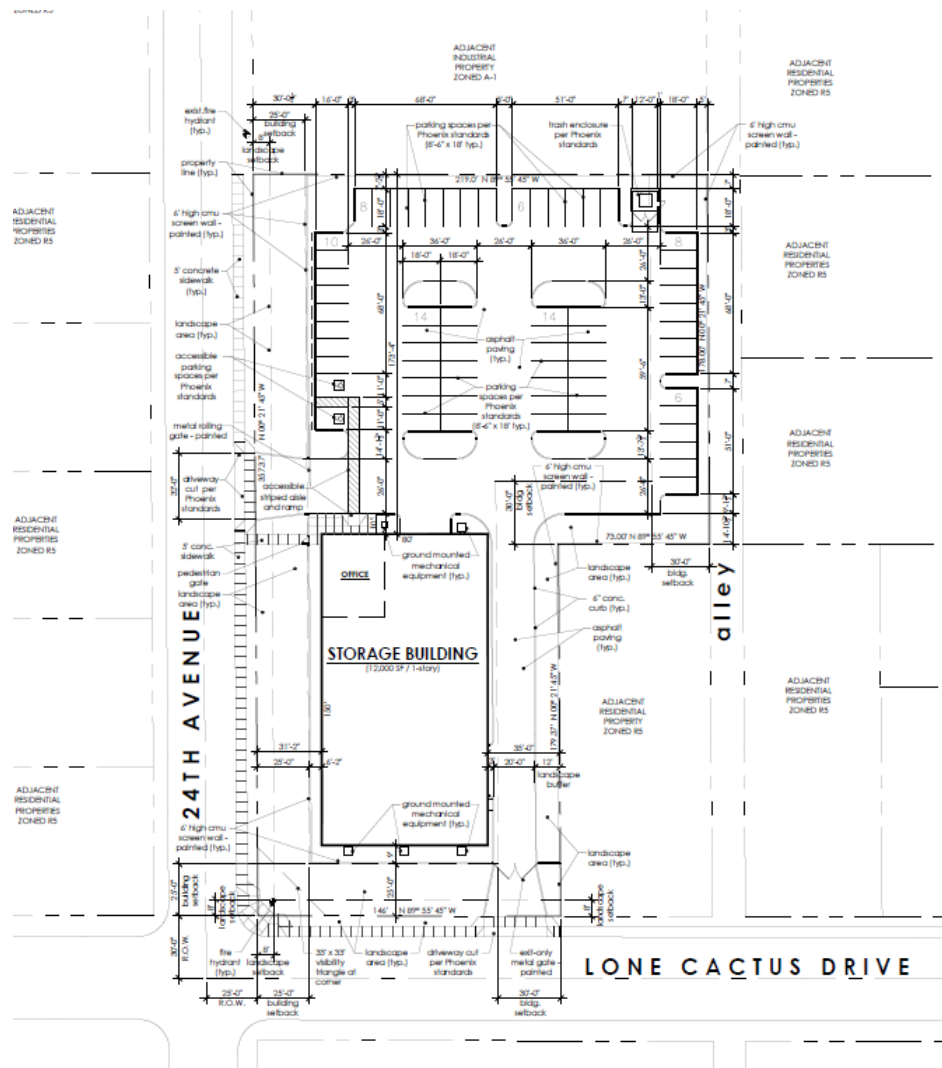
Surrounding General Plan Land Use Map, Source: Planning and Development Department

4. SITE PLAN PROPOSAL

The site plan depicts an approximate 12,000 square foot, one-story building. The proposed development is for material and equipment storage. It includes an office and storage building.

The proposal incorporates 66 parking spaces and is proposed to have gated access.

