

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-66-24-8
August 2, 2024

Central City Village Planning Committee Hearing Date: August 12, 2024

Planning Commission Hearing Date: September 5, 2024

Request From: A-2 RSIOD (Industrial District, Rio Salado Interim Overlay District) (3.98 acres)

Request To: A-2 HGT/WVR RSIOD (Industrial District, Height Waiver, Rio Salado Interim Overlay District) (3.98 acres)

Proposal: Height Waiver for additional silos

Location: Northeast corner of 19th Avenue and the Lower Buckeye Road alignment

Owner: Salt River Pima - Maricopa Indian Community

Applicant: Frank Turk, Salt River Materials Group

Representative: Stephen Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commerce/Business Park	
<u>Street Map Classification</u>	19th Avenue	Major Arterial	40-foot east half street
<i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING/INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.</i> The proposal will allow additional industrial development on the subject site, which is in an industrial area surrounded by A-2 zoning.			
<i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE: CERTAINTY & 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.</i> The proposal for a height waiver for additional silos on the subject site, which is in an industrial area with no nearby residential uses, and has adequate standards to prevent negative impacts on the surrounding area.			

<u>General Plan Conformity</u>
<p><i>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.</i></p> <p>The proposal will provide a landscape setback and shaded, detached sidewalks along 19th Avenue, and will provide enhanced parking lot shade.</p>

Applicable Plans, Overlays and Initiatives
<u>Rio Salado Interim Overlay District</u> – See Background Item No. 5.
<u>Complete Streets Guiding Principles</u> – See Background Item No. 6.
<u>Tree and Shade Master Plan</u> – See Background Item No. 7.
<u>Transportation Electrification Action Plan</u> – See Background Item No. 8.
<u>Conservation Measures for New Development</u> – See Background Item No. 9.
<u>Zero Waste PHX</u> – See Background Item No. 10.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Industrial	A-2 RSIOD
North	Railroad	A-2 RSIOD
South	Vacant land	A-2 RSIOD
East	Industrial	A-2 RSIOD
West (across 19th Avenue)	Vacant land and railroad	A-2

A-2 (Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Building Setbacks</i>		
Street (West)	25 feet	Not specified
Side (North)	0 feet	15 feet (Met)
Side (South)	0 feet	19 feet (Met)
Rear (East)	0 feet	Not specified
<i>Landscaped Setbacks</i>		
Street (West)	Eight times the lot frontage, measured in square feet	25 feet (Met)
Side (North)	0 feet	0 feet (Met)
Side (South)	0 feet	0 feet (Met)

A-2 (Industrial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
Rear (East)	0 feet	0 feet (Met)
Maximum Building Height	56 feet; 80 feet with use permit; 110 feet with height waiver	110 feet (Met)
Parking	Minimum 18 spaces (1.5 spaces per employee; 1 space per 300 square feet of office)	19 spaces (Met)

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 3.98 acres located at the northeast corner of 19th Avenue and the Lower Buckeye Road alignment from A-2 RSIOD (Industrial District, Rio Salado Interim Overlay District) to A-2 HGT/WVR RSIOD (Industrial District, Height Waiver, Rio Salado Interim Overlay District) for a height waiver for additional silos.

GENERAL PLAN LAND USE MAP

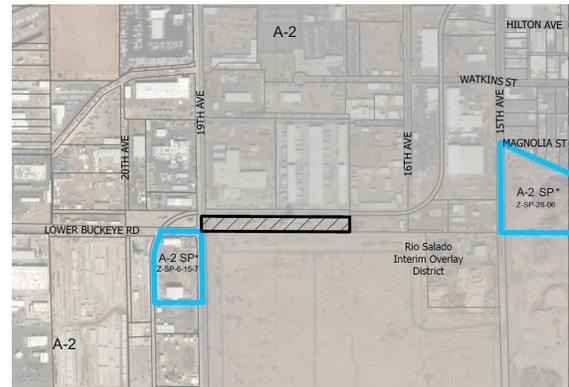
2. The General Plan Land Use Map designation for this site is Commerce/Business Park and a small portion of Parks/Open Space - Publicly Owned. The proposal is not consistent with the General Plan Land Use Map designation; however, because the site is less than 10 acres, a General Plan Amendment is not required. Property to the north and east is designated Commerce/Business Park. Property to the west is designated Industrial. Property to the south is designated as Parks/Open Space - Publicly Owned.



