

Attachment B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-71-22-4 December 12, 2022

Maryvale [Village Planning Committee](#)
Meeting Date:

December 14, 2022

[Planning Commission](#) Hearing Date:

January 5, 2023

Request From:

[A-2](#) (Industrial District) (6.26 acres)

Request To:

[A-2 HGT/WVR](#) (Industrial District,
Height Waiver) (6.26 acres)

Proposed Use:

Height waiver up to 110 feet for a silo

Location:

Southeast corner of 35th Avenue and
Grand Avenue

Owner/Applicant:

Drake Switching Company, LLC

Representative:

Ashley Marsh, Gammage & Burnham,
PLC

Staff Recommendation:

Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Industrial	
Street Map Classification	Grand Avenue	Major Arterial	50-feet southwest half street (ADOT right-of-way)
	35th Avenue	Major Arterial	33-feet east half street

CONNECT PEOPLE AND PLACES CORE VALUES; 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. The subject site is adjacent to non-residential uses, including a railway, auto parts manufacturing, warehousing, and storage of construction material.

STRENGTHEN 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-2 HGT/WVR (Industrial District, Height Waiver) will provide opportunity for growth, development, and employment for a material transfer facility located on the subject site. The subject site is surrounded by other industrial uses and the proposal is to locate a new tower used to store, load, and transfer cementitious materials. The proposed silo is within the existing site boundaries, away from single-family 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

The proposed development is compatible with the surrounding industrial and commercial land uses. The proposed development is not directly adjacent to residential properties and is located along Grand Avenue, a major arterial, and adjacent to a railway.

Applicable Plans, Overlays, and Initiatives

[Complete Streets Guidelines](#): Background Item No. 6.

[Zero Waste PHX](#): Background Item No. 7.

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant structures	A-2
Northeast (across Grand Avenue)	Trailer rentals, pawn shop, multifamily residential, and auto sales	C-3 and C-3 DNS/WVR

Southwest	Railway, auto part sales and manufacturing, and furniture restoration	A-2
West	Auto repair	A-2

A-2 (Industrial) with Height Waiver Zoning District		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed Site Plan</u>
<i>Minimum Building Setbacks</i>		
Adjacent to Streets: (Northeast – Grand Avenue)	25 feet	Not specified
Side yard (Southeast)	0 feet	Not specified
Side yard (Northwest)	0 feet	Not specified
Rear yard (Southwest)	0 feet	Not specified
<i>Minimum Landscaped Setbacks</i>		
Adjacent to Streets: (Northeast – Grand Avenue)	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 (Southeast)	0 feet	Not specified
Side yard (Northwest)	0 feet	Not specified
Rear yard (Southwest)	0 feet	Not specified
Maximum Lot Coverage	No maximum	Not applicable
Maximum Building Height	56 feet maximum height; up to 80 feet allowable with use permit with site plan. Request to exceed this limit for a warehouse up to a maximum height of 110 feet may be granted by the City Council.	110 feet (met with a height waiver)
Minimum Parking	1 space per 300 square feet of office	7 spaces (size of office not specified)

Background/Issues/Analysis

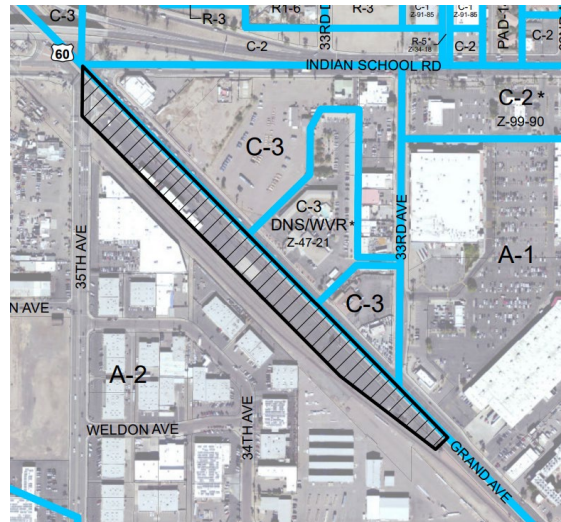
SUBJECT SITE

1. This request is to rezone 6.26 acres located on the southeast corner of 35th Avenue and Grand Avenue from A-2 (Industrial District) to A-2 HGT/WVR (Industrial District, Height Waiver) to allow for a 110-foot silo. The subject site is currently comprised of a vacant office building and two open storage buildings. The subject properties were annexed by the City of Phoenix in 1958 from unincorporated Maricopa County and zoned A-2 in 1961 under Ordinance No. G-449.

SURROUNDING LAND USES AND ZONING

2. The properties to the southwest and west of the subject site are zoned A-2 (Industrial District) and include various land uses such as auto parts manufacturing, auto part sales, open construction material storage, and furniture restoration. A rail line is located southwest of the subject site.

