

## ATTACHMENT D



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

**To:** City of Phoenix Planning Commission **Date:** March 7, 2024

**From:** Racelle Escolar, AICP  
Principal Planner

**Subject:** ITEM NO. 8 (Z-31-23-3) – APPROXIMATELY 500 FEET EAST OF THE  
NORTHEAST CORNER OF 19TH AVENUE AND TIERRA BUENA LANE

The purpose of this memo is to recommend modified and additional stipulations in response to stipulations that are agreed upon by the applicant and an adjacent neighbor.

Rezoning Case No. Z-31-23-3 is a request to rezone 28.92 acres from S-1 SP (Ranch or Farm Residence, Special Permit) and C-2 SP (Intermediate Commercial, Special Permit), to CP/GCP (Commerce Park / General Commerce Park option) to allow commerce park.

The Deer Valley Village Planning Committee heard this request on August 10, 2023 and continued the case to October, by a vote of 7-5. There was no quorum at the October 12, 2023 and November 16, 2023 meetings.

The applicant has been working with the adjacent neighbor to address concerns. The applicant and neighbor have agreed on the stipulations reflected below.

Staff recommends approval, per the modified stipulations in **bold** font below.

1. **GENERAL CONFORMANCE TO THE SITE PLAN DATE STAMPED MARCH 7, 2024 AS IT APPLIES TO THE 28-ACRE SITE THAT IS THE SUBJECT OF Z-31-23-3, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
4. Required landscape setbacks **ADJACENT TO STREETS** 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.
3. **A MINIMUM 20-FOOT LANDSCAPED SETBACK SHALL BE PROVIDED ALONG PERIMETER LOT LINES NOT ADJACENT TO A STREET. THIS STANDARD SHALL NOT APPLY IF THE ADJACENT PROPERTY IS ZONED C-1, C-2, C-3, A-1, A-2, COMMERCE PARK. REQUIRED LANDSCAPE SETBACKS SHALL PLANTED WITH 50% MINIMUM 2-INCH CALIPER AND 50% MINIMUM 3-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.**

2. 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 contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of 2% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, and a minimum of 8% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.
4. All nonresidential uses over 5,000 square feet floor area shall provide one bicycle parking space per 25 vehicle parking spaces, with a maximum of 25 spaces. Bicycle parking shall be provided through Inverted U and/or artistic racks located near the front of offices and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
5. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
6. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
7. One outdoor employee resting area of no less than 400 square feet, or two 200-square foot areas shall be provided for each warehouse/office building on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
8. A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape area shall be constructed between back of curb and sidewalk on the east side of 19th Avenue from Turf Paradise Road to Tierra Buena Lane, planted as follows, 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 to achieve a minimum of 75% live vegetative ground 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.

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11. A minimum 30-feet of right-of-way shall be dedicated for the north side of Tierra Buena Lane, as approved by the Planning and Development Department.

a. The improvements shall be consistent with the Minor Collector cross section and constructed with a minimum 5-foot-wide sidewalk with a minimum 8-foot-wide landscape area between back of curb and sidewalk, planted as follows:

- (1) Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
- (2) Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground 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.

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12. The existing traffic signal at the Phelps Road and 19th Avenue intersection shall be fully funded and reconstructed to meet City of Phoenix standards, as approved by the Street Transportation Department.

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13. Vehicular access shall not be permitted to Tierra Buena Lane.

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14. A Traffic Impact Study (TIS) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. The TIS shall include signal warrant analysis for 19th Avenue and Grandview Road, and Tierra Buena Lane and Greenway Parkway. If the approved TIS determines that a signal is warranted at any of these intersections, the developer shall be required to fund 100% of the cost and construct the signal, if the TIS does not warrant the signal, the developer shall be required contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department. If the signal is installed by others, the development shall be responsible for 100% of the cost for signal relocation and/or modifications.

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15. Replace unused driveways with sidewalk and 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.

44. In the event archaeological materials are encountered during construction, the  
16. 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.
15. Prior to ~~preliminary~~ **FINAL** site plan approval, the landowner shall execute a  
17. 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.
18. **ANY OUTDOOR STORAGE AREAS SHALL BE SETBACK A MINIMUM OF 100 FEET FROM A RESIDENTIAL ZONING DISTRICT.**
19. **PARKING LOT AREA(S) SHALL BE LANDSCAPED PER THE STANDARDS OF PHOENIX ZONING ORDINANCE §624.E.4.E, THE C-3 (GENERAL COMMERCIAL) DISTRICT.**
20. **NOISE-GENERATING EQUIPMENT, E.G. BUT NOT LIMITED TO AIR CHILLERS AND GENERATORS, SHALL BE LOCATED A MINIMUM OF 300 FEET FROM A RESIDENTIAL DISTRICT OR SHALL BE SHIELDED BY A BUILDING OR SOUND MITIGATION WALL TO ACHIEVE THE REQUIRED NOISE LEVEL.**
21. **PARKING LOT AND SECURITY LIGHTING SHALL NOT EXCEED A MAXIMUM HEIGHT OF 15 FEET INCLUDING LAMP, POLE, AND BASE WITHIN 200 FEET OF A RESIDENTIAL DISTRICT.**
22. **ALL ON-SITE LIGHTING SHALL BE SHIELDED TO PREVENT DIRECT VISIBILITY OF THE LIGHT SOURCE FROM ADJACENT PROPERTY.**
23. **LIGHTING SHALL BE SHIELDED WITH CUT-OFF FIXTURES AND DEFLECTORS TO DIRECT LIGHT DOWNWARD AND LIMIT ON-SITE LIGHTING LEVELS TO A MAXIMUM OF ONE FOOT CANDLE AT THE PROPERTY LINE.**
24. **SIGNAGE SHALL BE SUBJECT TO APPROVAL OF A COMPREHENSIVE SIGN PLAN PER THE PHOENIX ZONING ORDINANCE §705.E.2.**