

PLANNING COMMISSION REPORT



Remote

Meeting Date: September 23, 2020
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Planned Airpark Core (PCP) Text Amendment (7th Day Adventist) 5-TA-2019

Request to consider the following:

1. A recommendation to City Council regarding a request by applicant to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455), for the purpose of amending Section 5.4006., Table 5.4006.A. (Use Regulations), to remove the Use Limitation of 50% of the ground floor building area of the development plan (Note 4), as it pertains to the Office land use in the AMU subdistrict of the Planned Airpark Core Development (PCP) zoning district.

Goal/Purpose of Request

The applicant's request is to amend the use regulations for the PCP zoning district to allow office uses to be utilized over the entire ground floor area of the development plan within the Airpark Mixed-Use (AMU) zoning sub-district of the PCP district.

Key Items for Consideration

- Land use flexibility for commercial development in PCP-AMU
- Office is currently limited to 50% of the ground floor area
- No public comments received

APPLICANT CONTACT

Kurt Jones
602-452-2729

LOCATION

City-Wide

BACKGROUND

In December of 2013 the City Council adopted Ord. 4120 authorizing a major overhaul of the Planned Commerce Park (PCP) zoning district of the Zoning Ordinance. That overhaul changed the name of the district to the Planned Airpark Core Development zoning district and created a new framework for the PCP district that aligned the district with the Greater Airpark Character Area Plan (GACAP). The permitted land uses of the PCP district were also modified to more-closely support the goals and policies of the Greater Airpark Character Area Plan. The allowed uses in the PCP zoning district generally range from commercial, service and retail to residential and light industrial uses, depending on the location and subdistrict. As a mixed-use zoning district, the purpose of the PCP district is to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the Greater Airpark Character Area.

In July 2018 and then again in early 2019, additional City initiated changes were made to the PCP zoning district, which included updates to the stepback provisions, maximum bonus FAR allowances, and a consolidation and clarification of the bonus development standards provisions (Ordinance 4356) as well as adding Internalized Community Storage as an allowed use within specific subdistricts (Ordinance 4376).

The PCP district includes the following five (5) sub-districts that align with the underlying GACAP.

- Airpark Mixed Use Residential (AMU-R)
- Airpark Mixed Use (AMU)
- Employment (EMP)
- Aviation (AV)
- Regional Tourism (RT)

As a mixed-use district, the subdistricts of the PCP are designed to promote a mix of land uses within each category of the district, while maintaining compatibility with the airport and surrounding land uses. The only sub-district that allows residential land uses is AMU-R, with the other sub-districts limited to mixes of commercial land uses.

The change proposed with this text amendment is related to a land use note in Table 5.4006.A. (Note 4) that reads:

“Limited to a maximum of 50 percent of the ground floor building area of the development plan.”

This note is applicable to the following land uses and subdistricts within the PCP district. The applicant is requesting to remove the applicability of the note from AMU as it applies to the Office land use (shaded box):

	AMU-R	AMU	EMP	RT
Dwelling	X			

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Medical recovery or therapy center	X	X		
Multimedia production	X			
Office	X	X		
Residential health care facility	X			
Vehicle leasing, rental, or sales	X	X	X	X
Scientific research and development		X		

The original intent for the applicability of this note to the Office land use designation in the AMU sub-district was to promote a diversified mix of commercial land uses within AMU, which allows the largest range of commercial land uses. Limiting office to 50 percent of the ground floor building area may encourage other more active land uses such as restaurant and retail to be located on the ground floor. However, in applicability it has become challenging to restrict the specific location of commercial land uses within a development. The applicant’s proposal to remove this note from the Office land use within the AMU sub-district will allow more flexibility and distribution of land uses and floor areas based on market conditions.

Other Related Policies, References:

- Scottsdale General Plan 2001, as amended
- Greater Airpark Character Area Plan, as amended
- Zoning Ordinance

APPLICANT’S PROPOSAL

The applicant’s request is to amend the use regulations for the PCP zoning district to allow office uses to be utilized over the entire ground floor area of the development plan within the Airpark Mixed-Use (AMU) zoning sub-district of the PCP district. The applicant has an associated Non-Major General Plan Amendment (4-GP-2019) and Zoning District Map Amendment (10-ZN-2019) to redevelop portions of the Seventh-day Adventists property, located at 7410 E. Sutton Drive, utilizing the PCP district.

