

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-27-23-1 August 4, 2023

**Deer Valley Village Planning
Committee Meeting Date:**

August 10, 2023

**Planning Commission Hearing
Date:**

September 7, 2023

Request From:

IND.PK. DVAO (Industrial Park, Deer Valley
Airport Overlay District) (7.91 acres)

Request To:

C-3 DVAO (General Commercial, Deer Valley
Airport Overlay District) (7.91 acres)

Proposal:

Electric vehicle sales and repair

Location:

Southwest corner of 19th Avenue and Quail
Avenue

Owner/Applicant:

Aztec 19th Ave., LLC

Representative:

William E. Lally, Tiffany & Bosco, PA

Staff Recommendation:

Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Industrial	
<u>Street Map Classification</u>	19th Avenue	Major Arterial	65-foot west half street
	Quail Avenue	Local	40-foot south half street

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; EMPLOYERS (JOB CREATION); LAND USE PRINCIPLE: Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.

The subject site is located 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 employment generating commercial uses and economic development within the Major 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 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 replenish landscaping on adjacent streets, providing 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

[Complete Streets Guiding Principles](#) – See Background Item No. 8

[Tree and Shade Master Plan](#) – See Background Item No. 9

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 10

[Transportation Electrification Action Plan](#) – See Background Item No. 11

[Zero Waste PHX](#) – See Background Item No. 12

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Commercial/Warehouse Office	IND. PK. DVAO
North (across Quail Avenue)	Commercial Office and Warehouse	IND. PK. DVAO
South	Office, Commercial, and small warehouse uses	PUD DVAO and Ind.Pk. DVAO
East (across 19th Avenue)	Industrial/Office	A-1 DVAO
West	Office/Warehouse	IND. PK. DVAO

C-3 (General Commercial)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Building Setbacks</i>		
Adjacent to streets (19th Avenue; Quail Avenue)	Average 25 feet, minimum 20 feet	Greater than 25 feet (Met)
Not adjacent to streets (south and west)	When adjacent to IND. PK. and PUD (CP/GCP and A-1 uses): minimum 10 feet	Not specified
<i>Landscape Setbacks</i>		
Adjacent to streets (19th Avenue; Quail Avenue)	Average 25 feet, minimum 20 feet	25 feet (Met)
Not adjacent to streets (south and west)	When adjacent to IND. PK. and PUD (CP/GCP and A-1 uses): minimum 0 feet	0 feet (Met)
Lot Coverage	Maximum 50 percent	22.2 percent (Met)
Building Height	Maximum 2 stories, 30 feet	21 feet (Met)
Parking	Minimum 213 spaces Vehicle sales: 1 space per 300 square feet office and covered sales area and 1 space per 10,000 square feet of outdoor display or portion thereof and 1 space per 10,000 square feet thereafter and 1 space per 3 employees and 1 space for	367 spaces (Met)

