

Staff Report: Z-6-21-7 March 3, 2021

Estrella <u>Village Planning Committee</u> Meeting Date	March 16, 2021
Planning Commission Hearing Date	April 1, 2021
Request From:	<u>A-1</u> (0.36 acres)
Request To:	A-1 HGT/WVR (0.36 acres)
Proposed Use	Height waiver up to 110 feet for new mill tower at an existing processing facility
Location	Southwest corner of 35th Avenue and the Durango Street alignment
Owner/Applicant	Procter & Gamble
Representative	Nick Wood, Esq./Noel Griemsmann
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity				
General Plan L Designation	and Use Map	Industrial		
Street Map 35th Avenue		Arterial Street	40-foot west 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 requested zoning will allow for increased intensity that is consistent in scale and character with the surrounding zoning and General Plan Land Use Map designation in the area. Adjacent to non-residential uses, including a transportation company, auto salvage yard with sales, fleet vehicle parking and a county complex, activities on the subject site will not impact residential properties in the area.

STRENGHTEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING / INDUSTRIAL DEVELOPMENT; DESIGN PRINCIPLE: Design industrial sites to be well screened from adjacent sensitive land uses such as residential.

Rezoning to A-1 HGT/WVR (Light Industrial, Height Waiver) will provide opportunity for growth, development, and employment for an existing manufacturing facility within the Estrella Village. The subject site is surrounded by other industrial uses and the proposal is to locate a new tower used to house manufacturing equipment internally within the existing site boundaries, away from public streets and residential uses.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

Approval of the request would allow the development of a new tower in an existing manufacturing facility, between 100 feet and 110 feet maximum in height, that has an existing tower in the same facility at 80 feet in height. The rezoning boundary would allow the new tower to be placed along the northern portion of the site, west of the existing tower, thus located away from public streets and residential uses.

Applicable Plans, Overlays, and Initiatives

Estrella Village Plan: See Background Item No. 7.

Zero Waste PHX: See Background Item No. 8.

Surrounding Land Uses/Zoning		
	Land Use	Zoning
On Site	Manufacturing facility	A-1
North	Transportation company	A-1
South	Auto salvage yard and sales	A-1
East (across 35th Avenue)	Maricopa County Complex	A-1
West	Fleet management company	A-1

A-1 (Ligi	ht Industrial) with Height Wai	ver Zoning District
Standards	Requirements	Met or Not Met
Minimum Building Setba	icks	
Front yard (35th Avenue) (East)	25 feet	Not specified
Side yard (North)	0 feet	155 feet (Met)
Side yard (South)	0 feet	Not specified
Rear yard (West)	0 feet	Not specified
Minimum Landscaped S	etbacks	
Front yard (35th Avenue) (East)	Landscaped area no less than eight times the lot frontage, measured in square feet, between the public right-of-way and the principal building or structure. A landscaped strip of no less than five feet in depth between the front property line and parking area.	Not specified
Side yard (North)	0 feet	0 feet (Met)
Side yard (South)	0 feet	0 feet (Met)
Rear yard (West)	0 feet	0 feet (Met)
Maximum Lot Coverage	No maximum	Not specified
Building Height	56-foot maximum height; up to 80 feet allowable with use permit with a site plan. Requests to exceed this limit for a warehouse up to a	110 feet (Met with height waiver)
Minimum Parking	maximum height of 110 feet may be granted by the City Council. Manufacturing, wholesale, including but not limited to warehouses:	227 spaces provided (Met)

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1 space per 1.5 warehouse or production workers. If the facility runs more than one shift a day, employee count will be based on the two largest shifts and 1 space per 300 sq. ft. of administration office.	
219 spaces required, based on conceptual site plan figures.	

Background/Issues/Analysis

SUBJECT SITE

 This request is to rezone a 0.36-acre site, located approximately 100 feet south of the southwest corner of 35th Avenue and the Durango Street alignment from A-1 (Light Industrial) to A-1 HGT/WVR (Light Industrial, Height Waiver) to allow the continued use of a manufacturing facility and to build a mill tower at a maximum 110-foot height. The subject property was annexed by the City of Phoenix in 1959 from unincorporated Maricopa county and zoned A-1 in 1961 under Ordinance No. G-449. In 1990, a use permit was approved under case ZA-159-90-7 to allow an 80foot high building on the subject site. The proposed height for a new proposed mill tower on the site is of 110 feet, exclusive of a portion of the building where elevator and mechanical equipment is proposed up to 122 feet in height.

SURROUNDING USES AND ZONING

2. The properties to the north, south and west of the subject site are zoned A-1 (Light Industrial District) and include various land uses such as auto salvage yard with sales, transportation companies, and vehicle parking lots. A county government complex zoned R-5 (Multifamily Residence District) is located to the east of the site across 35th Avenue that includes a detention facility, court and sheriff offices. Furthermore, most of the properties in the general area are comprised of other non-residential



Existing Zoning Aerial Map, Source: City of Phoenix Planning and Development Department

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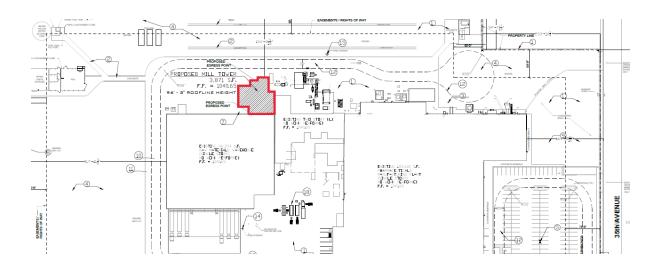
> uses. The nearest residential property is located approximately 0.3 miles to the northeast of the subject site.

3. The subject site has a General Plan Land Use Map designation of Industrial which is consistent with the request to rezone to A-1 HGT/WVR (Light Industrial, Height Waiver District). Surrounding properties to the north, south and west are also designated as Industrial on the General Plan Land Use Map. The area to the east is designated as Public/Quasi-Public, and properties further northeast of the site are designated as Commercial.



Existing General Plan Land Use Map, Source: City of Phoenix Planning and Development Department

4. The conceptual site plan proposes a new 3,800 square foot tower at 110 feet in height along the northern portion of the site. This new tower will be used to house equipment used in the manufacturing of Metamucil, currently manufactured at the subject site. This new tower will help the existing facility to meet increased demand of Metamucil. Access to the site exists along 35th Avenue to the east, where several landscape areas are located, containing mature trees.