Furthermore, the properties to the northeast, across Grand Avenue, are zoned C-3 (General Commercial) and C-3 DNS/WVR (General Commercial, Density Waiver). The land uses include auto sales, multifamily residential, pawn shop, and trailer rental services.

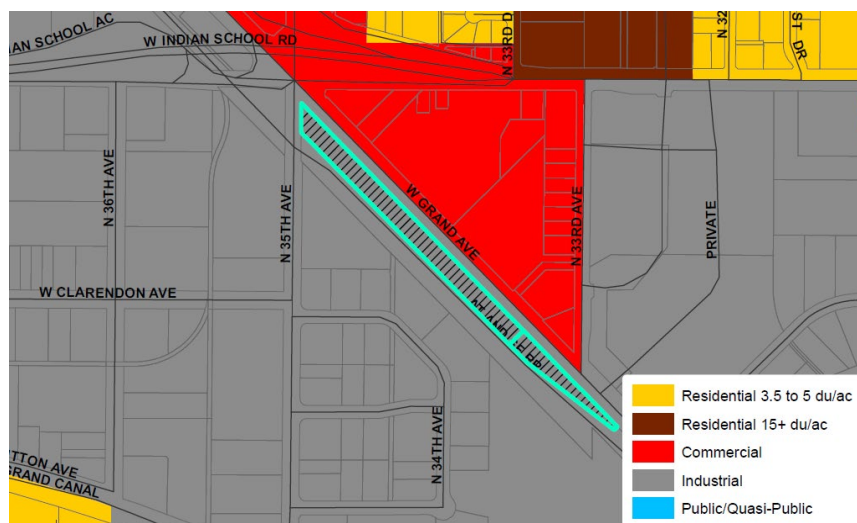


Existing Zoning Aerial Map

Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site has a General Plan Land Use Map designation of Industrial which is consistent with the request to rezone to A-2 HGT/WVR (Industrial District, Height Waiver). Surrounding properties to the southwest and west are also designated as Industrial on the General Plan Land Use Map. The northeast properties, across Grand Avenue, are designated as Commercial on the General Plan Land Use Map.



General Plan Land Use Map

Source: City of Phoenix Planning and Development Department

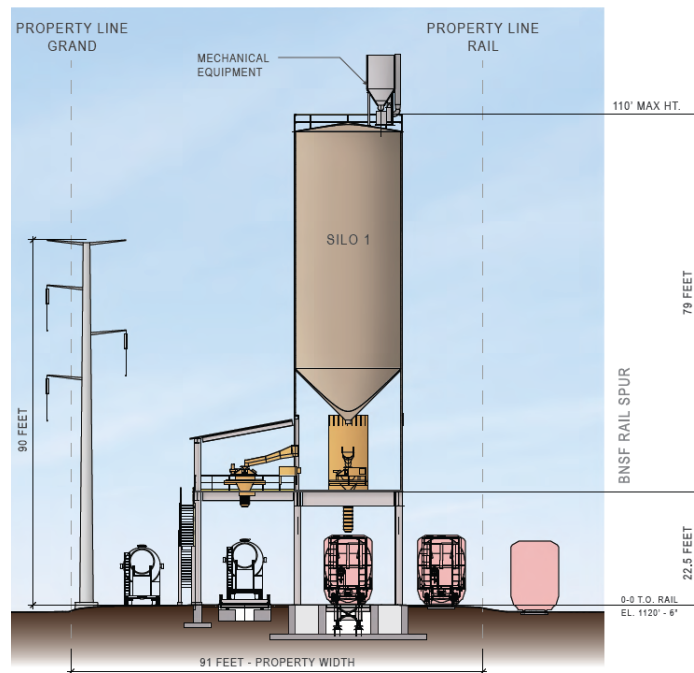
PROPOSAL

4. Site Plan

The proposed site plan, attached as an exhibit, depicts an office and shop located on the far southeast corner of the site. The proposal is to construct a rail and truck terminal for the storage, loading, unloading, and transfer of cementitious materials. The two open storage buildings located on the northwest portion of the site would be removed in order to develop the site with the proposed silos. The proposed development would store the cementitious material received from incoming rail cargos and trucks would arrive at the property to load the material released from the silos. The material would be delivered to offsite facilities.

5. Elevations

The conceptual building elevations show a new proposed silo with a height of 110 feet, with a portion of the tower excluded from building height limitations per Sections 701.B of the Zoning Ordinance. This portion of the height excludes mechanical equipment and occupies less than 25 percent of the roof area. Stipulation No. 1 allows a maximum height of 110 feet, the maximum allowed building height in the A-2 Zoning District with a height waiver per the Zoning Ordinance.



