



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-56-19-2**  
**January 7, 2020**

**North Gateway [Village Planning Committee](#) Meeting Date:** January 9, 2020  
**[Planning Commission](#) Hearing Date:** February 6, 2020

**Request From:** [PCD NBCOD](#) (Approved [C-2](#) / [C-P M-R PCD NBCOD](#)) (10.29 Acres)

**Request To:** [C-2 M-R NB2COD](#) (10.29 Acres)

**Proposed Use:** PCD removal to allow for commercial/retail uses

**Location:** Southeast corner of the 29th Avenue alignment and Dove Valley Road

**Owner:** Britmet Ventures, LLC Metropolitan Land

**Applicant:** City of Phoenix Planning Commission

**Representative:** Alan Beaudoin, Norris Design

**Staff Recommendation:** Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>	Mixed-Use (Commercial/Commerce Park)		
<a href="#">Street Map Classification</a>	29th Avenue	Not classified	No dedication made
	New Public Street (south property line)	Not classified	No dedication made
	Dove Valley Road	Arterial	78 feet (south half)
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITIES &amp; NEIGHBORHOODS; “CORE VALLIE” CERTAINTY &amp; CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.</i></b></p>			

As stipulated, the Planning Hearing Officer will review and approve site plans and elevations to ensure that a sense of continuity throughout the development is conveyed and to ensure the intent of the North Gateway Village Core Plan is met.

**CONNECT PEOPLE AND PLACE CORE VALUE; CORES, CENTERS AND CORRIDORS LAND USE PRINCIPLE:** Plan cores, centers and corridors to include a variety of land uses: office, retail, shopping, entertainment and cultural facilities, housing, hotel and resort uses, and where appropriate some types of industry.

**STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; JOB CREATION (EMPLOYERS) LAND USE PRINCIPLE:** Support General Plan Land Use Map and zoning changes that will facilitate the location of employment generating uses in each of the designated employment centers.

The request will allow for the development of a vacant parcel in the North Gateway Village Core with commercial uses.

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

As stipulated, the development of the site will result in the installation of trees that will provide for shade along sidewalks and pedestrian paths.

### Applicable Plans, Overlays, and Initiatives

#### [North Gateway Village Core Plan](#)

See Background Item Nos. 6 through 8.

#### [North Black Canyon Corridor Plan & North Black Canyon Overlay District](#)

See Background Item Nos. 9 through 10.

#### [Reimagine Phoenix](#)

See Background Item No. 11 below.

**Tree and Shade Master Plan**

See Background Item No 12.

**Complete Streets Guiding Principles**

See Background Item No 13.

<b>Surrounding Land Uses/Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Vacant	PCD NBCOD (approved C-2/CP M-R PCD NBCOD)
<b>North</b>	Vacant / Commercial	PCD NBCOD(approved C-2/CP M-R PCD NBCOD), C-2 HGT/WVR PCD NBCOD
<b>South</b>	Vacant	PCD NBCOD (approved C-2/CP M-R PCD NBCOD)
<b>East</b>	Vacant	PCD (approved C-2/CP M-R PCD NBCOD)
<b>West</b>	Vacant	C-2 M-R NBCOD

**Background/Issues/Analysis**

REQUEST

1. This is a request to rezone 10.29 acres from Planned Community District (PCD) in the North Black Canyon Overlay District (NBCOD) (approved C-2/CP M-R PCD NBCOD) to C-2 Intermediate Commercial with a Mid-Rise Overlay within the North Black Canyon Overlay District (C-2 M-R NBCOD) to allow for the site to develop with commercial uses. The subject site includes the northern portion of Parcel No. 204-11-001V. The southern portion of Parcel No. 204-11-001V (59.78 acres) is the subject of rezoning case Z-55-19-2 for CP/GCP NBCOD zoning.

NORTH GATEWAY PCD & GENERAL PLAN LAND USE MAP

2. This rezoning request was initiated by the Planning Commission to remove the site from the North Gateway Planned Community District (PCD). The North Gateway PCD was a city initiated PCD in 2001 via rezoning case Z-34-01 with the intent that a master developer would develop the infrastructure as

stipulated in the case. Since a master developer never installed the infrastructure and all the parcels are individually owned, the PCD is considered somewhat defunct. In order for individual properties to develop without the requirement of complying with all of the stipulations in the PCD, which includes overall infrastructure improvements, the properties have to be rezoned out of the PCD.