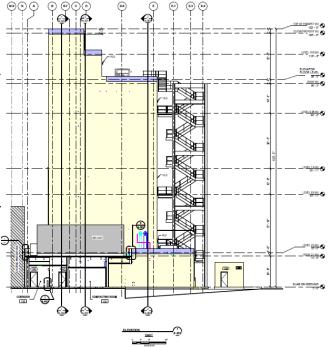
Conceptual Site Plan, Source: Burns & McDonell Engineering Co, Inc.

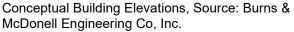
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5. The conceptual building elevations show the new proposed tower with a height of 110 feet, with a portion of the tower excluded from building height limitations per Section 701.B of the Zoning Ordinance, which extends up to 122 feet. This portion excluded from building height limitations houses an elevator and mechanical equipment and occupies less than twenty-five percent of the roof area. Furthermore, the elevator and exterior staircase will allow for access to the multiple floors on the building which houses equipment used in the manufacturing of Metamucil.

Stipulation No. 1 allows a maximum building height of 110 feet, the maximum allowed building height in the A-1 Zoning District with a height per the Zoning Ordinance.

6. The conceptual building rendering shows the location of the new proposed tower, west of the existing tower on the site. This proposed location will place the tower in a location further away from 35th Avenue, where the existing facility is most visible from public view.







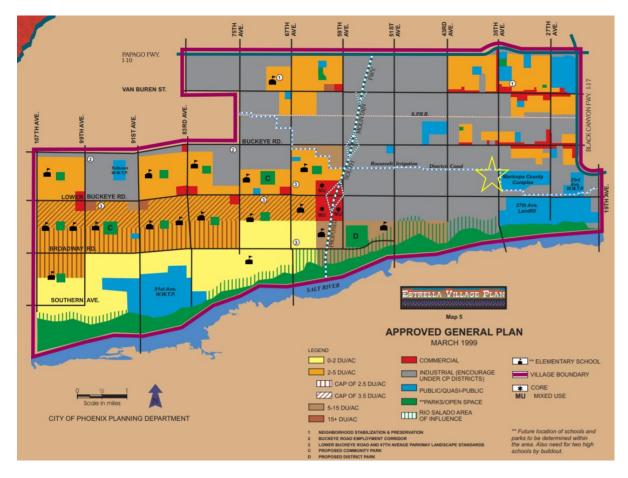
Conceptual Building Rendering, Source: Burns & McDonell Engineering Co, Inc.

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STUDIES AND POLICIES

7. Estrella Village Plan

The Estrella Village Plan was adopted in 1999 and it outlines a vision for improving the Estrella Village through five main goals that include: orderly growth, identifiable village core, strong residential neighborhoods, variety of homes and jobs, and consistent streetscapes and trail linkages.



Estrella Village Plan Land Use Map, Source: City of Phoenix Planning and Development

Goal 3 of the Estrella Village Plan, protection of residential neighborhoods, Objective E states, "Industrial development will be designed to route truck traffic away from and avoid conflicts with residential areas, and to minimize impacts created when loading docks are located in the vicinity of residential areas." The subject site is not located within close proximity to residential uses and truck access for the existing site is via 35th Avenue, an arterial street that does not contain vehicular access entry points for residential uses within the immediate area. Furthermore, the existing manufacturing facility is located in an area designated as Staff Report: Z-6-21-7 March 3, 2021 Page 8 of 11

industrial on the land use map per the Estrella Village Plan, away from residential land uses.

Goal 5 of the Estrella Village Plan, urban design, Objective D states "Existing commercial and industrial properties along major streets and adjoining residential neighborhoods should be well landscaped with open storage and activity screened from view." The proposed tower is located internally within an existing manufacturing facility away from major streets and not within close proximity to residential areas. The screening of outdoor storage, although not proposed as part of the new tower to be constructed, is addressed by the Zoning Ordinance requirements.

8. 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. No provisions for recycling containers were depicted on the site plan date stamped January 29, 2021. However, the applicant's submittal documents indicate that recycling collection services will be provided.

COMMUNITY INPUT SUMMARY

9. From the time the case was filed to the time the staff report was written, no letters from the public have been received on this case.

INTERDEPARTMENTAL COMMENTS

- 10. The Public Transit Department provided comments pertaining to right-of-way and bus stop pad retention along 35th Avenue, bus stop pad shading, pedestrian route shading and pedestrian site connections via the most direct route. Some of the comments provided pertain to site elements not contained within the proposed zoning boundary of this case, Z-6-21-7, thus were not recommended as stipulations. However, Stipulation No. 2 addresses pedestrian connections via the most direct route to help connect the new proposed tower to other buildings on the site.
- 11. The Floodplain Management division of the Public Works Department has indicated that a portion of the parcel is located in a Special Flood Hazard Area (SFHA), called a Zone AE Floodplain on panel 2195L of the Flood Insurance Rate Map (FIRM) revised September 21, 2020. Special Flood Hazard Areas are subject to inundation by a 100-year flood. The proposed tower is currently attached to a building that is not shown to be FEMA compliant. This will mean that the tower will be included in the larger building's floodplain restrictions and requirements, unless it can be

detached and placed outside of the FEMA floodplain. Alternatively, the larger building can be shown by the applicant to be FEMA compliant with this addition.

Stipulation No. 3 addresses these comments by the Public Works Department pertaining to the location of the new proposed tower on the subject site.

- 12. The Water Services Department commented that the property has existing water and sewers 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. The requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.
- 13. The Fire Department commented that no problems are anticipated on this case. The site and buildings shall comply with the 2018 International Fire Code with Phoenix Amendments. The current water supply for this case is unknown, while the water supply is required to meet fire flow as defined by Appendix B of the 2018 International Fire Code with Phoenix Amendments.
- 14. The Pedestrian Safety Coordinator with the Street Transportation Department did not have any comments pertaining to this case.
- 15. The Street Transportation Department did not have any comments pertaining to this case.
- 16. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Additionally, the developer is required to file Form 7460-1 with the Federal Aviation Administration (FAA) for the proposed development. Lastly, that an avigation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking noise sensitive land use. These are addressed in Stipulation Nos. 4, 5 and 6.
- 17. The site has not been identified as being archaeologically sensitive. However, 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. 7.