each service bay

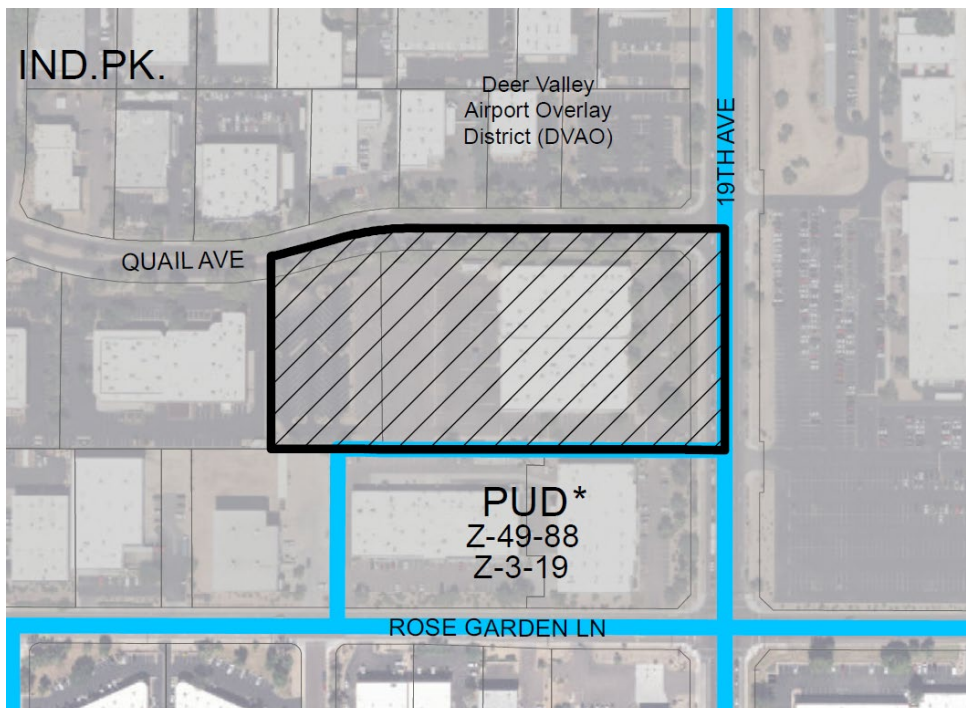
*Site plan revision or variance required

Background / Issues / Analysis

1. SUBJECT SITE

This request is to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND. PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repair.

The subject site was part of a larger area annexed into the City of Phoenix from Maricopa County in 1972. The site later developed with an office/warehouse building using the Industrial Park zoning, in approximately 1980. The building remains today as an office building while additional surface parking has been added to the western portion of the site. The proposal is to maintain the existing building and convert it to an electric vehicle sales and repair business. The use is not allowed in the Industrial Park zoning; therefore, the applicant seeks to rezone the property to C-3, which allows the use.



Aerial Zoning Map, Source: Planning and Development Department

2. ZONING AND LAND USE

Subject Site:

The subject site is zoned IND. PK. DVAO and contains an office warehouse

building and surface parking.

North:

North of the subject site, across Quail Avenue is property zoned IND. PK. DVAO with commercial office and warehouse uses.

South:

South of the subject site is property zoned PUD (19th Avenue and Rose Garden Lane PUD), which allows commerce park and light industrial uses, and contains two buildings containing office, commercial, and small warehouse uses.

East:

East of the subject site, across 19th Avenue, is property zoned A-1 DVAO with industrial/office uses (Honeywell).

West:

West of the subject site is property zoned IND. PK. DVAO with office/warehouse uses.

