

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-31-22-7 July 12, 2022

Estrella Village Planning Committee
Meeting Date: July 19, 2022

Planning Commission Hearing Date: August 4, 2022

Request From: S-1 (Ranch or Farm Residence District)
(85.90 acres)

Request To: C-2 (Intermediate Commercial District)
(85.90 acres)

Proposed Use: Commercial uses

Location: Northeast corner of 67th Avenue and the
Roeser Road alignment

Owner: City of Phoenix

Applicant: City of Phoenix Planning Commission

Representative: City of Phoenix Planning and Development
Department

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Current: Residential 1 to 2 dwelling units per acre and Parks/Open Space – Publicly Owned Proposed (GPA-EST-1-22-7): Commercial	
<u>Street Map Classification</u>	67th Avenue	Arterial Street	33-foot east half street
	Avenida Rio Salado	Arterial Street	Not constructed
<i>CORES, CENTERS & CORRIDORS; LAND USE PRINCIPLE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.</i>			

The requested C-2 zoning is appropriate at this location due to the proximity to an arterial street (67th Avenue), existing Loop 202 freeway, and future State Route 30 freeway. These transportation routes will provide connectivity to and from the site for future users. Furthermore, the site is located along a multi-use trail and shared use pathway alignment, which will promote alternative transportation modes for pedestrians and bicyclists to and from the site.

CANALS AND TRAILS; DESIGN PRINCIPLE: Provide multi-use trail connections where appropriate.

As stipulated, a multi-use trail will be required along the 67th Avenue frontage. This future trail will connect to other trails along and north of Broadway Road, in addition to a shared use path envisioned along Rio Salado. Thus, adding to the regional network of trails and improving recreational opportunities.

CERTAINTY & CHARACTER: DESIGN PRINCIPLES: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village; Integrate into the development design natural features such as washes, canals, significant topography and existing vegetation, which are important in providing character to new subdivisions.

As stipulated, future development on the subject site would be required to adhere to the Estrella Village Arterial Street Landscaping Program landscape palette and standards, to promote the identity of the Village. Furthermore, building placement and orientation towards 67th Avenue and Rio Salado will be required elements on future site plans which will undergo a Planning Hearing Officer process. Lastly, open space will be required on the future development of this site and centrally placed and/or provided along the Rio Salado frontage to promote a transition to the river.

TREES AND SHADE: DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

As stipulated, the proposal will be required to shade the sidewalk along 67th Avenue and uncovered surface parking stalls. This will help to provide shade for pedestrians and bicyclists in and around the community and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

Applicable Plans, Overlays, and Initiatives

[State Route 30 \(SR-30\) Freeway Alignment](#): See Background Item No. 4.

[Rio Salado Oeste Urban Waters Technical Assistance Report](#): See Background Item No. 5.

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

[Estrella Village Arterial Street Landscaping Program](#): See Background Item No. 8.

[Monarch Butterfly Pledge](#): See Background Item No. 9.

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

[Complete Streets Guidelines](#): See Background Item No. 11.

[Zero Waste PHX](#): See Background Item No. 12.

[Housing Phoenix](#): See Background Item No. 13.

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Mining and vacant	S-1
North	Vacant	S-1 (Approved R1-8)
South	Rio Salado and vacant	S-1
East	Rio Salado and vacant	A-2
West (across the 67th Avenue)	Single-family residential, equipment rental facility, and vacant	R1-6 and RU-43 (Maricopa County)

C-2 (Intermediate Commercial District)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the proposed site plan</u>
Gross Acreage	-	85.90 acres
<i>MINIMUM BUILDING SETBACKS</i>		
Adjacent to street	Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage	No site plan provided
Adjacent to other property lines	When adjacent zoning is S-1, S-2, RE-43 to R-3: 50 feet (2 stories and 30 feet in height)	No site plan provided
<i>MINIMUM LANDSCAPE SETBACKS AND STANDARDS</i>		
Adjacent to street	Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage	No site plan provided
Adjacent to other property lines	10 feet	No site plan provided
Maximum Lot Coverage	50%	No site plan provided
Maximum Building Height	2 stories and 30 feet	No site plan provided