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OTHER

18. 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 proposal is consistent with the General Plan Land Use Map designation of Industrial.
- 2. The proposed expansion of the existing facility, as stipulated, is compatible with the surrounding land uses.
- 3. The proposed new tower is consistent with the scale and character of developments existing in the surrounding area while also promoting increased employment.

Stipulations

- 1. A maximum building height of 110 feet shall be permitted, exclusive of Section 701.B height provisions in the Zoning Ordinance.
- 2. A system of clearly defined, accessible pedestrian pathways shall be provided to connect building entrances via the most direct route for pedestrians, as approved by the Planning and Development Department.
- 3. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 2195L of the Flood Insurance Rate Map (FIRM) revised September 21, 2020. If the proposed building is attached to an existing building that is not shown to be FEMA compliant, it will be included in the existing building's floodplain restrictions and requirements, unless it can be detached and placed outside of the FEMA floodplain. Alternatively, the larger building can be shown by the applicant to be FEMA compliant with this building addition. The following requirements are for buildings in special flood hazard areas, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but is not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

- b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.
- 4. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
- 5. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
- 6. Developer to grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- 7. 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.

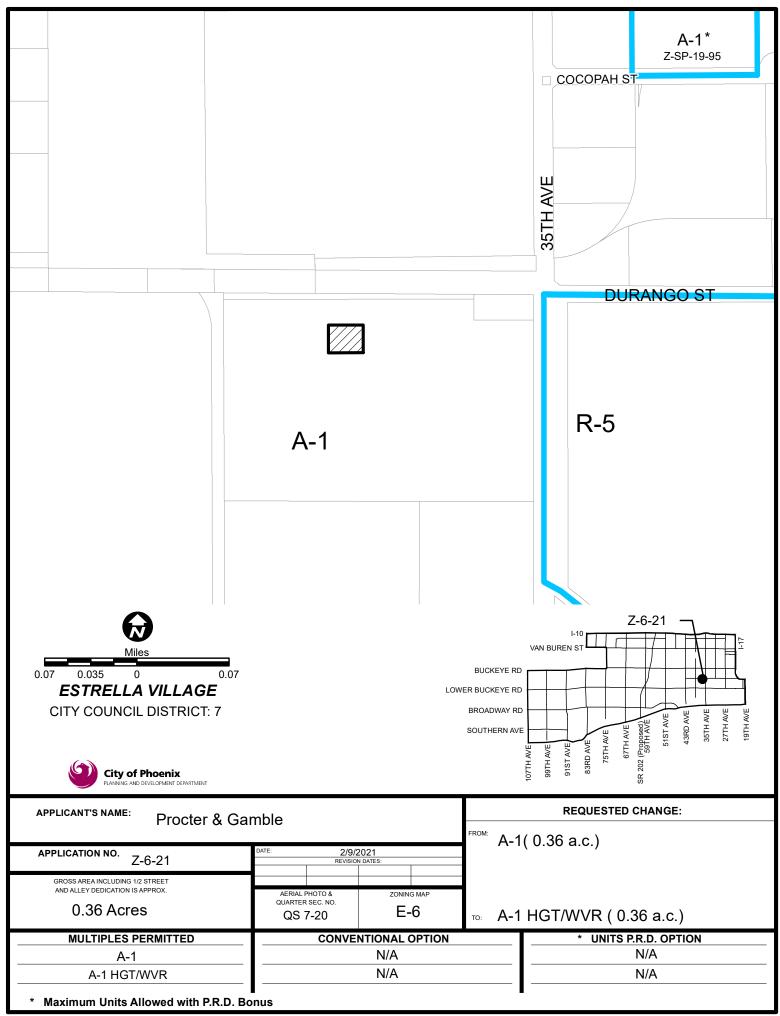
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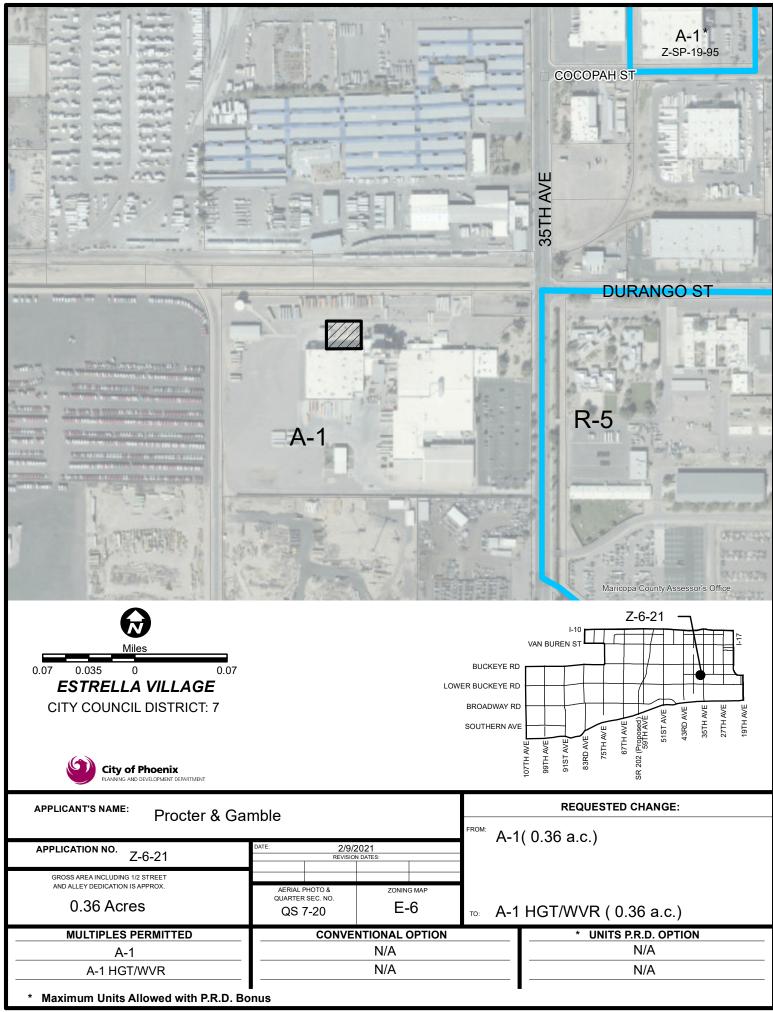
Enrique Bojórquez-Gaxiola March 3, 2021