3. **GENERAL PLAN**

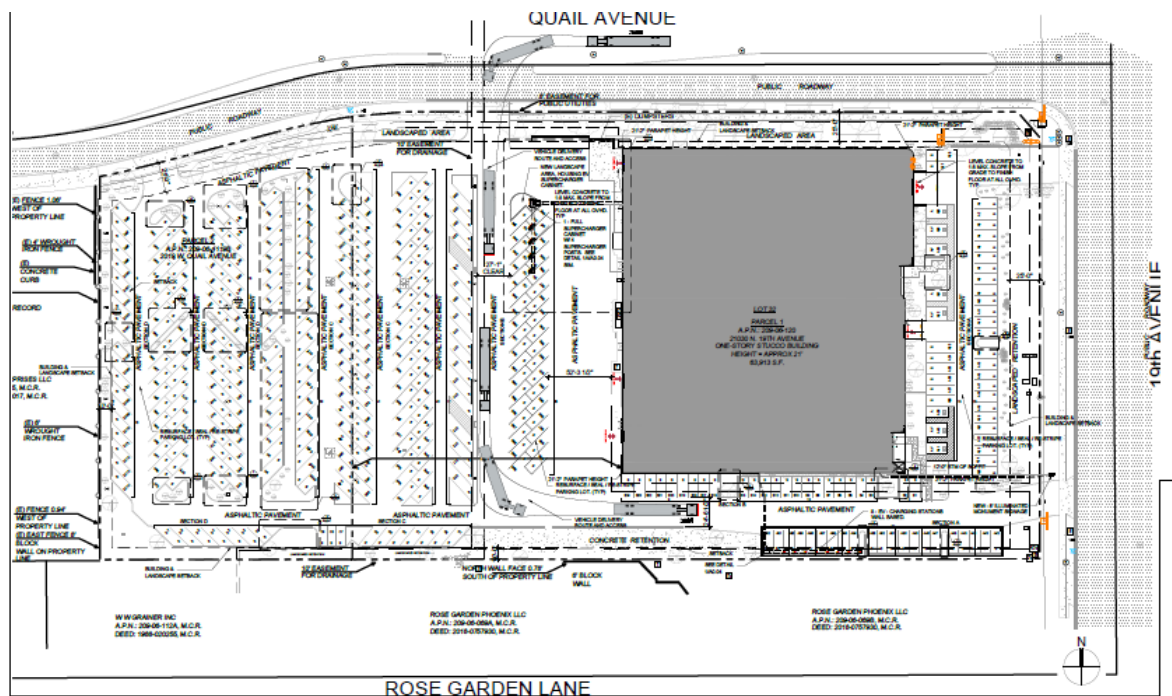
The General Plan Land Use Map designation for the subject site is Industrial. The proposal for C-3 zoning is not consistent with that designation. However, a General Plan Amendment is not required, as the site is less than 10 acres. The General Plan Land Use Map designation on all surrounding properties is Industrial.



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

4. **SITE PLAN**

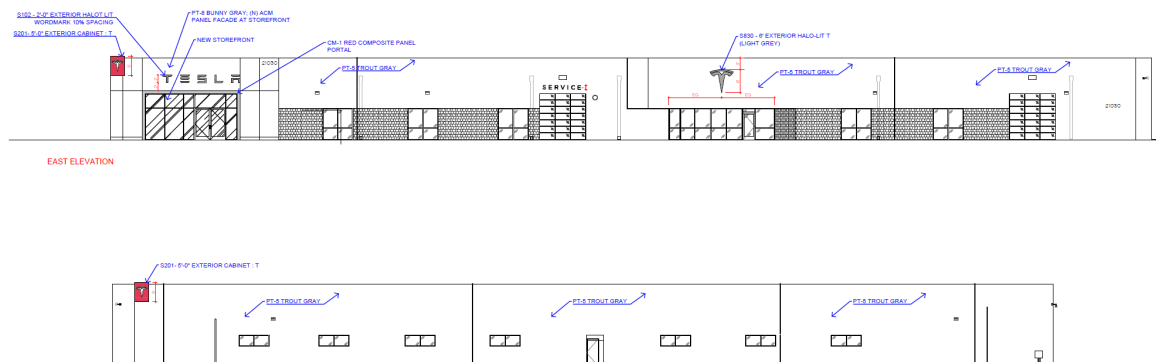
The conceptual site plan, attached as an exhibit, depicts the existing one-story, approximately 64,000-square-foot commercial building and surface parking lot to remain. Minor site improvements are proposed to facilitate vehicular traffic for the proposed use and for additional landscaping along the street frontages.



Conceptual Site Plan, Source: Frederick J. Goglia

5. **ELEVATIONS**

The proposal includes conceptual elevations and renderings, included as an exhibit to this report, that illustrate exterior facade work on the existing building. The elevations include a variety of materials, colors, windows, and architectural embellishments. To ensure the site develops as proposed, staff recommends general conformance to the building elevations (Stipulation No. 1).



