

## ATTACHMENT B



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

#### Staff Report Z-69-24-7

October 24, 2024

[Estrella Village Planning Committee](#) November 19, 2024

Meeting Date:

[Planning Commission](#) Hearing Date: December 5, 2024

**Request From:** County [RU-43](#) (Pending [S-1](#)) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) (3.66 acres)

**Request To:** [A-1](#) (Light Industrial District) (3.66 acres)

**Proposal:** Retention for adjacent A-1 and CP/GCP uses

**Location:** Approximately 1,440 feet west of the southwest corner of 51st Avenue and Broadway Road.

**Owner/Applicant:** Fisher Sand and Gravel Co

**Representative:** Adam Baugh, Withey Morris Baugh, PLC

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

#### General Plan Conformity

##### General Plan Land Use Map Designation

Residential 10 to 15 dwelling units per acre

##### Street Map Classification

Broadway Road

Arterial

55-foot south half street

***STRENGTHEN OUR LOCAL ECONOMY; MANUFACTURING AND INDUSTRIAL DEVELOPMENT; LAND USE: Support the expansion of industrial zoning in targeted industrial areas.***

The proposed industrial zoning designation is compatible with the adjacent mining operations to the south and proposed industrial, commerce park, open storage, and warehouse uses to the east.

**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 retention that is associated with the adjacent industrial and commerce park development and, as stipulated, will be respectful of the single-family residential to the north.

**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, includes a shaded detached sidewalk and will create a comfortable pedestrian environment and reduce the urban heat island affect.

#### **Applicable Plans, Overlays, and Initiatives**

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

[Estrella Village Arterial Street Landscaping Program](#): Background Item No. 7.

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

[Tree and Shade Master Plan](#): Background Item No. 9.

[Monarch Butterfly Pledge](#): Background Item No. 10.

[Conservation Measures for New Development](#): Background Item No. 11.

[Phoenix Climate Action Plan](#): Background Item No. 12.

[Zero Waste PHX](#): 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 land	County RU-43 (Pending S-1)
<b>North (across Broadway Road)</b>	Vacant land, single-family residential	County RU-43, R1-6, and R-2
<b>East</b>	Proposed office, fabrication, and vehicle maintenance	A-1 and CP/GCP
<b>South</b>	Mining operations	County RU-43
<b>West</b>	Vacant land	County RU-43

<b>A-1 (Light Industrial District)</b>		
<b><i>Minimum Building Setbacks</i></b>		
Street (Broadway Road) (North)	25 feet	No Building Proposed
Side (east property line)	30 feet; closed building 150 feet; open building/use	No Building Proposed
Rear (south property line)	30 feet; closed building 150 feet; open building/use	No Building Proposed
Side (west property line)	30 feet; closed building 150 feet; open building/use	No Building Proposed
<b><i>Minimum Landscaped Setbacks</i></b>		
Street (Broadway Road) (North)	8 times the lot frontage, measured in square feet (Minimum 5 feet)	Not specified
Side (east property line)	Not required	Not specified
Rear (south property line)	Not required	Not specified
Side (west property line)	Not required	Not specified
Maximum Lot Coverage	No maximum	No Building Proposed
Maximum Building Height	56 feet, up to 80 feet with use permit	No Building Proposed
Minimum Parking Requirements	1 space per 300 square feet of office and 1 parking space per 1.5 warehouse or production workers	No Building Proposed

