

# **Rezoning Narrative for Premier Music Studios, LLC**

**November 23, 2020**

**Owner/Operator**

**Randy and Laura Smith**  
Premier Studios, LLC  
1142 W. Indian School Rd  
Phoenix, Arizona 85013

**Representative**

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## **Introduction/Background**

Randy and Laura Smith own and operate Premier Studios, LLC which is a state of the art music recording studio located at 1142 W. Indian School Road (the "Property") Premier Studios redefines recording and music facilities by providing modernized gear and the highest quality of sound equipment, lighting, and musical instruments (drums, guitars, microphones, etc.) to be used by their clientele. They have Grammy award winning staff that can assist young local artists with their recording needs and provide direction and instruction to help promote their musical careers. Randy Smith purchased the property back in 2008 when it was operated as a commercial office. Randy and his wife have always had a passion for music and dreamed of opening a music recording studio at this location. Over the past few years, they have made a significant financial investment into the remodeling of the existing office building in order to realize their business dream. The building is completely remodeled and equipped with sound proofing materials to ensure clients have the best recording experience possible.

The studio operates on an appointment only schedule; there are no walk-ins. Typically, there are a few appointments throughout the week; however, it varies based on the local demand. Due to the appointment only policy; this use generates very little daily traffic as staff is only present at the facility if a client is scheduled to come in for a recording or rehearsal session. Additionally, the owners donate (at no cost) the use of the studio to a local church, Greater Hope, so that they can record their weekly service to be distributed to their faithful community members. Premier Studios really gives back to this community.

Premier Studios has excellent relationships with the surrounding property owners; however, a Notice of Violation was recently issued by City Code Enforcement (Case #PEF2020-33984). We strongly believe that this violation was initiated by an anonymous phone call from a competing music studio. The violation noticed the owners that music studios are only allowed to operate in the C-2 zoning district and the subject property is currently zoned R-5. The owners had no idea that the current zoning district did not allow commercial uses as the property has been historically used for commercial/offices and is located directly on Indian School Road which is a highly trafficked 6 lane arterial street in Phoenix. This application will outline the many reasons that support this request to rezone the subject property to C-2 and allow Premier Studios to continue their successful local business of a music recording facility at this location.

## **Proposed Request**

As mentioned, the subject property is currently zoned R-5 under the City's Zoning Ordinance and does not allow the operation of a music recording studio. This application is requesting to rezone the property from R-5 to C-2 zoning district to

allow the continued use and bring the property's use into compliance with the City's Ordinance. The property is located on highly trafficked Indian School Road which is an appropriate location for commercial uses. The change in zoning will have no negative impact on the surrounding community as evidenced by the letters in support of this request submitted by property owners on both sides of Premier Studios. Furthermore, granting this change in zoning will trigger landscaping improvements in order to bring the property into compliance with C-2 development standards. The landscaping improvements will enhance the aesthetics of the property from Indian School Road; thus, having a positive impact on the surrounding area.

## **General Plan**

The existing zoning designation of the property is R-5. The Owner is proposing to rezone the property to C-2 Intermediate Commercial. Exhibits illustrating the existing and proposed zoning designations are provided as Exhibits C and D.

The current Phoenix General Plan designates the land use for the subject property as 15+du/acre Higher Residential. However, no amendment to the General Plan is necessary since the property is less than 10 acres in size.

The community benefits, core values and tools listed in the Phoenix General Plan establish comprehensive goals, objectives, and policies that provide the framework for decisions related to the City's growth and development.

We believe the proposed rezoning is consistent with the overall intent and goals of the Phoenix General Plan and will be a positive contribution to the surrounding area. Granting this rezoning will require the Owner to make property improvements that will enhance the appearance of this property from Indian School Road.

## **Consistent with the Goals of the General Plan**

### Opportunity Sites

*GOAL: To promote development of vacant parcels or redevelopment of underutilized parcels within the developed area of the city that are consistent with the character of the area or with the area's transitional objectives.*

*Land Use and Design Principles: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.*

Response: The proposed rezoning of this property increases the potential intensity of this property; however, it is reasonable and respectful of the surrounding area. This property is located on highly trafficked Indian School Road with access directly from Indian School. The property has been historically used as commercial/office; thus, changing the zoning will bring the historical use of the

property into compliance with the City's zoning map and allow the continued use as a commercial use. The property is currently being used as an appointment only music recording studio which is extremely low impact to the surrounding uses which is reasonable and respectful to the community.