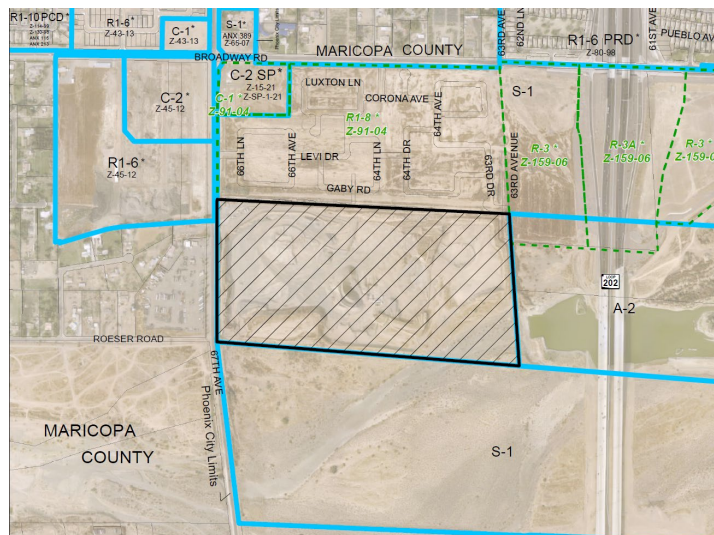
Background/Issues/Analysis**SUBJECT SITE**

1. This request is to rezone 85.90 acres located at the northeast corner of 67th Avenue and the Roeser Road alignment from S-1 (Ranch or Farm Residence District) to C-2 (Intermediate Commercial District) for commercial uses. A mining and mineral extraction operation is located on the site today, while portions of the site remain vacant.

SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of agricultural, residential, commercial and industrial zoning districts including S-1 (Ranch or Farm Residence District), R1-8 (Single-Family Residence District), R1-6 (Single-Family Residence District), R-3 (Multifamily Residence District), C-1 (Neighborhood Retail District), C-2 (Intermediate Commercial District), and A-2 (Industrial District). Properties west of the site, across 67th Avenue, are zoned RU-43 (Rural 43) and located within unincorporated Maricopa County.

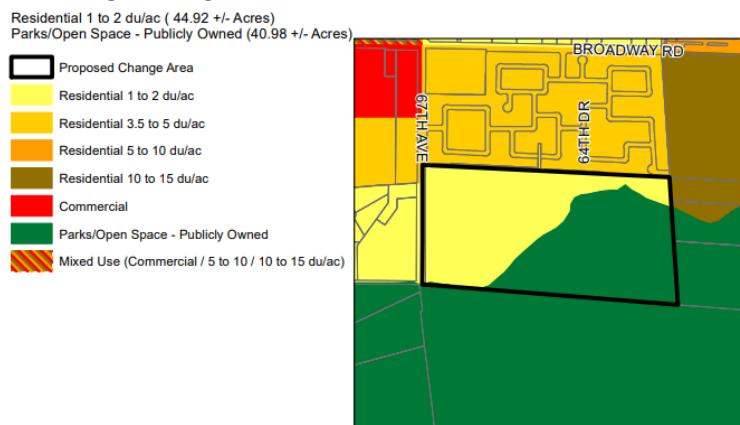
Numerous properties surrounding the subject site are currently vacant and owned by the Arizona Department of Transportation (ADOT). These sites are slated for the construction of the future SR-30 freeway, in addition to a portion of the subject site. Additional information is provided in Background Item No. 4.



Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is a mix of Residential 1 to 2 dwelling units per acre and Parks/Open Space – Publicly Owned. A concurrent minor General Plan Land Use Map amendment case, GPA-EST-1-22-7 proposes to change the land use map designation to Commercial.