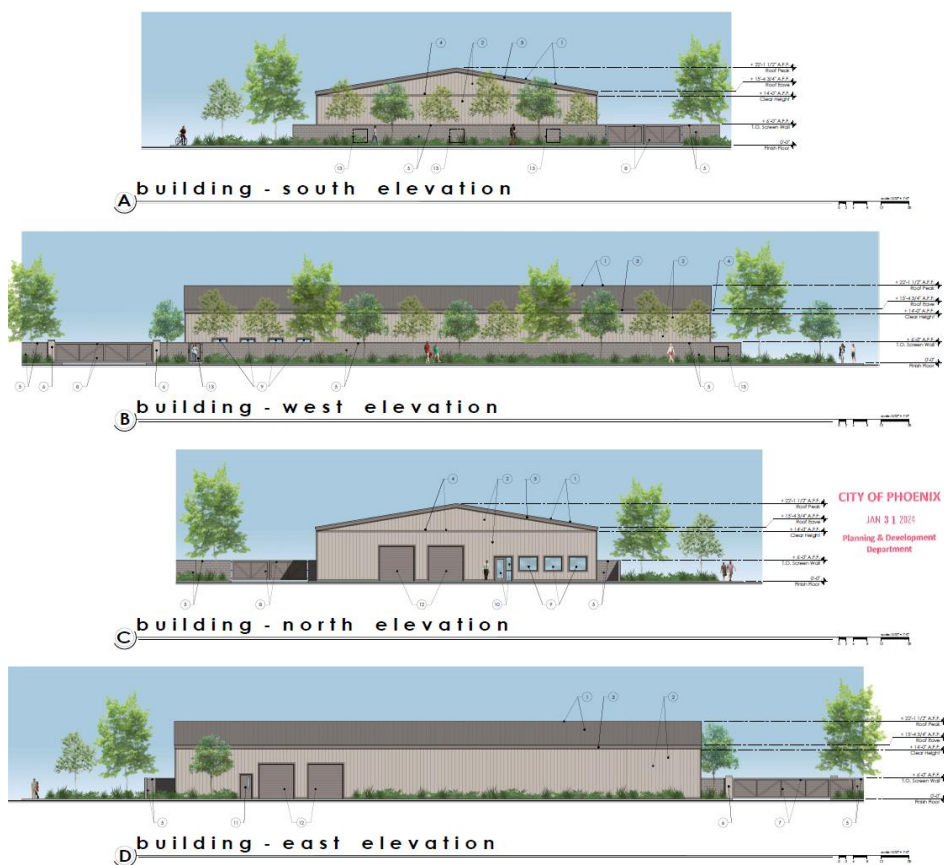
Staff recommends Stipulation No. 1 for general conformance to the site plan so that the site develops as proposed.



Site Plan, Source: Soto Design Studio

5. ELEVATIONS

The proposal includes conceptual elevations with the building being 23 feet to the top of the ridge and 19 feet to the mean height of the sloped roof. To ensure compatibility with adjacent residential properties, staff recommends Stipulation No. 2 to limit the height to a maximum of 30 feet.



Building Elevations, Source: Soto Design Studio

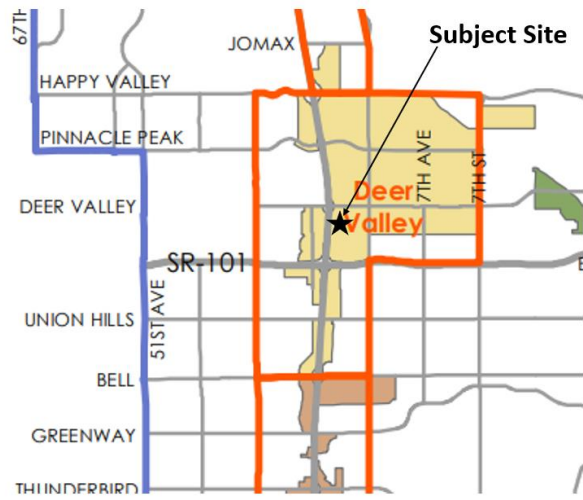
PLANS, OVERLAYS AND INITIATIVES

6. [Deer Valley Airport Overlay District](#)

The subject site is located within the Deer Valley Airport Overlay District (DVAO), Areas 1 and 2, and the proposed use 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 the requirement of Section 658 of the Phoenix Zoning Ordinance.

7. **Deer Valley Major Employment Center**

The subject site is located in the 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. The proposal adds new employment opportunities within the employment center and in close proximity to the large labor pool.



8. **Black Canyon/Maricopa Freeway Specific Plan**

The Freeway Mitigation Program was created in the City of Phoenix by the 1988 approval of Proposition 17. This proposition authorized general obligation bonds to prepare plans and fund projects which could mitigate the blighting effects on the city's neighborhoods from existing and proposed freeway construction. The Black Canyon/Maricopa Freeway Specific Plan, the fourth under this program, addresses problems encountered or anticipated in residential neighborhoods adjacent to this freeway corridor. It establishes non-regulatory policies and guidelines to improve the compatibility between the freeway and the residential neighborhoods through which it passes. The site is in Segment 2 and meets the landscape policy goal to provide enhanced landscaping adjacent to residential areas (pg.107) per Stipulation No. 3.