General Plan Land Use Map, Source: Planning and Development Department

EXISTING CONDITIONS AND SURROUNDING ZONING

3. The subject site is zoned A-2 RSIOD and contains an existing industrial use. The surrounding area to the north, south, and east is also zoned A-2 RSIOD and contains industrial uses, vacant land, and railroads. The area to the west is vacant land zoned A-2.



Zoning Aerial Map, Source: Planning and Development Department

PROPOSAL

4. As shown on the conceptual site plan attached as an exhibit, the proposal is to develop three new 110-foot-tall storage silos on the site. The site currently contains an existing fly ash and cement terminal use with five existing storage silos that range in height from 60 feet to 107 feet. The applicant is requesting a height waiver pursuant to the requirements of Section 628.E.2 that allow a maximum of 110 feet in height in the A-2 zoning district.

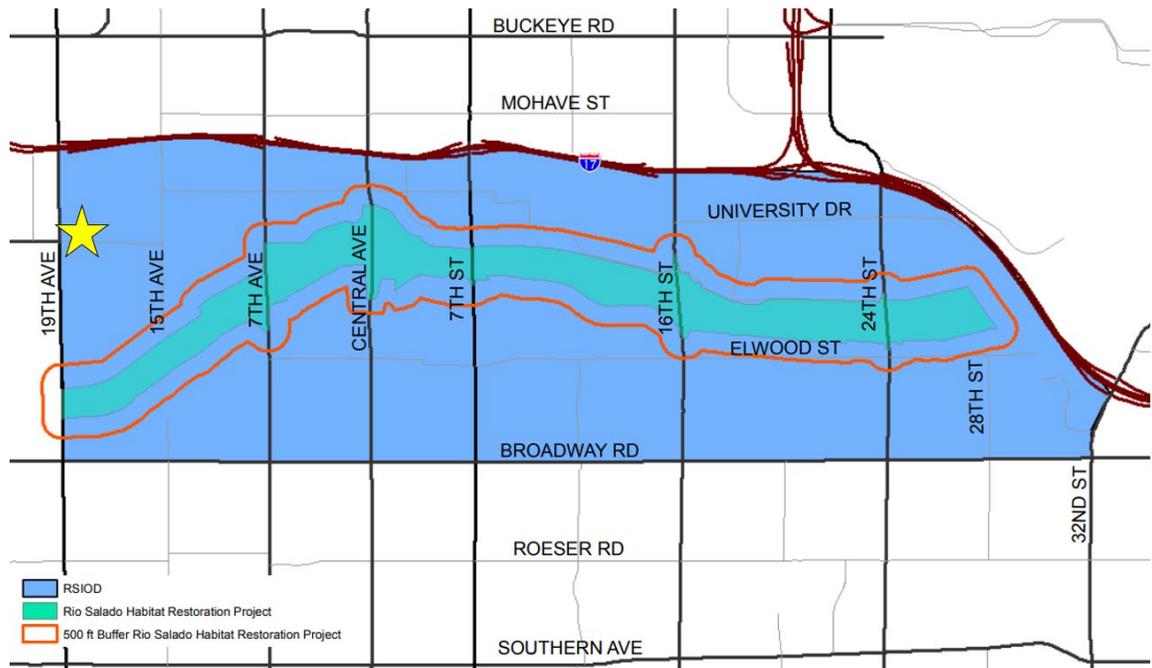
The site would provide access from an existing driveway on 19th Avenue and utilize a new parking lot near the entrance to the site.

Staff recommends the following stipulations to enhance and protect the character of the area:

- Limitation on the applicability of the height waiver to the structures shown on the site plan (Stipulation No. 1), which will provide certainty regarding the location of the silos exceeding 56 feet.
- A 25-foot landscape setback along 19th Avenue (Stipulation No. 2), which will enhance the quality of the public realm adjacent to the site.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

5. [Rio Salado Interim Overlay District](#)
The subject site is located within the Rio Salado Interim Overlay District. The district is designed to “control open, outdoor land uses and other uses in order to have a positive impact on the Rio Salado Habitat Restoration Project and add to the long-term value of adjacent land.” The overlay district requires industrial development in the A-1 and A-2 districts to adhere to Commerce Park/General Commerce Park (CP/GCP) development standards and for sites under 10 acres to undergo an administrative review to determine which CP/GCP standards apply. In order to meet the CP/GCP landscape standard, staff recommends Stipulation No. 2, requiring a 25-foot landscape setback along 19th Avenue.