\*Variance or Site Plan modification may be needed

## **Background/Issues/Analysis**

### **SUBJECT SITE**

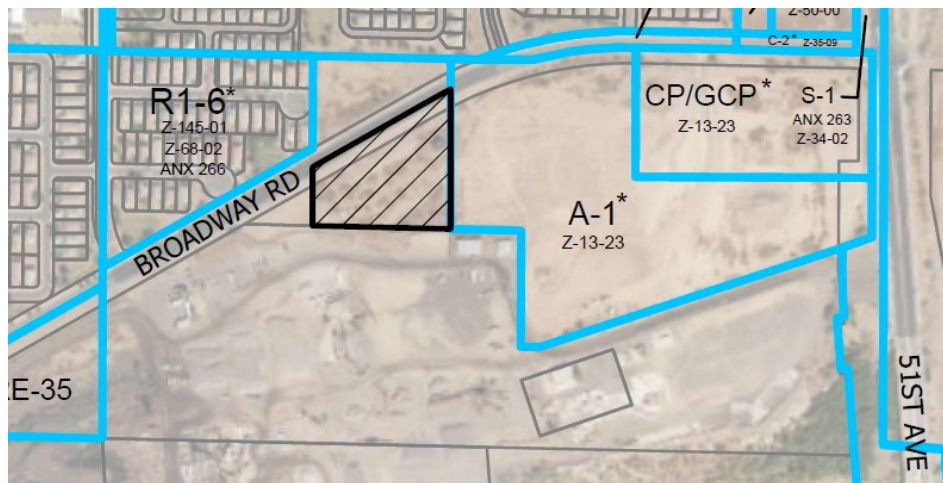
1. This request is to rezone 3.66 acres located approximately 1,440 feet west of the southwest corner of 51st Avenue and Broadway Road from County RU-43 (Pending S-1) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) to A-1 (Light Industrial District) to allow retention for adjacent A-1 and CP/GCP uses.

### **SURROUNDING LAND USES AND ZONING**

2. The area to the north, across Broadway Road is zoned County RU-43 (One Acre Per Dwelling Unit), R1-6 (Single-Family Residence District), and R-2 (Multifamily Residence District) and consists of a single-family residential development and vacant land.

To the east, is vacant land zoned A-1 (Light Industrial District) and CP/GCP (Commerce Park, General Commerce Park Option). The subject site would serve as retention for the proposed development of office, fabrication, and vehicle maintenance.

The mining site to the south and vacant land to the west of the subject site are located within the Maricopa County jurisdiction and zoned RU-43 (One Acre Per Dwelling Unit).

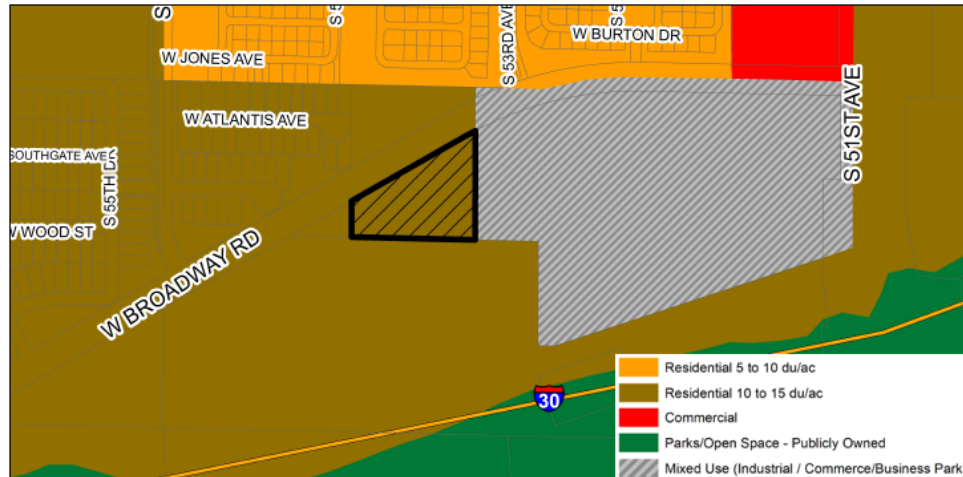


Existing Zoning Aerial Map  
Source: Planning and Development Department

### **GENERAL PLAN LAND USE MAP DESIGNATION**

3. The subject site, north across and Broadway Road, and to the south and west is designated Residential 10 to 15 dwelling units per acre. The single-family

development located further north is designated Residential 5 to 10 dwelling units per acre. Further south of the subject site is designated Parks/Open Space – Publicly Owned. East of the subject site is designated Industrial / Commerce/Business Park. The proposed A-1 zoning is not consistent with the General Plan Land Use Map designation; however, the gross site acreage does not exceed 10 acres. As a result, a General Plan Amendment is not required.



