

Suite B-09



CASE: Z-75-A-94-2

Adopted by City Council: May 10, 2017, Ordinance No. G-6313

Amended Final Submittal: June 16, 2017

*This version reflects all stipulations as per adopted Ordinance No. G-6313.

Snell & Wilmer
L.L.P.
LAW OFFICES

CITY OF PHOENIX

JUN 16 2017

**Planning & Development
Department**

ORDINANCE G-6313

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-75-A-94-2) FROM C-2 HGT/WVR PCD (INTERMEDIATE COMMERCIAL DISTRICT, HEIGHT WAIVER, PLANNED COMMUNITY DISTRICT) TO PUD PCD (PLANNED UNIT DEVELOPMENT, PLANNED COMMUNITY DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 74.44 acre property located at the northwest corner of Mayo Boulevard and Scottsdale Road in a portion of Section 27, Township 4 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "C-2 HGT/WVR PCD" (Intermediate Commercial District, Height Waiver, Planned Community District) to "PUD PCD" (Planned Unit Development, Planned Community District).

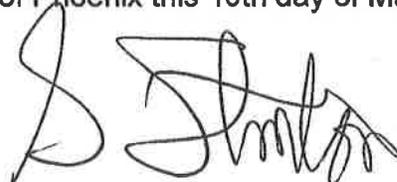
SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Suite B-09 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped January 19, 2017.
2. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the Scottsdale Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

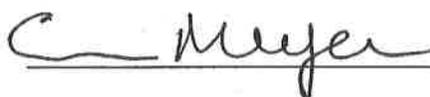
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 10th day of May, 2017.



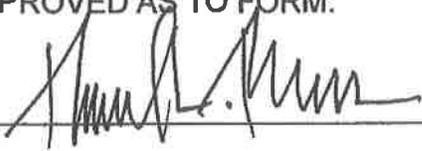
MAYOR

ATTEST:

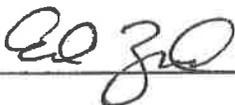
 City Clerk



APPROVED AS TO FORM:


_____ Acting City Attorney pmf

REVIEWED BY:


_____ City Manager

PL:tml:LF17-2726:Item#143:05/10/17:1302882v1

Exhibits:

- A – Legal Description (1 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-75-A-94-2

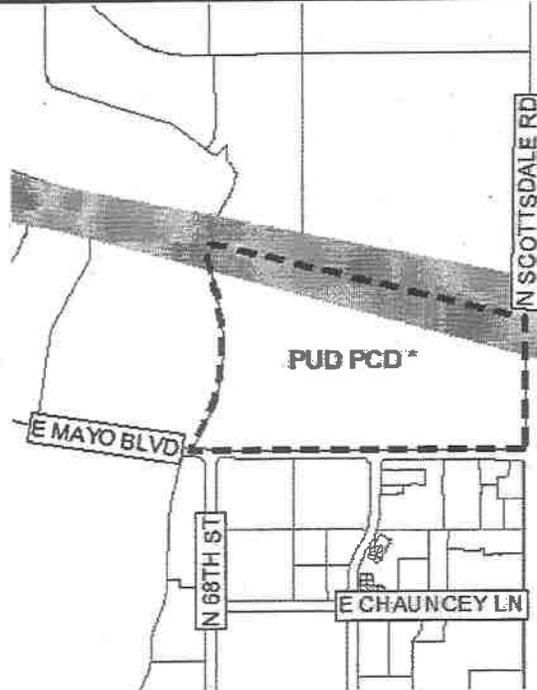
TRACT 2.03 OF STATE PLAT NO. 34, PARADISE RIDGE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 416 of Maps, page 12 and Affidavit recorded November 12, 1996 in Document No. 96-0797420, records of Maricopa County, Arizona, said Tract situated in Section 27, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