<u>Team Leader</u> Samantha Keating

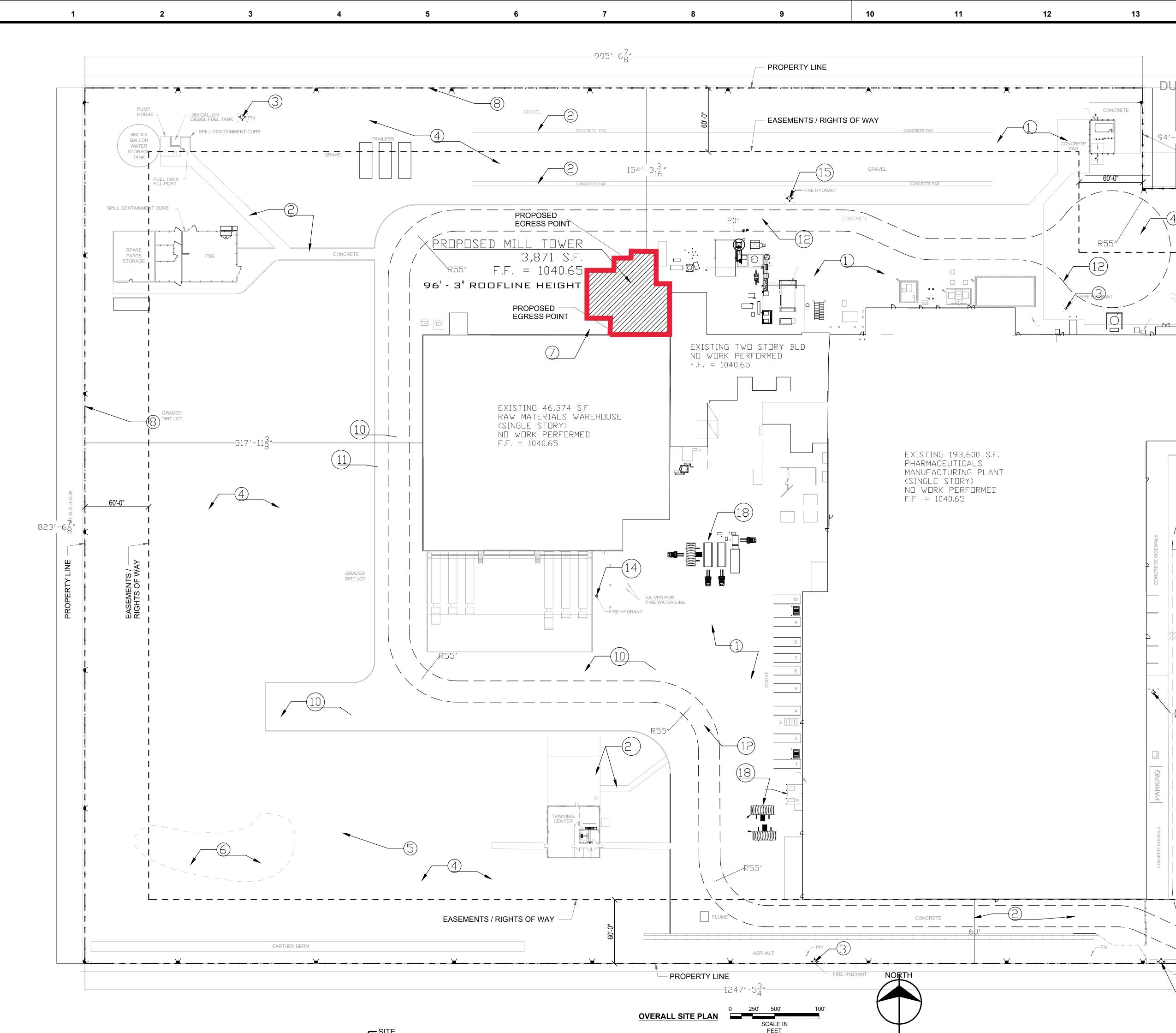
<u>Exhibits</u>

Sketch Map Aerial Map Conceptual Site Plan date stamped January 29, 2021 Conceptual Building Elevations date stamped January 29, 2021 Conceptual Building Rendering date stamped January 29, 2021





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Planning & Development Department



SITE NOTES

- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
 THIS PROJECT IS LOCATED IN THE CITY OF OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- 3. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
- STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAY ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
 STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'X33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
- ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE OF THE SITE.
 OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHT-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL
- LANDSCAPING LOCATED WITHIN THE RIGHT-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
- 8. THE EXISTING STRUCTURES MUST COMPLY WITH THE CHANGE OF OCCUPANCY PROVISIONS IN THE PHOENIX CONSTRUCTION CODE PRIOR TO USE.
- 9. AFTER FINAL APPROVAL THE DEVELOPMENT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY DSD PRIORY TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL (62) 262-6981 AND REQUEST DESIGN REVIEW INSPECTION.
- ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
 ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.
- 12. BARRED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC

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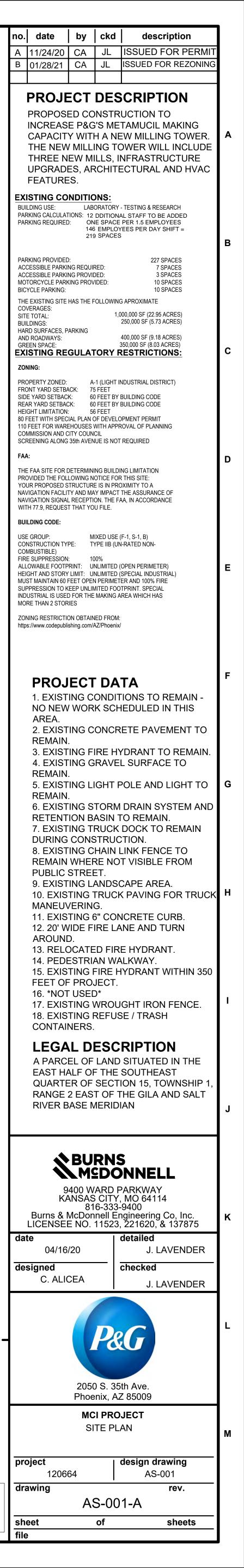
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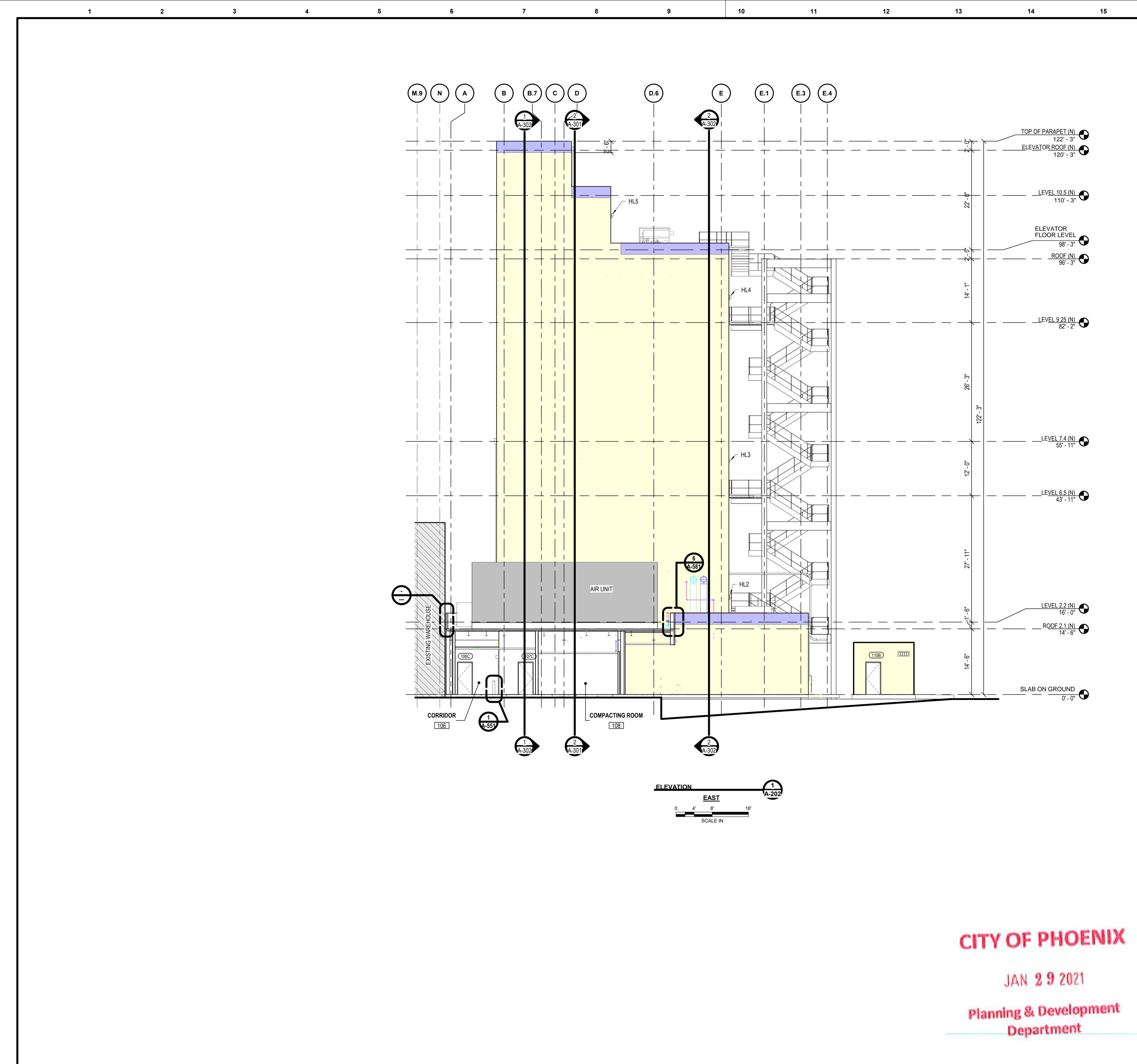
- DURANGO ST. (NOT A THROUGH STREET) - **PROPERTY LINE** $253'-10\frac{1}{4}$ + EXISTING DRIVEWA EMERGENO ENTRANCE ONLY GRAVI SIAMESE CONN. -----CONCRETE SIDEWALK - EXISTING STRIPING (TYP.) DRIVEWAY EMERGE _____ ENTRAN(ONLY Z 5th5A 728′-11;군″ \sim EXISTING 227 STANDARD (9'X18') SPACES EXISTING 3 ACCESSIBLI (12'X18') FRONT YARD BUILDING SETBACK SIDEWALK TRUCK DRIVE SECURIT (CONCRETE CHECKPOIN

STREETS OR RESIDENTIAL AREAS.

- ALL SIGNAGE REQUIRES A SEPARATE REVIEW AND PERMIT.
 SMOKE, GAS, AND ODOR EMISSIONS SHALL COMPLY WITH REGULATION III OF THE MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS.
- 15. THE DISPOSAL OF ALL WASTE MATERIALS SHALL COMPLY WITH TITLE 9, CHAPTER 9, ARTICLES 18 & 4 OF THE HAZARDOUS WASTE REGULATIONS AS ADOPTED BY THE ARIZONA HEALTH DEPARTMENT.
- 16. THE AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55 DB (1 DN) WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.
- 17. EXPLOSIVE OR HAZARDOUS PROCESSES (IF APPLICABLE): CERTIFICATION SHALL BE PROVIDED BY THE PHOENIX FIRE DEPARTMENT PREVENTION BUREAU THAT ALL MANUFACTURING, STORAGE, AND WASTE PROCESSES ON THE SITE SHALL MEET SAFETY AND ENVIRONMENTAL STANDARDS AS ADMINISTERED BY THE BUREAU.
- 18. ALL NEW SANITARY SEWER LINES WITHIN THE SITE SHALL BE PRIVATE PLUMBING LINES SUBJECT TO PHOENIX PLUMBING CODE OR THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) AQUIFER PROJECTION PROGRAM (APP) GENERAL PERMIT 4.01 IN ACCORDANCE WITH ARIZONA ADMINISTRATION CODE TITLE 18, CHAPTER 9, SECTION E31 (AAC R18-9-E301) WHICHEVER IS APPLICABLE.
- 19. THE SANITARY SEWER COLLECTION SYSTEM WITHIN THIS DEVELOPMENT WILL BE A PRIVATE SYSTEM, OWNED AND MAINTAINED BY THE PROPERTY OWNER(S) OR ASSOCIATION. THE SYSTEM WILL BE REVIEWED AND INSPECTED BY THE BUILDING SAFETY SECTION OF THE DEVELOPMENT SERVICES DEPARTMENT.
- 20. ALL ON-SITE WATER LINES, SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE.