General Plan Land Use Map

Source: Planning and Development Department

## PROPOSAL

### 4. Site Plan

The conceptual site plan, attached as an exhibit, depicts the proposed retention area that would serve the adjacent property to the east. Rezoning case, Z-13-23-7, rezoned the property to the east to A-1 and CP/GCP zoning to allow office, fabrication, and vehicle maintenance. In order for the subject site to serve as retention for the adjacent property, staff has determined that the site must have the same zoning designation as the proposed development. The proposed site plan does not depict open storage, parking, nor buildings located within the retention area. Staff does not recommend general conformance to the site plan because it does not depict landscape setbacks along Broadway Road.

### 5. Elevations

Staff has waived the elevation requirement because the subject site will be used as retention. Building or structures are not proposed on site.

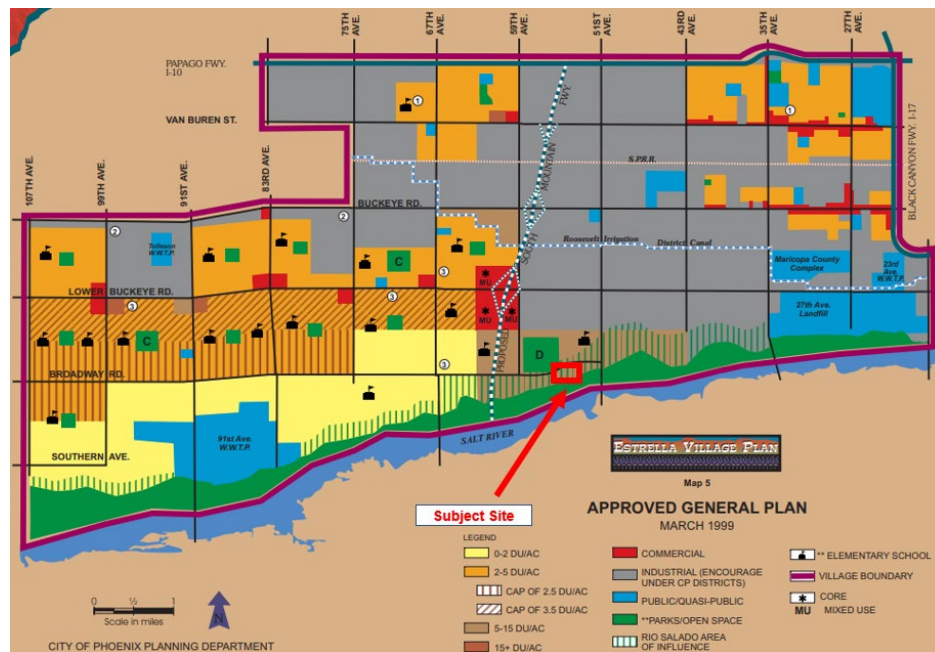
## PLANS, OVERLAYS, AND INITIATIVES

### 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 4, “Housing and Employment”, Object C, “Industrial” recommends industrial development to provide a variety of employment opportunities for a diverse labor market. The proposed A-1 zoning designation is consistent with the established zoning to the east and would serve the proposed development as retention.

Goal 5, “Urban Design”, Objective D, “Street Appearance” recommends industrial properties along major streets and adjoining residential neighborhoods to be well landscaped and open storage and activity screened from view. Stipulation Nos. 3 and 7 recommend enhanced landscaping along Broadway Road and a detached sidewalk to promote a positive character of the village.

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

The Estrella Village Arterial Street Landscaping Program adopted in 1999, provides a landscape palette for arterial streets within the Estrella Village to help establish the community’s character. In addition to providing planning guidelines, the plan also indicates the locations to establish entry gateways that welcome individuals entering the village with an entry sign and an enhanced landscape area of 75 feet by 75 feet in size.



The subject site is adjacent to Broadway Road, and arterial street. Thus, staff recommends Stipulation No. 1 to require adherence with the Estrella Village Arterial Street Landscaping Program requirements along the street frontage to promote the community's character.

