

# Staff Report Z-73-22-7 (Envision Dobbins 202 West PUD)

February 10, 2023

Laveen Village Planning Committee February 13, 2023

**Meeting** Date:

**Planning Commission Hearing Date:** March 2, 2023

Request From: S-1 (Approved C-1 PCD) (Ranch or Farm

Residence, Approved Neighborhood Retail, Planned Community District) (4.79 acres), S-1 (Approved R-2 PCD) (Ranch or Farm

Residence, Approved Multifamily

Residence District, Planned Community District) (16.00 acres), and S-1 (Approved R1-8 PCD) (Ranch or Farm Residence, Approved Single-Family Residence District, Planned Community District) (59.70 acres)

Request To: PUD (Planned Unit Development) (80.49

acres)

**Proposed Use:** Planned Unit Development to allow

commerce park development

**Location:** Approximately 550 feet west of the

southwest corner of State Route 202 and

**Dobbins Road** 

Owner: The Smith Trust dated May 30, 2003

Applicant: IDM Companies

**Representative:** Jason Morris, Withey Morris, PLC **Staff Recommendation:** Approval, subject to stipulations

## **General Plan Conformity**

**General Plan Land Use Map Designation** 

Current: Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Mixed Use (Parks / Open Space-Publicly Owned / Residential 3.5 to 5 dwelling units per

acre).

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	Pending (GPA-LV-5-22-7): Mixed Use (Industrial / Commerce/Business Park)
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Street Map Classification	Dobbins Road	Arterial	33-foot south half street
	63rd Avenue	Collector	East half street not dedicated
	65th Avenue	Local	West half street not dedicated
	Olney Avenue	Local	25-foot south half street

CONNECT PEOPLE AND PLACES CORE VALUE; CORE, CENTERS AND CORRIDORS; CODES PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

The proposed PUD will add employment opportunities within the Laveen Village and in close proximity to the Laveen Village Core.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposed will allow for light industrial, office, manufacturing, and other employment-generating land uses in a location that is appropriate due to its proximity to the Loop 202 Freeway and similar uses in the surrounding area.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The PUD Narrative incorporates enhanced landscaping and shade standards throughout the site that will help to provide shade for pedestrians and mitigate the urban heat island effect by covering hard surfaces thus cooling the micro-climate around the vicinity.

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# **Applicable Plans, Overlays and Initiatives**

Laveen Southwest Growth Study: Background Item No. 6.

Complete Streets Guiding Principles: Background Item No. 7.

Comprehensive Bicycle Master Plan: Background 8.

Tree and Shade Master Plan: Background Item No. 9.

Monarch Butterfly: Background Item No. 10.

Zero Waste PHX: Background Item No. 11.

Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Vacant land	S-1 (Approved C-1 PCD) S-1 (Approved R-2 PCD) S-1 (Approved R1-8 PCD)		
North (across Dobbins Road)	Vacant land, agriculture	PUD		
South	Vacant land, agriculture	S-1 (Approved R1-8 PCD and R-2 PCD)		
East	Vacant land, agriculture	S-1 (Approved C-2 or CP/GCP)		
West	Vacant land, agriculture	PUD		

#### Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone approximately 80.49 acres located approximately 550 feet west of the southwest corner of State Route 202 and Dobbins Road from S-1 (Approved C-1 PCD) (Ranch or Farm Residence, Approved Neighborhood Retail, Planned Community District), S-1 (Approved R-2 PCD) (Ranch or Farm Residence, Approved Multifamily Residence District, Planned Community District), and S-1 (Approved R1-8 PCD) (Ranch or Farm Residence, Approved Single-Family Residence District, Planned Community District) to PUD (Planned Unit Development) to allow for a commerce park development. The subject site is currently used for agriculture. Staff recommends the addition of Stipulation No. 1.b to update the acreage within the PUD Narrative to reflect the acreage calculated by the City.