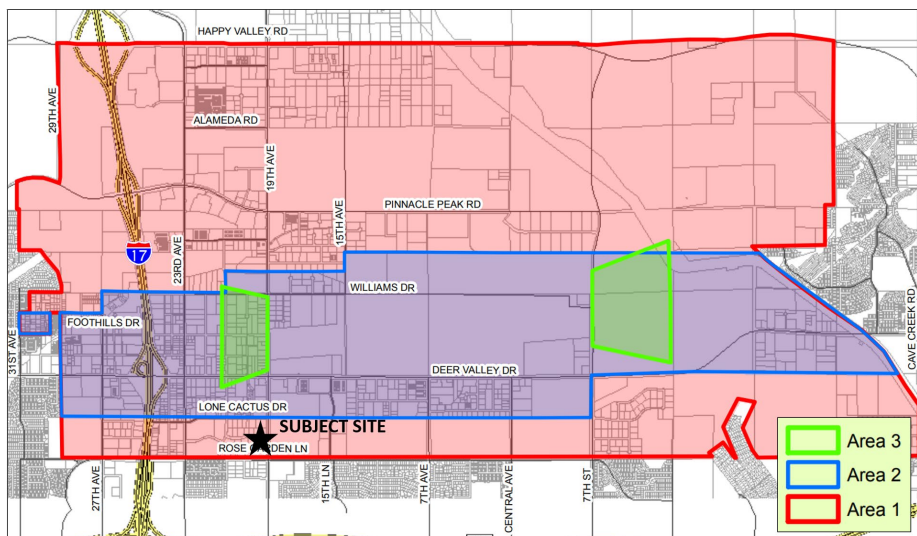
Conceptual Building Elevations, Source: Applicant



Conceptual Building Rendering, Source: Applicant

6. **Deer Valley Airport Overlay District**

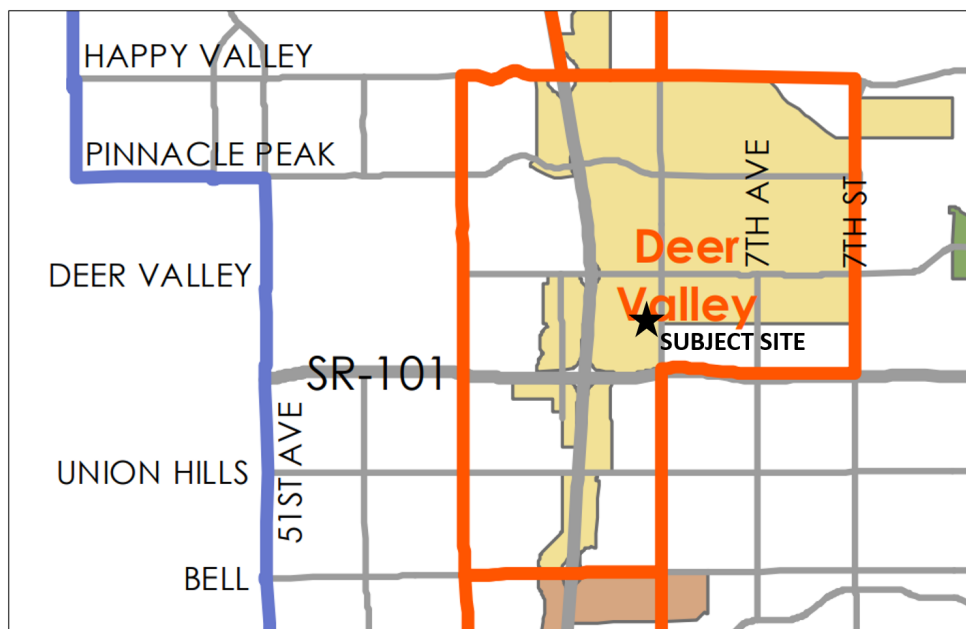
The subject site is located within the Deer Valley Airport Overlay District (DVAO), Area 1, and the proposed uses and height are consistent with the provisions of the overlay district. The purpose of the zoning overlay is to ensure land use compatibility with airport operations, protect navigable airspace 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.



Deer Valley Airport Overlay District, Source: Planning and Development Department

7. **Deer Valley Major Employment Center**

The subject site is located within 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. This proposal adds commercial uses that will add employment in a designated employment center.



