



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-40-21-7
April 13, 2022

Estrella Village Planning Committee Meeting Date: April 19, 2022

Planning Commission Hearing Date: May 5, 2022

Request From: RE-43 (One-Family Residence District) (6.19 acres)

Request To: A-1 (Light Industrial District) (6.19 acres)

Proposed Use: Industrial uses

Location: Approximately 1,400 feet south of the southeast corner of 69th Avenue and Van Buren Street

Owner: Franklin E. Gilbert Properties IV, LLC, et al.

Applicant/Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 3.5 to 5 dwelling units per acre	
<u>Street Map Classification</u>	67th Avenue	Arterial Street	41-foot west half street
	69th Avenue	Local Street	25-foot east half street
	Farmer Road	Local Street	25-foot north half street

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The subject site is an underutilized property, containing primarily vacant land and outdoor storage of vehicles. As stipulated, the proposed redevelopment of this site will allow two enclosed buildings and provide appropriate perimeter standards respectful of local conditions.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING/ INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.

The proposal is located within the Southwest Phoenix Employment Center and will allow light industrial zoning in an area where industrial zoning exists. This will allow job generating uses that strengthen Phoenix's industrial sector and add to a diverse set of employment opportunities.

CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.

The proposal, as stipulated, will provide elements for pedestrians and bicyclists in order to promote walking and alternative transportation. These elements include shaded detached sidewalks along 67th Avenue, bicycle parking located on site, and a prominent pedestrian walkway linking the building with the public sidewalks, where there is a bus stop nearby.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will be required to provide shade along the adjacent public sidewalks, uncovered parking lots, and amenity areas. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives
<u>Estrella Village Arterial Street Landscaping Program</u> : See Background Item No. 6.
<u>Estrella Village Plan</u> : See Background Item No. 7.
<u>Tree and Shade Master Plan</u> : See Background Item No. 8.
<u>Complete Streets Guiding Principles</u> : See Background Item No. 9.
<u>Comprehensive Bicycle Master Plan</u> : See Background Item No. 10.
<u>Zero Waste PHX</u> : See Background Item No. 11.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Outdoor storage of equipment and vehicles	RE-43
North	Outdoor equipment storage and single-family residential	RE-43
South (including across Farmer Road)	Single-family residential, contractor yard, and equipment suppliers	RE-43 and A-1
East (across 67th Avenue)	Warehousing	Industrial Park
West (across 69th Avenue)	Material supplier	A-1

A-1 (Light Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Minimum Building Setbacks</i>		
Street (67th Avenue)	25 feet	110 feet (Met)
Street (69th Avenue and Farmer Road)	25 feet	75 feet (Met)

A-1 (Light Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
Sides and Rear (North, South, East)	30 feet for closed buildings 150 feet for open buildings or uses	North: 30 feet (Met) South: 50 feet (Met) East: 35 feet (Met)
<i>Minimum Landscaped Setbacks</i>		
Street (67th Avenue, 69th Avenue, Farmer Road)	Minimum 5 feet and no less than 8 times the lot frontage, measured in square feet	67th Avenue: 25 feet (Met) 69th Avenue: 10 feet (Met) Farmer Road: 10 feet (Met)
Sides and Rear (North, South, East)	None	North: 5 feet (Met) East: 0 feet (Met) South: 5 feet (Met)
Maximum Lot Coverage	No maximum	Not specified (Met)
Maximum Building Height	56 feet, up to 80 feet with use permit	46 feet (Met)
Minimum Parking	Unspecified industrial use: 1 space per 1,000 square feet 91 parking spaces required	112 parking spaces (Met)