## **Strengthen our Local Economy**

### Local and Small Business

*Goal: To promote the growth and prosperity of Phoenix locally owned and small businesses. Encourage the growth and expansion of locally owned and small businesses as a means of creating jobs.*

*Land Use and Design Principles: Facilitate adaptive reuse of older, underutilized properties to create mechanisms for new local and small businesses to operate, thrive and grow.*

Response: Randy and Laura Smith purchased this property in 2008 with the hope of opening up their own music recording studio. The building on the property was constructed and historically used as commercial/office. They have made significant investments on the renovation of the existing building and intend to make significant improvements to the exterior of the property once this rezoning is approved. The property will be enhanced with landscaping along Indian School Road which will benefit the entire community. Furthermore, this rezoning will allow for the property owners to continue to operate their locally owned, small business in an area that is suitable for this type of use.

## **Celebrate our diverse communities and neighborhoods**

### Certainty and Character

*Goal: Every neighborhood and community should have a level of certainty. Ensure that development, redevelopment, and infrastructure supports and reinforces the character identity of each unique community and neighborhood.*

*Land Use: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.*

*Land Use: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.*

Response: This request will not have any negative impacts on the surrounding area or neighboring uses. Granting this request will simply allow the continued

operation of a compatible, low impact use. The use is not changing; however, the historical commercial use of this property will finally be brought into compliance with the City's zoning ordinance. It makes good planning sense to locate commercial uses along main arterial streets within the city which is the intent of this request. This application is compatible with the area and consistent with adopted plans.

## **Clean Neighborhoods**

*Goal: The preservation, maintenance and improvement of property conditions should be promoted to mitigate or eliminate deterioration or blight conditions and to help encourage new development and reinvestment within our communities.*

*Land Use: Support new compatible land uses that remove extremely deteriorated structures, excessive trash and debris, and other blight in neighborhoods.*

Response: As residents and small business owners, Randy and Laura Smith take great care in their property and in their community. They fully intend to ensure that this property will continue to be debris-free and will be providing landscaping improvements to enhance the visual appearance of the property and add to the continued beautification efforts in the area.

## **Existing Conditions**

The property site consists of one parcel that is approximately 20,037 square feet in size and identified as Assessor Parcel number 155-40-129E. The property is located on the north side of Indian School Road between 15<sup>th</sup> Avenue and 7<sup>th</sup> Avenue in Phoenix.

The surrounding community is a mixture of residential and commercial uses. Kelly Paper operates their business on the west side of this property and the recently remodeled Duo Apartments is located on the right. There is a vacant empty lot adjacent to the north that borders the Woodlea neighborhood; however, there is no access from our property into the neighborhood. Premier Studios prides itself on being good neighbors in the community and has never received any formal complaints prior to the recent Notice from the City. Please see support letters from adjacent property owners on the west and east sides of the site.

The existing building on the property was built for commercial use and has been used as a commercial/office over the years. There is ample parking located on site that will more than accommodate the minimal traffic generated from this "appointment only" music studio. Please see attached Traffic Statement prepared and stamped by reputable traffic engineer.

## Table 1: Relationship to Surrounding Properties

The surrounding context information is listed below:

Direction	Land Use	Zoning
North	Vacant lot	R-5
South	Indian School Road	--
East	Duo Apartments	R-5
West	Kelly Paper	C-1

### Conclusion

The proposed rezoning will have no negative impacts on the surrounding area or neighboring uses. Granting this request will have positive community benefits by triggering property improvements that will amplify the streetscape appearance of this site with attractive landscaping features as well as resurfaced and striped parking area. This property fronts and receives access directly from Indian School Road which is a six-lane arterial street in Phoenix. The intent of this application is to 1) bring the use into compliance with the zoning category on the property; 2) allow a locally owned business to continue to be successful at an appropriate location within the city; and 3) resume being a good neighbor to the surrounding uses as well as a considerate member of the local community.

Randy and Laura Smith respectfully request the approval of this rezoning request as it will have no negative impacts on the surrounding area.