IMPACT ANALYSIS

Land Use

The proposed change to the Zoning Ordinance affects one aspect of land use administration in the PCP district. The 'Office' land use is already permitted within AMU, however, is currently limited to 50 percent of the ground floor building area of the development plan. With this text amendment, the 'Office' land use will be allowed to be utilized in AMU over the development plan without limitation as to where or how it is configured. This will allow more flexibility in mixed-use development and distribution of land uses and floor areas based on market conditions. Office is already a permitted land use in the AMU sub-district, and it is not anticipated that the proposed change will create any substantive impact to the implementation of the zoning ordinance or GACAP.

Airport Vicinity

The 'Office' land use is a compatible land use for areas near the Airport and does not pose any specific issues within the AMU subdistrict as it relates to the Airport and Airport vicinity. Office is already a permitted land use within the AMU subdistrict.

Community Involvement

The applicant placed a 1/8 page ad in the newspaper, and sent notice to the City of Scottsdale's interested parties list regarding the proposed text amendment and open house dates. The applicant held two (2) open house meetings, one on November 13, 2019 in southern Scottsdale, and one on November 14, 2019 in northern Scottsdale. There were three (3) total attendees to the open house meetings. As of the date of this report no public comment or general inquiries have been received regarding the proposed text amendment.

Community Impact

The proposed text amendment does not fundamentally change the mixed-use nature of the PCP district nor does it affect any of the required development standards of the PCP zoning district. The stringent development standards and the Zoning Ordinance will continue to maintain a high standard of development. Office is already a permitted land use in the PCP and AMU sub-district, and it is not anticipated that the proposed change will have any negative impacts on the community.

Policy Implications

The proposed change to the PCP zoning district will increase the viability of properties in the Greater Airpark area by allowing more flexibility for mixed-use developments. The original intent for the limitation of the Office land use designation in the AMU sub-district was to promote a diversified mix of commercial land uses within AMU. However, in applicability it has become challenging to restrict the specific location of commercial land uses within a development. The proposal to remove this limitation of the Office land use within the AMU sub-district will allow more flexibility and distribution of land uses and floor areas based on market conditions, and a more streamlined approach for implementation of land uses in the AMU sub-district.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Zoning Ordinance text amendment is consistent and conforms with the adopted General Plan and make a recommendation to City Council for approval.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

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APPROVED BY



Bryan Cluff, Report Author

9/14/2020

Date



Tim Curtis, AICP, Current Planning Director
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9/11/2020

Date



Randy Grant, Executive Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

9/15/20

Date

ATTACHMENTS

1. Planned Airpark Core (PCP) Text Amendment
2. Applicant's Narrative
3. Citizen Review Plan & Report

Sec. 5.4006. - Use Regulations.

A. The uses allowed in the PCP District are shown in Table 5.4006.A. with additional limitations on uses as listed. The land uses that correspond for each of the land use designations in the Greater Airpark Character Area Plan are as set forth in the sub-districts below in Table 5.4006.A. The land use designations depicted on the Greater Airpark Future Land Use Plan Map are:

1. Airpark Mixed Use Residential (AMU-R)
2. Airpark Mixed Use (AMU)
3. Employment (EMP)
4. Aviation (AV), and
5. Regional Tourism (RT).

B. Drive-through and drive-in services are not allowed in the PCP-AMU-R, PCP-EMP, PCP-AV and PCP-RT sub-districts. Drive-in services are not allowed in the PCP-AMU sub-district. Only drive-through services associated with a restaurant are allowed in the PCP-AMU subdistrict.