Background/Issues/Analysis

SUBJECT SITE

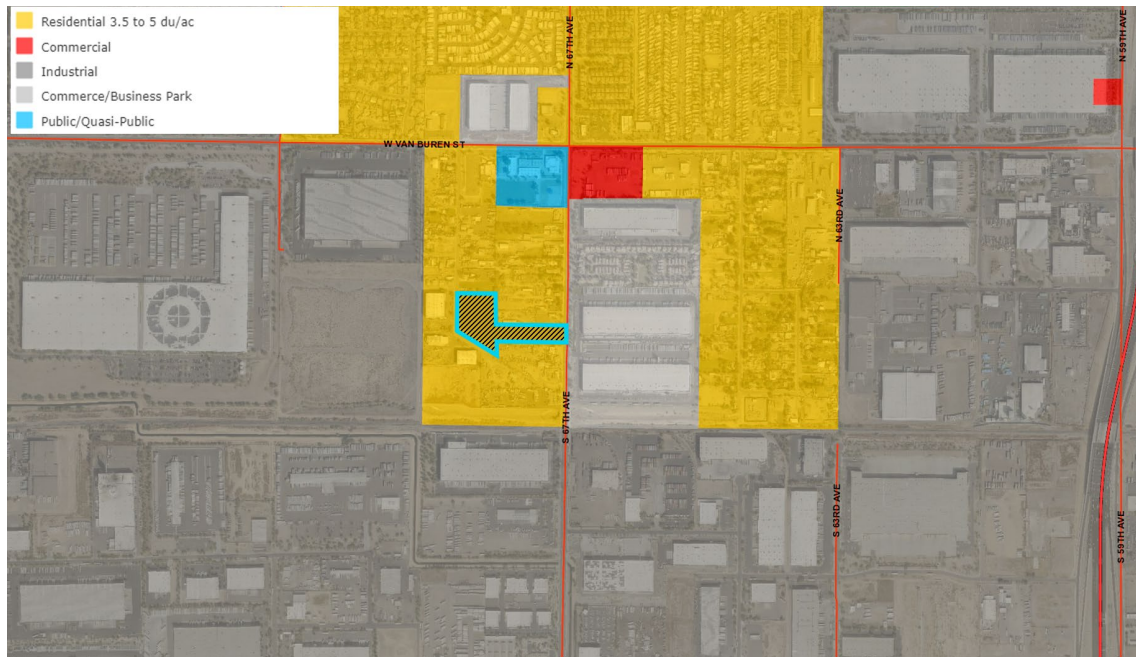
1. This request is to rezone 6.19 acres located approximately 1,400 feet south of the southeast corner of 69th Avenue and Van Buren Street from RE-43 (One-Family Residence District) to A-1 (Light Industrial District) for a new light industrial development.

The site was originally platted in 1944 and subsequently annexed into the City of Phoenix from unincorporated Maricopa County in 1981 and zoned RE-43. At the time, the subject site and surrounding area contained several single-family homes on large lot estates. In the next few decades, the surrounding area experienced significant industrial development, and the subject site and

immediate neighboring properties transitioned to non-residential uses. Today, the site contains two vacant homes in the northwest corner while the remainder of the site is vacant and contains outdoor storage of equipment and vehicles.

GENERAL PLAN LAND USE MAP DESIGNATIONS

- The General Plan Land Use Map designation for the subject site and properties to the north, south, and west is Residential 3.5 to 5 dwelling units per acre. Further west of the site, the Land Use Map designation is Industrial, where significant industrial development exists. To the east of the site, across 67th Avenue, is an area designated as Commerce/Business Park, which contains industrial development. The requested A-1 zoning is not consistent with the General Plan Land Use Map designation. However, because the site is under 10 acres, a General Plan Amendment is not required.

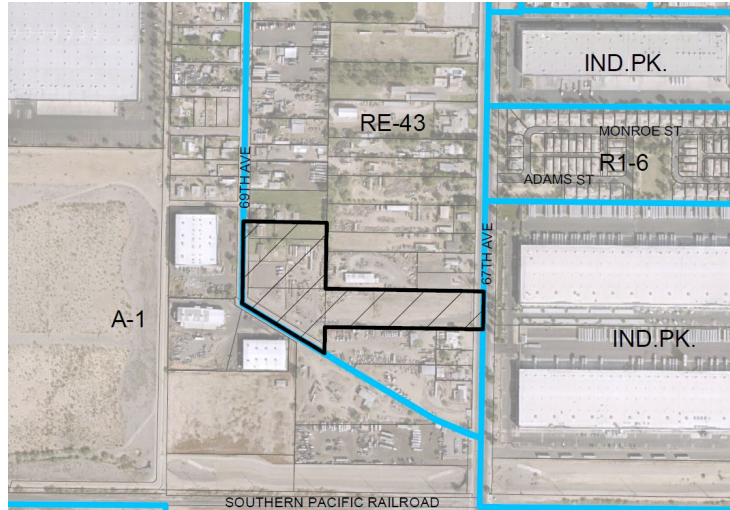


General Plan Land Use Map, Source: Planning and Development Department

SURROUNDING LAND USES AND ZONING

3. The surrounding area contains a mix of residential and industrial zoning districts, including:

- RE-43 (One-Family Residence District)
- R1-6 (Single-Family Residence District)
- Ind. Pk. (Industrial Park District)
- A-1 (Light Industrial District)