Major Employment Center Map, Source: City of Phoenix

8. **Complete Streets Guiding Principles**

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 is recommending that enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles (Stipulation No. 2). Additionally, the development will replenish landscaping in the right-of-way on 19th Avenue and Quail Avenue, per Stipulation No. 7, which will ensure a more comfortable walking environment. Additionally, Stipulation No. 4 will encourage the use of bicycles by providing the infrastructure for bicycle parking.

9. **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. In order to provide additional landscaping and shade for pedestrians on the adjacent streets, staff is recommending Stipulation No. 7 to replenish landscaping in the right-of-way along 19th Avenue and Quail Avenue.

10. **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 commerce park employment centers. Stipulation No. 4 requires bicycle parking spaces be provided on the site.

11. **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. 3 provides requirements for electric vehicle parking, charging and infrastructure.

12. **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 applicant has indicated that recycling receptacles will be located on the site.

COMMUNITY INPUT SUMMARY

13. At the time the staff report was written there was no correspondence received from members of the public.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requires the following, which are addressed in Stipulation Nos. 5 through 8:

- Northern access point on 19th Avenue shall be removed.

- A Traffic Impact Study is required.
 - Existing streetscape on adjacent streets shall be replenished with landscaping.
 - Street improvements with all required elements and according to ADA standards.
15. The City of Phoenix Fire Department commented that they do not anticipate any problems with the case. However, the development must comply with the Phoenix Fire Code.
16. The Water Services Department has no stipulations for this zone change. The proposed property has existing water and sewer mains that can potentially serve the development once they are accepted.

OTHER

17. The site is not located in an area identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, ground-disturbing activities must cease to allow the Archaeology Office time to assess the materials. This is addressed in Stipulation No. 9.
18. 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 preliminary site plan approval. This is addressed in Stipulation No. 10.
19. 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 character of the surrounding area and several General Plan principles.
2. The proposal provides an employment generating commercial use within 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 elevations date stamped May 4, 2023, as modified by the following stipulations and 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 5% of the required parking spaces shall include Electric Vehicle (EV) Installed 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 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.
5. The existing northernmost access point on 19th Avenue shall be removed.
6. A Traffic Impact Study shall be submitted. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Study shall include an analysis of the existing and proposed driveways turning movements and potential conflicts with opposing driveways along 19th Avenue. Once approved, the development shall comply with the findings of the Traffic Impact Study regarding access control, as approved by the Street Transportation Department.
7. Existing streetscape beginning at back of curb shall be replenished with the approved landscaping and ground cover along 19th Avenue and Quail Avenue, as approved by the Planning and Development Department.
8. 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.
9. 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.

