

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-85-22-7

May 16, 2024

[Estrella Village Planning Committee](#) May 21, 2024

Meeting Date:

[Planning Commission](#) Hearing Date: June 6, 2024

Request From: [R-3](#) (Multifamily Residence District) (4.79 acres) and [R-5](#) (Multifamily Residence District) (2.42 acres)

Request To: [A-1](#) (Light Industrial District) (7.21 acres)

Proposal: Industrial uses

Location: Approximately 630 feet south of the southeast and southwest corners of 28th Avenue and Lincoln Street

Owner: GFA LLC and Arizona Pallet, LLC

Applicant/Representative: Taylor C. Earl, Earl & Curley, P.C.

Staff Recommendation Approval, subject to stipulations

General Plan Conformity

General Plan Land Use Map Designation

Industrial

Street Map Classification

28th Avenue

Local

40 to 50-foot full street

29th Avenue

Local

25-foot east half street

***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 industrial uses in an area that is designated Industrial in the General Plan Land Use Map. This will allow job generating uses that strengthen Phoenix's industrial sector and add to a diverse set of employment opportunities.

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

The proposal will allow for employment-generating land uses in a location that is appropriate due to its proximity to the I-17 Freeway and similar uses in the surrounding area.

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 enhanced landscaping when adjacent to a residential zoning district and in all required street landscape setbacks. This will help to encourage walking and mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives

[Estrella Village Plan](#): Background Item No. 6.

[Southwest Phoenix Employment Center](#): Background Item No. 7.

[Complete Streets Guiding Principles](#): Background Item No. 8.

[Comprehensive Bicycle Master Plan](#): Background Item No. 9.

[Tree and Shade Master Plan](#): Background Item No. 10.

[Transportation Electrification Action Plan](#): Background Item No. 11.

[Conservation Measures for New Development](#): Background Item No. 12.

[Phoenix Climate Action Plan](#): Background Item No. 13.

[Zero Waste PHX](#): Background Item No. 14.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Pallet storage and industrial uses/open storage	R-3 and R-5
North	Outdoor storage/industrial uses, and single-family residential	R-3
East	Pallet storage, and industrial uses/open storage	C-2 and C-3
South	Multifamily residential, mobile home development	R-3 and R-5 SP
West (across 29th Avenue)	Single-family residential, electrical power line, outdoor storage/industrial uses	R-3

A-1 (Light Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
MINIMUM BUILDING SETBACKS		
North (adjacent to R-3)	30 feet for a closed building, 150 feet for an open building	10 feet (Not Met)*
East (adjacent to C-2 and C-3) East (adjacent to 28th Avenue)	0 feet; 0 feet for a closed building, 75 feet for an open building	10 feet (Met)
South (adjacent to R-3 and R-5 SP)	30 feet for a closed building, 150 feet for an open building	3 feet (Not Met)*
West (adjacent to 28th Avenue) West (adjacent to 29th Avenue)	0 feet; 0 feet for a closed building, 75 feet for an open building	10 feet (Met)
MINIMUM LANDSCAPE SETBACKS		
North (adjacent to R-3)	0 feet	0 feet (Met)
East (adjacent to C-2 and C-3) East (adjacent to 28th Avenue)	0 feet, 0 feet	0 feet (Met) 0 feet (Met)

A-1 (Light Industrial District)		
MINIMUM LANDSCAPE SETBACKS (CONTINUED)		
South (adjacent to R-3 and R-5)	0 feet	0 feet (Met)
West (adjacent to 28th Avenue) West (adjacent to 29th Avenue)	Minimum 5 feet and no less than 8 times the lot frontage, measured in square feet	0 feet (Not Met)* 0 feet (Not Met)*
Maximum Building Height	56 feet, up to 80 feet with use permit	Not specified
Parking	Unspecified Use (Shell Building): For buildings between 150,001 square feet to 500,000 square feet, 1 space per 2,000 square feet. Unspecified Use (Shell Building): For buildings greater than 150,001 square feet, 1 space per 2,500 square feet.	Not specified