9. **Complete Streets City Program**

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 enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles per Stipulation No. 5. Additionally, staff recommends a

detached sidewalk per Stipulations No. 11 which will ensure a more comfortable and safe walking environment. A sidewalk be provided along the west side of the property per Stipulation No. 10. Additionally, Stipulation Nos. 8 and 9 will encourage the use of bicycles by providing the infrastructure for bicycle parking and electrical charging capabilities.

10. **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 stipulations designed to provide trees and enhance shade within and adjacent to the development such as a detached shaded sidewalk along Lone Cactus Drive, in addition to enhanced landscape standards in and around the parking areas and along the site boundaries. These are addressed in Stipulation Nos. 3, 4, and 11. Additionally, a resting area for employees is required to be provided with additional shade from trees or architectural elements per Stipulation No. 6.

11. **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 light industrial employment centers. Stipulation Nos. 8 and 9 require bicycle parking spaces be provided on the site with electrical bicycle charging capabilities.

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. Stipulation No. 7 provides requirements for electric vehicle parking, charging and infrastructure and Stipulation No. 9 requires electrical bicycle charging capabilities.

13. **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 proposed conceptual site plan does not show recycling facilities, but the project information form notes the proposed facility will incorporate reduction of waste, and recycling, as much as possible and efforts will be made to follow proper waste management protocols, and salvage, and recycle as many items and materials as it is prudent and feasible.

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. 14, 15, 16 and 18.

15. **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 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. 17, which requires a minimum of one GI technique for stormwater management to be implemented in this development

COMMUNITY INPUT SUMMARY

16. At the time the staff report, there was one letter of support describing of how the project would be a good addition to the neighborhood.

INTERDEPARTMENTAL COMMENTS

17. The Street Transportation Department requires the following which are addressed in Stipulations Nos. 10 through 13:
 - A minimum 5-foot-wide sidewalk shall be constructed on the east side of 24th Avenue.
 - A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape area shall be constructed on the north side of Lone Cactus Drive.
 - Replace unused driveways with sidewalk, curb and gutter and all streets within and adjacent to the development be constructed with all required elements and to ADA standards.
18. The City of Phoenix Fire Department does not anticipate any problems with the subject case. However, the project team should be aware of the following requirements:
 - The site and building shall comply with the 2018 IFC with Phoenix Amendments.
 - Currently, the water supply (gpm and psi) for the referenced case is unknown.
 - The water supply is required to meet fire flow as defined by Appendix B of the 2018 IFC with Phoenix Amendments.

OTHER

19. The site is located in a larger area identified as being archaeologically sensitive. The City Archaeologist Office commented that no known archaeological resources are in this location. 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. This is addressed in Stipulation No. 19.
20. 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. 20.
21. 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 of Industrial.
2. The proposal will provide employment uses along the I-17 Black Canyon Freeway

corridor and in the Deer Valley Major Employment Center.

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. The development shall be in general conformance with the site plan date stamped January 31, 2024, and as approved by the Planning and Development Department.
2. The maximum building height shall be 30 feet.
3. Required landscape setbacks shall be planted with minimum 2-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
5. 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.
6. An outdoor employee resting area of no less than 120-square feet shall be provided on site. The required pedestrian area shall include a pedestrian seating bench, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
7. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) Capable infrastructure, as approved by the Planning and Development Department.
8. A minimum of four bicycle parking spaces shall be provided 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.
9. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

10. A minimum 5-foot-wide sidewalk shall be constructed on the east side of 24th Avenue, adjacent to the development.
11. 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 on the north side of Lone Cactus Drive, adjacent to the development, planted to the following standards and maintained with a watering system, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

12. Replace unused driveways with sidewalk, curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
13. 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.
14. Only landscape materials listed in the Phoenix Active Management Area Low Water-Use/Drought-Tolerant Plant List shall be utilized internal to the site, as approved or modified by the Planning and Development Department
15. 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.
16. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
17. A minimum of one green infrastructure (GI) technique 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.