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#### SURROUNDING LAND USES AND ZONING

The proposed PUD will support 2. new commerce park and industrial uses on the site, within proximity to the Loop 202 Freeway and along an arterial street (Dobbins Road). The property to the north (across Dobbins Road) and west, is zoned PUD and allows similar uses proposed in the Development Narrative for this case. The property to the east is currently vacant and is zoned S-1 (Approved C-2 or CP/GCP) (Ranch or Farm Residence, Approved Intermediate Commercial or Commerce Park/General Commerce Park). To the south is agricultural land zoned S-1 (Approved R1-8 PCD and R-2 PCD) (Ranch or Farm Residence, Approved Single-Family Residence District, Planned Community District and Multifamily Residence District, Planned Community District).



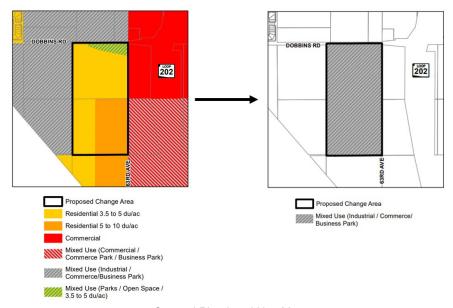
Source: Planning and Development Depatment

#### GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site has numerous General Plan Land Use Map designations. The majority of the site is designated Residential 3.5 to 5 dwelling units per acre, while the balance of the site is designated Residential 5 to 10 dwelling units per acre and Mixed Use (Parks / Open Space-Publicly Owned and Residential 3.5 to 5 dwelling units per acre). To the east, the designation is Commercial and Mixed Use (Commercial / Commerce/Business Park). To the south, the designation is Residential 3.5 to 5 dwelling units per acre and Residential 5 to 10 dwelling units per acre. Furthermore, to the north and west of the subject site the designation is Mixed Use (Industrial / Commerce/Business Park).

A concurrent minor General Plan Land Use Map amendment case, GPA-LV-5-22-7, is proposed to change the land use map designation to Mixed Use (Industrial / Commerce/Business Park). The requested PUD zoning is consistent with the proposed General Plan Land Use Map designation of Mixed Use (Industrial / Commerce/Business Park).

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General Plan Land Use Map
Source: City of Phoenix Planning and Development Department

#### **PROPOSAL**

- 4. The proposal was developed utilizing the PUD zoning district, which allows an application to propose uses, development standards and design guidelines for a site. One of the goals of this process is to allow the applicant to develop standards that respond to the surrounding environment more so than conventional zoning districts allow. The end result is property rezoned with standards crafted specifically for the site. Where the PUD narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
- 5. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped January 24, 2023. The proposed standards were designed to allow industrial and commerce park uses that offer the flexibility to develop uses that would generate employment within the Laveen Village.

# **List of Uses**

The Development Narrative proposes several permitted uses including those listed in the C-2 (Intermediate Commercial) and CP/GCP (Commerce Park/General Commerce Park) zoning districts. Additionally, manufacturing or assembly of finished products such as food and spices are also proposed under the permitted uses intended for this site.

The Development Narrative also proposed restricting certain uses that are inconsistent with the vision for the site such as multifamily residential, non-profit dispensary, tobacco-oriented retailer, motels, hotels and pet care facilities.

Staff recommends Stipulations Nos. 1.c through 1.e to reinforce the types of uses that are permitted within the PUD and update the language for clarity.

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## Conceptual Development Plan

The proposed development plan proposes six large buildings on the site, oriented east to west. The proposed buildings will be built in groups of two where the loading and unloading docks would be located centrally between two buildings. As a result, the loading of docks would have limited visibility along the adjacent roads. Enhanced landscaping is proposed along all four sides of the proposed development to further limit the visibility of the loading docks. The proposed development will have access to all adjacent public streets, both for customers and employees.

Staff recommends Stipulation Nos. 1.f and 1.h though 1.j to further clarify the development standards within the proposed PUD including height, utility conflicts, and fencing.

#### **Development Standards**

The PUD development narrative proposes development standards based on the CP/GCP Zoning District. However, some standards vary from the CP/GCP standards in relation to building height, setbacks, and open space.