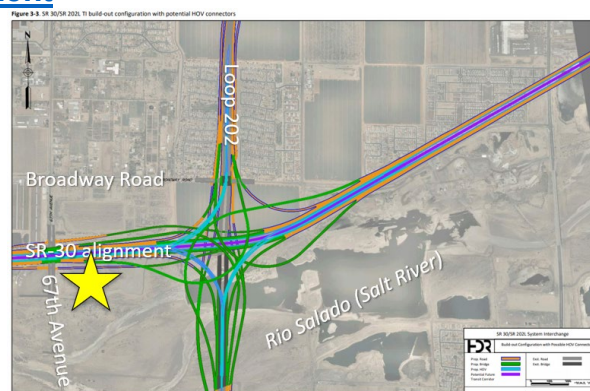


General Plan Land Use Map, Source: Planning and Development Department

The proposed land use map designation of Commercial is consistent with the requested C-2 (Intermediate Commercial) zoning district. Properties surrounding the site are designated by the General Plan Land Use Map as Parks/Open Space – Publicly Owned, Residential 1 to 2 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre, and Residential 15+ dwelling units per acre.

4. **State Route 30 (SR-30) Freeway Alignment**

As of the writing of this staff report, the Arizona Department of Transportation (ADOT) had selected a preferred SR-30 freeway alignment that crosses the subject site along the north and southeastern portion. A public park was planned at the subject site, as the property is currently owned by the City of Phoenix, however, since the site is within the alignment of the SR-30 freeway, the sale or transfer of this site to the Arizona Department of Transportation (ADOT) is expected in the near future. After the development of the freeway it is anticipated that approximately one quarter of the property will be left for future development.



SR-30 freeway interchange, Source: HDR

5. **Rio Reimagined**

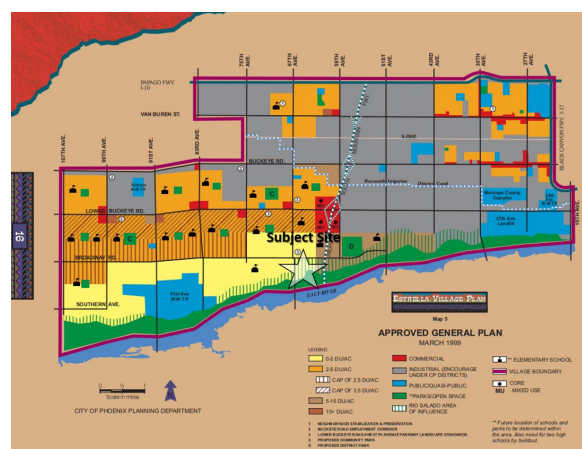
The U.S. Environmental Protection Agency's (EPA) Urban Waters Program funded a technical assistance project, which brought together a series of stakeholders, including the City of Phoenix, to develop a vision and strategies for redevelopment and reuse of property in the Rio Salado Oeste area. As part of this effort, the subject site was used in a visioning exercise to identify potential redevelopment options which included a regional campus, agrarian community, and a mixed-use community. As proposed, the C-2 zoning would allow for a variety of commercial uses such as office, retail, and mixed-use, among other uses, which will help activate the Rio Salado frontage. The rezoning of this city-owned property is an incremental step in positioning the Rio Salado corridor for future investment in alignment with the community's vision developed at this workshop, which involved area partners and property owners. This effort is in line with a larger vision to plan for the Rio Reimagined corridor.

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.

Future development will further these goals by requiring this site (or remaining portion thereof) to orient buildings towards 67th Avenue and Rio Salado to provide a sense of safety along these areas. Secondly, buildings elevations shall incorporate multiple architectural elements, including but not limited to balconies, patios, and windows, to promote visibility and activation along the 67th Avenue and Rio Salado frontages. Furthermore, by locating buildings closer to the street and river frontages, the visibility of parking areas will be reduced.