Conceptual Building Elevations
Source: Drake Cement, M3 Design

STUDIES AND POLICIES

6. Complete Streets Guidelines

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. 2.

7. 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 Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. The provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY INPUT SUMMARY

8. As of the writing of this report, staff did not receive any letters in opposition from the public on this rezoning case.

INTERDEPARTMENTAL COMMENTS

9. The Street Transportation Department has stated that the right-of-way, adjacent to Grand Avenue, is under the Arizona Department of Transportation (ADOT)

jurisdiction and as a result, the department does not have any additional stipulations.

10. The City of Phoenix Aviation Department has indicated that due to the proximity of the Sky Harbor Airport, Form 7460-1 be filed for the development and that the development receive a "No Hazard Determination" from the FAA, if required. This is addressed in Stipulation No. 3.

OTHER

11. The site has not been identified as being archeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 4.
12. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 5.
13. 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 proposed zoning is consistent with the General Plan Land Use Map designation of Industrial.
2. The proposed development, as stipulated, is compatible with the surrounding land uses.
3. The proposed silo is consistent with the scale and character of the surrounding area and will also promote employment.

Stipulations

1. The maximum building height shall be 110 feet.
2. Where pedestrian pathways cross a vehicular path, the pathway shall be

constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

3. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
4. 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.
5. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Nayeli Sanchez Luna

December 12, 2022

Team Leader

Racelle Escolar

Exhibits

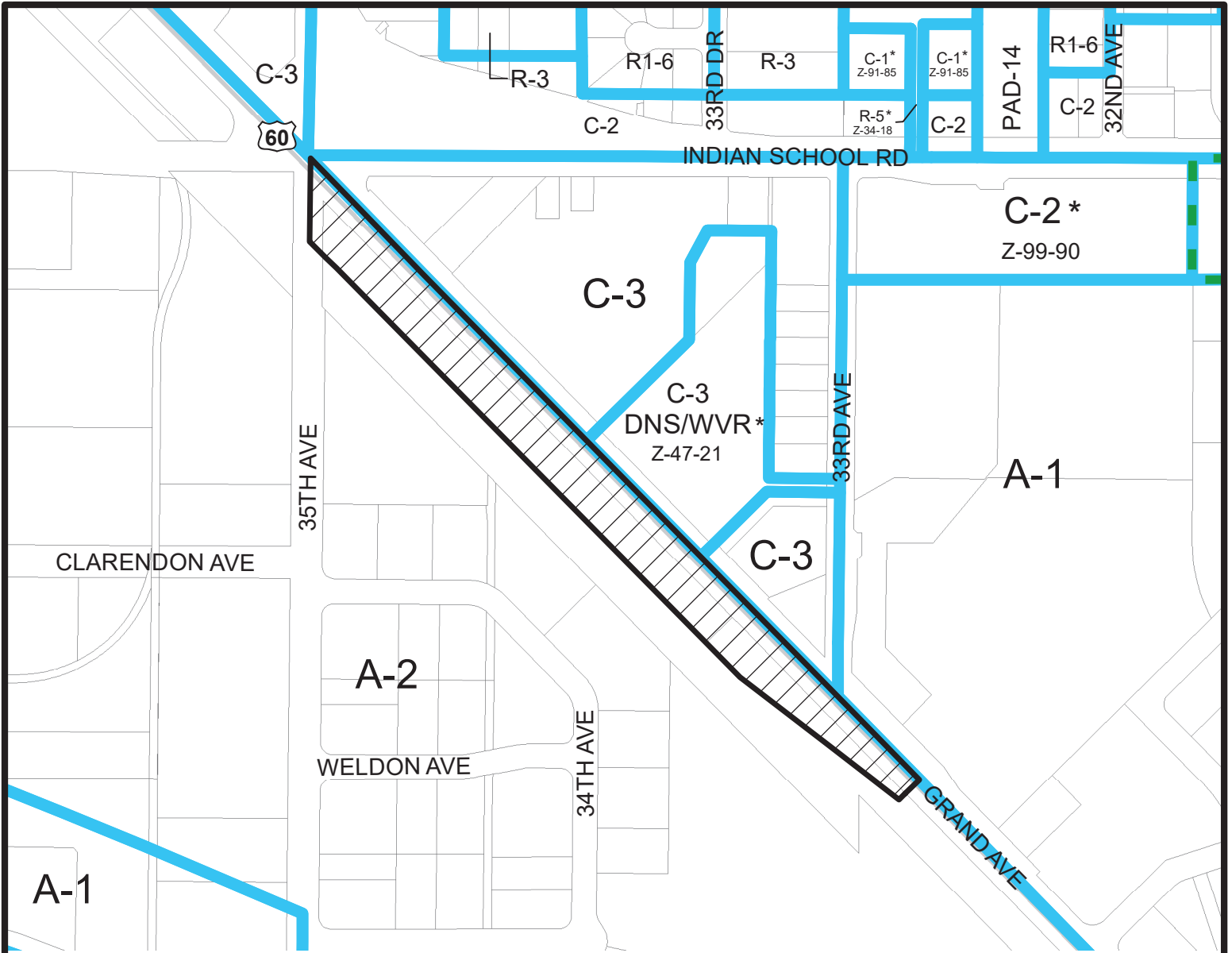
Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped September 28, 2022 (3 pages)