PRELIMINARY - NOT FOR CONSTRUCTION





PRELIMINARY - NOT FOR CONSTRUCTION

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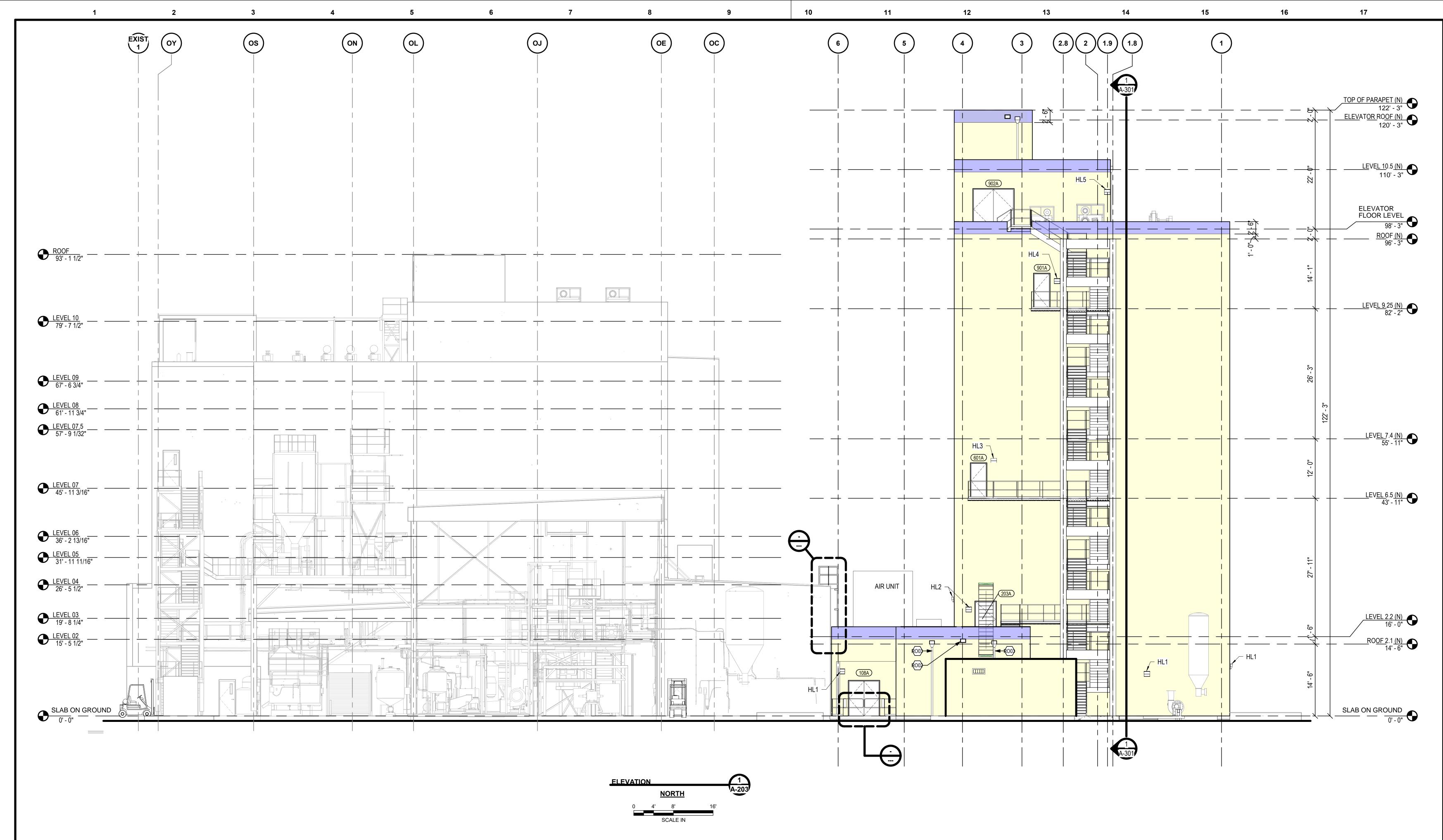
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Planning & Development Department