18. 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.
19. 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.
20. 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

May 10, 2024

Team Leader

Racelle Escolar

Exhibits

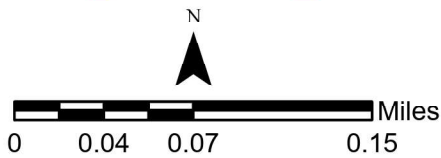
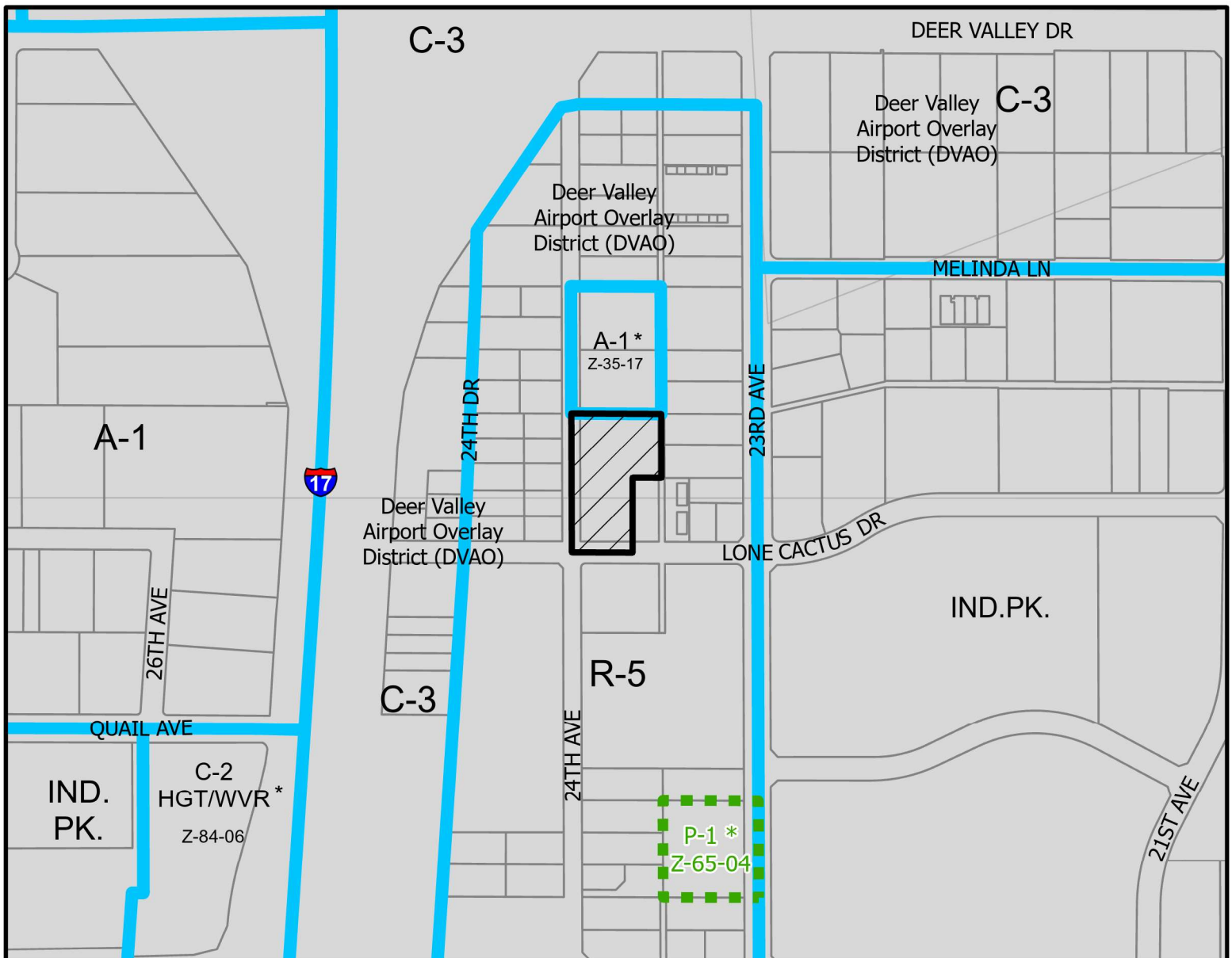
Zoning sketch map