Conceptual Elevations date stamped September 28, 2022 (1 page)

Renderings date stamped September 28, 2022 (2 pages)

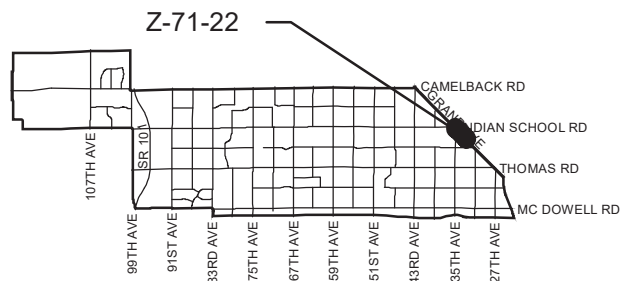


Miles
0.065 0.0325 0 0.065

MARYVALE VILLAGE
CITY COUNCIL DISTRICT: 4

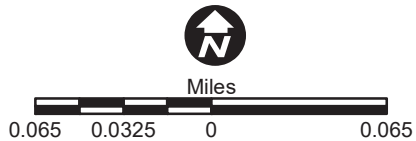
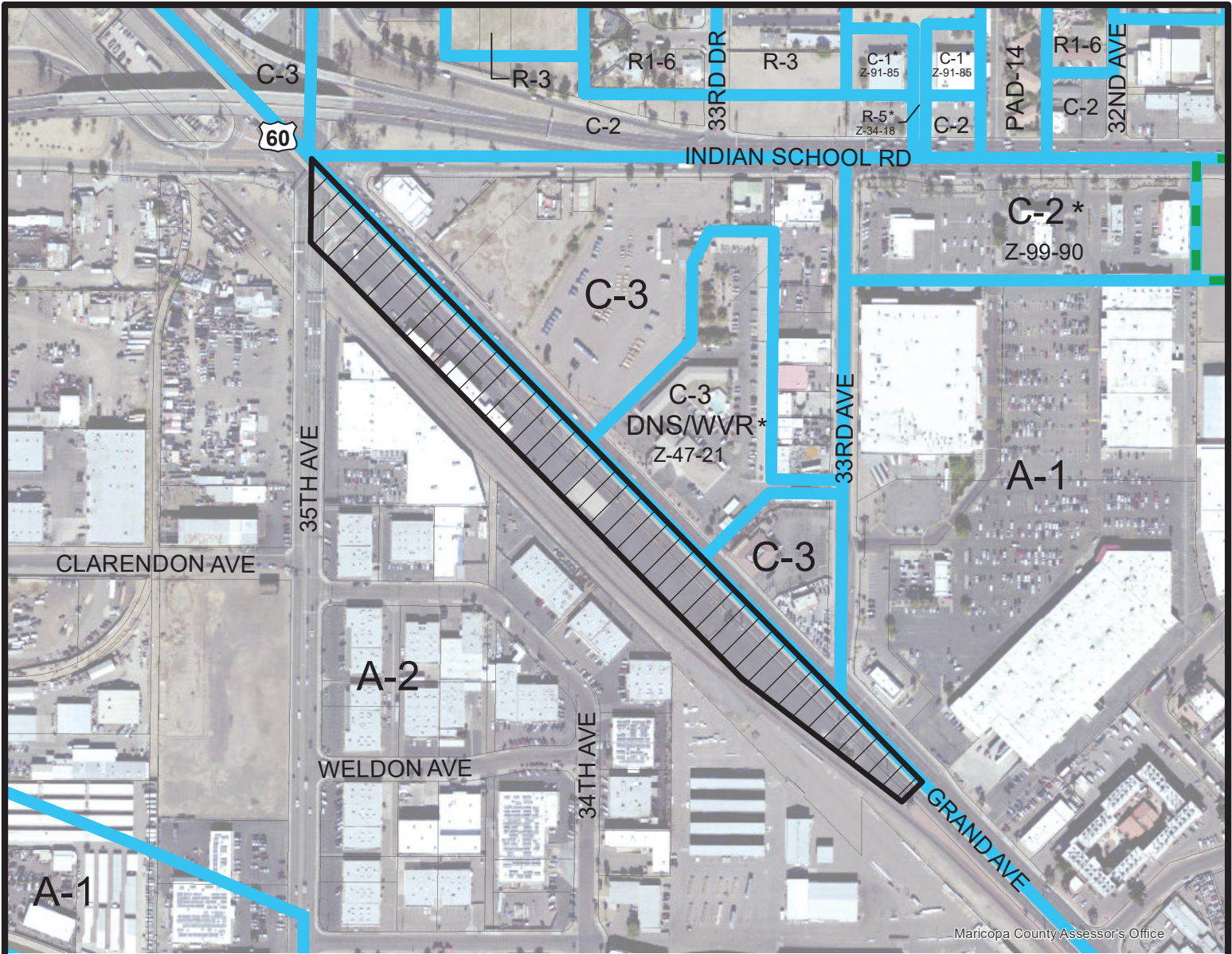