Zoning Aerial Map, Source: Planning and Development Department

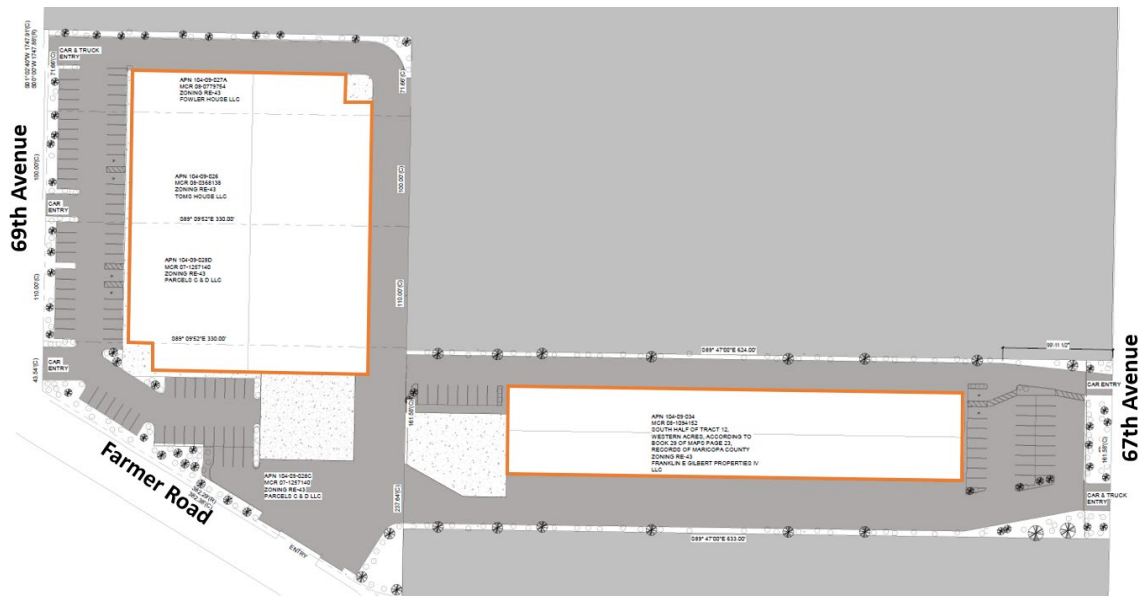
PROPOSAL

4. **Site Plan**

The applicant proposes two new light industrial buildings, totaling approximately 91,000 square feet. The eastern building will be approximately 31,000 square feet with a height of 46 feet, while the western building will be approximately 58,000 square feet with a height of 46 feet. The conceptual site plan indicates vehicular access points located on 67th Avenue, 69th Avenue, and Farmer Road with parking areas located in front of the buildings. There will be a 25-foot landscape setback along 67th Avenue and a 10-foot landscape setback along 69th Avenue and Farmer Road. Most of the side and rear property lines will contain landscape setbacks of varying widths from 5 feet to 12 feet.

Staff is recommending general conformance to this site plan, per Stipulation No. 1, to ensure that the site is developed as proposed and the landscaped setbacks are provided as proposed. The proposed buildings are oriented toward the street with truck parking and loading on the side and rear of the buildings, while the buildings maintain significant setbacks from the street frontages, consistent with the Estrella Village Character Plan.

Staff recommends 400 square feet of employee resting area that incorporates seating and shade to allow site employees a place outdoors during their workday. This area would be shaded a minimum of 75 percent using minimum two-inch caliper large canopy drought-tolerant shade trees and/or architectural shade. This is addressed in Stipulation No. 8.



Conceptual Site Plan, Source: Tru Design Architecture and Interiors

5. Elevations

The conceptual building elevations depict 46-foot-tall industrial buildings with roll-up doors oriented away from 67th Avenue, a Village Parkway. These building elevations do not provide details regarding facade treatments, materials, or colors. Therefore, staff is not recommending general conformance to the building elevations provided by the applicant. However, building elevations will be reviewed per the requirements of Section 507.Tab A.II during the development review process.

Staff recommends the following stipulations to prevent negative impacts to the adjacent properties and public streets:

- Prohibiting roll-up garage doors on the north and west elevations of the western building, and any elevation facing a street (Stipulation No. 2);
- Prohibiting windows above 15 feet on the northern elevation of the western building, where there is occupiable space at the window level (Stipulation No. 3); and
- Limiting the building height to 46 feet (Stipulation No. 4).