10. Prior to preliminary 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

August 4, 2023

Team Leader

Racelle Escolar

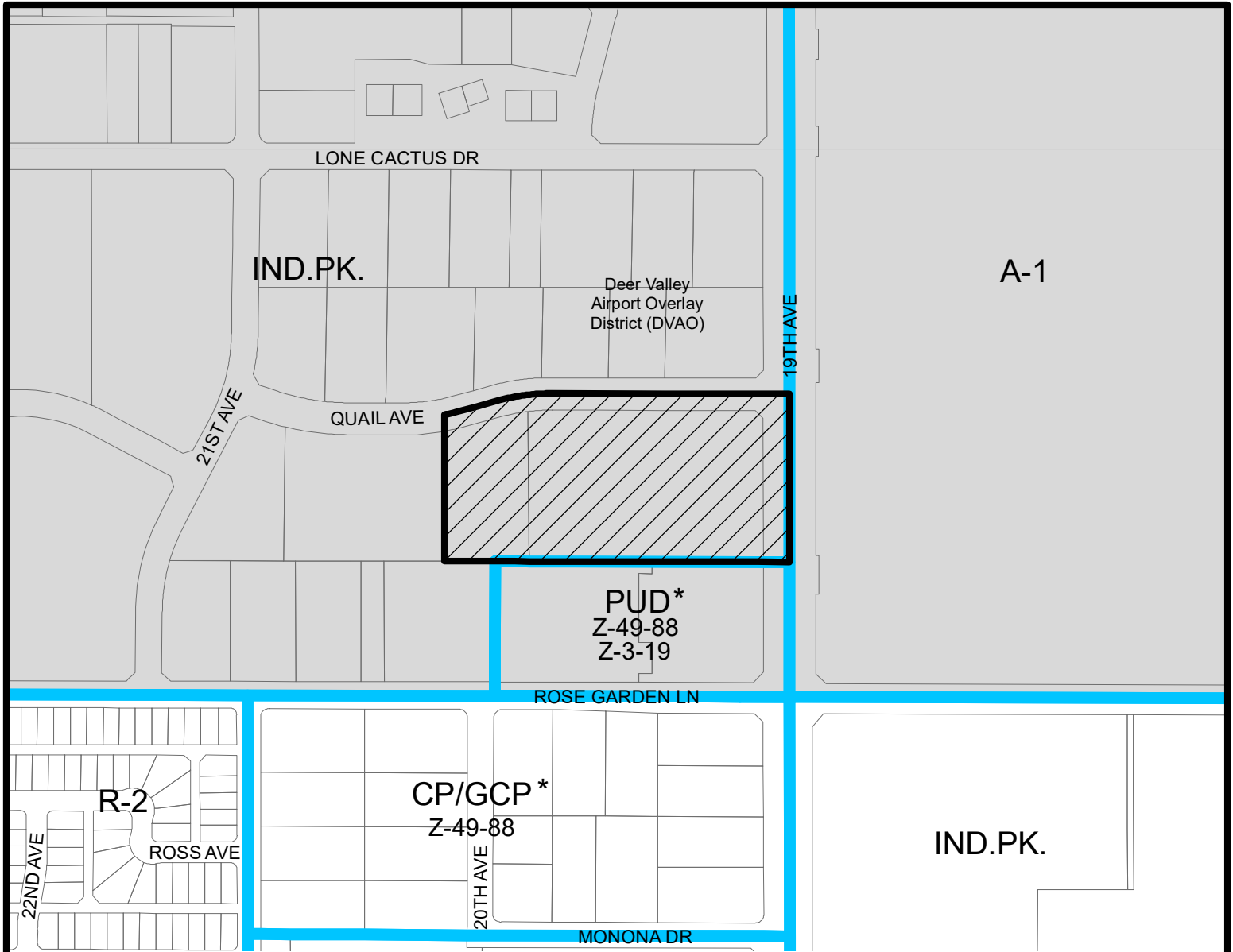
Exhibits

Zoning sketch map

Aerial sketch map

Conceptual Site plan date stamped July 31, 2023

Conceptual Elevations date stamped May 4, 2023



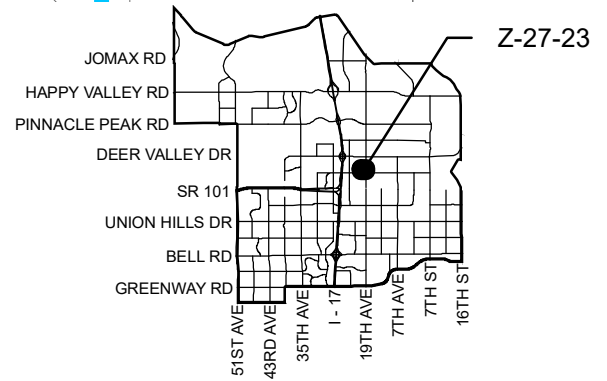
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DEER VALLEY VILLAGE