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

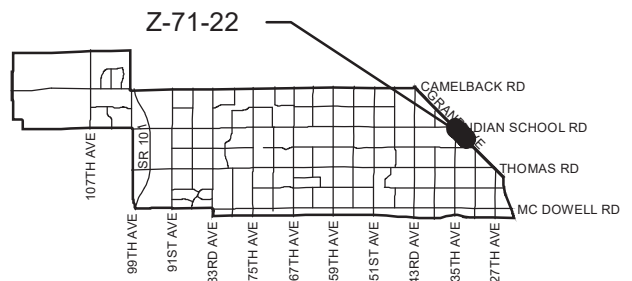


APPLICANT'S NAME: Drake Switching Company LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-71-22	DATE: 10/20/2022 REVISION DATES:	FROM: A-2 (6.26 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 6.26 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 16-21 ZONING MAP H-6	TO: A-2 HGT/WVR (6.26 a.c.)	
MULTIPLES PERMITTED A-2 A-2 HGT/WVR	CONVENTIONAL OPTION N/A N/A	* UNITS P.R.D. OPTION N/A N/A	

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

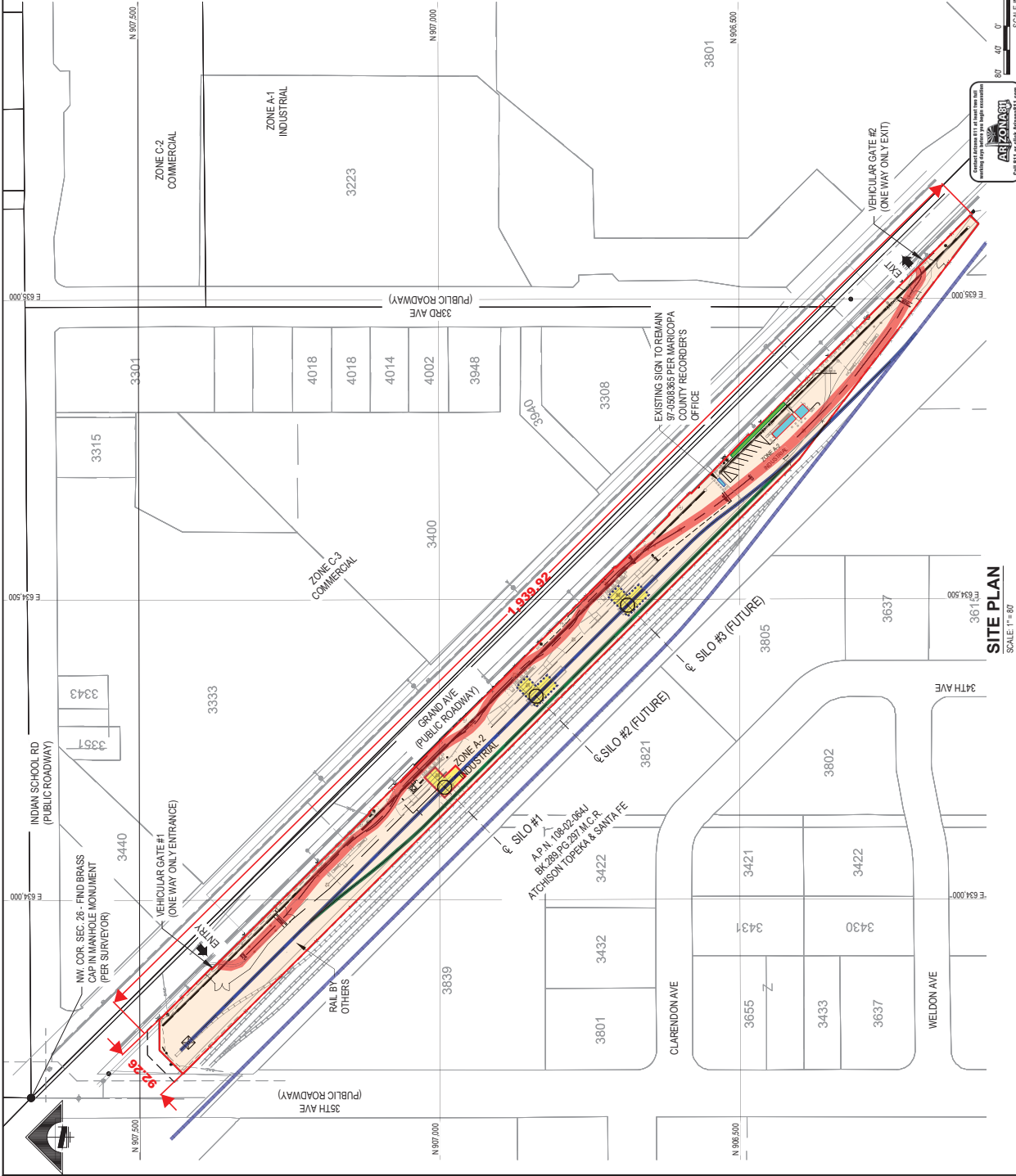


MARYVALE VILLAGE
CITY COUNCIL DISTRICT: 4



APPLICANT'S NAME: Drake Switching Company LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-71-22	DATE: 10/20/2022 REVISION DATES:	FROM: A-2 (6.26 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 6.26 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 16-21	ZONING MAP H-6	TO: A-2 HGT/WVR (6.26 a.c.)
MULTIPLES PERMITTED A-2 A-2 HGT/WVR	CONVENTIONAL OPTION N/A N/A		* UNITS P.R.D. OPTION N/A N/A

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



SITE PLAN