*Variance or Site Plan modification needed

Background/Issues/Analysis

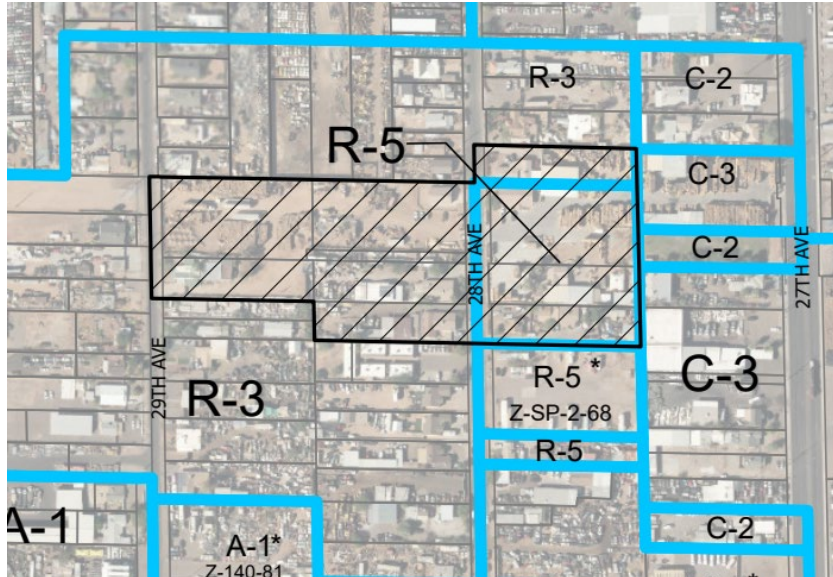
SUBJECT SITE

1. This request is to rezone 7.21 acres located approximately 630 feet south of the southeast and southwest corners of 28th Avenue and Lincoln Street from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to A-1 (Light Industrial District) to allow industrial uses.

SURROUNDING LAND USES AND ZONING

2. The area to the north is developed with numerous open storage and industrial uses zoned R-3 (Multifamily Residence District). To the east are commercial uses including outdoor storage and pallet storage zoned C-2 (Intermediate Commercial) and C-3 (General Commercial). The property to the south, on the east side of 28th Avenue is mobile home development zoned R-5 SP (Multifamily Residence District, Special Permit). To the west side of 28th Avenue, south of the subject property, are multifamily residential, and open storage/industrial uses zoned R-3 (Multifamily Residence District). Furthermore, west of the subject site,

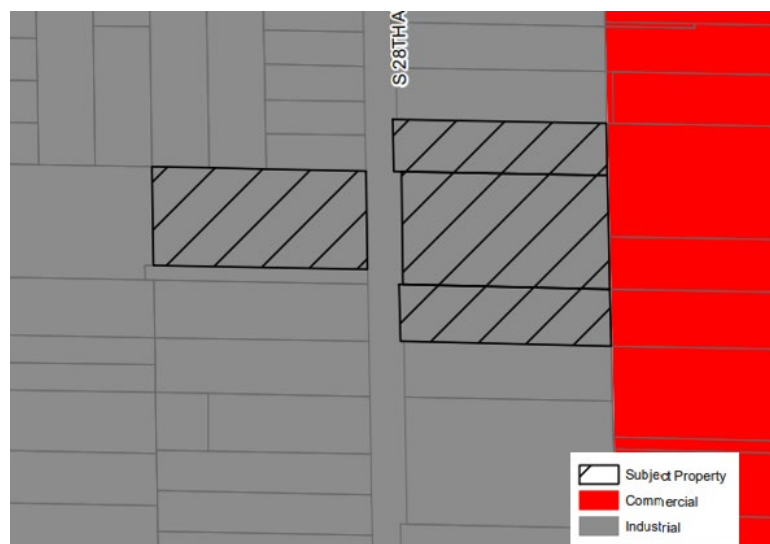
across 29th Avenue is an electrical power line area, single-family residential, and open storage zoned R-3 (Multifamily Residence District).