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 a detached sidewalk along Broadway Road to help pedestrianize the immediate street frontage. This is addressed in Stipulation No. 7. In addition, any street improvements must comply with City of Phoenix and ADA standards. This is addressed in Stipulation No. 9.

9. **[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 stipulations designed to provide trees and enhanced shade within the development as follows:

- The required landscape setback along Broadway Road shall be planted with minimum two-inch caliper, large canopy, drought tolerant, shade trees (Stipulation No. 3); and
- Detached sidewalk along Broadway Road shall be planted with two-inch caliper trees (Stipulation No. 7).

10. **[Monarch Butterfly Pledge](#)**

In April 2021, Mayor Kate Gallego signed the [National Wildlife Federation's Mayor's Monarch Pledge](#). This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 4 requires the planting of milkweed shrubs, or other native nectar plant species on the subject site.

11. **[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. 2, 5, and 6.

12. **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. 6, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

13. **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 application narrative states that the subject site would serve as retention to the adjacent development and did not address recycling containers.

COMMUNITY INPUT SUMMARY

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

INTERDEPARTMENTAL COMMENTS

15. **Street Transportation Department**

The Street Transportation Department has required that the developer construct a minimum 55-foot right-of-way on the south half of Broadway Road, a detached sidewalk be constructed along Broadway Road, and all street improvements be constructed with all required elements and meet ADA standards. These are



addressed in Stipulation Nos. 7 through 9.

16. **Flood Management**

The Floodplain Management Division of the Public Works Department commented that this project is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2195 L of the Flood Insurance Rate Maps (FIRM) revised September 21, 2020. The applicant is required to submit a Grading and Drainage Plan to the Floodplain Management section of Public Works Department. An Elevation Certificate (FEMA Form 086-0-33) and FEMA approved CLOMR-F or CLOMR must be received and approved by Floodplain Management prior to issuance of a Grading & Drainage permit. This is addressed in Stipulation No. 10.

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 Stipulations No. 11 through 13.
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. 14.
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 compatible with the surrounding land uses to the east, serving as retention for the proposed development.

2. As stipulated, the site will include enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The proposal will provide increased shade which will help to reduce the urban heat island effect.
3. As stipulated, the proposed development will promote the vision of various policy plans including the Tree and Shade Master Plan, Estrella Village Area Plan and Estrella Village Arterial Street Landscaping Program.

### **Stipulations**

1. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
2. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized on site, as approved or modified by the Planning and Development Department.
3. The required landscape setback shall be planted with minimum 2-inch caliper, large canopy, drought tolerant shade trees planted 20 feet on center, or in equivalent groupings, and shrubs, accents, and vegetative groundcovers, as approved by the Planning and Development Department.
4. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
5. Landscaping within the required landscape setback 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.
6. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
7. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip between the curb and sidewalk shall be provided along the south side of Broadway Road, planted to the following standards and as approved by

the Maricopa County Department of Transportation.

- a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings, to provide a minimum of 75% shade.
- b. Shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to provide a minimum of 75% live coverage.

Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

8. A minimum 55 feet of right-of-way shall be constructed for the south half of Broadway Road to an Arterial CM cross-section, adjacent to the development, or as otherwise approved by the Maricopa County Department of Transportation. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
9. All streets within and adjacent to the development shall be constructed 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. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2195L of the Flood Insurance Rate Maps (FIRM) dated September 21, 2020. The following requirements shall apply, as approved by the Planning and Development Department:
  - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but 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 Street Transportation Department for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

11. If determined necessary by the Phoenix Archaeology 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 Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. 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.
14. 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