Rio Salado Interim Overlay District, Source: Planning and Development Department

6. **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. Per Stipulation No. 5, the proposal will provide a shaded detached sidewalk along 19th Avenue, enhancing the public right-of-way for pedestrians.

7. **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. Per Stipulations Nos. 2, 5, and 11, the proposal will provide enhanced landscaping along the 19th Avenue frontage and enhanced shade for the sidewalks on 19th Avenue and surface parking lot areas.

8. **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. The proposal will provide EV charging infrastructure, per Stipulation No. 3.

9. **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. The proposal will incorporate requirements for water conservation, per Stipulation Nos. 8 through 12.

10. **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 materials do not indicate whether recycling will be provided on site; however, the applicant states that fly ash is a byproduct of coal combustion and is certified as a fully recycled building material.

COMMUNITY INPUT SUMMARY

11. As of the writing of this report, staff has not received any community correspondence regarding this proposal.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department requested the dedication of a minimum of 50 feet of right-of-way for the east side of 19th Avenue, a detached sidewalk along 19th Avenue, unused driveways be replaced with sidewalk and curb and gutter, and all streets within and adjacent to the development be constructed to City and ADA standards. These are addressed in Stipulation Nos. 4 through 7.

13. The Aviation Department commented that 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. This is addressed in Stipulation No. 13.

OTHER

14. 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 Stipulation Nos. 14 through 16.
15. 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. 17.
16. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

Findings

1. The proposal is consistent with the character of the surrounding area and with the intent of the Rio Salado Interim Overlay District.
2. The proposal will facilitate industrial development, contributing to economic development in the Central City Village.
3. The proposal will enhance connectivity in the immediate vicinity by providing enhanced landscaping and a shaded detached sidewalk along 19th Avenue, consistent with the Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations

1. The height waiver shall be limited to the location and height of structures exceeding 56 feet in height, as shown on the site plan and elevations date stamped July 10, 2024, and as approved by the Planning and Development Department.
2. A minimum 25-foot landscape setback, planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings, and drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage, shall be provided along 19th Avenue, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Ready Infrastructure, as approved by the Planning and Development Department.
4. A minimum 50 feet of right-of-way shall be dedicated for the east side of 19th Avenue.
5. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk shall be provided along the east side of 19th Avenue, planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center, or in equivalent groupings, to achieve a minimum 75% shade.
 - b. Shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage.

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

6. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
7. 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.

8. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
9. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas located on properties for uses such as parks, schools, and residential common areas, as approved by the Planning and Development Department.
10. 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.
11. 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, or a combination thereof.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.