STUDIES AND POLICIES

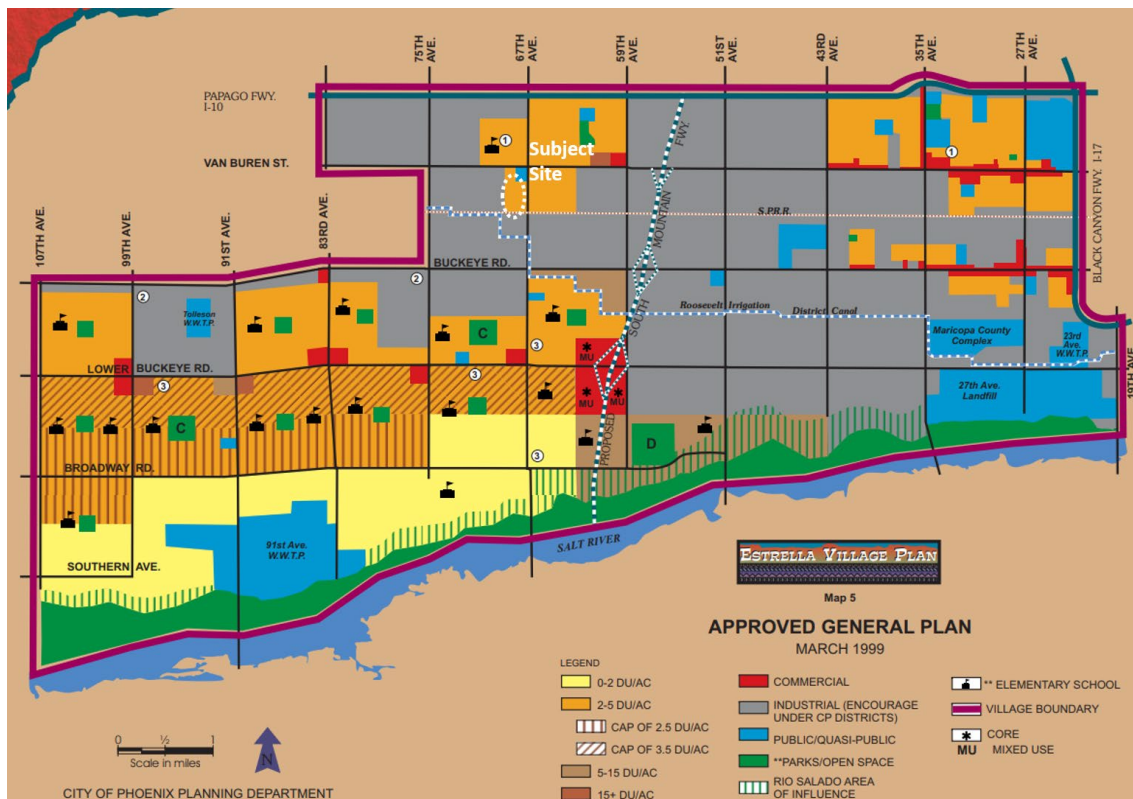
6. [Estrella Village Arterial Street Landscaping Program](#)

The Estrella Village Arterial Street Landscape Program was adopted in 1999 and provides a landscape palette for arterial streets within the Estrella Village to help establish the community's character. In addition, the plan identifies specific guidance for village parkways and gateway intersections in the community.

As a site fronting on the village parkway of 67th Avenue, the subject site falls under the guidelines for village parkways. The plan contains guidelines for the amount of landscaping and a tree and plant list applicable to 67th Avenue. Staff recommends Stipulation No. 5, which would require the landscape setback along 67th Avenue adhere to the guidelines of the Estrella Village Arterial Street Landscaping Program.

7. **Estrella Village Plan**

The Estrella Village Plan was adopted in 1999 and outlines a vision for improving the village through five main goals that include: orderly growth, an identifiable village core, strong residential neighborhoods, variety of homes and jobs, and consistent streetscapes and trail linkages. The proposed land use map in the Estrella Village Plan identifies the subject site as Residential 2-5 dwelling units per acre.



Estrella Village Plan Land Use Map, Source: Planning and Development Department

Goal 3 of the Estrella Village Plan, “Protection of Residential Neighborhoods”, Objective D “Residential Areas in Transition” recommends lessening the impacts to residential areas when properties transition to non-residential uses.

Staff recommends Stipulation Nos. 3 and 4 to ensure that privacy is maintained on adjacent properties and to prevent the proposed building height from increasing beyond the proposed height.

Goal 5 of the Estrella Village Plan, “Urban Design”, Objective A “Village Parkways” recommends that development along 67th Avenue follow parkway landscape standards to set a positive image for the corridor. To meet this objective, staff is recommending detached sidewalks and parkway standards for the landscaped area along 67th Avenue (Stipulation Nos. 5 and 10).

8. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City’s planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development as follows:

- Two-inch caliper trees planted in uncovered parking lots to provide 25 percent shade at maturity (Stipulation No. 6);
- Two-inch caliper trees and/or architectural shade at an employee node to provide 75 percent shade (Stipulation No. 8); and
- Detached sidewalks along 67th Avenue, shaded to a minimum of 75 percent with minimum two-inch caliper trees (Stipulation No. 10).

9. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To provide a safe pedestrian environment along 67th Avenue, staff is recommending detached sidewalks shaded with trees on both sides, as well as enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles (Stipulation Nos. 7 and 10). Additionally, staff recommends Stipulation No. 9 to provide bicycle parking and further promote alternative modes of transportation at this location.

10. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-

term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the project will provide 10 bicycle parking spaces, installed per the requirements in the city's Walkable Urban (WU) Code. This is addressed in Stipulation No. 9.

11. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposed conceptual site plan and application materials do not indicate whether recycled waste pickup will be incorporated.

COMMUNITY INPUT SUMMARY

12. From the time the case was filed to the time the staff report was written, one letter of support was received from the adjacent property owner to the north. The letter states that the property owner believes the proposed development will not have a negative impact on the surrounding area.

INTERDEPARTMENTAL COMMENTS

13. The Public Transit Department provided a comment to retain the existing nearby bus stop pad southbound on 67th Avenue; however, the bus stop pad is not directly adjacent to the subject site and no other requirements were provided.
14. The Street Transportation Department noted that a 55-foot right-of-way dedication is required, consistent with the CM-Section designation on the Street Classification Map for 67th Avenue, which requires a five-foot-wide detached sidewalk along 67th Avenue. The Street Transportation Department also requires a 33-foot-by-33-foot visibility triangle at the intersection of 69th Avenue and Farmer Road, and that the streets be constructed with all required improvements and comply with current ADA standards. These comments are address in Stipulation Nos. 10 through 13.
15. The Water Services Department commented that the property has existing water and sewer mains that can potentially serve the development. In addition, the Water Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.
16. The Floodplain Management division of the Public Works Department did not

have any comments on this case.

OTHER

17. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 14 through 16.
18. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 17.
19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The requested A-1 zoning district would allow uses such as warehousing, manufacturing, and processing, which are consistent in character with the land uses in the surrounding area.
2. The subject site is appropriate for industrial use with frontage on an arterial street and in close proximity to a freeway, serving as major transportation routes.
3. The development, as stipulated, will improve connectivity in the immediate vicinity of the subject site and incorporate design and landscaping features that enhance the location, consistent with the Estrella Village Plan and Estrella Village Arterial Street Landscaping Program.

Stipulations

1. The development shall be in general conformance with the site plan date stamped April 6, 2022, as modified by the following stipulations, and as approved by the Planning and Development Department, with specific regard to the following:
 - a. Minimum 25-foot-wide landscape setback along 67th Avenue.
 - b. Minimum 10-foot-wide landscape setback along 69th Avenue and Farmer Road.
 - c. Minimum landscape setbacks of varying width, as depicted, along interior property lines.
2. The north and west elevations of the western building, as depicted on the site plan date stamped April 6, 2022, and any elevation facing a public street shall not contain roll-up garage doors.
3. The north elevation of the western building, as depicted on the site plan date stamped April 6, 2022, shall not contain windows above 15 feet, where there is occupiable space at the window level.
4. The maximum building height shall not exceed 46 feet.
5. The required and stipulated landscape setbacks shall be planted with minimum 50 percent 2-inch caliper and 50 percent 3-inch caliper size trees and five 5-gallon shrubs per tree. Landscaping along 67th Avenue shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards for the village parkway of 67th Avenue in the Estrella Village, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees and five 5-gallon shrubs per tree. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. One outdoor employee resting area of no less than 400 square feet or two 200-square-foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75 percent using large canopy drought-tolerant shade trees of minimum 2-inch caliper size and/or architectural shade, as approved by the Planning and Development Department.
9. A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
10. The sidewalk along 67th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper drought-tolerant shade trees that provide a minimum of 75 percent shade at maturity.
 - b. Drought-tolerant vegetation to achieve 75 percent live coverage at maturity.
 - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for the village parkway of 67th Avenue.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

11. The developer shall dedicate 55 feet of right-of-way along the west side of 67th Avenue, as approved by the Planning and Development Department.
12. The developer shall dedicate a 33-foot by 33-foot visibility triangle at the intersection of 69th Avenue and Farmer Road, as approved by the Planning and Development Department.
13. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
17. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Anthony Grande

April 13, 2022

Team Leader

Racelle Escolar

Exhibits

Sketch Map

Aerial Map

Conceptual Site Plan date stamped April 6, 2022 (3 pages)

Conceptual Building Elevations date stamped April 6, 2022 (2 pages)

Community Correspondence (1 page)