3. At the time the North Gateway PCD was established the subject property was given the option of either choosing the C-2 (Intermediate Commercial) or CP (Commerce Park) zoning district with a Mid-Rise Overlay during the site plan review process. Through this process of removing the PCD designation, the applicant has chosen the C-2 zoning district for the parcel which is consistent with the zoning west and north of the site.
4. The General Plan Land Use Map designation for this property is Mixed Use (Commercial/Commerce Park). The proposed zoning district of C-2 M-R NBCOD conforms to this Land Use Map designation.

#### SURROUNDING USES & ZONING

5. The subject site is primarily surrounded by vacant land. North of the site across Dove Valley Road is a commercial shopping center zoned C-2 HGT/WVR PCD.

South of the site is the remaining portion of the parcel zoned PCD that is also requesting removal from the PCD via rezoning request Z-55-19-2. The request is to rezone the site to CP/GCP M-R NBCOD.

East of the site are several vacant parcels zoned PCD (approved C-2/CP M-R PCD NBCOD).

West of the site is a parcel recently removed from the North Gateway PCD via rezoning case Z-83-18-2 that is now zoned C-2 M-R NBCOD.

#### NORTH GATEWAY VILLAGE CORE

6. The subject site falls within the boundaries of the North Gateway Village Core. In 2008 the Phoenix City Council adopted the North Gateway Village Core Plan to provide additional guidance for development of a high density, urban environment that would promote the area's natural amenities such as the Skunk Creek Wash and Bronco Butte. The Plan envisions that the Core will be a vibrant urban and regional employment center. The request to remove the subject site from the PCD to allow for the development of commercial uses

responds to the plans call for the Core to be the home for a variety of retail and offices uses.

A stipulation has been included that will require the developer to proceed through the public hearing process as part of a Planning Hearing Officer (PHO) review of their proposed development plans. The PHO will review the submitted site plans and elevations to ensure that a sense of continuity throughout the development is conveyed and to ensure the intent of the North Gateway Village Core Plan is met. This is addressed in Stipulation No. 1

7. All parcels within the North Gateway Village Core have a Mid-Rise overlay to promote high-intensity development that furthers the vision of the village core. The maximum height allowed with the Mid-Rise overlay is 190 feet. The North Gateway Village Core Plan recommends restricting height further to a maximum height of 10 stories (approximately 120 feet). There are elements in the North Gateway PCD (Z-34-01) that require master infrastructure plans and master street circulation plans, with the assumption that the parcels would operate together as a functional unit. As recommended by staff, building height is limited to 60 feet unless the applicant/developer can provide documentation demonstrating sufficient water capacity, sufficient wastewater capacity, sufficient street improvements and a circulation plan that illustrates how the development will facilitate multi-modal connectivity. If all of those studies are reviewed and approved by their corresponding departments, a maximum building height of 120 feet would be allowed without having to go through a public hearing process. This is addressed in Stipulation No. 2.
8. In light of the recent requests to remove properties from the PCD, the Street Transportation Department in partnership with the Planning and Development Department has commenced a study of the street network for the North Gateway Village Core. A master street plan for the PCD was never developed and as a result, no corresponding street alignments or cross sections were incorporated into the Street Classification Map. Previous requests to remove properties from the PCD have been coupled with stipulations for street dedications and improvements.

The study is aimed at providing the Street Transportation Department with an analysis related to the necessary alignments and cross-sections for the roadway network within the Core. Ultimately, results of the study will be utilized for a General Plan Amendment to the Street Classification Map that will could add street alignments and cross sections for the North Gateway Core. The study has not been completed at the time of this report. In lieu of the completed study Stipulation Nos. 13 through 22 have been provided by the Street Transportation Department to ensure the necessary street improvements are provided.

## NORTH BLACK CANYON CORRIDOR PLAN AND OVERLAY DISTRICT

9. The subject site falls within the boundaries of the North Black Canyon Corridor Plan. The Phoenix City Council adopted the Corridor Plan in 1999 to guide growth within the plan area. The proposal is consistent with the intent of the following goals from the plan:
  - *Goal 1: Promote the North Black Canyon Corridor as a regional employment center.*
  - *Goal 4: Preserve North Sonoran Desert amenities and use these features to define community form and identity.*
10. The subject site is also located within the North Black Canyon Overlay District (NBCOD). The City Council adopted the NBCOD in 2001 as a means of implementing [the designs and concepts set forth in the North Black Canyon Corridor](#) Plan. The NBCOD promotes development that is compatible with the desert environment through a comprehensive set of design guidelines that establishes everything from a permitted landscape pallet to signage standards. Stipulations Nos. 5 through 11 have been included that reinforce many of the design provisions found within the NBCOD.