Existing Zoning Aerial Map
Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site, as well as the surrounding area to the north, south, and west are designated as Industrial on the General Plan Land Use Map. The property to the east, is designated Commercial. The proposed A-1 zoning is consistent with the Industrial General Plan Land Use Map designation.



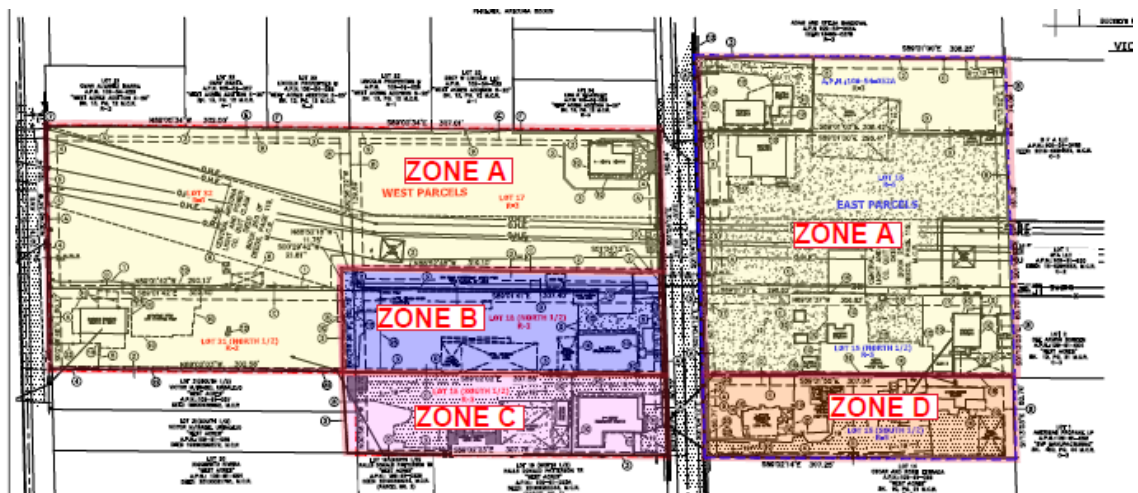
General Plan Land Use Map
Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The conceptual site plan, attached as an exhibit, depicts numerous existing structures ranging from storage, offices, and shade structures. The site has access via 28th Avenue and 29th Avenue. The conceptual site plan does not meet open storage and building setbacks. Furthermore, the applicant has indicated that they will not be modifying any structures on the site and will be applying for zoning variances. As a result, staff does not recommend general conformance to the site plan.

The proposal is also divided into four development zones. Each development zone corresponds to a level of existing development. Any development that exceeds the established threshold of new development, will require the implementation of numerous stipulations including water conservation, enhanced parking shading, green infrastructure, bicycle parking, and EV parking requirements. This is addressed in Stipulation Nos. 1 and 12.