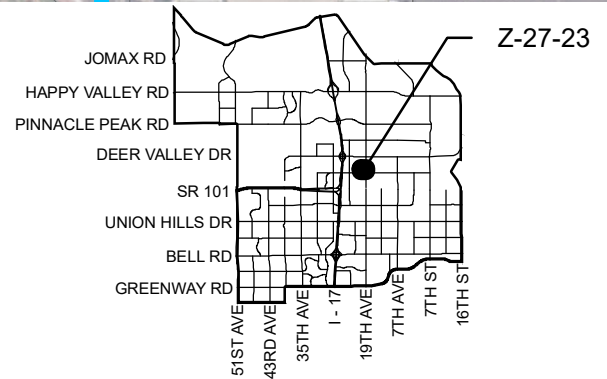
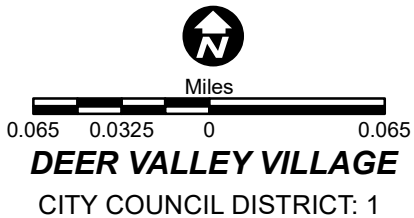
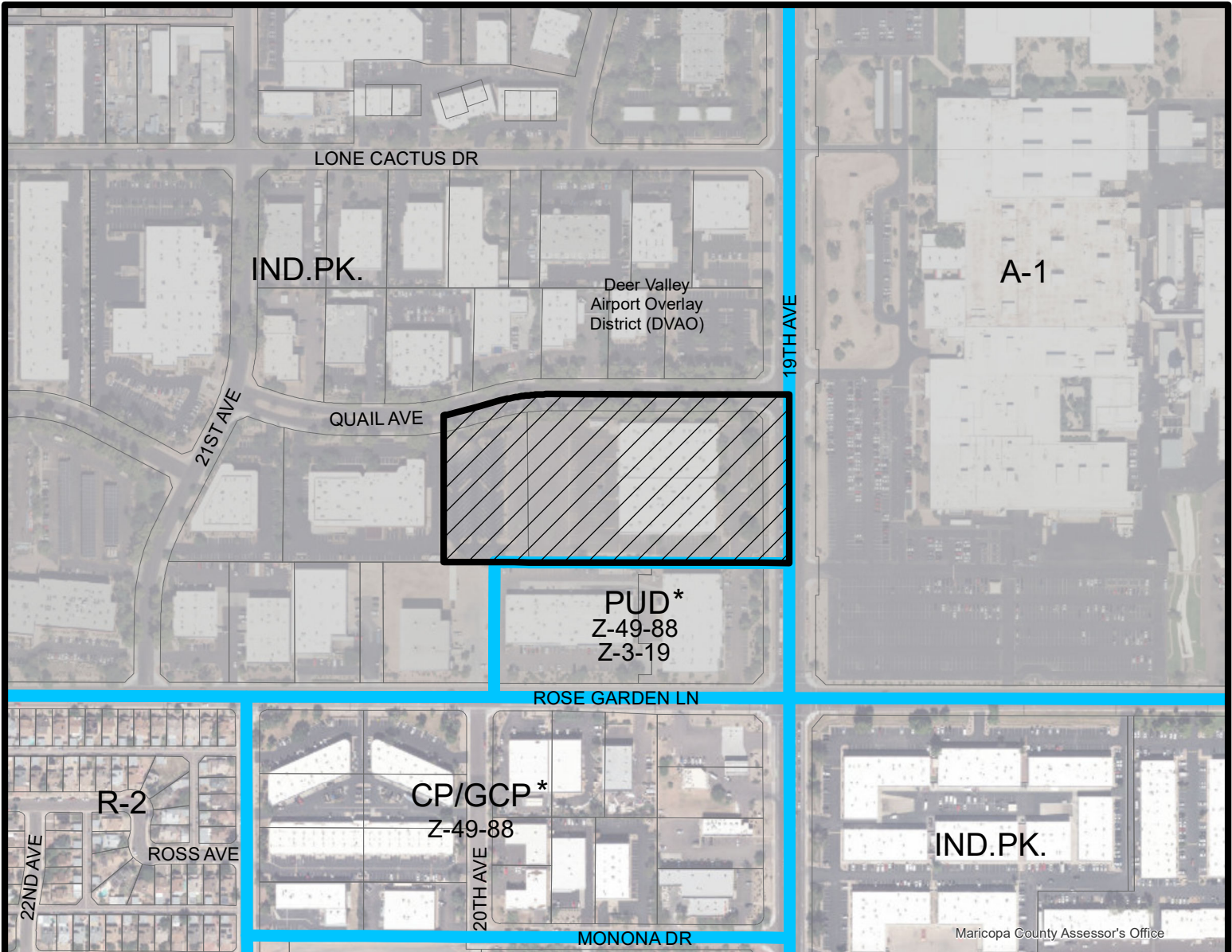
CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Aztec 19th Ave., LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-27-23	DATE: 5/31/2023 REVISION DATES:	FROM: IND.PK. DVAO (7.91 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 7.91 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 42-24	ZONING MAP N-7	TO: C-3 DVAO (7.91 a.c.)
MULTIPLES PERMITTED IND.PK. DVAO C-3 DVAO	CONVENTIONAL OPTION N/A 114		* UNITS P.R.D. OPTION N/A 137
* Maximum Units Allowed with P.R.D. Bonus			