Aerial sketch map

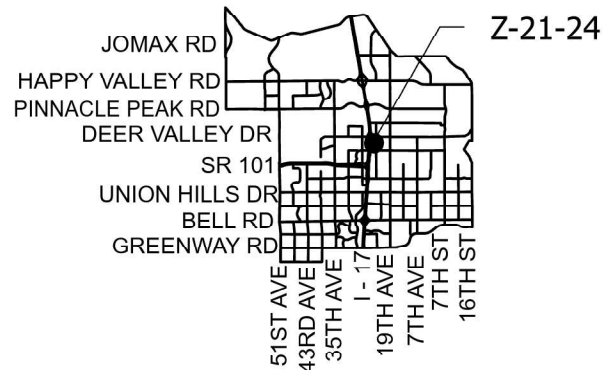
Site plan date stamped January 31, 2024 (1 page)

Elevations date stamped January 31, 2024 (1 page)

Community Correspondence (1 page)

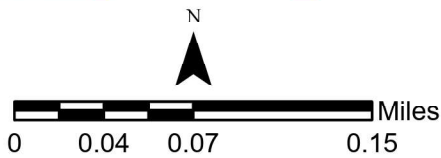
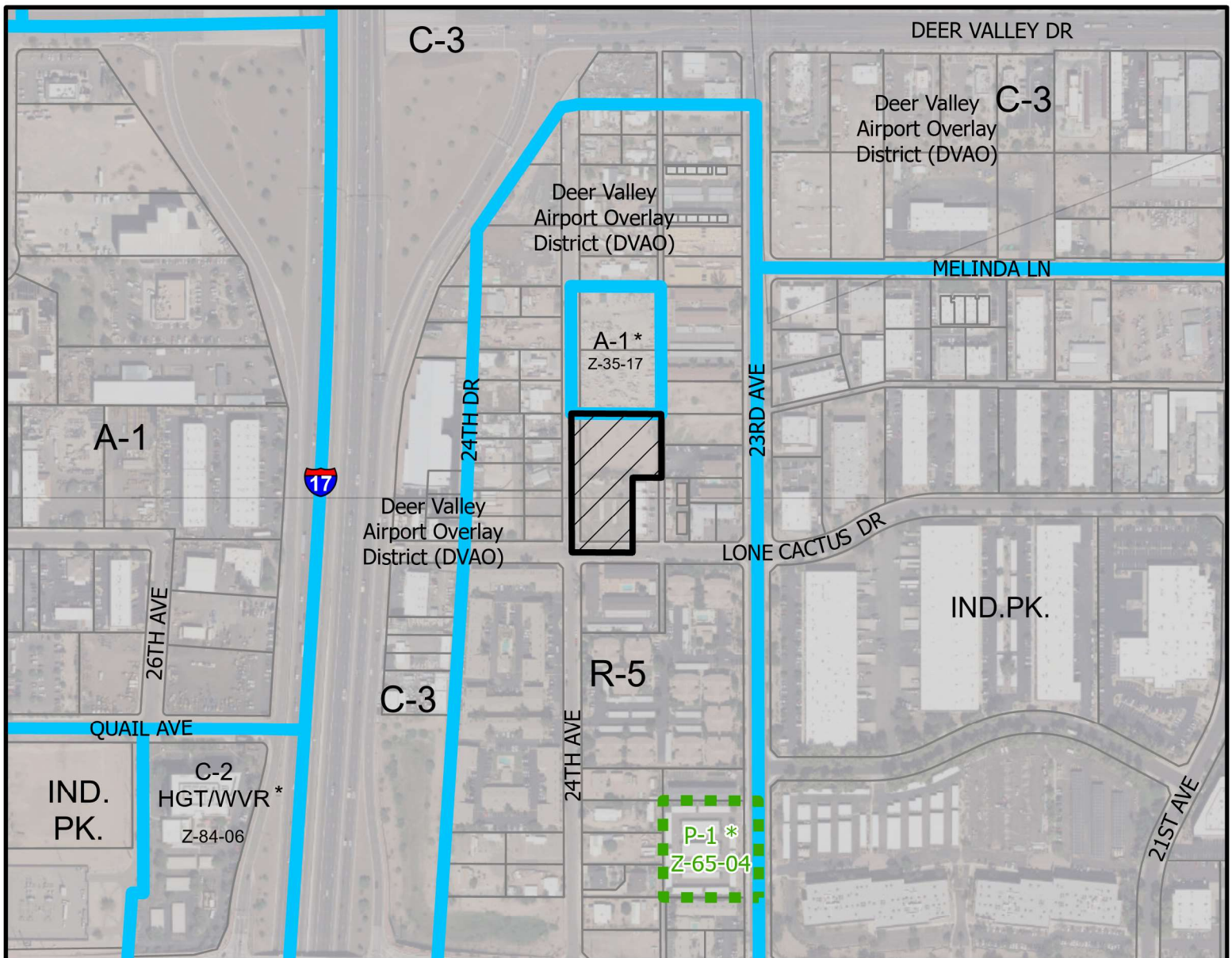


DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1

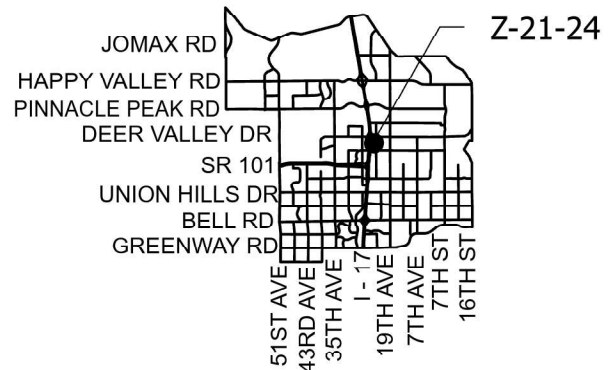


APPLICANT'S NAME: Soto Design Studio, LLC		REQUESTED CHANGE:	
APPLICATION NO: Z-21-24		FROM: R-5 DVAO (1.85 a.c.)	
DATE: 3/13/2024		TO: A-1 DVAO (1.85 a.c.)	
REVISION DATES:			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		AFRIAL PHOTO & QUARTER SEC. NO.	
1.85 Acres		QS 42-23	
		ZONING MAP	
		N-7	
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
R-5 DVAO		80	
A-1 DVAO		N/A	
		* UNITS P.R.D OPTION	
		96	
		N/A	

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

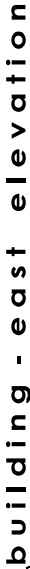
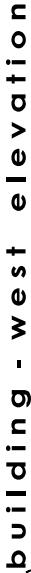


DEER VALLEY VILLAGE
COUNCIL DISTRICT: 1



APPLICANT'S NAME: Soto Design Studio, LLC		REQUESTED CHANGE:	
APPLICATION NO: Z-21-24	DATE: 3/13/2024	FROM: R-5 DVAO (1.85 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.85 Acres	REVISION DATES:		TO: A-1 DVAO (1.85 a.c.)
	AFRIAL PHOTO & QUARTER SEC. NO. QS 42-23	ZONING MAP N-7	
MULTIPLES PERMITTED R-5 DVAO A-1 DVAO	CONVENTIONAL OPTION 80 N/A		* UNITS P.R.D OPTION 96 N/A

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



Sheet: **A3.1**

**Soto
Design
Studio**

Deer Valley Plumbing Storage
Resonizing and Site Improvements for:
21421 North 24th Avenue / Phoenix , Arizona 85027



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Project No.	RJR
Drawn by:	RJR
Checked by:	
Date:	12/15/23

VA: 23-1181

Francisco Soto

From: Kay Shepard <kshepard2@cox.net>
Sent: Sunday, April 28, 2024 12:35 AM
To: Joe Kerlin; Kerlin Laurine; Soto Francisco
Subject: Fwd: Proposed rezoning at 24th Ave & Lone Cactus

FYI
Sent from my iPhone

Begin forwarded message:

From: mike mccann <mvmccann@gmail.com>
Date: April 28, 2024 at 6:45:27 AM GMT+2
To: kshepard2@cox.net
Subject: **Proposed rezoning at 24th Ave & Lone Cactus**

Kay, I own a building at 23rd Ave and Lone Cactus and I've received your notices via mail regarding the above. I recently had a chance to look at the subject property and support your rezoning request. I think your building will be a good addition to the neighborhood.

Best of luck with the rezoning.

Mike McCann
LA2 Land Properties, LLC