



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

June 27, 2024

Ms. Stephanie Watney, AICP
Withey Morris Baugh P.L.C.
2525 East Arizona Biltmore Circle, Suite A-212
Phoenix, Arizona 85016

RE: MINOR AMENDMENT TO THE SHEELY CENTER PUD (Z-29-12-7(5))

Dear Ms. Watney,

Thank you for your letter dated May 20, 2024 requesting a minor amendment to the Sheely Center Planned Unit Development. Your request included revisions to Section G, List of Uses, to further refine locations for certain permitted uses by creating a Sub Area 4 to prohibit allowable uses; and revisions to Exhibit 5, Development Sub Area Plan. Also requested was the incorporation of enhanced landscape and open space standards above the minimum requirements of the PUD in Sub Area 4 at the intersection of 99th Avenue and Thomas Road and inclusion of Exhibit 8A to conceptually show those changes.

Section 671.E of the City of Phoenix Zoning Ordinance includes provisions to allow for major and minor amendments to Planned Unit Developments. The amendment will be deemed minor if the Planning and Development Director determines the amendment does not meet the criteria established for major amendments. The Planning and Development Director has the authority to administratively approve the minor amendment. Section 671.E.1.d states that any addition to the list of uses in the development narrative is considered a major amendment. This request, however, is to prohibit certain allowable uses in a new Sub Area 4, adjacent to Thomas Road between 97th and 99th Avenue and to add enhanced landscape setback and open spaces standards adjacent to the intersection of 99th Avenue and Thomas Road. After review of your amendment request and discussion with staff, I have determined that a minor amendment is appropriate as stipulated below.

This minor amendment shall be approved, subject to the following:

- 1) An updated Development Narrative for the Sheely Center PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped January 30, 2013 as modified by the following stipulations:

- a. Page 1, Cover Sheet: Add a line under Final City Council Approval to read Minor Amendment 1 Approval: June 17, 2024.
- b. Pages 3 and 4, Table of Contents and List of Exhibits: Update page numbers to reflect the changes in the minor amendment.
- c. Page 25, G. List of Uses, Section I: Update language to “The following uses are allowed with the Sheely Center PUD for Sub Areas 1, 2, 3.”
- d. Page 47, G. List of Uses, create a Section II List of Prohibited Uses for Sub Area 4, as shown below:

II. LIST OF USES FOR SUBAREA 4.

All uses allowed in Sub Area 1, except the following shall be prohibited:

Biomedical and Medical Research Office and/or Laboratory
Business Machine. Distribution & Storage & Wholesale
Chemicals and Drugs. Storage and Distribution
Clothing Manufacturing and Distribution
Collection Agencies
Drapery Manufacturing
Guns. Retail Sales and/or Repairs
Jewelers. Manufacturing
Laboratory. Testing & Research
Limiting manufacturing and assembly of finished products or subassemblies
Research laboratories for scientific research, investigation, testing or experimentation which may include prototype product development
Scientific or Research Laboratories, including incidental pilot plants in connect therewith
Tools. Wholesale and Distribution
Warehousing uses when associated with another permitted use
Wholesaling and Distribution uses when associated with another permitted use

- e. Page 47, List of Uses for Sub Area 4: Update line 6 to state “Draperies Manufacturing”
- f. Page 47, List of Uses for Sub Area 4: Update line 11 to “Research laboratories for scientific research, investigation, testing or experimentation which may include prototype product development as accessory to Office of Business use”.
- g. Page 57, Development Standards Table, Building Height Row: Update Sub Area 1 to also include Sub Area 4.
- h. Page 58, Development Standards Table: Add 99th Avenue and Thomas Road intersection requirements, as shown below:

<u>99th Avenue and Thomas Road Intersection Requirements</u>	
<u>Arterial Intersection Landscape Setback (Within 200' from 99th Avenue and Thomas Road Intersection):</u>	<u>Average 45' landscape setback; minimum 30' for up to 50% of the frontage</u> <u>A minimum 100' x 100' landscape intersection corner shall be provided</u> <u>(1) Encroachments into the landscape intersection corner may occur to accommodate monument signage, shade structures, outdoor patio seating areas and similar amenities.</u>
<u>Arterial Intersection Open Space:</u>	<u>Minimum 1,500 square feet</u>

- i. Page 58, Development Standards Table, 99th Avenue and Thomas Road Intersection Requirements, add "Minimum Commercial Square Footage" on the left side of the column, on the right side add "Minimum 13,000 square feet of commercial or retail required, in general conformance with Exhibit 8.A."
- j. Page 59: Update Exhibit 5. Development Sub Area Plan, to include Sub Area 4.
- k. Page 60: Update Exhibit 6, Building Height Zones, to include Sub Area 4.
- l. Page 63, 3. Landscape Standards, Entry Landscape: Add Number 5 and the following language: The arterial intersection of 99th Avenue and Thomas Road shall adhere to the landscape intersection requirements established in Section 2. Development Standards. See Exhibit 8.A.
- m. Page 66: Include Exhibit 8.A for the 99th Avenue and Thomas Road Conceptual Intersection Exhibit.

The proposed minor amendment is consistent with the intent of the PUD as described in the development narrative.

Should you have any questions, please contact the Maryvale Village Planner, Matteo Moric at matteo.moric@phoenix.gov or (602) 261-8235.

Sincerely,



Joshua Bednarek
Planning and Development Director

Attachments:
Minor Amendment Request Letter dated January 5, 2024.

- c: Z-29-12-7(5) – Minor Amendment 1
Matteo Moric, Maryvale Village Planner