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

This will help individuals on the site to interact with pedestrians traveling along the adjacent sidewalk, trail, or pathway to create a sense of safety or security. Connections from the site to the planned trail along 67th Avenue and shared use pathway located along Rio Salado (where not impacted by the SR-30 freeway alignment) will promote connectivity and help activate these areas. This is addressed in Stipulation No. 1.

In addition, staff recommends Stipulation No. 1 to ensure that future site plans and building elevations undergo public review via the Planning Hearing Officer (PHO) process and further the vision for redevelopment of the subject site in a manner that is consistent with the community's vision described in Background Item No. 5, in addition to larger Rio Reimagined efforts.

PROPOSAL

7. There is no specific development plan for the subject site; however, future development of the property (or remaining portions thereof) after the construction of the SR-30 freeway by ADOT, will be subject to the approved stipulations for this case and Zoning Ordinance requirements. Although no development plan exists for

this site today, staff recommends stipulations to require open space and various amenities on the site to encourage pedestrian activity and help promote the activation of Rio Salado. These are addressed in Stipulation Nos. 4 and 5.

8. **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 planting 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.

Stipulation No. 2 requires that landscaping along 67th Avenue, an arterial street and designated Village Parkway, adhere to the Estrella Village Arterial Street Landscaping Program to promote the vision of the Village and provide consistent streetscapes.

9. **Monarch Butterfly**

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. 3 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

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 several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for parking lot and sidewalk shading:

- Uncovered surface parking lot areas shall be landscaped with minimum two-inch caliper drought-tolerant shade trees to achieve a minimum of 25 percent shade (Stipulation No. 6);

- The landscape strip between the sidewalk and curb along 67th Avenue shall be planted with minimum two-inch caliper shade trees planted to provide a minimum of 75 percent shade at maturity (Stipulation No. 9);

11. **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. This development will help pedestrianize the immediate street frontage by providing a detached sidewalk and multi-use trail along 67th Avenue. Furthermore, bicycle parking will be required on the site to provide an alternative transportation mode. These are addressed in Stipulation Nos. 7, 8, and 9.

A shared use pathway will be required to be constructed upon development of the site along the Rio Salado frontage. Staff does not recommend this as a stipulation since the construction of the SR-30 freeway might impact the current alignment of this pathway.

12. **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. Recycling facilities are encouraged for future developments located within the subject site.

13. **Housing Phoenix**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

If this development is approved, it would allow for mixed-use or multifamily residential uses on the subject site.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff did not receive any correspondence from the public on this rezoning case.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department requires a detached sidewalk along 67th Avenue, right-of-way dedications and construction of these, plus other general street improvement requirements. These comments are addressed in Stipulation Nos. 9, 10, and 11.
16. The Floodplain Management division of the Public Works Department commented that this parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2190M of the Flood Insurance Rate Maps (FIRM) dated September 21, 2020. Stipulation No. 12 addresses floodplain requirements.

OTHER

17. The subject site is within and immediately adjacent to the State Route (SR) 30 freeway preferred alignment, thus potentially leading to dust, odors or other impacts to future uses on the site. Stipulation No. 13 requires disclosure to purchasers of property within the development on the existence and operational characteristics of the SR-30 freeway.
18. 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.
19. 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. 17.

20. 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. As stipulated, the subject site will help activate the Rio Salado frontage and promote pedestrian activity, including recreation, in this part of the Estrella Village.
2. The subject site is appropriate for commercial development due to its proximity to the existing Loop 202 freeway, future State Route 30 freeway, and an arterial street, which serve as major transportation routes.
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. Conceptual site plan and building elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
 - a. Maximize the visibility of the sidewalk and multi-use trail along 67th Avenue, and pathways along Rio Salado by locating and orienting buildings towards/near these areas.
 - b. Minimize the visibility of vehicular parking areas along 67th Avenue and Rio Salado.
 - c. Provide access point(s) to the planned multi-use trail along 67th Avenue and shared use pathway along Rio Salado where feasible.
 - d. Building elevations shall incorporate multiple architectural elements, including

but not limited to balconies, patios, and windows, to promote visibility and activation along the 67th Avenue and Rio Salado frontages.