## CITYWIDE INITIATIVES

11. 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. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, industrial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.
12. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. To contribute to future improvements of this site and the urban forest infrastructure staff is requesting that a minimum of 50 percent of the pedestrian circulation be shaded by either structures or landscaping. This is addressed in Stipulation No. 4.
13. 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 this end, staff is

recommending a stipulation, No. 3, regarding detached sidewalks along all streets.

#### COMMUNITY INPUT SUMMARY

14. At the time the staff report was written, staff has not received any community correspondence.

#### INTERDEPARTMENTAL COMMENTS

15. The Water Services Department indicates there that the property has access to water and sewer mains that can serve this development.
16. The Fire Department notes that they do not know what the water supply is at this site. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
17. No known archaeological work is necessary for this project. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33 feet 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 No. 12.
18. The Floodplain Management group has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 0865 L of the Flood Insurance Rate Map (FIRM) dated November 10, 2017.

#### OTHER

19. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The request is consistent with the General Plan Land Use Map designation of Mixed-Use (Commercial/Commerce Park).
2. As stipulated, the C-2 MR NBCOD zoning district will allow development that is consistent in scale and character with the vision of the North Gateway Village Core Plan and the North Black Canyon Corridor.

### **Stipulations**

1. All site plans and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan, which shall include:
  - a. Promoting the overall pedestrian circulation within the North Gateway Core through wide sidewalks, detached sidewalks and overall connectivity.
  - b. Ensure all building facades contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50-feet.
  - c. Ensure all paint colors and building materials are in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blend with, rather than contrast strongly, with the surrounding desert environment.
  - d. Ensure parking lots are broken into multiple smaller parking areas.
  - e. Incorporation of natural drainage features.
  
2. Maximum building height shall be limited to 60 feet. If the following occurs, prior to preliminary site plan approval, the maximum building height permitted shall be a maximum of 120 feet:
  - a. A water report is submitted to and approved by the Water Services Department which demonstrates that sufficient water capacity exists or is being provided by the developer of this parcel;
  - b. A wastewater report is submitted to and approved by the Water Services Department which demonstrates that sufficient wastewater capacity exists or is being provided by the developer of this parcel; and
  - c. A traffic study is submitted to and approved by the Street Transportation Department which demonstrates that street improvements (existing and/or proposed) are sufficient to serve the site.
  - d. A multi-modal (pedestrians, bicyclists, motorists, etc.) circulation plan is submitted and approved by the Street Transportation and Planning and Development departments that illustrates how the project and its corresponding infrastructure improvements will facilitate multi-modal connectivity within the site and to the site's surrounding streets and amenities as envisioned in the North Gateway Village Core Plan.
  
3. All sidewalks adjacent to streets shall be detached per the adopted Street Classification Map cross-section or with a minimum 8-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on center or in



equivalent groupings; and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.

4. A minimum of 50% of the pedestrian pathways shall be shaded by a structure, landscaping or a combination of the two, as approved by the Planning and Development Department.
5. All pedestrian pathways, including those that intersect vehicular traffic lanes, shall be constructed with decorative pavers, stamped or colored concrete, or another material other than those used to pave the parking surfaces and drive aisles, as approved by the planning and development department.
6. If a drive-through restaurant is developed, pick-up windows shall be architecturally integrated in proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
7. If a drive-through restaurant is developed, a minimum of 250 square feet of outdoor seating areas shall be provided, as approved by the Planning and Development Department.
8. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
9. All surface retention areas shall be natural and organic in shape, as approved by the Planning and Development Department
10. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.
11. All service areas must be screened to conceal trash containers, recycling containers, loading docks, transformers, backflow preventers and other mechanical and or electrical equipment from eye level adjacent to all public streets and private drives, as approved by the Planning and Development Department.
12. In the event archaeological 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 Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