Writer

Anthony Grande

August 2, 2024

Team Leader

Racelle Escolar

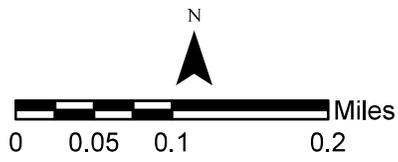
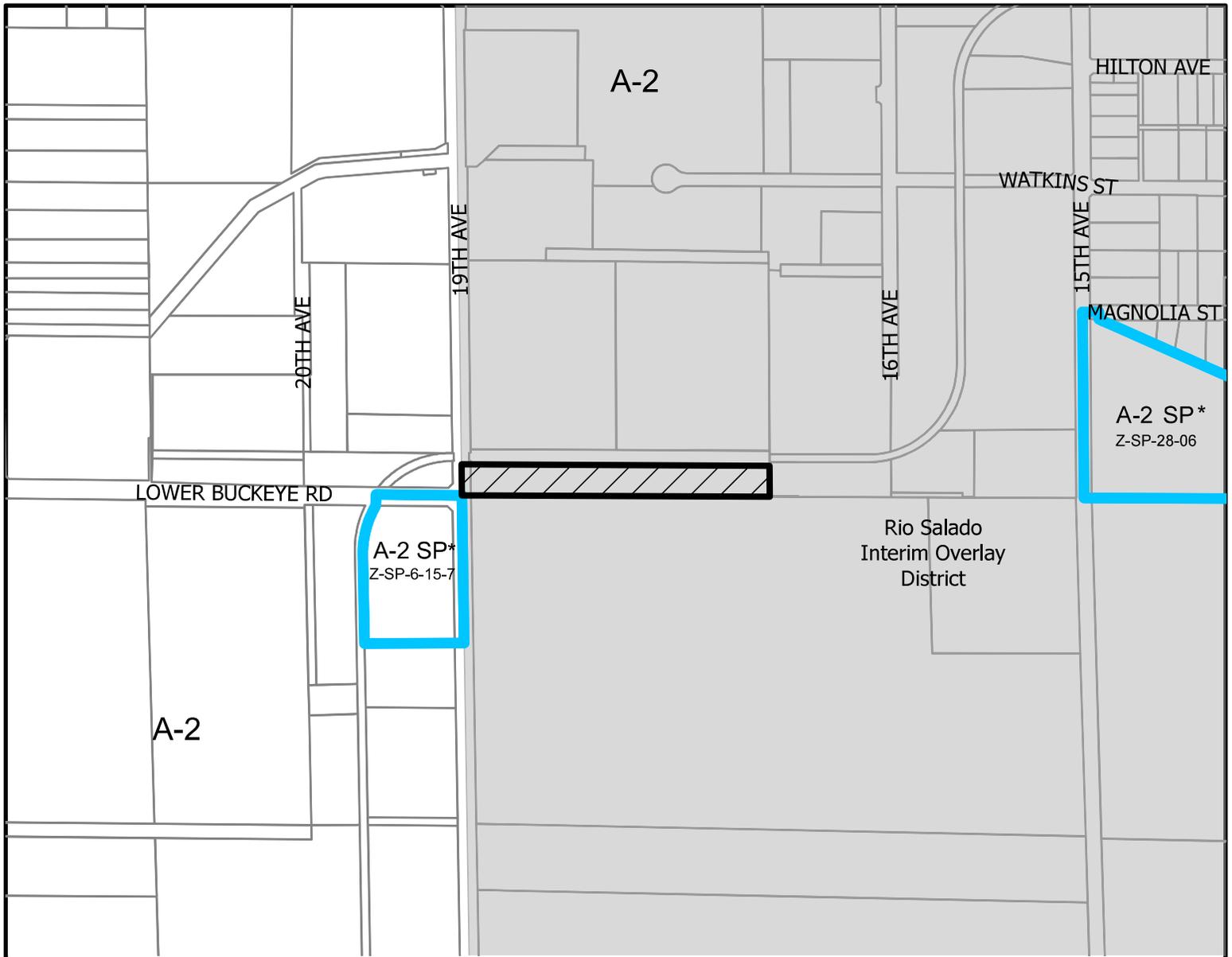
Exhibits

Sketch Map

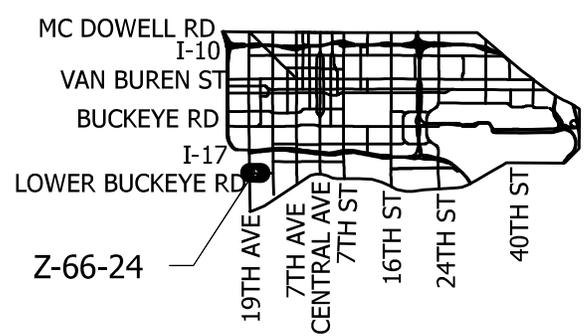
Aerial Map

Conceptual Site Plan date stamped July 10, 2024 (2 pages)