Table 5.4006.A. Use Table					
Land Uses	Sub-Districts				
	PCP-AMU-R	PCP-AMU	PCP-EMP	PCP-AV	PCP-RT
(P is a Permitted use.)					
1. Aeronautical use				P (3)	
2. Bar	P	P			P
3. Civic and social organization	P (2)	P (2)	P (2)		P (2)
4. Cultural institution	P (2)	P (2)	P (2)		P (2)
5. Day care center	P (2, 6)	P (2, 6)			P (2, 6)
6. Dwelling	P (2, 4, 6)				P (2, 6)
7. Educational service, elementary and secondary school	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
8. Educational service, other than elementary and secondary school	P (2, 6)	P (2, 6)	P (2, 6)	P (1, 2, 6)	P (2, 6)
9. Financial institution	P	P	P (1)		P (1)

10. Health and fitness studio	P	P	P		P
11. Internalized Community Storage		P	P	P	
12. Light manufacturing		P	P	P	
13. Live entertainment	P	P			P
14. Medical and diagnostic laboratory	P	P	P		
15. Medical recovery or therapy center	P (2, 4, 6)	P (2, 4, 6)	P (2, 6)		P (1, 2, 6)
16. Multimedia production without communication tower	P (4)	P	P		P
17. Municipal use	P	P	P	P	P
18. Office	P (4)	P (4)	P		P
19. Personal care service	P	P	P (1)		P
20. Place of worship	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
21. Recreation facility					P
22. Residential health care facility	P (2, 4, 5, 6)				P (1, 2, 5, 6)
23. Restaurant	P	P	P (1)		P
24. Restaurant, including drive-through restaurant but excluding drive-in restaurant		P (7)			
25. Retail	P	P			P
26. Scientific research and development		P (4)	P	P	
27. Sports arena		P (1, 2)	P (1, 2)		P (2)

28. Theater	P (2, 6)	P (2, 6)			P (2, 6)
29. Travel accommodations	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (2, 6)
30. Vehicle leasing, rental, or sales	P (4)	P (1, 4)	P (1, 4)	P	P (4)
31. Veterinary and pet care service	P	P			P
32. Wholesale, warehousing and distribution			P	P	
33. Wireless communications facility, Type 1, 2, and 3.	P	P	P	P	P
34. Wireless communications facility, Type 4.	CU	CU	CU	CU	CU

Use Limitations:

- (1) Limited to a site with frontage on a major collector or arterial street.
- (2) Limited to areas outside of the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and in the Scottsdale Revised Code, Chapter 5 - Aviation, as amended.
- (3) Limited to a site with frontage onto an airport taxilane or taxiway.
- (4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.
- (5) Limited to a maximum density of 40 dwelling units per acre of gross lot area of the Development Plan.
- (6) Limited to a sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC), and subject to fair disclosure requirements to notify property owners and tenants within the Airport Influence Area.
- (7) Restaurant, including drive-through restaurant but excluding drive-in restaurant, are subject to the following standards:
 - a. Any drive-through lane shall be screened by a minimum four (4) foot tall solid wall or combination of wall and dense landscaping. Any drive-through lane shall have a shade canopy provided over the drive-through at the restaurant pick-up window.
 - b. Any drive-through lane shall have a minimum setback of 75 feet from the street line along designated Scenic Corridors or Buffered Roadways as defined in the General Plan, or along designated Signature Corridors as defined within the Greater Airpark Character Area Plan, with a minimum 25-foot landscape buffer provided between the drive-through lane and the street line.
 - c. Any drive-through lane shall have a minimum setback of 150 feet from a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.

- d. Any drive-through lane shall have a minimum 50-foot landscape buffer provided between any property line that abuts a residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 121), 5-6-14; Ord. No. 4356, § 1(Res. No. 11191, § 1, Exh. A), 7-2-18; Ord. No. 4376, § 1(Exh. A), 12-12-18; Ord. No. 4423, Exh. A, 9-24-19)



Text Amendment

PLANNED AIRPARK CORE DEVELOPMENT (PCP)

We are requesting to amend the City of Scottsdale ("City") zoning ordinance to modify the use list within the Planned Airpark Core Development ("PCP") sub-districts. The PCP zoning district has five (5) sub-districts including:

1. Airpark Mixed Use Residential (AMU-R)
2. Airpark Mixed Use (AMU)
3. Employment (EMP)
4. Aviation (AV), and
5. Regional Tourism (RT).

The specific request is to allow the removal of note (4) for the 'office' use only within the AMU sub-district.