13. The developer shall dedicate a minimum of 40 feet for public right-of-way along the full western limit of the site for 29th Avenue. Additional right-of-way for intersection or auxiliary turn lanes may be required as indicated in the approved Traffic Impact Study or through the North Gateway Core Study being conducted by the Street Transportation Department at the time of this zoning action. The determination of final right-of-way required will be made by the Street Transportation Department.
14. The developer shall construct half-street improvements for 29th Avenue inclusive of a minimum 25 feet of paving, curb, gutter, detached sidewalk and streetlighting for the full frontage of the property as modified and approved by the Street Transportation Department.
15. The developer shall dedicate the full width right-of-way for the Village Core Northern Collector street along the entirety of the southern zoning boundary. The full width of right-of-way required is 60-feet adjoined on each side by a minimum 10-foot sidewalk easement. Full width right-of-way and alignment may be modified by the Street Transportation Department.
16. The developer shall construct the full width roadway section of the Village Core Northern Collector street along the entirety of the southern zoning boundary. The minimum full width roadway section is 50-feet of paving, curb, gutter, and detached sidewalk for the full frontage of the property. Full width improvements may be modified by the Street Transportation Department.
17. The developer shall be responsible for proportional share of the funding and/or construction of any traffic control improvements for the intersection of Village Core Northern Collector and North Valley Parkway, as per the approved Traffic Impact Study and as approved by the Street Transportation Department.
18. All publicly dedicated roadways shall be designed as dry crossings per City standards for a minimum 100-year storm event. Drainage easement shall be dedicated to accommodate drainage structures and maintenance access ramps as approved by the Street Transportation Department.
19. The developer shall be responsible for proportional funding contributions towards traffic signals at 29th Avenue and Dove Valley Road and 29th Avenue and Sonoran Desert Drive. The funding contribution will be determined through an assessment of proportional traffic impact, a per the Traffic Impact Study and as approved by the Street Transportation Department.
20. All publicly dedicated roadways shall be designed as dry crossings per City standards for a minimum 100-year storm event as approved by the Street Transportation Department.

21. A Developer Project Information Form for the MAG Transportation Improvement Program shall be completed and submitted to the Street Transportation Department prior to preliminary site plan approval, as approved by the Planning and Development Department
22. 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.