Conceptual Elevations date stamped July 10, 2024

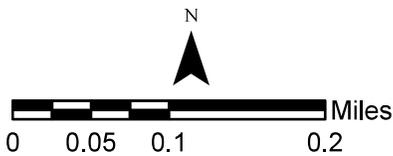
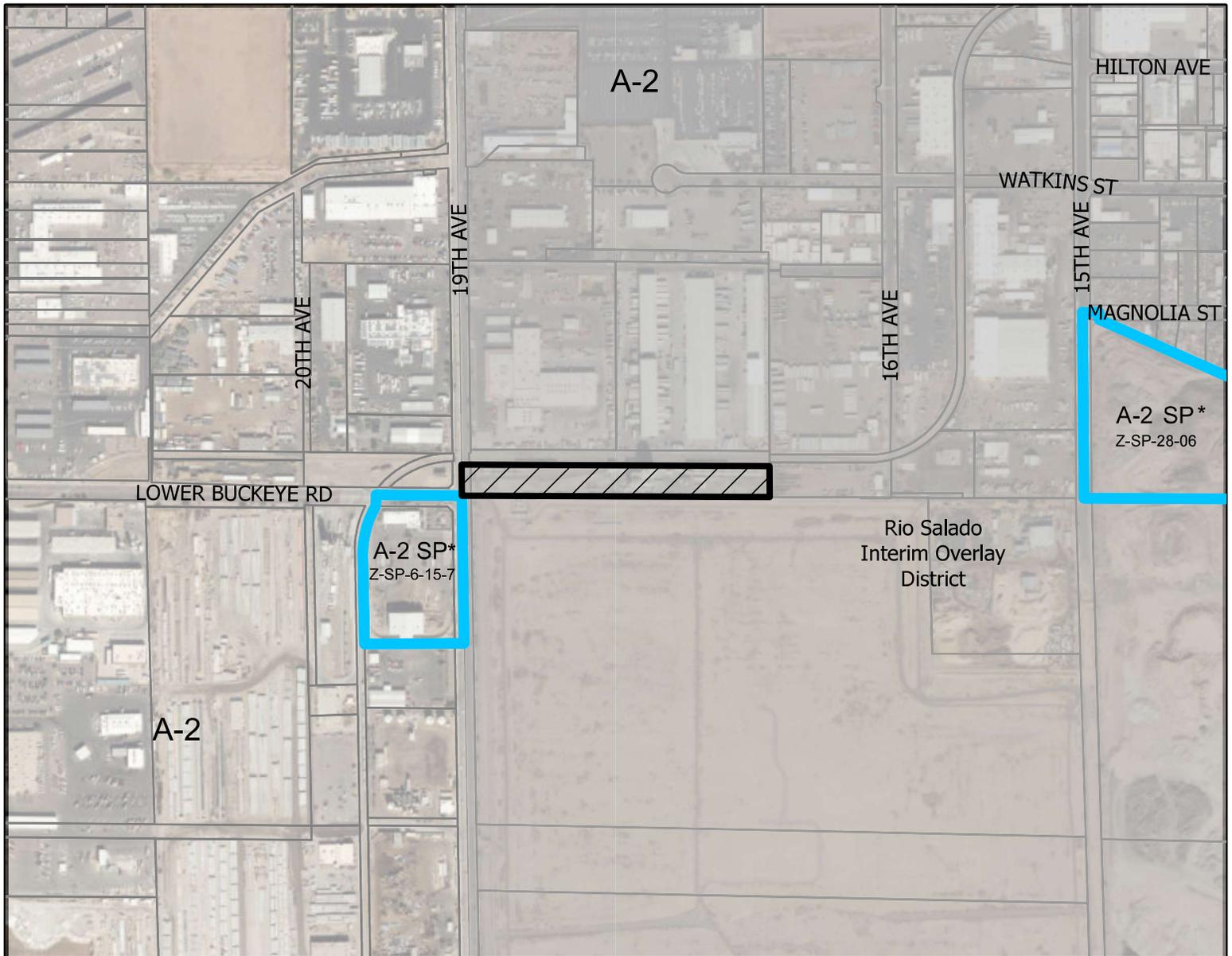


CENTRAL CITY VILLAGE
COUNCIL DISTRICT: 8

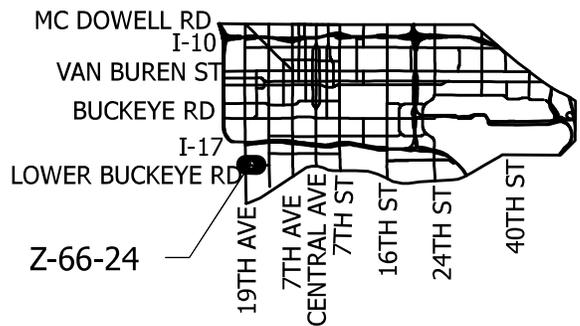


APPLICANT'S NAME: Gammage & Burnham, PLC		REQUESTED CHANGE:	
APPLICATION NO: Z-66-24		FROM: A-2 RSIOD (3.98 a.c.)	
DATE: 6/06/2024		TO: A-2 HGT/WVR RSIOD (3.98 a.c.)	
REVISION DATES:			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 3.98 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 7-25	ZONING MAP E-7
MULTIPLES PERMITTED A-2 RSIOD A-2 HGT/WVR RSIOD		CONVENTIONAL OPTION N/A N/A	
		* UNITS P.R.D OPTION N/A N/A	

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



CENTRAL CITY VILLAGE
COUNCIL DISTRICT: 8



APPLICANT'S NAME: Gammage & Burnham, PLC		REQUESTED CHANGE:	
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		* UNITS P.R.D OPTION N/A N/A	

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