Minimum Building Setbacks	From Property Line
North (Dobbins Road)	50 feet
South (Olney Avenue)	30 feet
East (63rd Avenue alignment)	40 feet
West (65th Avenue alignment)	30 feet
Minimum Landscape Setbacks	
North (Dobbins Road)	35 feet
South (Olney Avenue)	20 feet
East (63rd Avenue alignment)	35 feet
West (65th Avenue alignment)	20 feet
Maximum Building Height	Maximum 56 feet, one building in Phase I may have a maximum height of 85 feet if it doesn't take up more than 15% of the building area, is located 700 feet from the centerline of 63rd Avenue and Dobbins Road and has a minimum building setback of 100 feet from all other property lines.
Maximum Lot Coverage	50% per individual parcels
Open Space & Amenity Standards	8% exclusive of landscape setbacks, and two employee amenity areas with a size of 250 square feet.

The proposed lot coverage of 50% is consistent with the standards in CP/GCP zoning district. The proposed building and landscape setbacks exceed the standards in the CP/GCP zoning district.

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Staff recommends Stipulation No. 1.I to update the comparative table to reflect the previous stipulations.

# Landscape Standards

The PUD proposes enhanced landscape setbacks along all street frontages, especially along Dobbins Road and 63rd Avenue. These areas will incorporate a mixture of two-inch caliper and three-inch caliper trees. The landscaping will provide for a pedestrian-friendly environment with 75 percent shade on all public sidewalks, exceeding the minimum requirements of the Zoning Ordinance. In addition to the trees, the developer shall install a minimum of five, five-gallon drought-tolerant shrubs per tree.



Conceptual Landscape Plan Source: Deutsch Architecture Group

# Parking Standards

The PUD proposes to comply with the Zoning Ordinance minimum parking standards per Section 702. The PUD Development Narrative also includes standards for different levels of EV parking spaces including the number of required parking station and capable parking station. Staff recommends the addition of Stipulation No. 1.g to further reinforce the EV parking standards within the PUD.

# <u>Design Guidelines</u>

The Development Narrative includes design standards that enhance the frontage of the proposed buildings. All building facades facing a public street will have enhanced architectural features such as three building materials and/or colors and shall contain building offsets and recesses. Furthermore, a minimum of two historically appropriate building material such as river run stone, field stone, common brick, galvanized panels, and painted steel shall be incorporated into the facades, screen walls, and other site features.

#### Fences/Walls

All fences and walls will adhere to the Zoning Ordinance requirements per Section 703, in adherence with the development standards in the Narrative. The proposed narrative will also require wrought iron, tubular stee, or a similar material when fences are located 75 feet from a public street.

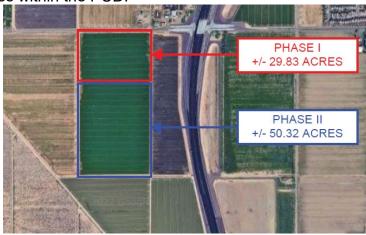
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## **Shade**

The Development Narrative requires a minimum of 75 percent shade cover be provided over public sidewalks. The required shade standards along public sidewalks exceed the Zoning Ordinance requirements.

# <u>Phasing</u>

The proposed development will be constructed in two phases. Phase I will be located to the north and will not allow distribution facilities as a primary use within 500 feet of the property line along Dobbins Road including within Building A. Phase II of the proposed development is located on the southern half of site. Staff recommends Stipulation No. 1.e to further reinforce the phasing plan for distribution uses within the PUD.



Phasing Plan Source: Envision Dobbins 202 West PUD Narrative

#### Infrastructure

The development shall comply with the City of Phoenix standards pertaining to infrastructure.

#### **Comparative Zoning Standards**

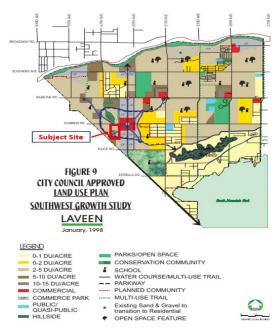
The Development Narrative incorporates standards that meet or exceed those required in the CP/GCP zoning district, as indicated in the Comparative Standards Table.