SCALE: 1" = 80'



DON'T SCALE THIS DRAWING

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

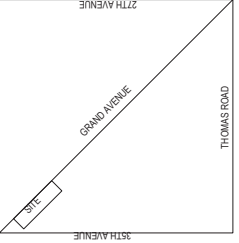
DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					

DATE	BY	APPD	DATE	DESCRIPTION	REVISIONS
SEP 22					
SEP 22					
SEP 22					



VICINITY MAP
NOT TO SCALE



ENGINEER / ARCHITECT:

M3 ENGINEERING & TECHNOLOGY CORP.
2051 W. SUNSET RD., SUITE 101
TUCSON, AZ 85704
PHONE: 520.261.1488
EMAIL: RMARTINEZ@M3ENG.COM

SURVEYOR:

ALLIANCE LAND SURVEY LLC
7900 N. 70th AVE., SUITE 104
GLENDALE, AZ 85303
PHONE: 623.444.2200
EMAIL: L.LEAN@AZSLS.COM

OWNER:

DRAKE MATERIALS & CEMENT
21803 N. SCOTTSDALE RD., SUITE 220
SCOTTSDALE, AZ 85255
ATT: ABRINAV GANIGRADE
PHONE: 480.355.4444
EMAIL: AGANIGRADE@DRAKEC.COM

GENERAL SITE INFORMATION:

1. PROPERTY ADDRESS: 3441 NW GRAND AVENUE, PHOENIX, ARIZONA 85017
2. APN: 100-02-004K & 100-02-006L
3. LOT: 100-02-004K & 100-02-006L
4. NO. OF LOTS: 2
5. NO. FIRE HYDRANTS ARE LOCATED ON THIS SITE.
6. PARKING SPACES REQUIRED: 1 SPACE PER 1.5 WORKERS
7. PARKING SPACES PROVIDED: 7 SPACES
8. GROSS AREA: 3.56 ACRES
9. TOTAL DISTURBED AREA: 3.56 ACRES