**Writer**

Nayeli Sanchez Luna

October 24, 2024

**Team Leader**

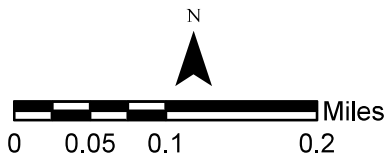
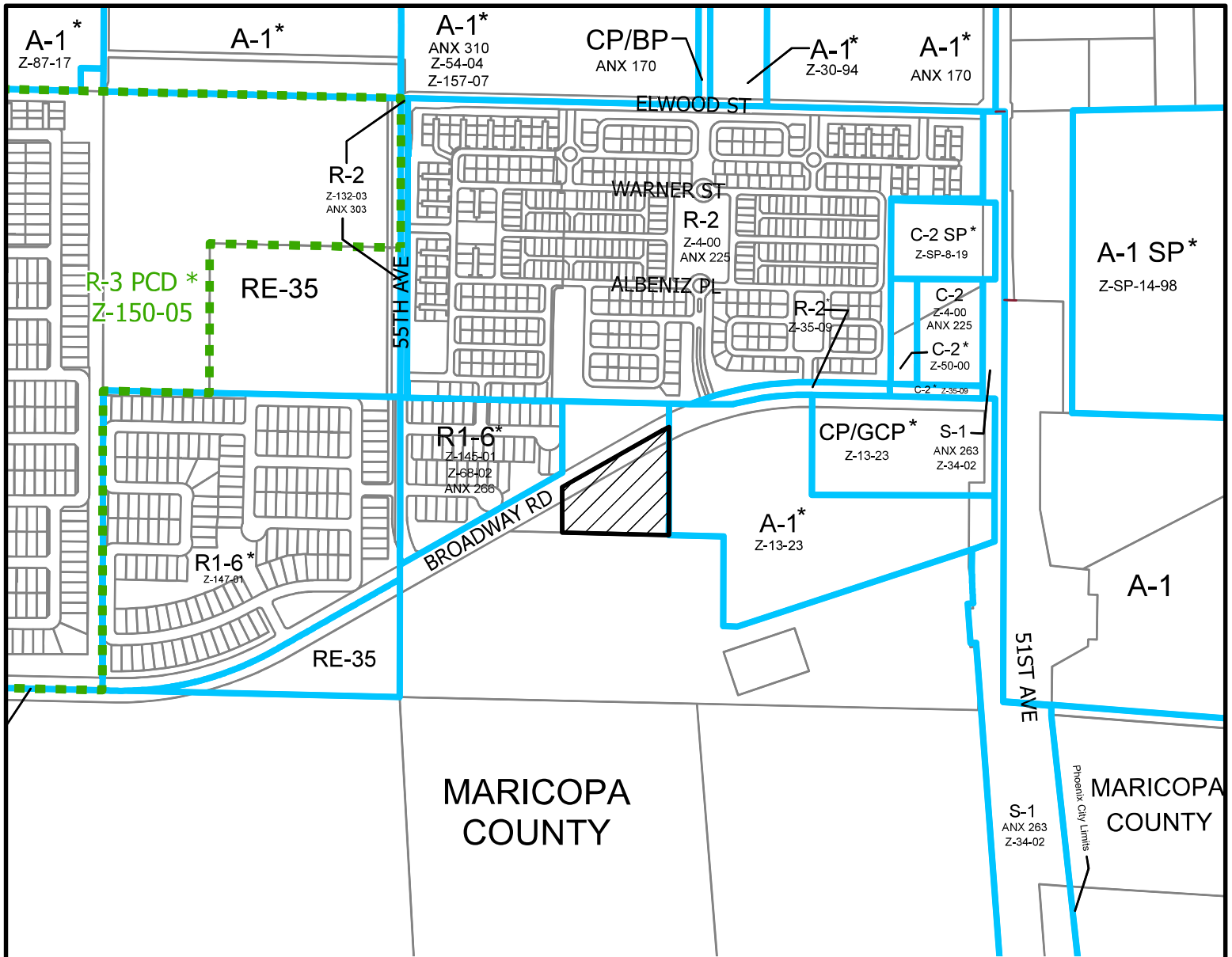
Racelle Escobar