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#### AREA PLANS, OVERLAY DISTRICT, AND INITIATIVES

# 6. <u>Laveen Southwest Growth Study</u>

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village and provide a land use and design planning framework to help shale the growth that Laveen was starting to experience, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed. This plan designates the project site as 2 to 5 dwelling units per acre and 5 to 10 dwelling units per acre. Although not consistent with the designation, recent land use trends in the area, including the development of the Loop 202 Freeway, point to a land use mix that is primarily employmentfocused. This development would be consistent with this trend.



Laveen Southwest Growth Study Land Use Map Source: Planning and Development Department

The Laveen Southwest Growth Study also outlines specific design policies and standards for various types of development that will enhance Laveen's built environment wile remaining respectful of its agricultural heritage. The study encourages all new development to use durable, high quality building materials and to provide enhanced building design that will contribute to the character of the area. The proposed Development Narrative will require a variety of building materials on future buildings within this site and also proposes various amenities along the Dobbins Road frontage to active the frontage across the Village Core.

# 7. Complete Streets Guiding Principles

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. Detached sidewalks will be provided along street frontages to promote a safe pedestrian atmosphere. The Development Narrative requires that pedestrian pathways will visually contrast the drive aisles.

# 8. 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 supports options for both short- and long-

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term bicycle parking as a means of promoting bicyclist traffic to a variety of Destinations. The Development Narrative requires one bicycle space per 25 vehicular parking spaces with a maximum of 10 spaces per building. Furthermore, the proposed bicycle parking shall be placed 30 inches from a wall or obstruction and located within 50 feet from a building entry point.

#### 9. Tree and Shade Master Plan

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. In addition, a vision in the master plan is to raise awareness by leading by example. The Development Narrative requires a minimum of 75% shade on all adjacent public sidewalks, in addition to larger tree sizes. These standards exceeds the minimum requirements and will ensure a comfortable pedestrian experience.

#### 10. Monarch Butterfly

In April 2021, Mayor Kate Gallego signed the <u>National Wildlife Federation's Mayor's Monarch Pledge</u>. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, the PUD narrative addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

#### 11. 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 PUD narrative promotes trash and recycling receptacles on site.

#### COMMUNITY INPUT SUMMARY

12. As of the writing of this report, staff did not receive any letters in opposition from the public on this rezoning case.

#### INTERDEPARTMENTAL COMMENTS

- 13. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the International Fire Code with Phoenix Amendments. Further, the Department commented that water supply is unknown at this site and noted that fire flow requirements may present a challenge for this site.
- 14. The Public Transit Department has indicated that the developer shall construct a bus stop pad along Dobbins Road. This is addressed in Stipulation No. 2.

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15. The Street Transportation Department has indicated that the developer will be required to underground existing electrical utility within the public right-of-way as well as all irrigation facilities and require all street improvement be made to City and ADA standards. Furthermore, the Street Transportation Department is requiring that the developer submit a Master Street Plan and a Traffic Impact Study for the proposed development. This is addressed in Stipulation Nos. 3 through 6.

#### **OTHER**

- 16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulation Nos. 7 through 9.
- 17. 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.
- 18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

- 1. The proposed development is compatible with the existing land use pattern in the area and is consistent with the proposed General Plan Land Use Map designation of Mixed Use (Industrial/ Commerce/Business Park).
- 2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.
- 3. The proposal will provide additional employment options and commercial services within the Loop 202 Freeway corridor.