CITY OF PHOENIX

SEP 28 2022

Planning & Development
Department

CONCEPTUAL SITE PLAN



DRAKE CEMENT

PHOENIX TRANSFER FACILITY
CIVIL
CONCEPTUAL SITE PLAN
COVER SHEET



DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

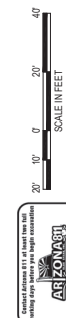
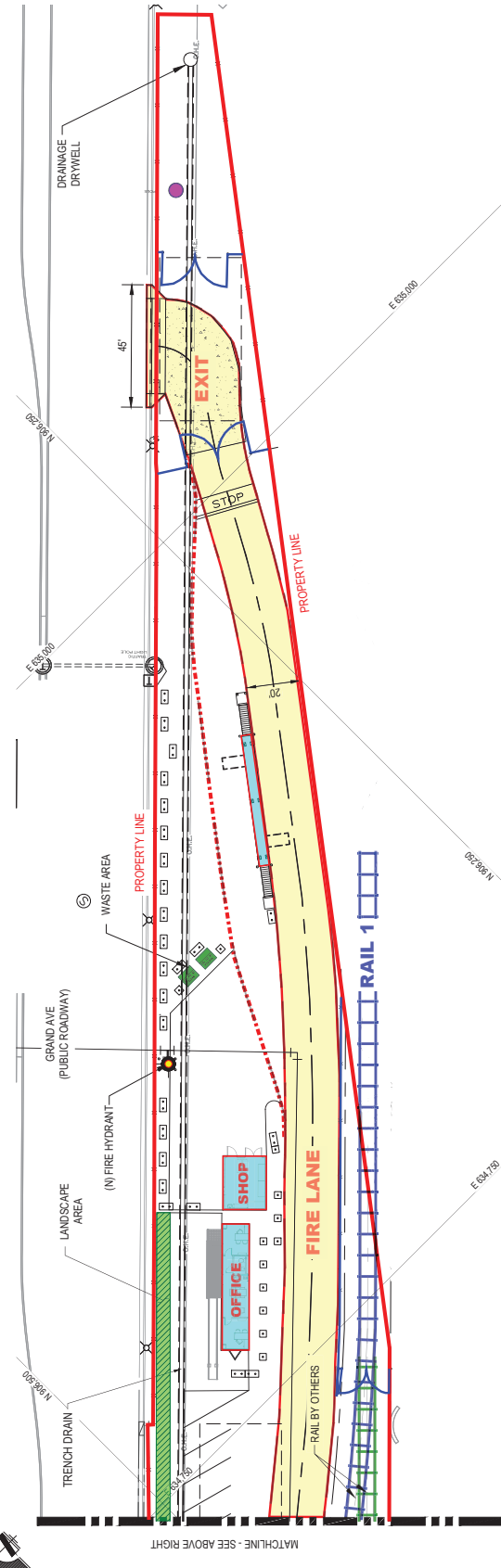
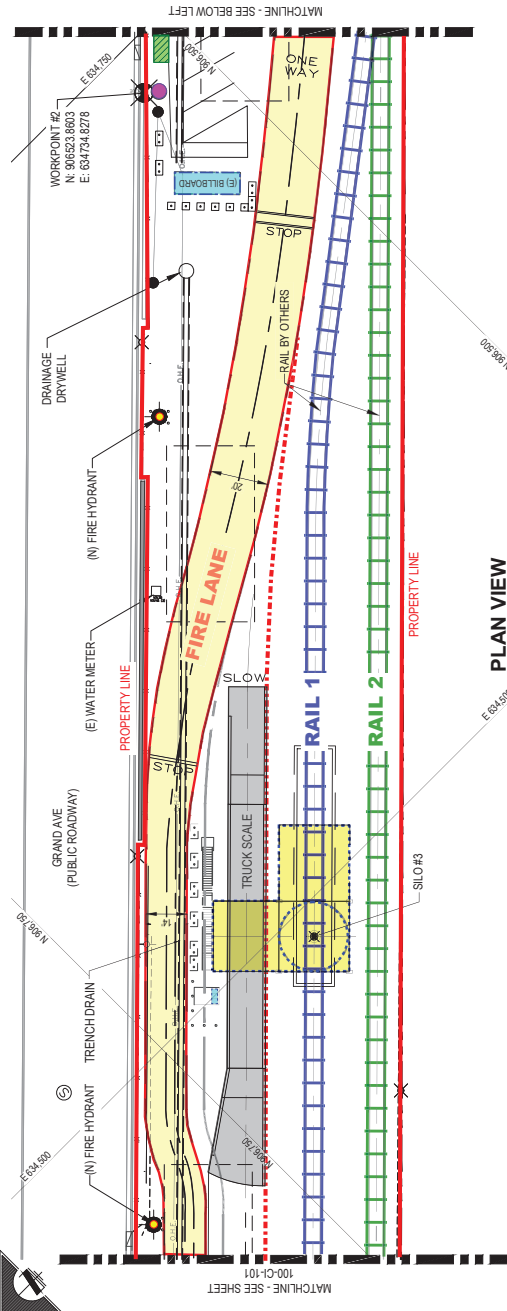
DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]

DATE: SEP 22
BY: [Signature]
APPD: [Signature]
DATE: SEP 22
DESCRIPTION: [Signature]



DONT SCALE 1:147 DRAWINGS

REFERENCES		REVISONS		REVISONS		REVISONS		REVISONS		REVISONS	
NO.	TITLE	NO.	DESCRIPTION	BY	DATE	NO.	DESCRIPTION	BY	DATE	NO.	DESCRIPTION
000-01-101	GRADING PLAN SHEET 1										