Development Zone Plan

Source: CIVMEX

5. **Elevations**

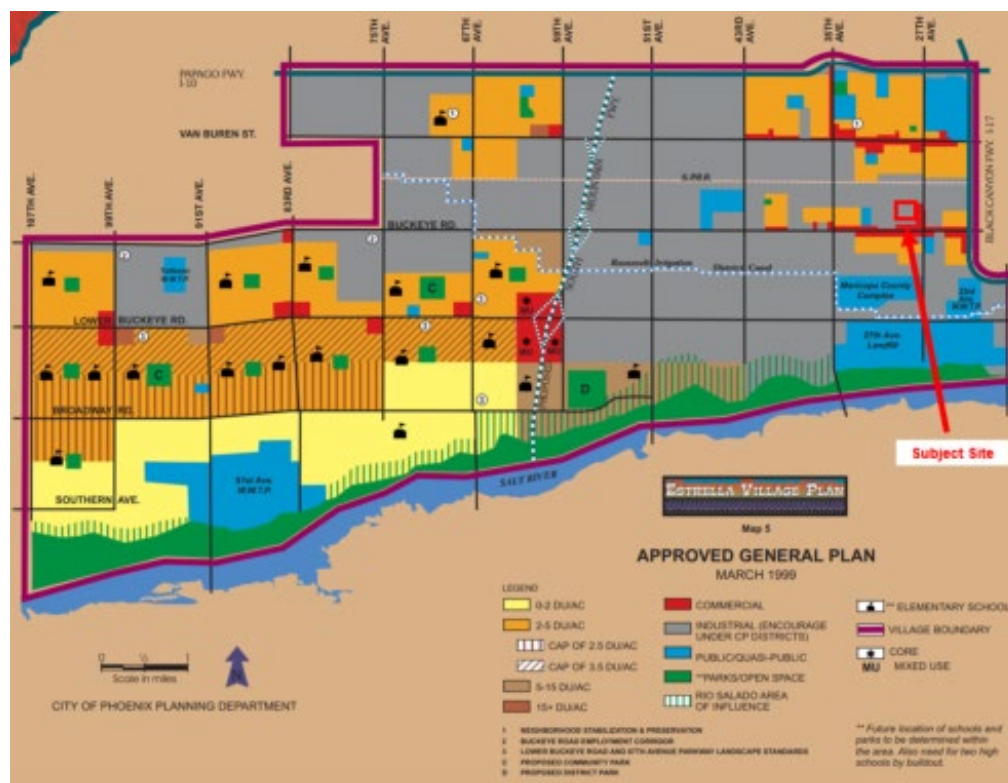
The applicant has not submitted elevations with the proposal. Any new development within the subject site will be subject to the development standards for A-1 established through the Zoning Ordinance.

PLANS, OVERLAYS, AND INITIATIVES

6. **Estrella Village Plan**

The Estrella Village Plan adopted in 1999, outlines a vision for developing the Estrella Village through five main goals that include:

1. Orderly growth;
2. Identifiable village core;
3. Strong residential neighborhoods;
4. Variety of homes and jobs; and
5. Consistent streetscapes and trail linkages.



Estrella Land Use Map

Source: Planning and Development Department

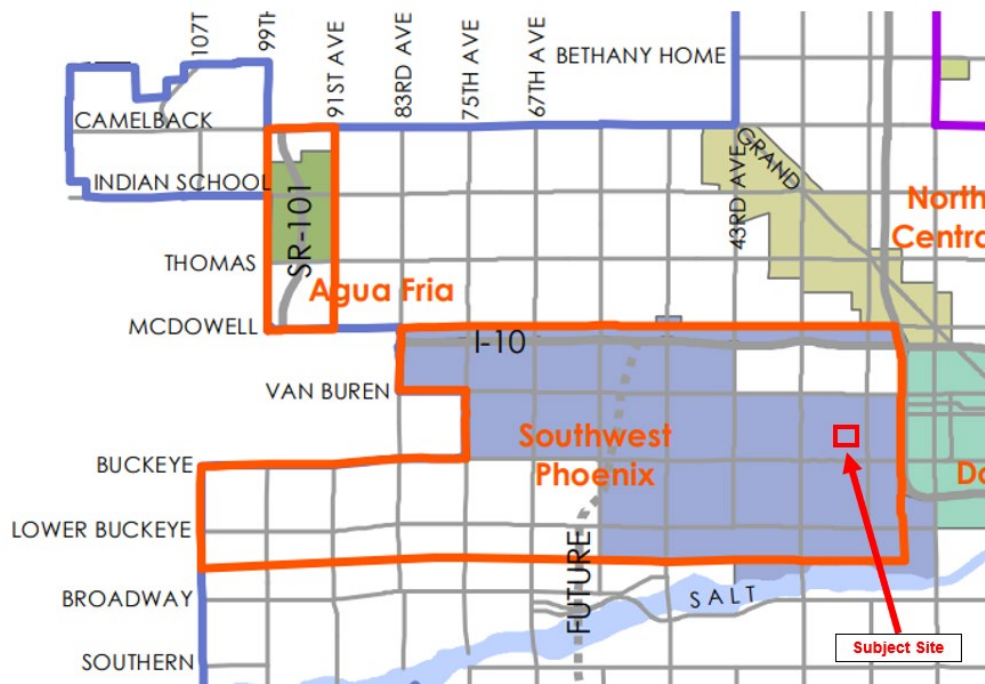
Goal 3 of the Estrella Village Plan, “Protection of Residential Neighborhoods”, Objective D, “Residential Area in Transition” recommends lessening the impacts to residential areas when properties transition to non-residential uses. Staff recommends Stipulation No. 3 to ensure enhanced landscaping when adjacent to residential zoning districts.