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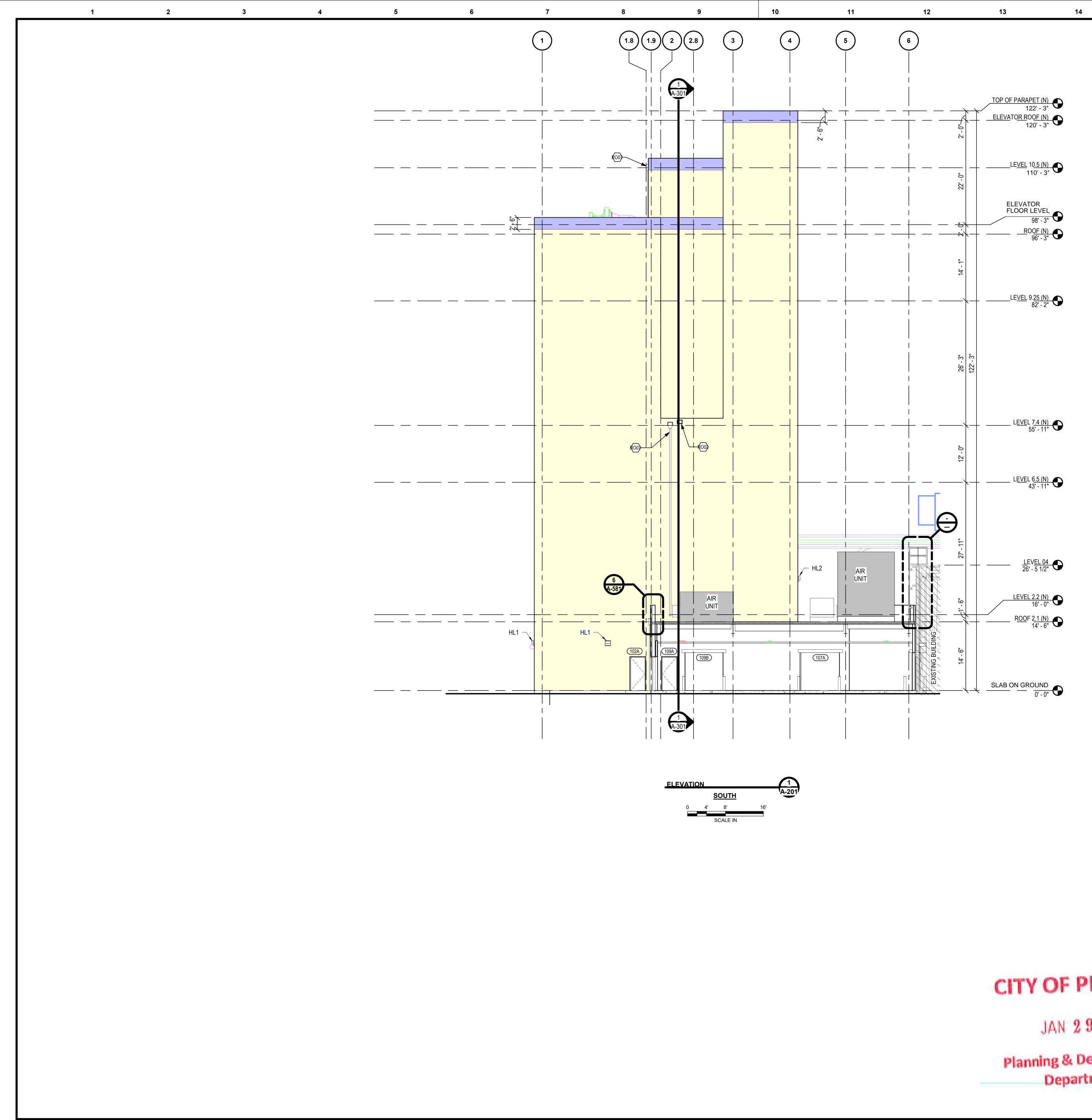
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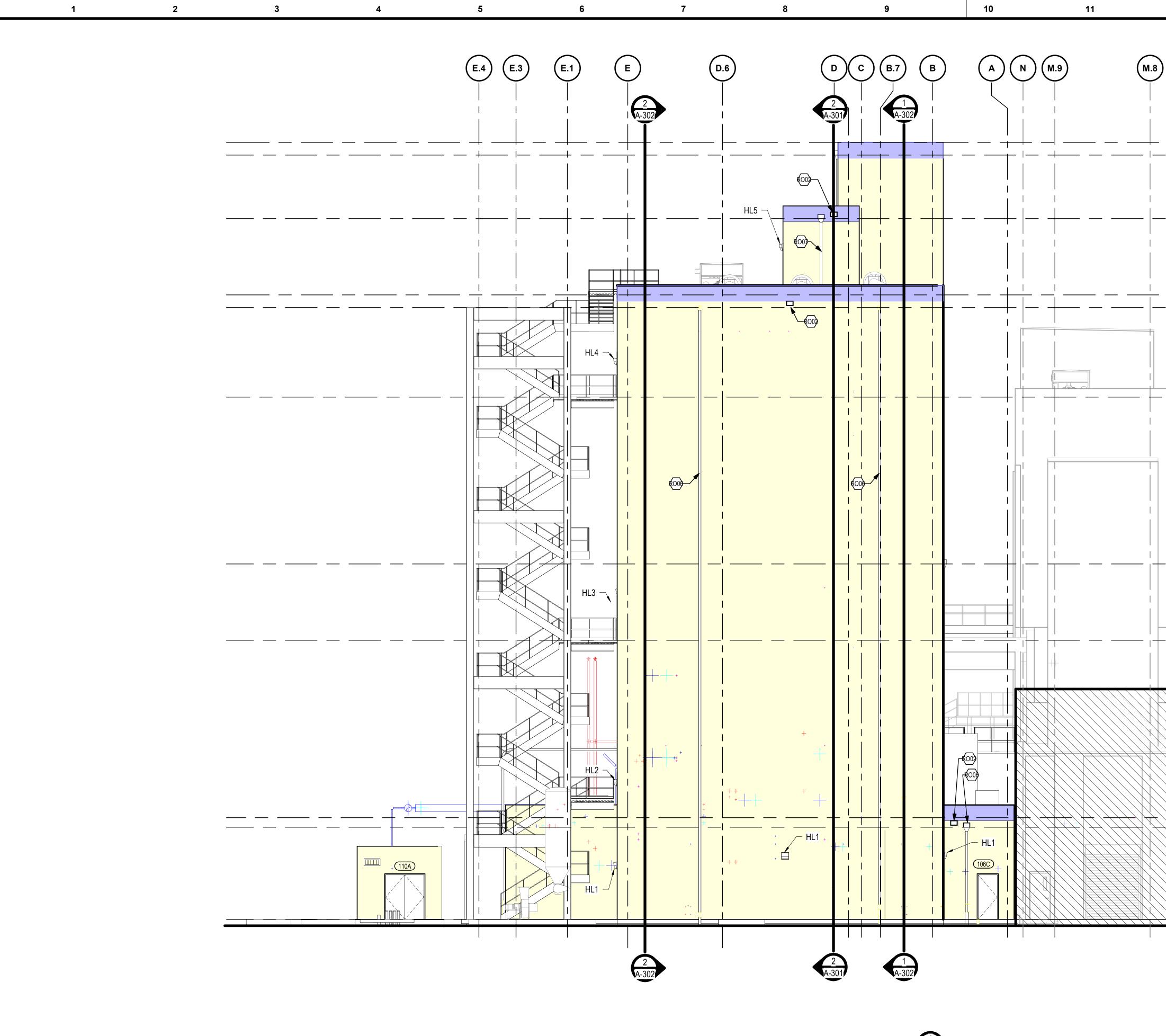
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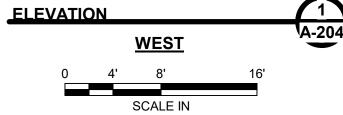
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			14' - 1"	
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			26' - 3"	
			0"	L <u>EVE</u> L <u>7.4 (N)</u> 55' - 11"
				L <u>EVEL 6.5 (N)</u> 43' - 11"
			27'- 11"	
EXISTING WAREHOUSE				LEVEL 2.2 (N) 16' - 0"
				<u>ROO</u> F <u>2.1 (N)</u> 14' - 6"
				SLAB ON GROUND

CITY OF PHOENIX

JAN 2 9 2021

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PRELIMINARY - NOT FOR CONSTRUCTION