2. Landscaping along 67th Avenue shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards, as approved by the Planning and Development Department.
3. A minimum of one milkweed shrub, or other native nectar species, shall be planted for every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
4. A minimum of 10 percent of the gross site area shall be retained as open space and be centrally located and/or dispersed within close proximity to Rio Salado, as approved by the Planning and Development Department.
5. A minimum of three amenities, including but not limited to benches, bicycle repair station, ramadas, shall be provided on the site, as approved by the Planning and Development Department.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
7. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
8. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 67th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
9. The sidewalk along 67th Avenue shall be a minimum of 5 feet in width and detached with a minimum 11-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper drought-tolerant shade trees planted to provide a minimum of 75 percent shade at maturity.
- b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.
- c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

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

- 10. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 67th Avenue, as approved by the Planning and Development Department. Any right-of-way within Maricopa County Department of Transportation (MCDOT) jurisdiction shall require approval and permitting through MCDOT.
- 11. 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.
- 12. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2190 M 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 shall be submitted to the Floodplain Management section of Public Works 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.

13. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the preferred alignment and operational characteristics of the State Route 30 (SR-30 freeway). The form and content of such documents shall be reviewed by the City prior to recordation.
14. If determined necessary by the Phoenix Archeology 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 Archeologist 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 Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
17. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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

Enrique Bojórquez Gaxiola

July 12, 2022

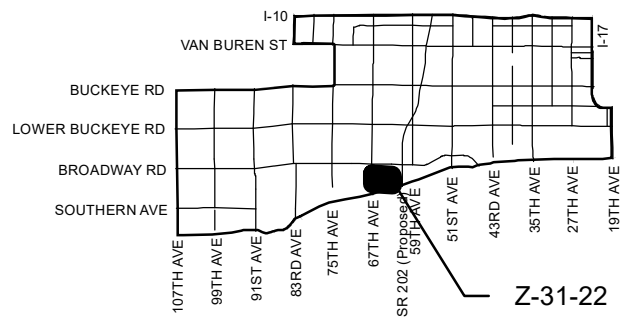
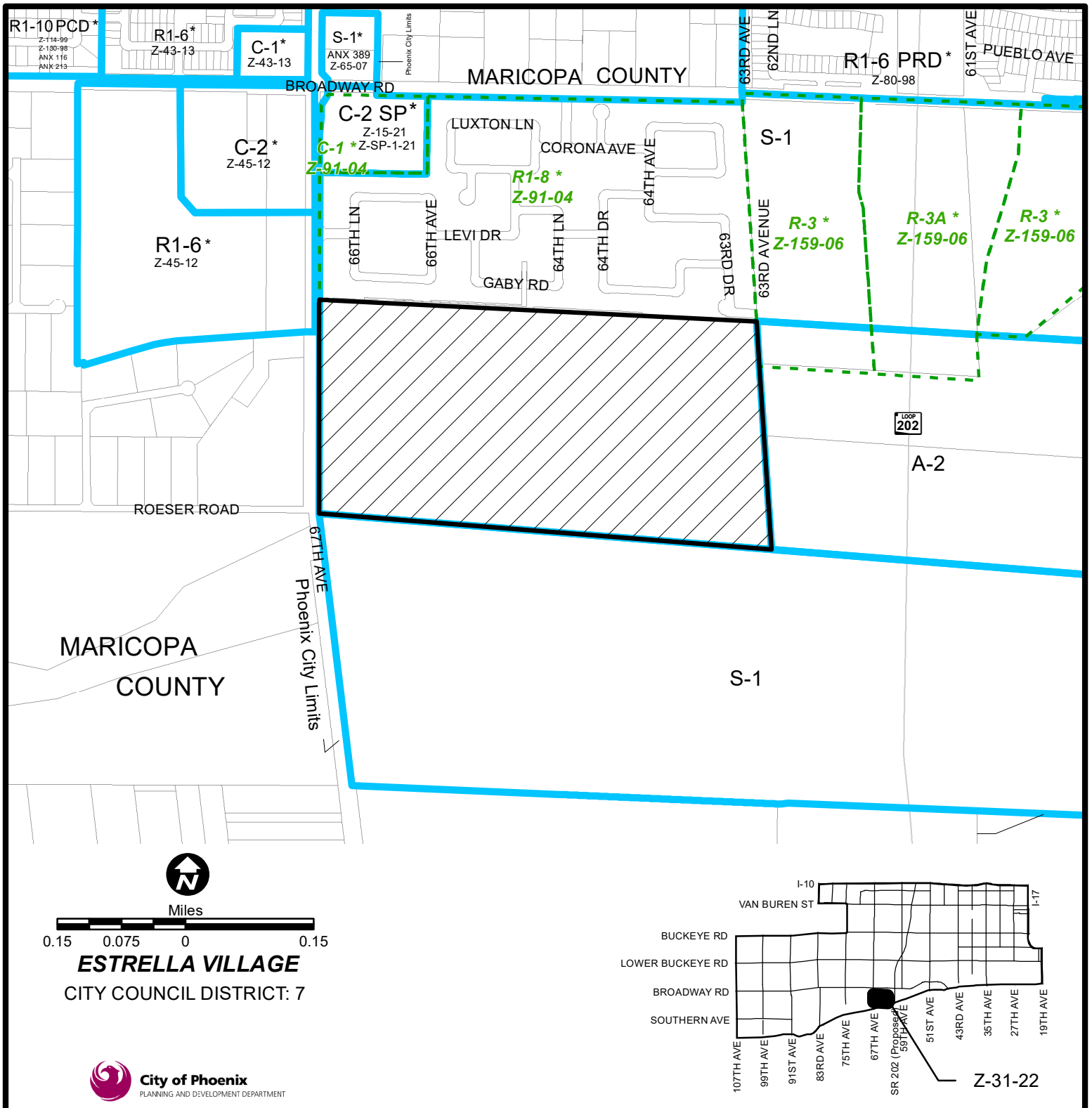
Team Leader