Goal 5, “Urban Design”, recommends for streetscape and trail systems to be uniform and consistent to provide identity and linkage between neighborhoods and with activity centers. Stipulation No. 2 will require a minimum 20-foot landscape setback along 28th Avenue and 29th Avenue. Furthermore, all street landscaping will be required to be planted with a minimum 2-inch caliper trees. This is addressed in Stipulation No. 4.

7. **Southwest Phoenix Employment Center**

The subject site falls within the boundaries of the Maricopa Association of Governments and City of Phoenix designated Southwest Phoenix Employment Center, as shown on the map below.

A mix of industrial uses are encouraged in employment centers to support the existing character of the area. The Southwest Phoenix Employment Center profile identifies the area as a major contributor of industrial, warehousing and distribution space with inventory of nearly 65.5 million square feet that enables businesses in the area. The proposed development would create additional employment opportunities that will be compatible with the established businesses and help sustain the Southwest Phoenix Employment Center.



Employment Center Map
Source: Planning and Development Department

8. **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 staff is recommending enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles. This is addressed in Stipulation No. 5. Furthermore, any street improvements must comply with City of Phoenix and ADA standards. This is addressed in Stipulation No. 9.

9. **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, any new development which exceeds the limits listed in Stipulation No. 1 will require bicycle parking consistent with Section 1307.H of the Zoning Ordinance. This is addressed in Stipulation No. 1.f.

10. **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 surface parking lot areas to be shaded by either minimum two-inch caliper drought tolerant shade trees or structures to achieve a minimum of 25 percent shade. This is addressed in Stipulation No. 1.d. Furthermore, the proposal includes enhanced landscape standards including 2-inch caliper, single-trunk, drought-tolerant shade trees. This is addressed in Stipulation No. 4.

11. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation No. 1.g.

12. **Conservation Measures for New Development**

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - *Build the*

Sustainable Desert City. The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 1.a through 1.e.

13. **Phoenix Climate Action Plan**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Green Infrastructure \(GI\) and Low Impact Development Details for Alternative Stormwater Management](#) to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 1.e, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

14. **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 applicant stated in their application materials that the waste product from this property is not suitable for recycling.

COMMUNITY INPUT SUMMARY

15. As of the writing of this report no letters of support or opposition have been received for this rezoning request.

INTERDEPARTMENTAL COMMENTS

16. **Street Transportation Department**

The Street Transportation Department has requested a minimum 5-foot right-of-way dedication on the east side of 29th Avenue. Furthermore, the Street Transportation Department has requested a minimum 10-foot right-of-way on the west side of 28th Avenue and a minimum 10-foot right-of-way on the east half of 28th Avenue. Finally, all street improvements must comply with City and ADA standards. These are addressed in Stipulation Nos. 6 through 9.

OTHER

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. 10.
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 final site plan approval. This is addressed in Stipulation No. 11.
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 proposal is consistent with the Industrial General Plan Land Use Map designation and will provide employment opportunities within the Estrella Village.
2. As stipulated, the proposal will include development standards, such as enhanced streetscapes, landscape buffer and planting standards, to mitigate impacts to surrounding residential properties.
3. As stipulated, the proposal supports efforts from various plans and initiatives, including enhanced shading and landscape standards, electric vehicle capabilities, and numerous water conservation initiatives including low water usage/drought tolerant vegetation and green infrastructure techniques.