**Exhibits**

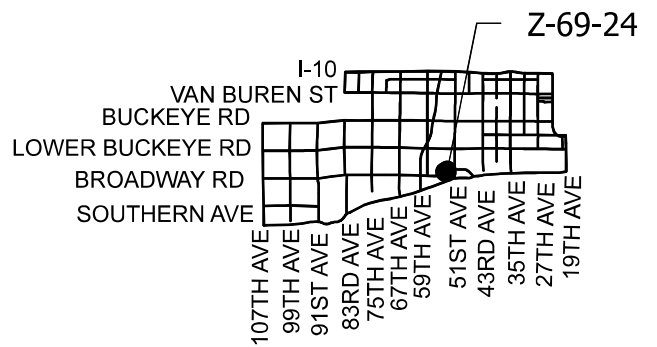
Sketch map

Aerial map

Conceptual site plan date stamped May 13, 2024

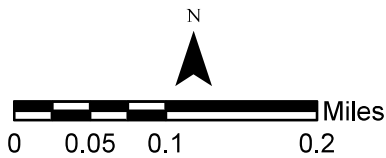
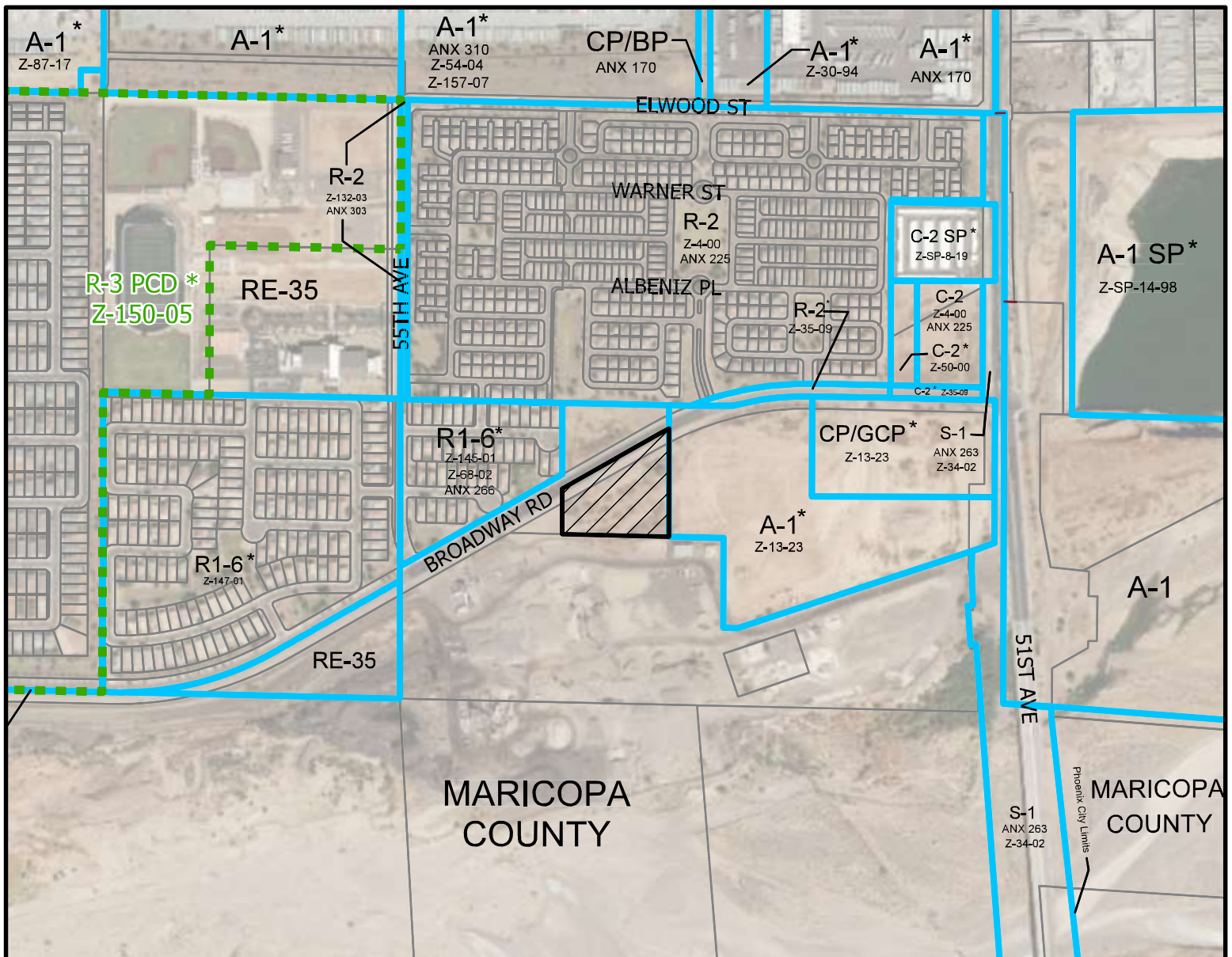


