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City of Phoenix  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, AZ 85003

## **RE: SWC of Deer Valley Drive and Black Mountain Parkway; Rezoning Request**

To Whom It May Concern:

This firm represents Vestar Development (“Vestar”), one of the preeminent developers of retail properties in the Southwest. On behalf of Vestar, we are submitting this application to request rezoning of approximately 20.5 acres of property located at the southwest corner of Deer Valley Drive and Black Mountain Parkway in Phoenix (the “Property”). Specifically, Vestar is requesting a rezone of the Property from S-1 (approved R1-6, R-2), to C-2. The Property is known as a portion of Parcel 12.L, within Superblock 12 of the Desert Ridge Specific Plan. It is also known as Maricopa County Assessor number 212-38-023B and is shown below outlined in red.



2803.16.3472550.2

It is important to note that the Property is currently owned by the Arizona State Land Department (ASLD). Vestar will be required to procure the land through ASLD's public auction process. That means that the Conceptual Site Plan Vestar has developed is only illustrative in nature, and that the successful bidder at the ASLD auction will develop the actual site plan for development of the Property.

Vestar is proposing to develop the unimproved Property as a retail shopping center called Black Mountain Village. Black Mountain Village will feature a neighborhood grocery store and inline retail opportunities, with pads on the perimeter of the Property for dining opportunities (the "Project"). The Project will also feature appropriate parking, lighting and landscaping improvements.

By separate applications, Vestar is also requesting a minor General Plan Amendment to change the land use designation on the Property from Residential 2-5 DU/AC to Commercial and a major amendment to the Desert Ridge Specific Plan to allow Intermediate Commercial (C-2) zoning uses, with exceptions. The approval of the General Plan and Specific Plan amendments along with this rezoning request will allow the relevant planning documents to conform to one another.

The general purpose of these requests is to facilitate the development of the Property to accommodate the growing demand and need for additional commercial and retail options in the Desert Ridge area. The proposed Project represents an appropriate type of low-impact commercial development that will transform this vacant site with attractive buildings and related site and landscape improvements.

The City of Phoenix requires that certain information regarding a rezoning proposal be provided and evaluated by the Village Planning Committee, Planning Commission and City Council prior to approval of the rezoning. The required information from the Project Information Form is shown below:

1. General Plan Conformity
  - a. *Existing:* Residential 2-5 DU/AC  
*Proposed:* Commercial
  - b. *Community Benefits: How does the request address the community's unique opportunities and challenges related to prosperity, health and the environment?*

RESPONSE: This new shopping center in the Desert Ridge area will provide a place for residents to connect with one another. The addition of a retail shopping center that can conveniently serve the western portion of Desert Ridge will reduce transportation burdens on residents to reach grocery and other retail opportunities; may potentially increase the health of Desert Ridge residents by providing a destination to which they can walk or bike; and may reduce the emissions from residents driving to Desert Ridge Marketplace which can lead to a healthier environment.

- c. *Identify two or more Core Values that the request represents: 1) Indicate how the request contributes to the goals of the Core Value and 2) Describe how one or more land use and design principles of the Core Value are expressed in the request.*

RESPONSE: The two Core Values that are supported by this application are 1) Connecting People & Places and 2) Strengthening Our Economy.

As discussed in the General Plan, Phoenix residents “should have an abundance of places to connect with services, resources and each other.” Black Mountain Village can fulfill the goal of connecting residents to one another by creating an alternative shopping area in the Desert Ridge area. This local shopping center will feature a variety of retail uses—grocery, quick services restaurants, fuel sales and independently owned services and retailers. The shopping center will be designed with ample open space, pedestrian walkways, bicycle parking and well-designed parking areas.