ORDINANCE LOCATION MAP

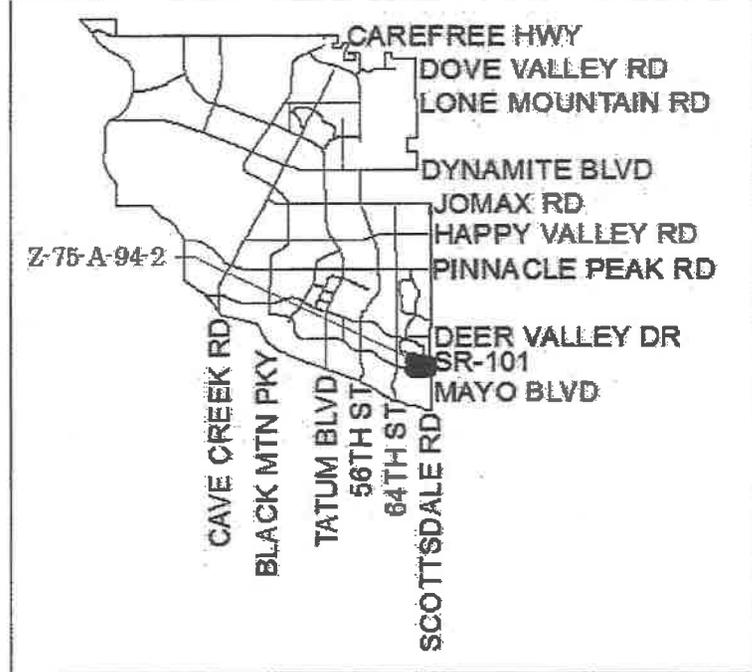
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

Zoning Case Number: Z-75-A-94-2
Zoning Overlay: N/A
Planning Village: Desert View



1,000 500 0 1,000 Feet



NOT TO SCALE



Drawn Date: 3/15/2017

R:\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2017_Ord\5_10_17\Z-75-A-94-2.mxd

Executive Summary

This is a request for a unique Planned Unit Development (“PUD”) for Suite B-09 (the “Site”), located within the 101 & Scottsdale Shopping Center, 7000 East Mayo Boulevard (the “Property”).

The application is to add one (1) additional use to the Property’s C-2 zoning classification – an indoor “shooting gallery” – a use which is only permitted in the C-3 zone.



Approval of this request will permit the development of high-end indoor firearms range of up to 14,000 square feet at the Site only. The business will also provide safety training and includes the sales of firearms and related accessories (as already permitted under the current C-2 zoning classification).



Contents

Adopted Ordinance

- Executive Summary 1
- A. Purpose and Intent..... 3
- B. Land Use Plan 3
- C. Site Conditions and Location 3
- D. General Plan Conformance 3
- E. Zoning and Land Use Compatibility 4
- F. List of Uses 4
- G. Development Standards 4
- H. Design Guidelines..... 4
- I. Signs..... 4
- J. Sustainability 5
- K. Infrastructure 5
- L. Phasing Plan 5
- M. Exhibits 5

TAB A - Site Plan



A. Purpose and Intent

The purpose of this PUD application is to add one (1) additional use to the Property's C-2 zoning classification – an “indoor shooting gallery”. This use is added to Suite B-09 only (and to the adjacent “B” suites per site plan enclosed herein [Tab A] for future expansion potential). All prior zoning cases are applicable to the overall property and are incorporated herein by reference. This PUD is intended to govern only the development and use associated with an “indoor shooting gallery” in the “B” suites – any other uses and development of the larger Property are subject to (i) C-2, Intermediate Commercial Zone, Section 623 and, as applicable, (ii) prior zoning cases for the Property.

B. Land Use Plan

The larger development around the Site is developed with a regional shopping center. This request does not propose any additional changes to the larger center. A current aerial image is provided as Exhibit A.

The Site is the former “Potato Barn” branded store and is approximately 20,189 useable square feet in size. A conceptual layout of the future store and safety training center is provided as Exhibit B.