Note (4) states:

(4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.

In discussions with City staff, there isn't a significant purpose to the footnote other than to limit office as a dominant use on the ground floor. Other than that, there is not a reason as to why there is a need for such a restrictive requirement in the AMU sub-district. Requirements such as this, regarding minimum square footage on the ground floor, dictates market conditions. The market should be what dictates ground floor building area as to a particular use. Many mixed-use districts in the valley evolve over time. Sometimes, mixed-use developments start out as office based from an overall square footage standpoint and then over time ground floor space is converted to services that support the offices such as printing/copying services, delivery services, coffee shops, restaurants, etc. Again, this should be a market-based allowance and not dictated by an ordinance. Furthermore, the ground floor restriction is hard to enforce. This type of requirement would need to be checked and enforced at tenant improvement level. Successful office development could be further restricted if the percentage requirements are limited at the ground floor.

The ground floor square footage restriction does not allow developments to evolve over time, limits market conditions and restricts economic development within the City. We respectfully request this note within the allowed use column for AMU office uses be removed. The note will remain for other uses in other sub-districts, it just won't apply anymore to the office use.

The attached documents address the General Character Plan, Zoning and Policies.



CITIZEN REVIEW & NEIGHBORHOOD INVOLVEMENT REPORT

Seventh-day Adventist Campus Master Plan and Text

Amendment

November 22, 2019

Overview

This Citizen Review Report is being performed in association with a request for a non-major General Plan Amendment, a non-major Amendment to the Greater Airpark Character Area Plan, and a Zoning District Map Amendment of a 75+/- acre campus located at the northeast corner of Scottsdale Road and Sutton Drive. The proposed project would result in a campus master plan with proposed mixed-uses that include office, commercial/industrial, aeronautical, and/or residential uses. This Citizen Review Report will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a positive relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling a list of impacted and interested stakeholders and neighborhood outreach began prior to the application filing and will also continue throughout the process. Communication with impacted and interested parties has taken place with verbal, written, electronic, and door-to-door contact.

ATTACHMENT 3

Community Involvement

The outreach team has been communicating with neighboring property owners, businesses, HOA's, and community members by telephone, one-on-one meetings, door-to-door outreach, and small group meetings since May 2019. To date, the outreach team has visited **over 425 neighboring homes and businesses** in the immediate area to get feedback on the project.



Members of the outreach team will continue to be available to meet with any neighbors who wish to discuss the project. Additionally, they will be contactable via telephone and/or e-mail to answer any questions relating to the project.

Surrounding property owners, HOAs and other interested parties were noticed via first class mail regarding the project. The distribution of this notification **EXCEEDED, by an additional 33%**, the City's required mailing radius as specified in the Citizen Review Checklist. This notification contained information about the project, as well as contact information. This contact person will continue to provide, as needed, additional information and the opportunity to give feedback. The notification also contained information regarding a neighborhood Open House that was held on June 5, 2019 at the Seventh-day Adventist Conference Office for

those who wished to learn more about the project. The site and time were posted on **MULTIPLE** Early Notification Signs on the property.

In total, 36 interested people (see attached sign-in sheets) attended the Open House. A majority of the attendees were generally supportive of the project. Some attendees had questions about height, construction timing, noise, and traffic. These questions were all addressed at the Open House. Subsequent to the Open House, the outreach team responded to several calls from neighbors who were unable to attend the meeting and wanted information about the proposal. As a result of neighborhood input, the initial site plan has changed to accommodate moving buildings and uses farther away from the existing residential neighbors.

Subsequent to the June Open House, two additional Open Houses were held on the proposed Text Amendment (393-PA-209), necessary to accomplish the proposed office uses on the site. The Open Houses were held on November 13 in southern Scottsdale and on November 14 in northern Scottsdale. One neighbor attended on November 13, two attended on November 14. Those attendees had no objection to the Text Amendment, but wanted to verify details of the current zoning proposal.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. Again, the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

ATTACHMENTS:

Notification Letter
Notification List
Affidavit of Posting
Sign-in sheets
June Sign-in sheets
Text Amendment Notification Letter
November Sign in Sheets