The Black Mountain Village will help to strengthen the City of Phoenix economy by absorbing vacant land with tax-generating uses and creating jobs. At just over 20 acres, this site is small in comparison to other development parcels in the Desert Ridge area, however is it particularly well-suited for a small commercial shopping center that can serve existing residents, as well as future residents and employees in the area. While the grocery store at this location will likely be a national grocer, the remainder of the retail space provides opportunities for small businesses to locate in the Desert Ridge area. This can help incrementally contribute to the City’s stated goals of increasing the number of locally owned businesses and creating opportunities for companies with under 50 employees.

- d. Indicate whether the proposal utilizes any of the Tools identified for use in achieving the Core Value.

RESPONSE: Along with this rezoning application, the development will require that the Desert Ridge Specific Plan be amended to allow for commercial uses at this location. Amending a Specific Plan is one of the Tools necessary to implement core values. The applicant will seek to work with the Desert View Village Planning Committee to receive a recommendation for approval of this rezoning request, along with the concurrent General Plan and Specific Plan amendment requests.

- e. Street Classification Map: Provide the names of streets, classification of streets and existing right-of-way widths.

Street	Classification	Existing ROW Width
Deer Valley Drive	Major Arterial	70'
Black Mountain Parkway	Major Arterial	70'
Mayo Boulevard	Local	30'
34 <sup>th</sup> Street	Local Street	30'

2. *Is the property located in a special designation area (Specific Plan, Special Planning District, Redevelopment Area, Historic District, Special Study Area, Planned Community District or are there special design guidelines applicable to the area)? If so, state how the proposed project conforms to the area plan, its goals and any applicable development standards.*

RESPONSE: The proposed development lies within the Desert Ridge Specific Plan and the Desert View Village Character Area Plan.

The applicant has separately requested a Major Amendment to the Desert Ridge Specific Plan to allow commercial uses on the Property. One of the unintended consequences of creating the large and hugely successful Desert Ridge Marketplace and surrounding retail uses is that the intensity of those uses has led to traffic congestion and parking issues. Regional and local commercial retail are currently commingled in Desert Ridge, therefore local residents would be better served with a wholly separate option for their daily shopping needs. The proposed amendments are being requested to create an alternative, smaller commercial center to serve this need by providing additional options for grocery, restaurant and retail in this important part of Phoenix. Upon the adoption of the requested Major Specific Plan Amendment, Minor General Plan Amendment and this Rezoning request, the proposed commercial use will conform to the Desert Ridge Specific Plan.

The Desert View Village Character Area Plan has several principles that are supported by the proposed amendments. First is a land use principle that suggests that new development in or near residential areas should be compatible with existing uses and consistent with adopted plans. Next is a design principle that seeks to protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance. Finally, the last principle is design-related and requires impact-mitigating features when new non-residential uses abut existing residential uses or are adjacent to arterial streets or freeway corridors.

Black Mountain Village has been carefully designed with the residential (both existing and proposed) and public (Pinnacle High School) uses in mind. As shown on the Conceptual Site Plan provided in the application materials, the large grocery store building has been pulled away from the planned residential development across 34<sup>th</sup> Street. The retention

basins for the project have been located along the southern, eastern and northern perimeters of the site to provide a transitional buffer between the grocery store and both the high school and existing residential uses. Each of the buildings on the site will be single-story and the fuel sales and quick-service dining options have been placed on the northern portion of the site. Access to the site is proposed from driveways on each of the four streets surrounding the Property, allowing for easy disbursement of traffic in this area. Finally, the parking has been designed to satisfy the parking requirements found within the City of Phoenix Zoning Ordinance. Each of these site planning decisions was made to provide maximum buffering of the site, while bringing a well-functioning commercial center to the Desert Ridge area.

