



## Village Planning Committee Meeting Summary

### Z-26-23-1

<b>Date of VPC Meeting</b>	December 14, 2023
<b>Request From</b>	S-1 DVAO
<b>Request To</b>	A-1 DVAO
<b>Proposal</b>	Light Industrial
<b>Location</b>	Approximately 1,500 feet east of the northeast corner of 19th Avenue and the Alameda Road alignment
<b>VPC Recommendation</b>	Approval, subject to the stipulations, with a deletion of Stipulation No. 2 requiring a minimum 5-foot landscape setback on the north and west sides.
<b>VPC Vote</b>	9-0

*No members of the public registered to speak on this request.*

### **VPC DISCUSSION:**

#### STAFF PRESENTATION

**Matteo Moric**, staff, introduced the case as one which had previously been heard, however, an amendment was made by the applicant to request an A-1 zone change versus the CP/GCP zoning. Mr. Moric said the property was recently annexed into the City of Phoenix and given the S-1 DVAO zoning.

**Mr. Moric** provided an overview of the request and identified the site location, surrounding zoning and land uses, and general plan land use map designations. Mr. Moric showed the proposed site plan and building elevations and summed up the staff findings, recommendation, and staff stipulations. Mr. Moric indicated the staff recommended was to deny as filed, approve CP/GCP subject to stipulations. Mr. Moric noted the proposal was not consistent with the General Plan Land Use Map designation and compatible with the surrounding CP/GCP zoned parcels, but noted it was consistent with the Deer Valley Airport Overlay and would provide employment opportunities. Mr. Moric also indicated an additional stipulation was added for a 5-foot landscape setback along the north and west sides adjacent to the residentially zoned properties.

## APPLICANT PRESENTATION

**Tim Locher** introduced himself and Clark Diepholz as representing Hawkeye Development and said the Deer Valley area had been changing significantly and him and his colleague Mr. Diepholz were working at changing the zoning for several reasons. Mr. Locher noted the property was located in the middle of the Taiwan Semiconductor Manufacturing Company (TSMC) supply area and across the street was the Mack supplier development which he said would allow A-2 uses, and to the east is the Opus sub supplier campus. Mr. Locher said all the interests for the site were from A-1 users. Mr. Locher said this was one of the reasons they amended their request from CP/GCP to A-1 and he noted they went to Councilmember O'Brien's office and spoke with her Chief of Staff who said he wanted the applicant to mention the office was in full support of this request and encouraged them to go to A-1 zoning.

**Mr. Diepholz** said the project site plan stayed consistent with the previous request. Mr. Diepholz explained the campus to the south allowed A-2 uses which is the heaviest industrial in the City of Phoenix.

**Mr. Diepholz** stated he felt the proposal met the requirement of the core values of the General Plan. Mr. Diepholz requested to eliminate the stipulation that required there be a minimum of 5-foot landscape setback on the north and west. Mr. Diepholz stated the properties to the north and west were in the Maricopa County jurisdiction and zoned RU-43 and indicated they were used for more intensive uses such as outdoor industrial and an open agricultural uses. Mr. Diepholz said the area is not residential and is an industrial area. Mr. Diepholz suggested they may want to have a wall in place of the 5-foot landscape setback.

## QUESTIONS FROM THE COMMITTEE AND APPLICANT RESPONSE

**Trilese DiLeo** asked about when the city started asking for electric vehicle parking stations. **Mr. Moric** said this was a relatively recent stipulation which the city requests with zoning changes. **Ms. DiLeo** then asked if the charging station would be public or private and the applicant, **Clark Diepholz**, responded that it would be private use.

**Gregory Freeman** said the aerial photo shared was outdated and there is a 120-acre complex coming onto the property to the south. **Mr. Diepholz** said Mack came in on State Land and bought about 256 acres and Mack applied for a PUD on it to allow CP/GCP up to A-2 which services TSMC. Mr. Diepholz shared that much of Alameda Road was already constructed and the Mack site to the south was rezoned in about 2021 well before their request.

**Will Novak** asked if the stipulated 5-foot landscape area on the north and west would require trees. **Mr. Moric** said trees would be required within the 5-foot landscape setback. **Mr. Novak** reminded the Committee that within the packet was the tree and shade master plan information and trees might be helpful, especially with the urban heat island. **Mr. Locher** and **Mr. Diepholz** mentioned they already have minimum landscape

requirements per the City rules, and the deletion of the 5-foot landscape setback would allow a wall. Mr. Diepholz added this may be needed for truck turnaround, fire truck safety, and solid waste vehicles. Mr. Diepholz said the 5-foot of setback could impact approximately a couple thousand square feet of building space.

**Mr. Moric** said the direction of the General Plan was to be a Commerce Park district with more landscaping against the residential zoned property and the street frontage.

**Ms. DiLeo** asked for clarity on how the reduction of the 5-foot setback would impact the landscape plan.

**Mr. Freeman** said the assumption of the setback was this was CP zoning next to residential zoning, but added this request was not for CP zoning. **Mr. Braden Lopez-Biggs** said the residential zoning is outside of the City's jurisdiction, and he doubts that it would be developed as residential. **Mr. Diepholz** said that most likely the neighboring properties would be annexed into the City of Phoenix from the County. Mr. Diepholz said the likelihood of getting city services to a property that would be residential is unlikely. Mr. Diepholz explained the subject property was annexed and given the equivalency zoning of S-1 and the General Plan calls for the Commerce Park use. Mr. Diepholz said that if neighboring properties go to CP/GCP the landscape requirement would go away.

**Mr. Lopez-Biggs** asked about the users looking at the space. **Mr. Locher** said all the interests were coming from A-1 users.

**Mr. Diepholz** said General Plan designation did not take into consideration TSMC since it was completed approximately 10 years ago. And the outlook for the area changed in the last several years.

#### PUBLIC COMMENT

None.

#### FLOOR/PUBLIC DISCUSSION CLOSED: MOTION DISCUSSION, AND VOTE

#### MOTION

**Trilese DiLeo** motioned to recommend approval of Z-26-23-1 subject to the stipulations, with a deletion of Stipulation No. 2 regarding a minimum 5-foot landscape setback on the north and west sides of the property. **Braden Lopez-Biggs** seconded the motion.

#### VOTE:

**9-0**, motion to recommend approval of Z-26-23-1 subject to the stipulations, with a deletion of Stipulation No. 2 regarding a minimum 5-foot landscape setback on the north

and west sides passes with Committee Members DiLeo, Field, Freeman, Greenberg, Herber, Lopez-Biggs, Novak, Romero, and Grossman in favor.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

No comment.