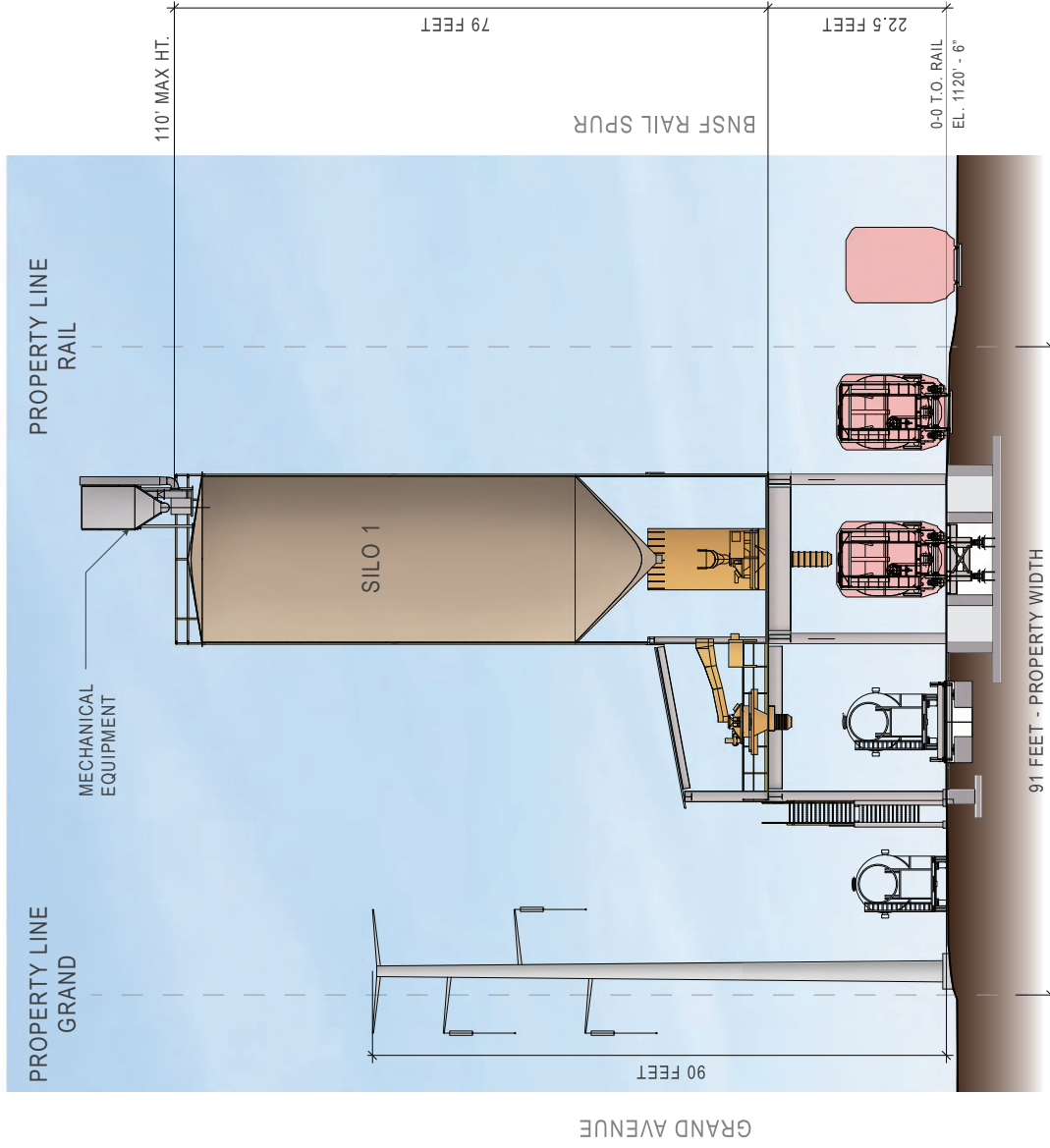
DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
DESIGNED BY	EW	SEP 22				DESIGNED BY	EW	SEP 22			
CHECKED BY	RM	SEP 22				CHECKED BY	RM	SEP 22			
PROJECT						PROJECT					
CLIENT						CLIENT					

ARCHITECTURE		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
ENGINEERING		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
CONSTRUCTION MANAGEMENT		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	

DRAKE CEMENT		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
PHOENIX TRANSFER FACILITY		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
CIVIL		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
GRADING PLAN		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	
SHEET 2		DATE	11-20	SCALE	1"=20'	CURT		DATE	11-20	SCALE	1"=20'	CURT	



CITY OF PHOENIX
SEP 28 2022
Planning & Development
Department
CONCEPTUAL SITE PLAN



GRAND AVENUE

CONCEPT IMAGE SECTION VIEW - SILO 1



CONCEPT IMAGE VIEW LOOKING SOUTHEAST

CITY OF PHOENIX
SEP 28 2027
Planning & Development
Department





CONCEPT IMAGE VIEW LOOKING NORTHWEST

CITY OF PHOENIX
SEP 28 2022
Planning & Development
Department