**Writer**

Joshua Bednarek

January 7, 2020

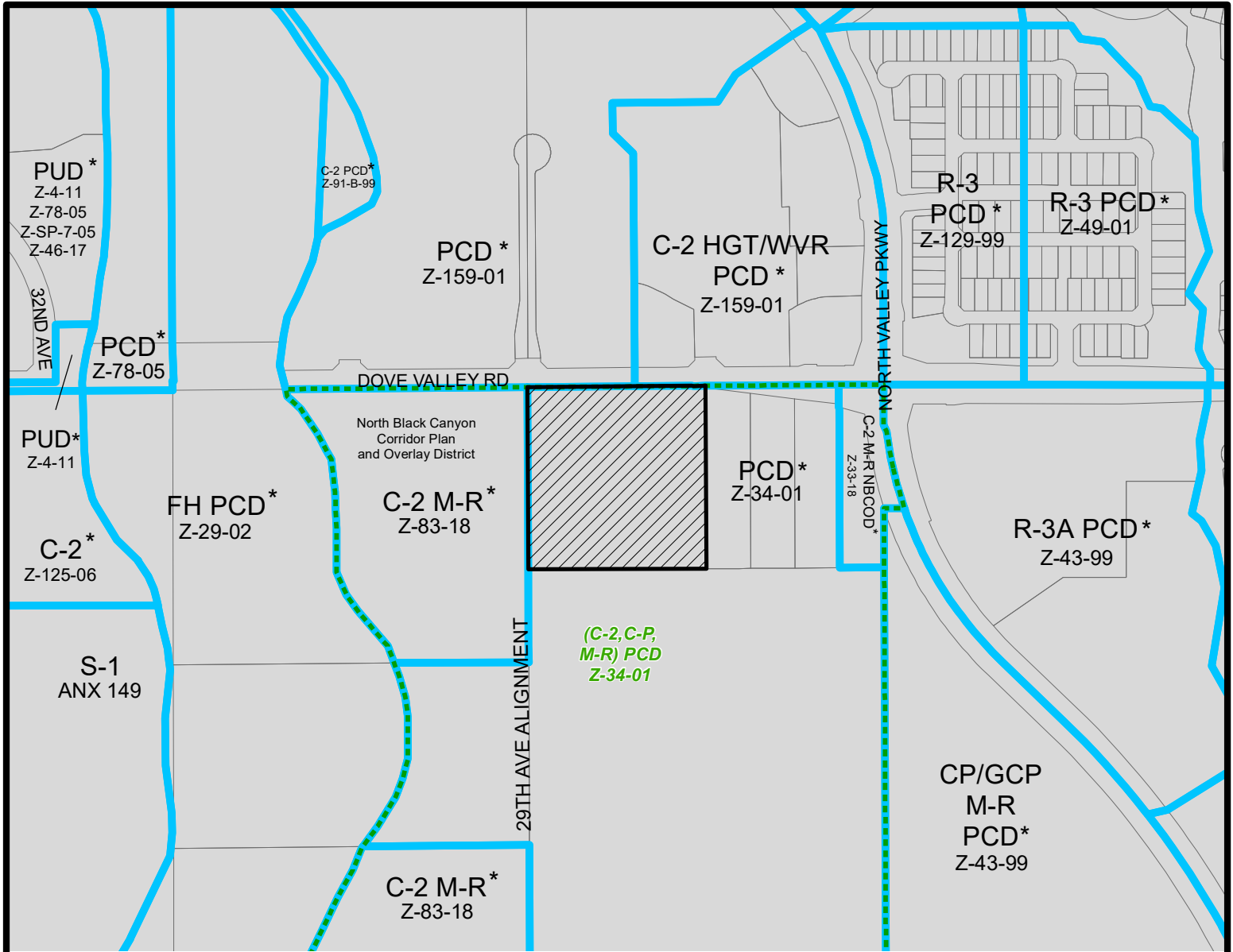
**Team Leader**

Samantha Keating

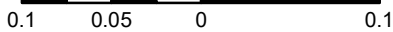
**Exhibits**

Zoning sketch

Aerial

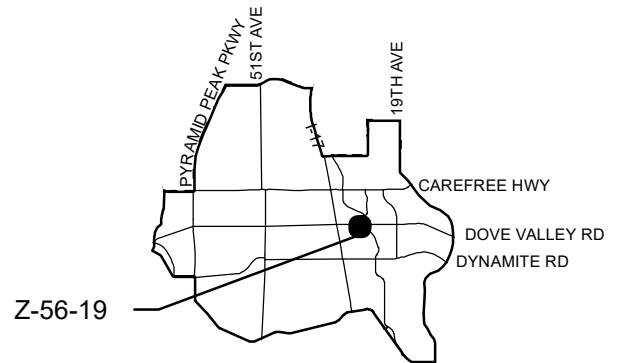


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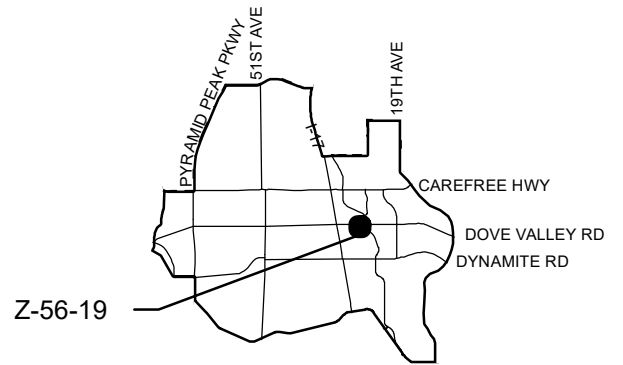
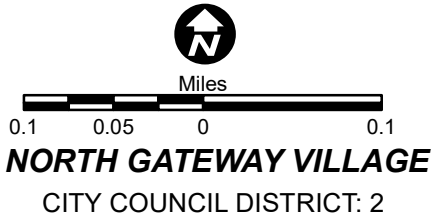
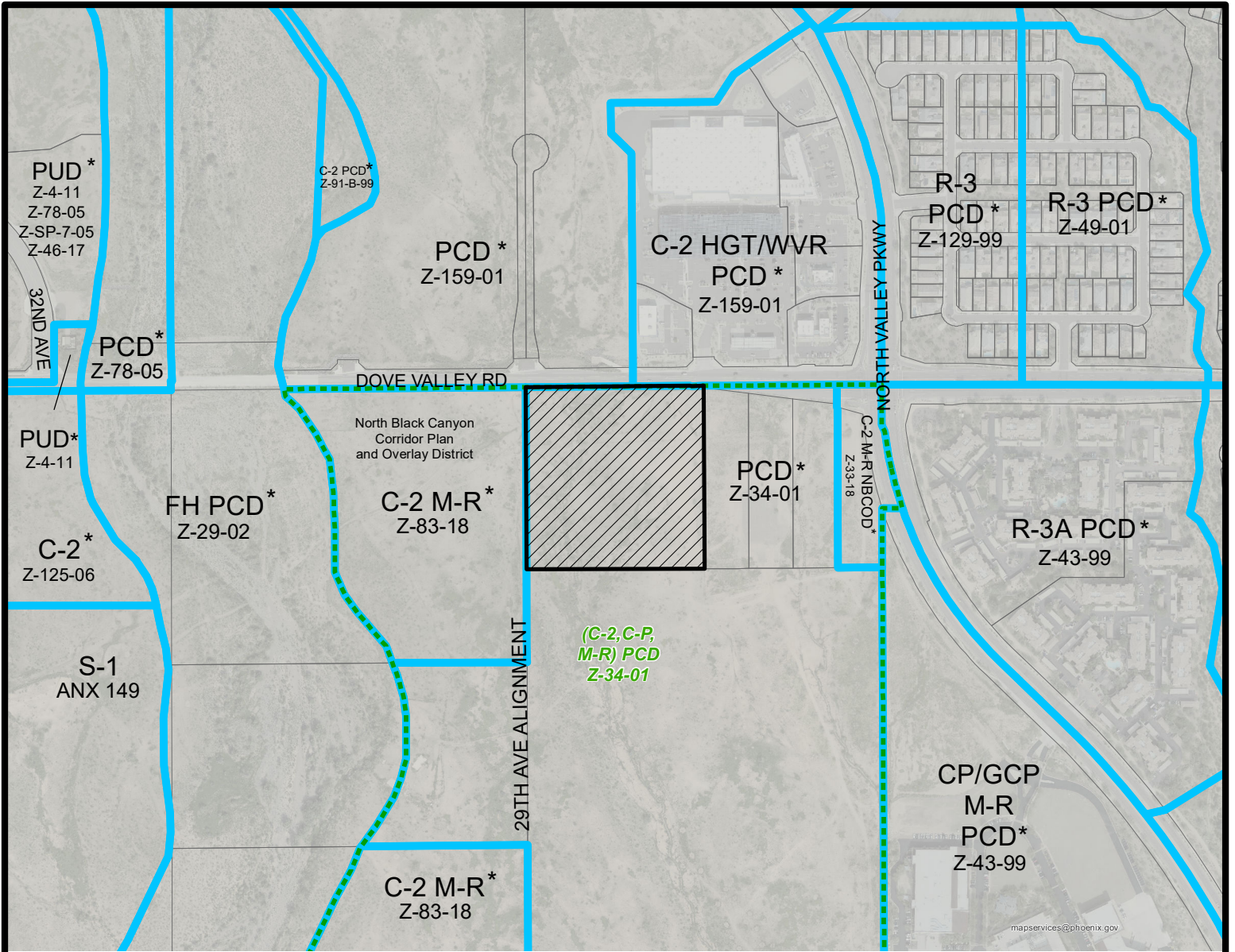


**NORTH GATEWAY VILLAGE**

CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> City of Phoenix Planning Commission		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-56-19		<b>FROM:</b> PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) ( 10.29 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>10.29 Acres</b>		<small>DATE:</small> 12/3/2019 <small>REVISION DATES:</small>	
<small>12/9/2019</small>		<small>TO:</small> C-2 M-R NBCOD ( 10.29 a.c.)	
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 56-22</b>		<small>ZONING MAP</small> <b>R-7</b>	
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
PCD NBCOD (Approved C-2/CP M-R PCD NBCOD)		N/A (179 / N/A)	
C-2 M-R NBCOD		N/A (179 / N/A)	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>		<b>179</b>	



<b>APPLICANT'S NAME:</b> City of Phoenix Planning Commission		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-56-19		<b>FROM:</b> PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) ( 10.29 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <b>10.29 Acres</b>		<b>TO:</b> C-2 M-R NBCOD ( 10.29 a.c.)	
<b>MULTIPLES PERMITTED</b> PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) C-2 M-R NBCOD		<b>CONVENTIONAL OPTION</b> N/A (149 / N/A) 149	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>		<b>* UNITS P.R.D. OPTION</b> N/A (179 / N/A) 179	