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# **Stipulations**

- 1. An updated Development Narrative for the Envision Dobbins 202 West PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped January 24, 2023, as modified by the following stipulations.
  - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
  - b. Update the acreage throughout the Development Narrative to match with that of the sketch map for rezoning case Z-73-22-7.
  - c. Page 5, Section C. (List of Uses), Permitted Uses. Modify this section as follows:
    - Revise second bullet point to: "Food and spice manufacturing....".
  - d. Page 5, Section C. (List of Uses), Prohibited Uses. Remove "Publicly operated buildings or properties" and "Public utility buildings and facilities when necessary for serving the surrounding territory" from this list.
  - e. Pages 5 and 6, Performance Criteria for Distribution Uses. Modify this section as follows:

#### Performance Criteria for Distribution Uses:

For the Phase 1 area, as depicted and legally described in Exhibit 7 - Phasing Plan, distribution uses are subject to the following criteria:

- Distribution facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road including within Building A.
- No distribution facilities are permitted as a primary use within Building B for a time period of 4 years from the date of rezoning approval.

For the Phase 2 area, as depicted and legally described in Exhibit 7 - Phasing Plan, distribution uses are subject to the following criteria:

- No distribution facilities are permitted as a primary use for a time period of 4 years from the date of rezoning approval.
- After 4 years from the date of rezoning approval, distribution uses may be permitted as a primary use up to a maximum of 50% of the total building area for the Phase 2 area.
- After 7 years from the date of rezoning approval, distribution may be permitted as a primary use.

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f. Page 7, Development Standards table, Maximum Building Height. Modify this section as follows: Maximum 56 feet, except that one building within the Phase I area may have a maximum height of 85 feet provided that it meets the following standards:

- Does not exceed 15% of the total building area;
- Minimum building setback of 700 feet from the centerline of 63rd Avenue; and
- Minimum building setback of 100 feet from all other property lines.

Roof mounted equipment shall be fully screened from the adjacent public street line of sight.

- g. Page 8, Development Standards table, Electric Vehicle Parking. Modify this section as follows: Minimum Percentage of Total Parking Spaces with Level 2 EV Charging Station Installed: 5% of Required Parking. Minimum Percentage of Total Parking Spaces to be EV-Capable for Level 2 EV Charging Station: Minimum 15% of Required Parking.
- h. Page 9, Development Standards table, Open Storage Standards. Modify this section as follows: Any open use or storage area, where permitted, shall be located no less than 100 feet from a perimeter (street) property line. Any open use, including loading spaces or docking areas, shall be fully screened with a minimum 8-foot-tall solid wall where visible from a public street or residential district.

Where metal gates are provided for vehicular access, minor perforation may occur to accommodate wind loads. The perforation shall not exceed 50% of the gate surface area.

- Page 9, Landscape Standards, General section. Modify as follows: Where utility conflicts arise, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
- j. Page 11, Landscape Standards, Shade section. Modify last bullet point as follows: Where utility conflicts arise, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
- k. age 13, Site Design/Development section, Third bullet point: Change last sentence to "Where metal gates are provided for vehicular access, minor perforation may occur to accommodate wind loads. The perforation shall not exceed 50% of the gate surface area."
- I. Page 21, Comparative Development Standards Table. Update this table as necessary to incorporate any changes to the development standards in

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the Development Narrative.

- 2. A bus stop pad shall be constructed on eastbound Dobbins Road. Bus stop pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet and located from 65th Avenue according to City of Phoenix Standard Detail P1258.
- 3. The developer shall submit a Master Street Plan (MSP), as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Planning and Development and Street Transportation Department, prior to preliminary site plan approval. The Master Street Plan shall match dedication requirements and improvements as required by the surrounding approved Master Streets Plans (Dobbins Industrial Park (MSP), Laveen Ranch (MSP) and Laveen Center MSP, and as approved by the Street Transportation Department.
- 4. The developer shall submit a Traffic Impact Study 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 65th Avenue and Dobbins, 63rd Avenue and Dobbins Road and 63rd Avenue and Olney. If the approved TIS determines that a signal is warranted at any of these intersection, 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.
- 5. Existing irrigation facilities along public street are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- 6. The developer shall construct all streets within and adjacent to the development 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.
- 7. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

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- 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

Nayeli Sanchez Luna February 10, 2023

# Team Leader

Racelle Escolar

#### **Exhibits**

Sketch Map Aerial Map

Envison Dobbins 202 West PUD Narrative date stamped January 24, 2023