**ESTRELLA VILLAGE**  
COUNCIL DISTRICT: 7

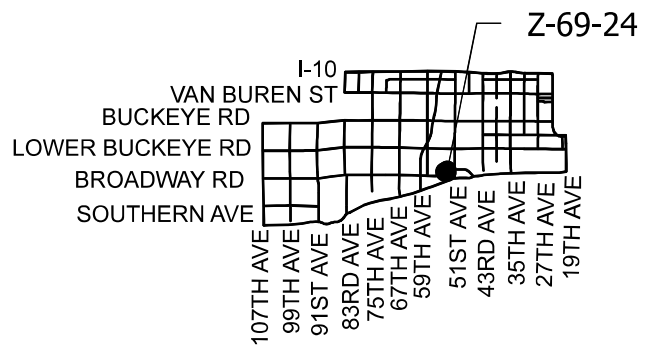


APPLICANT'S NAME: <b>Withey Morris Baugh, PLC</b>		REQUESTED CHANGE:	
APPLICATION NO: <b>Z-69-24</b>		FROM: COUNTY RU-43 (PENDING S-1) ( 3.66 a.c.)	
DATE: <b>5/21/2024</b>		TO: <b>A-1 ( 3.66 a.c.)</b>	
REVISION DATES:			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		AERIAL PHOTO & QUARTER SEC. NO.	
<b>3.66 Acres</b>		<b>QS 5-16</b>	
		ZONING MAP	
		<b>E-5</b>	
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
<b>COUNTY RU-43 (PENDING S-1)</b>		<b>3 (3)</b>	
<b>A-1</b>		<b>N/A</b>	
		* UNITS P.R.D OPTION	
		<b>N/A(N/A)</b>	
		<b>N/A</b>	