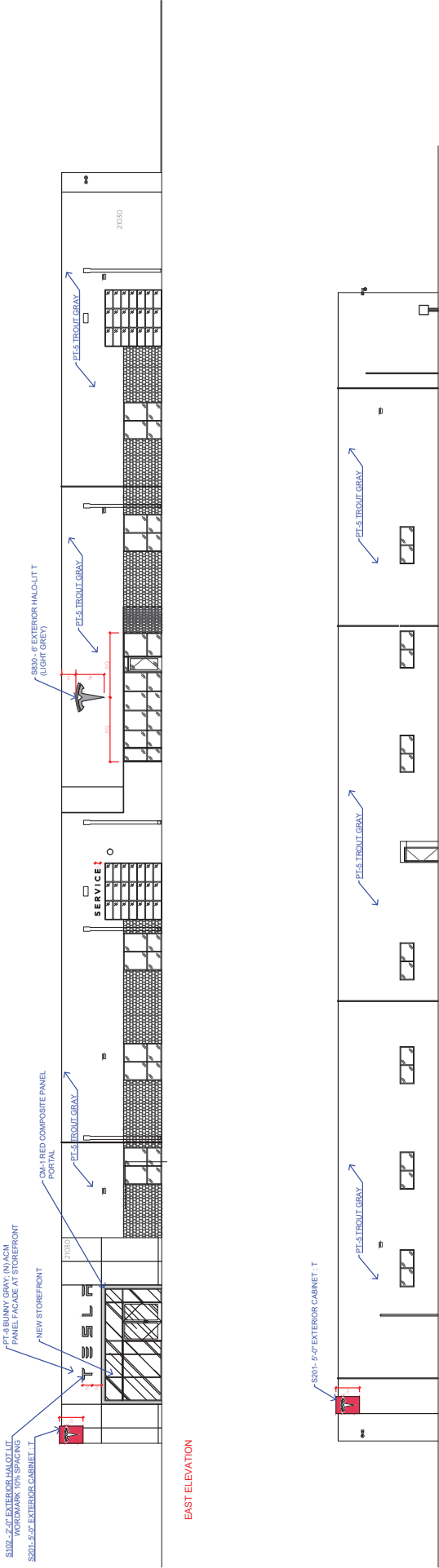
APPLICANT'S NAME: Aztec 19th Ave., LLC		REQUESTED CHANGE:	
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		* UNITS P.R.D. OPTION N/A 137	

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

DEER VALLEY - TESLA CENTER - WARM CLIMATE

ELEVATION
TRT ID - 35965

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CONFIDENTIAL



CITY OF PHOENIX

MAY 04 2023

Planning & Development
Department

SCALE: 1/32" = 1'-0"

APRIL 25, 2023



NA | 21030 N 19TH AVE, PHOENIX, AZ 85027 | USA

*PLEASE NOTE: ANY SUBSEQUENT REVISION TO AN APPROVED CONCEPT WILL CAUSE DELAY AND IMPACT COST