Stipulations

1. Upon site plan approval and permit issuance of any new building(s) or structure(s) on the site not currently shown on the site plan date stamped January 16, 2024, that results in a net increase of more than: 1) 4,500 square feet within Zone A, 2) 500 square feet in Zone B, 3) 500 square feet within Zone C, or 4) 500 square feet within Zone D, as shown on the Development Zone exhibit, dated April 30, 2024, the following shall apply:
 - a. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plan List shall be utilized, as approved or modified by the Planning and Development Department.

- b. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
 - c. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
 - d. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees at maturity, or a combination thereof.
 - e. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
 - f. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
 - g. A minimum of 5 percent of the required parking shall be EV Capable.
- 2. A minimum 20-foot landscape setback shall be provided along 28th Avenue and 29th Avenue, except where in conflict with existing structures.
 - 3. A minimum 10-foot landscape setback shall be provided where adjacent to a residential zoning district.
 - 4. All required street landscape setbacks shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant shade trees, as approved by the Planning and Development Department. Where utility conflict exists, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
 - 5. 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.
 - 6. The developer shall dedicate minimum 5 feet of right-of-way totaling 30-feet and construct the east side of 29th Avenue, as approved by the Planning and Development Department.

7. The developer shall dedicate minimum 10 feet of right-of-way totaling 30-feet and construct the west side of 28th Avenue, as approved by the Planning and Development Department.
8. The developer shall dedicate minimum 10 feet of right-of-way, totaling 30-feet and construct the east side of 28th Avenue, as approved by the Planning and Development Department.
9. 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.
10. 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.
11. Prior to final 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.
12. Each individual Development Zone, per the Development Zones exhibit date stamped April 30, 2024, shall be treated separately for purposes of satisfying applicable stipulations of approval.