Racelle Escolar

Exhibits

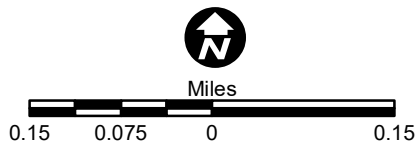
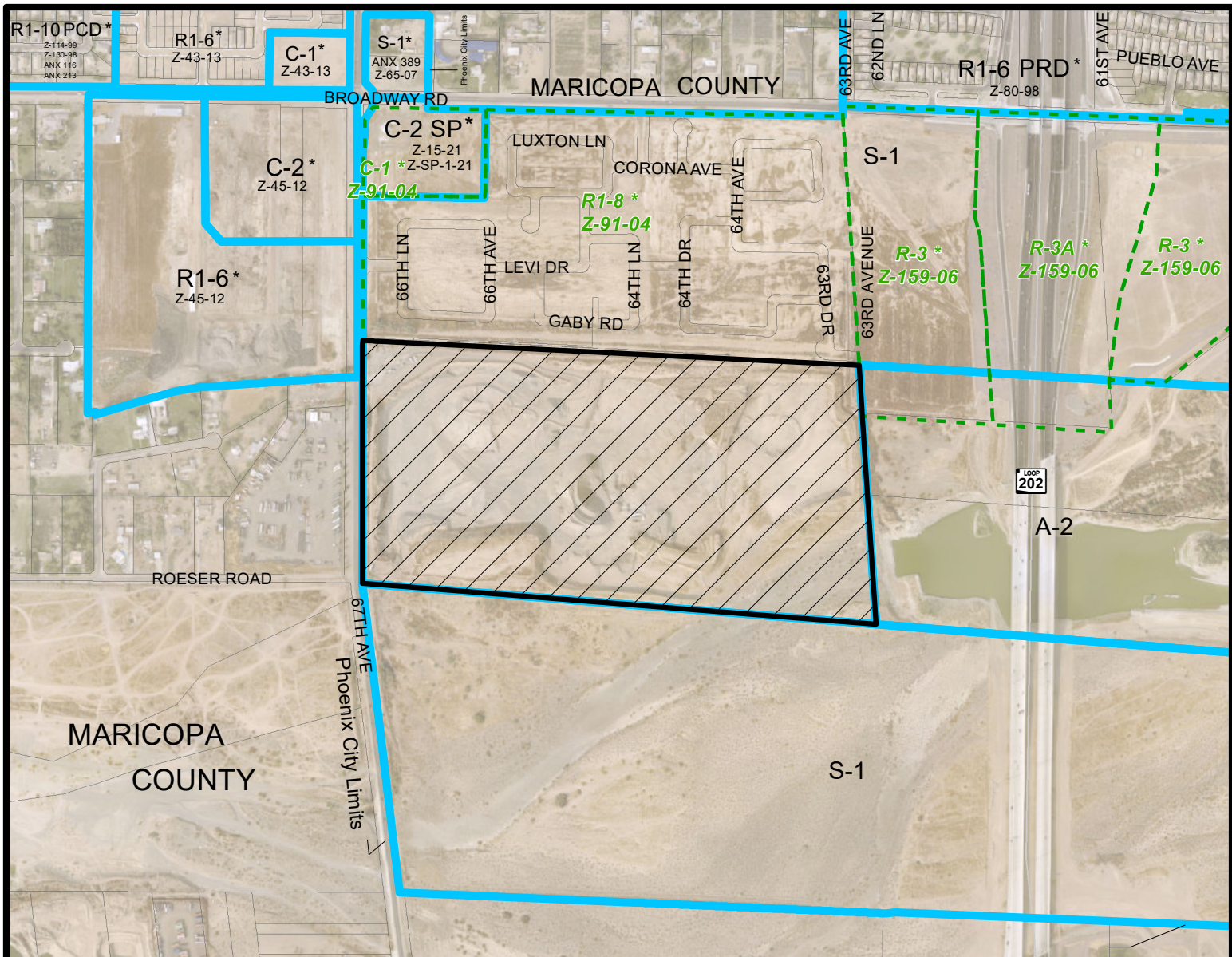
Zoning sketch map

Aerial sketch map

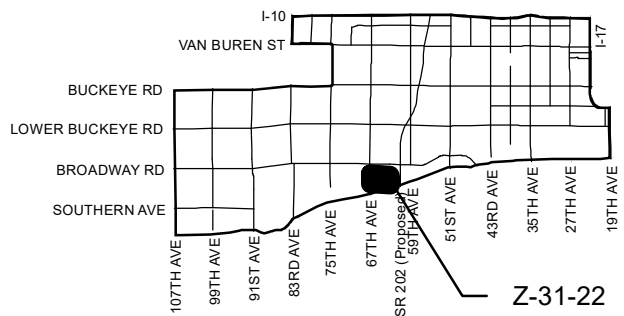


APPLICANT'S NAME: City of Phoenix, Planning Commission		REQUESTED CHANGE:	
APPLICATION NO. Z-31-22		FROM: S-1 (85.90 a.c.)	
DATE: 4/18/2022 REVISION DATES:		TO: C-2 (85.90 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 85.90 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 4-13 ZONING MAP E-4	
MULTIPLES PERMITTED S-1 C-2		CONVENTIONAL OPTION 85 1245	
		* UNITS P.R.D. OPTION N/A 1494	

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



ESTRELLA VILLAGE
CITY COUNCIL DISTRICT: 7



APPLICANT'S NAME: City of Phoenix, Planning Commission		REQUESTED CHANGE:	
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