3. Complete the following table related to Commercial project information:

Standards	Requirements for the District/Land Use	Provisions on the Proposed Site Plan
Building Setbacks:	Minimum 20-feet for not more than 50% of the frontage; average 25-feet	Deer Valley: >25-feet Black Mountain: >25-feet Mayo: >25-feet 34 <sup>th</sup> Street: >25-feet
Landscape Setbacks:	Minimum 20-feet for not more than 50% of the frontage; average 25-feet.	Deer Valley: 25-feet Black Mountain: 25-feet Mayo: 25-feet 34 <sup>th</sup> Street: 25-feet
Lot Coverage:		20.9%
Building Height:	Maximum Two (2) stories; 30 feet	30-feet
Parking:	562 Spaces	580 Spaces
Other		

4. Are there any unusual physical characteristics of the site that may restrict or affect development? If so, explain. What improvements and uses currently exist on the property?

RESPONSE: The site is vacant, and bound on its four sides by two arterial roadways and two local streets. The site has no unusual physical characteristics that limit its development.

5. What impact will the proposed project have on current or future surrounding land use and zoning patterns?

RESPONSE: By absorbing a vacant parcel in this vicinity, dust control and management of stormwater runoff will be provided. The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High

School before school, after school and during the lunch hour. The applicant met with Pinnacle High School Principal Chad Smith, who indicated that the proposed development would potentially reduce the number of off-campus trips by car.

Even after the development of this parcel for commercial uses, there will be over 50 acres of vacant property remaining in Superblock 12 that could be developed for residential purposes.

6. *Are there unique design considerations proposed, beyond Zoning Ordinance requirements, that reduce development impacts or would further compatibility with adjacent properties? If so, explain.*

RESPONSE: Black Mountain Village has been carefully designed with nearby residential (both existing and proposed) and public (Pinnacle High School) uses in mind. As shown on the Conceptual Site Plan provided in the application materials, the large grocery store building has been pulled away from the planned residential development across 34<sup>th</sup> Street. The retention basins for the project have been located along the southern, eastern and northern perimeters of the site to provide a transitional buffer between the grocery store and both the high school and existing residential uses. Each of the buildings on the site will be single-story and the fuel sales and quick-service dining options have been placed on the northern portion of the site. Access to the site is proposed from driveways on each of the four streets surrounding the Property, allowing for easy disbursement of traffic in this area. Finally, the parking has been designed to provide more parking than required by the City of Phoenix Zoning Ordinance. Each of these site planning decisions was made to provide maximum buffering of the site, while bringing a well-functioning commercial center to the Desert Ridge area.

7. *Why is the subject property not suitable for development as currently zoned?*

RESPONSE: Located at the intersection of two arterials, the Property is the appropriate location for a neighborhood shopping center that will satisfy the demand of the neighborhood for an alternative shopping plaza outside the regional core. Moreover, a neighborhood commercial center at this location will be a more suitable neighbor at the front of the High School than a residential subdivision would be.

8. *Other than the development review process, what other approval processes are required to accomplish the development proposed, i.e., abandonments, variances, use permits, state or county licenses or permits, etc.?*

RESPONSE: None known at this time.

9. *As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Will the proposed development incorporate recycling? If so, how?*

**RESPONSE:** Vestar is committed to the communities in which it operates and has always strived for sustainable operations of its Real Estate portfolio. Its proprietary GreenSTAR program is one way in which it has vowed to continue these practices for millions of square feet of retail properties. Vestar remains dedicated to creating healthy, vibrant communities through its innovative and responsible management.

Vestar's GreenSTAR initiatives include Recycling/composting bins, EV charging stations, low water-use landscaping, LED lighting for maximum performance, smart thermostats, rideshare locations, and reflective roofing. All of these efforts combine to reduce the environmental impacts of a Vestar development. This mitigation of environment impact is part of a corporate commitment to the communities in which Vestar operates. For more information on the GreenSTAR program, please visit: **<https://vestar.com/wp-content/uploads/2021/03/GreenSTAR-Presentation-id.pdf>**

The development team looks forward to working with the City of Phoenix to make our visions for this parcel a reality in this important part of the Desert View Village.

Sincerely,



Stephen Anderson  
GAMMAGE & BURNHAM