The store is planned to include 29 indoor gun ranges (the “indoor shooting gallery” compelling this request), a member's lounge with conference room for member use, several training and simulation rooms, a gun smithing space as well as secure storage facilities.

C. Site Conditions and Location

The Property is located at the southwest corner of Scottsdale Road and the Loop 101 freeway. Positioned in the northeast corner of a larger shopping center, the Site is buffered from any adjacent land uses by major arterial roadways, a freeway as well as parking areas.

Due to the location, there is significant ambient noise from the freeway and arterial roads that will not be increased by the sounds related to the “indoor shooting range” (in addition to the use of insulation and other noise reduction methods to minimize any range related noise beyond the Site).

There is ample parking available and the use is not anticipated to generate traffic above the levels of the prior retail use.

Of most importance, there are no nearby residences; all neighbors are commercial land uses.

D. General Plan Conformance

The City of Phoenix General Plan Land Use Map identifies the Site as Mixed-Use and Commercial. The proposed use, which is commercial in nature, is constant with the classifications of the Land Use Map.



E. Zoning and Land Use Compatibility

The Property is currently zoned C-2/PCD/HGT/WVR. There are a number of zoning cases associated with the Property, all of which are retained by this PUD. These cases include Z-75-92, Z-186-99, Z-SP-19-03 and Z-87-03. The surrounding area is zoned C-2, C-2/MR or C-2 with Special Permit; all zones that are complementary to the proposed PUD, which will retain all C-2 development standards and uses.

F. List of Uses

This PUD specifically permits all those uses as per the C-2, Intermediate Commercial Zone, Section 623, and adds:

1. Indoor Shooting Gallery

Accessory Uses includes all those uses per the C-2, Intermediate Commercial Zone, Section 623.

The “Indoor Shooting Gallery” is only permitted in Suite B-09 and may be expanded into other “B” suites if the B-09 user expands into said suites. Only one (1) “Indoor Shooting Gallery” is permitted on the Property. The “Indoor Shooting Gallery” space (the firing range itself, exclusive of other elements of the business otherwise allowed in the C-2 zone) is limited to a total of 14,000 square feet.

G. Development Standards

All development of the Site shall comply with the standards of the C-2, Intermediate Commercial Zone, Section 623, EXCEPT as modified by prior cases, specifically including Case Z-186-99-2, which provides the following:

1. Height Waiver for four stories or 56 feet.

H. Design Guidelines

All development of the Site shall comply with the standards Section 507 TAB A.

I. Signs

All development of the Site shall comply with the standards of Section 705, Signs.

The Site is subject to an approved Comprehensive Sign Plan (Scottsdale 101), which contains specialized standards for the development that require compliance for all signage on and around the Site.



J. Sustainability

All development of the Site shall comply with the standards of the C-2, Intermediate Commercial Zone, Section 623 and Section 507 TAB A as applicable.

K. Infrastructure

The Property is already developed and has required utility services.

L. Phasing Plan

Single phase development; no phasing required.

M. Exhibits

Exhibits A, B and C - please see following pages.

Property Legal Description per Deed:

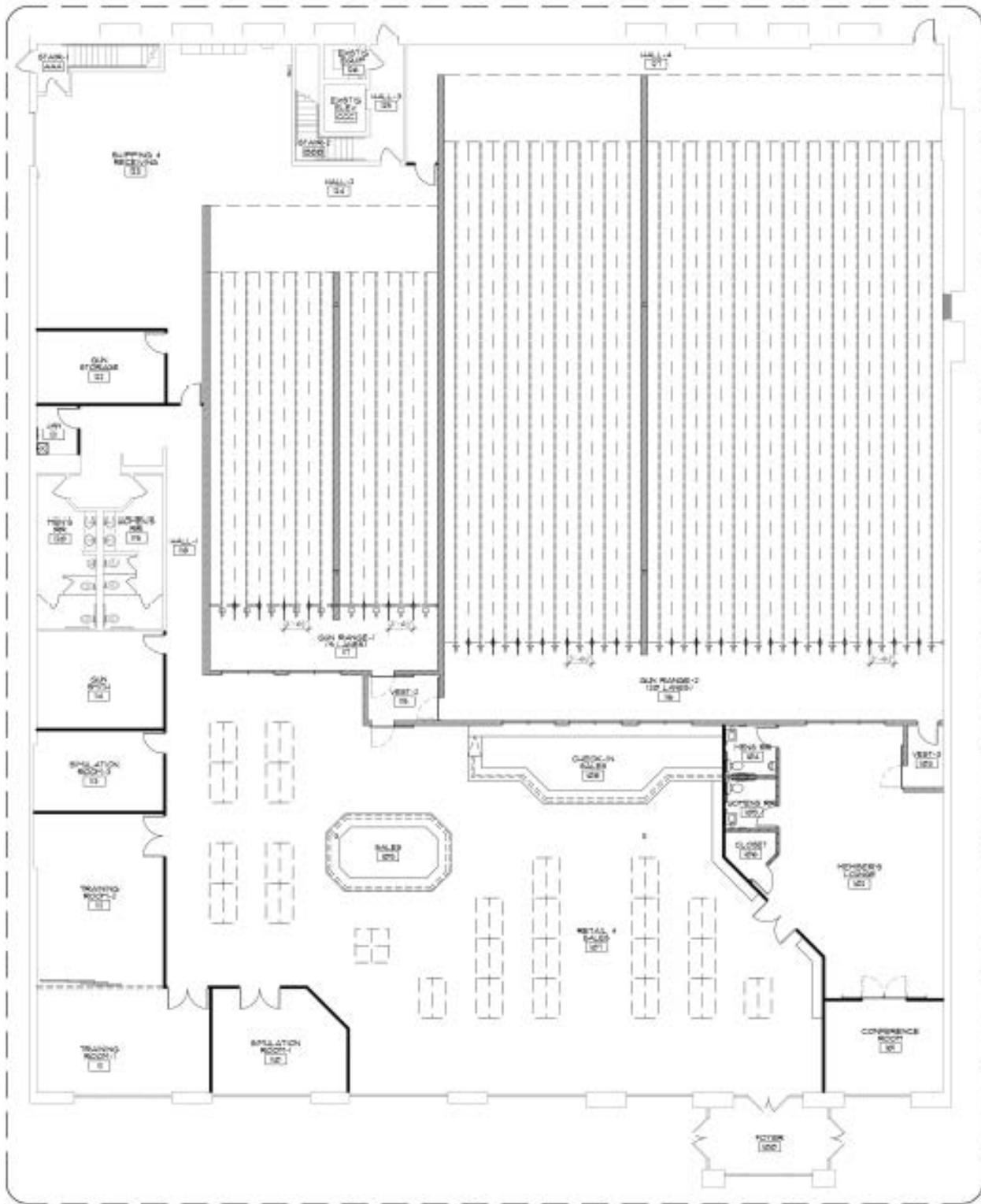
TRACT 2.03 OF STATE PLAT NO. 34, PARADISE RIDGE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 416 of Maps, page 12 and Affidavit recorded November 12, 1996 in Document No. 96-0797420, records of Maricopa County, Arizona, said Tract situated in Section 27, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



Exhibit A – Site Aerial



Exhibit B – Conceptual Interior Plan



SCOPE OF WORK

FIRST LEVEL – FLOOR PLAN

SCALE: 1/8" = 1'-0"