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



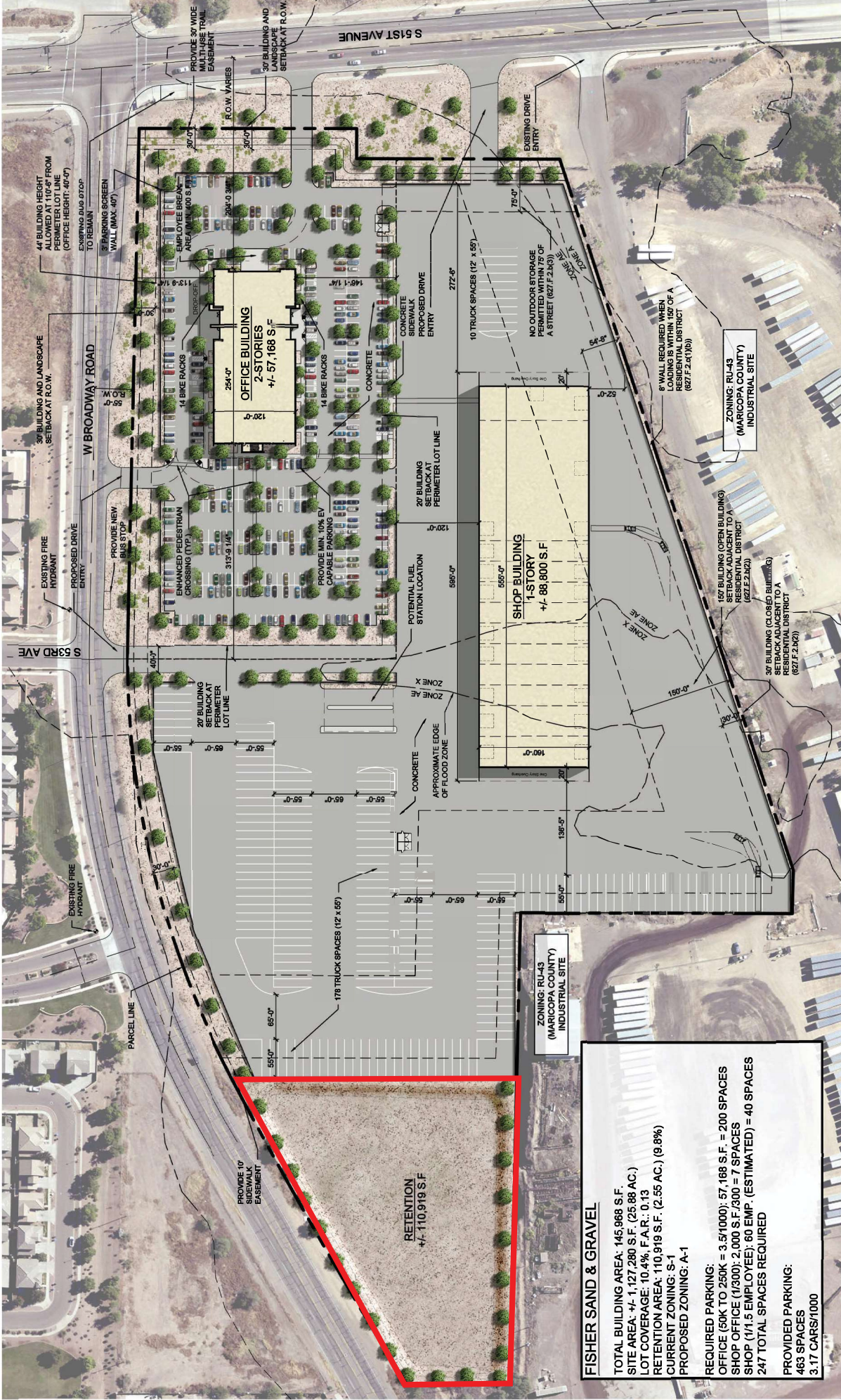
**ESTRELLA VILLAGE**  
COUNCIL DISTRICT: 7



APPLICANT'S NAME: <b>Withey Morris Baugh, PLC</b>		REQUESTED CHANGE:	
APPLICATION NO: <b>Z-69-24</b>		FROM: COUNTY RU-43 (PENDING S-1) ( 3.66 a.c.)	
DATE: <b>5/21/2024</b>		TO: <b>A-1 ( 3.66 a.c.)</b>	
REVISION DATES:			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.			
<b>3.66 Acres</b>	AERIAL PHOTO & QUARTER SEC. NO. <b>QS 5-16</b>	ZONING MAP <b>E-5</b>	
MULTIPLES PERMITTED <b>COUNTY RU-43 (PENDING S-1)</b> <b>A-1</b>	CONVENTIONAL OPTION <b>3 (3)</b> <b>N/A</b>		* UNITS P.R.D OPTION <b>N/A(N/A)</b> <b>N/A</b>

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





### FISHER SAND & GRAVEL

TOTAL BUILDING AREA: 145,968 S.F.  
SITE AREA: +/- 1,127,280 S.F. (25.88 AC.)  
LOT COVERAGE: 10.4%, F.A.R.: 0.13  
RETENTION AREA: 110,919 S.F. (2.55 AC.) (9.8%)  
CURRENT ZONING: S-1  
PROPOSED ZONING: A-1

REQUIRED PARKING:  
OFFICE (60K TO 250K = 3.3/1000); 57,168 S.F. = 200 SPACES  
SHOP OFFICE (1/3000); 2,000 S.F./300 = 7 SPACES  
SHOP (1/1.5 EMPLOYEE); 60 EMP. (ESTIMATED) = 40 SPACES  
247 TOTAL SPACES REQUIRED

PROVIDED PARKING:  
463 SPACES  
3.17 CARS/1000