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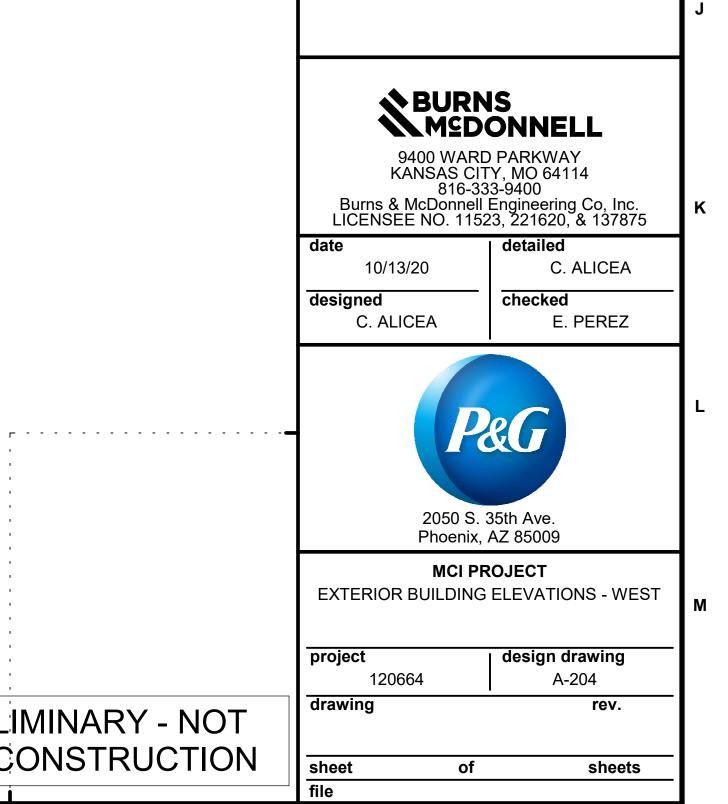
EXTERIOR PAINT - COLOR CODE

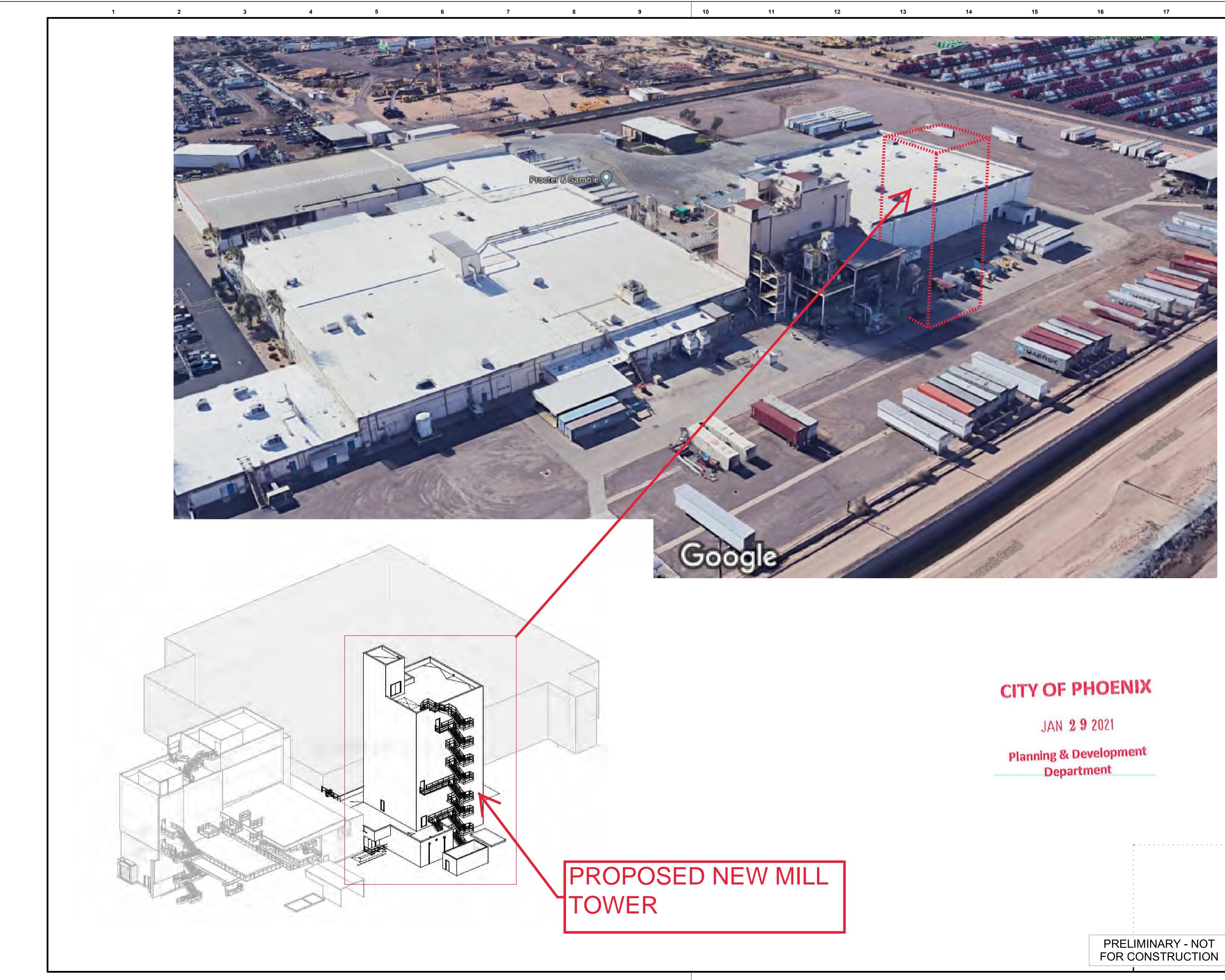
PRIMARY COLOR : WHITE BENJAMIN MOORE MOUNTAIN PEAK WHITE, OC-121
SECONDARY COLOR:

P&G DARK BLUE SHERWIN WILLIAMS HONORABLE BLUE, 6811

LIGHTING

r HL1	LIGHTING @ 10'-0" HEIGHT
r ⊢ HL2	LIGHTING @ 25'-0" HEIGHT
r ⊢ HL3	LIGHTING @ 51'-6" HEIGHT
r ⊢ HL4	LIGHTING @ 85'-0" HEIGHT
r → HL5	LIGHTING @ 99'-9" HEIGHT





12	13	14	15	16	17

date | by | ckd |

01/13/21 designed Designer

project

sheet

120664