2019 USF

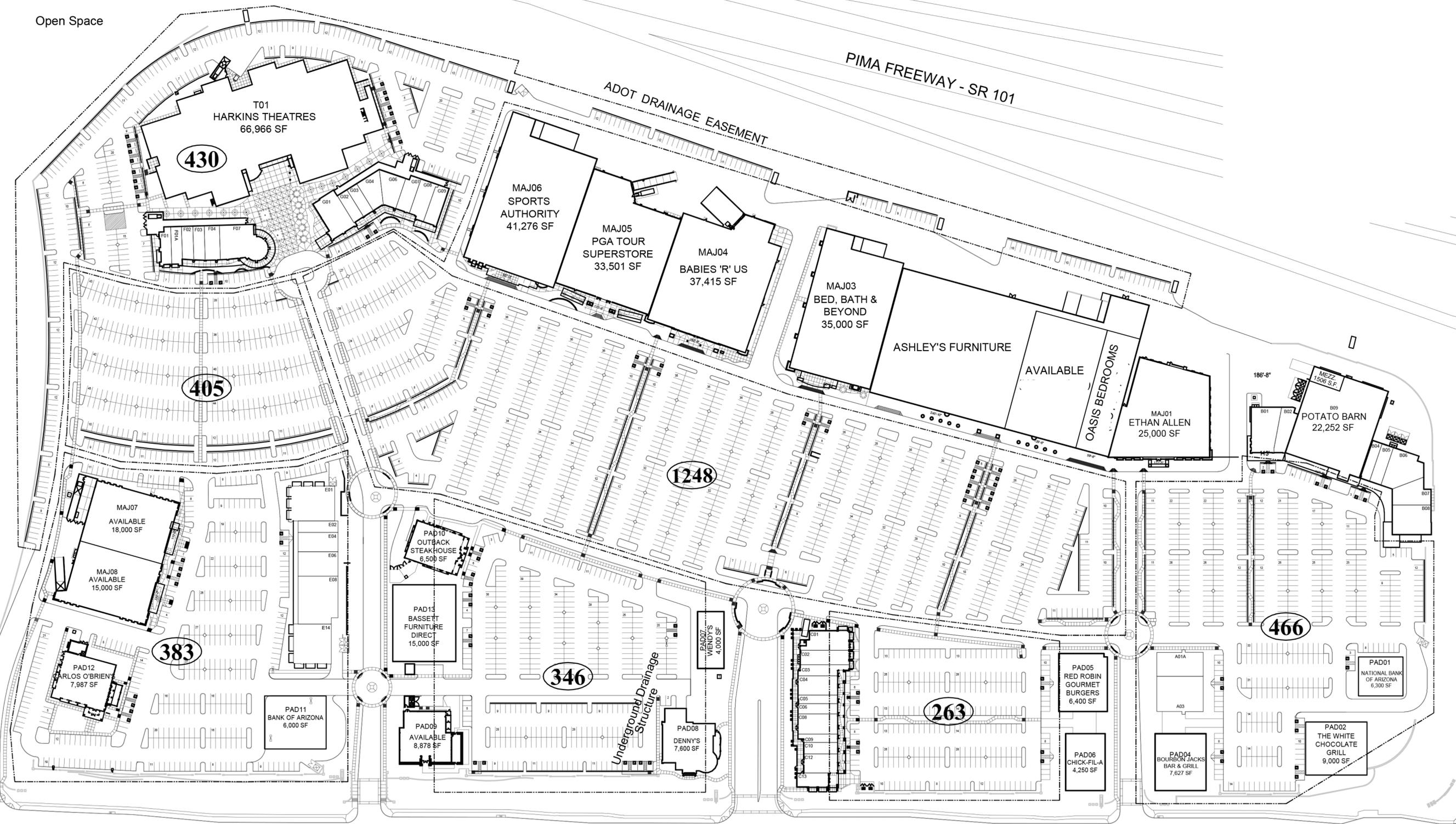


NORTH

Exhibit C – Current Elevation



Open Space



ADOT DRAINAGE EASEMENT

PIMA FREEWAY - SR 101

430

405

1248

466

383

346

263

Underground Drainage Structure

EXISTING SIGNAL

MAYO BOULEVARD