Writer

Nayeli Sanchez Luna

May 16, 2024

Team Leader

Racelle Escolar

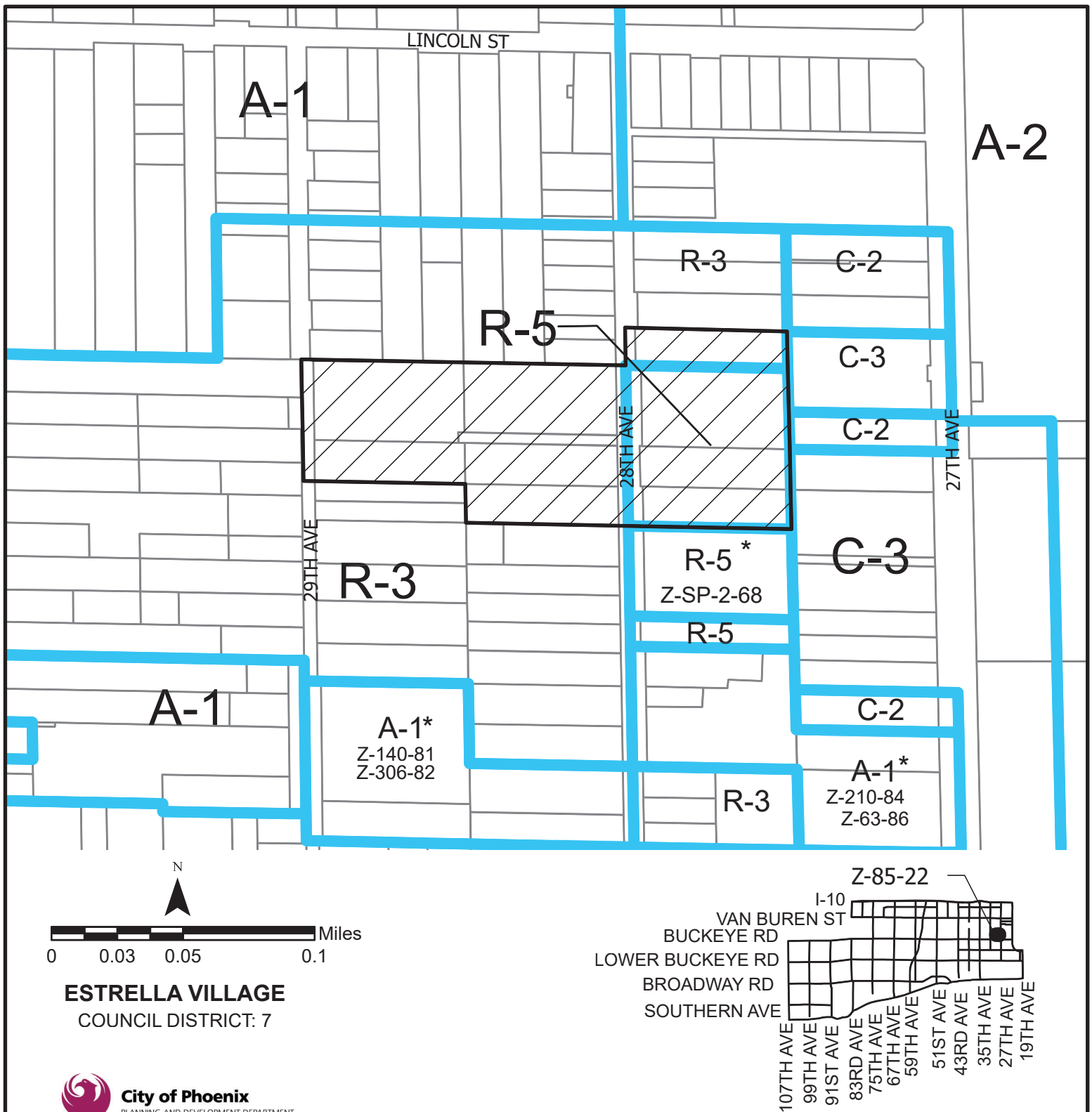
Exhibits

Sketch map

Aerial map

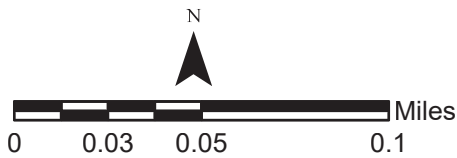
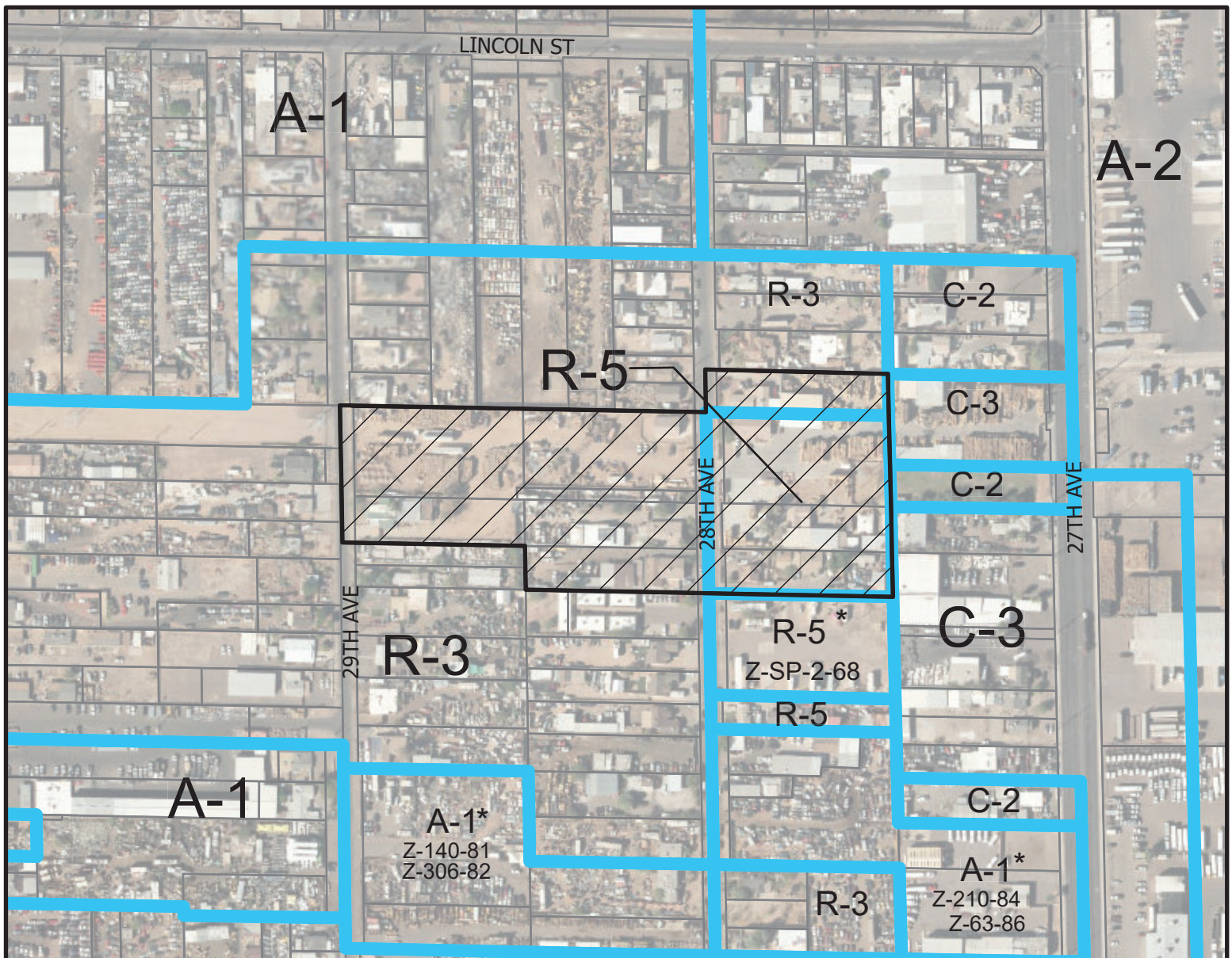
Development Zone exhibit date stamped April 30, 2024

Conceptual site plan date stamped January 16, 2024 (2 pages)

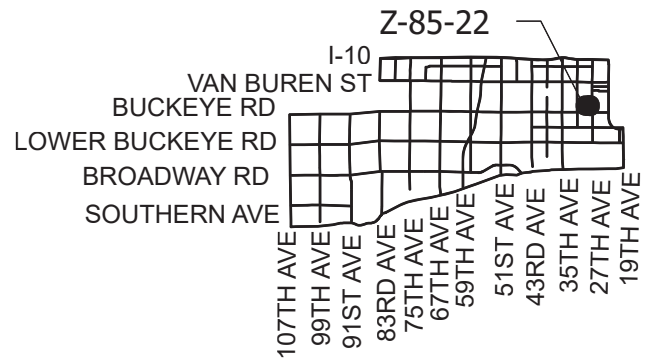


APPLICANT'S NAME: Taylor C. Earl of Earl & Curley, P.C.		REQUESTED CHANGE:	
APPLICATION NO: Z-85-22	DATE: 11/30/2022	FROM: R-3 (4.79 a.c.) R-5 (2.42 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 7.21 Acres	REVISION DATES:		TO: A-1 (7.21 a.c.)
	4/4/2024 4/19/2024 5/1/2024		
AERIAL PHOTO & QUARTER SEC. NO. QS 9-22	ZONING MAP F-7		* UNITS P.R.D OPTION 83, 126 N/A
	CONVENTIONAL OPTION 69, 105 N/A		
MULTIPLES PERMITTED R-3, R-5 A-1			

* Maximum Units Allowed with P.R.D. Bonus



ESTRELLA VILLAGE
COUNCIL DISTRICT: 7



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