

## Attachment B



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-75-17-8 / Z-76-17-8**  
November 28, 2017

<b>Central City Village Planning Committee Hearing Date</b>	<del>December 11, 2017</del> Continued to January 8, 2018
<b>Planning Commission Hearing Date</b>	<del>December 7, 2017</del> Continued to January 4, 2018
<b>Request From:</b>	C-2 (3.29 acres)
<b>Request To:</b>	C-2 (3.29 acres)
<b>Request From:</b>	C-2 (Pending) (3.29 acres)
<b>Request To:</b>	C-2 HGT/WVR (3.29 acres)
<b>Proposed Use</b>	Rezone site to C-2 with a height waiver up to 56 feet for development of a three-story cancer center
<b>Location</b>	Southwest corner of 10th Street and McDowell Road
<b>Owner</b>	Banner Health
<b>Applicant/Representative</b>	John Niziolek, HKS Inc.
<b>Staff Recommendation</b>	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	McDowell Road	Arterial	40-foot south half street
	N 9th Street	Abandoned / Private	
	N 10th Street	Abandoned / Private	
	E Brill Street	Abandoned / Private	
<b><i>STRENGTHEN OUR LOCAL ECONOMY; JOB CREATION (EMPLOYERS); LAND USE AND DESIGN PRINCIPLE: Support necessary changes to land use and zoning in and around bio-medical clusters.</i></b>			
The request for change of zoning at this location is supported as the Banner - University Medical Center Phoenix is a long standing bio-medical cluster and is appropriately located between the McDowell Road and Interstate 10 corridor in the Good Samaritan Redevelopment Area.			
<b><i>CONNECT PEOPLE &amp; PLACES CORE VALUE; OPPORTUNITY SITES, LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b>			

The proposed development will improve site conditions and expand medical facilities in the area. The proposed building is commensurate in height to the building that currently exists on site, is consistent with the Good Samaritan Area Redevelopment Plan, and is respectful of local conditions.

### Area Plans

**Good Samaritan Area Redevelopment Plan** – See Item #4 in the Background/Issues/Analysis Section.

**Tree and Shade Master Plan** – See Item #6 in the Background/Issues/Analysis Section.

### Surrounding Land Uses/Zoning

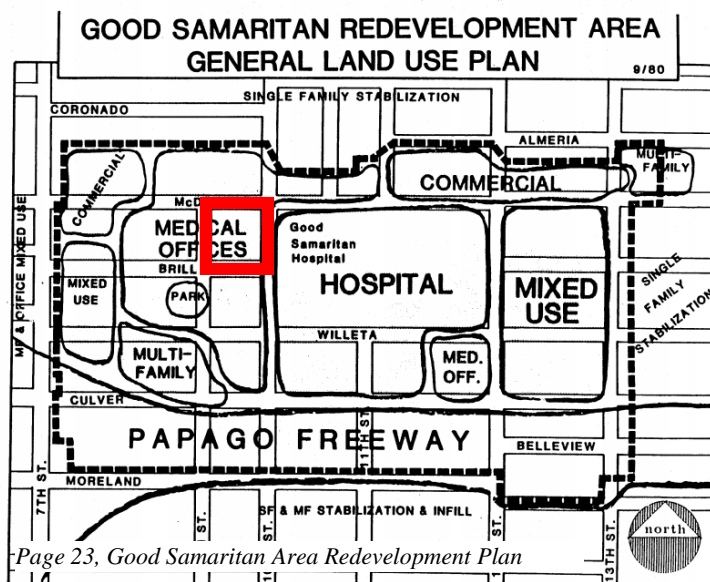
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Medical Offices	C-2
<b>North</b>	Medical Offices	C-2 HP
<b>South</b>	Parking Garage	C-2
<b>East</b>	Banner Hospital	C-2, C-2 H-R
<b>West</b>	Medical Offices	C-2, C-2 H-R

### C-2 (Intermediate Commercial) HGT/WVR (Height Waiver)

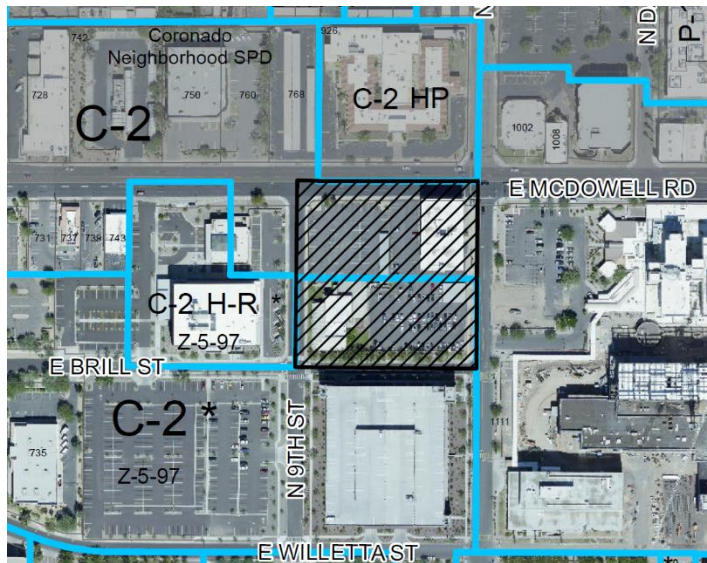
<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
<i>Building Setbacks</i>		
Street (McDowell Road)	Average 30 feet, for structures exceeding two stories or 30 feet	*Not Met – 25 feet
<i>Landscape Setbacks</i>		
Street (McDowell Road)	Average 30 feet, for structures exceeding two stories or 30 feet	*Not Met – 25 feet
Lot Coverage	Maximum 50%	Met – 44%
Building Height	Maximum 4 stories / 56 feet	Met – 4 stories / 56 feet (with height waiver)
Parking	3,667 total spaces required (whole campus)	Met – 4,193 total space provided (whole campus)
		*VARIANCE REQUIRED

### **Background/Issues/Analysis**

1. This is a request for a medical cancer center with a height waiver to allow 56 feet on a 3.29-acre site located at the southwest corner of 10th Street and McDowell Road. In order to address zoning and stipulations associated with the subject site from an approval 20 years ago, this request is to rezone the entire site from C-2 (Intermediate Commercial) to C-2 (Intermediate Commercial), thereby replacing the former conditions. A Height Waiver to exceed the number of stories and maximum building height allowed within the C-2 commercial district is also requested.
2. The cancer center is proposed to be 56 feet in height, with three stories. Section 623.E.4.b of the Zoning Ordinance allows for a request to exceed height limits of two stories and 30 feet, not to exceed 56 feet, upon finding that the additional height is not detrimental to adjacent property or the public welfare in general. The proposed 56 feet is not detrimental to the adjacent property or the public welfare in general for the following reasons:
  - a) The existing building on the site has a height of 56 feet.
  - b) Many portions of the hospital campus have high rise entitlement, which is consistent with hospital campuses throughout the city.
3. The site has a General Plan Land Use designation of Commercial, which is consistent with the request.
4. On September 30, 1980, the City Council adopted the Good Samaritan Area Redevelopment Plan. The plan's purpose is to provide an "opportunity to remove deteriorated obsolete houses and blighting influences stabilize this area while providing an expanded source of jobs." The General Land Use Plan within the Redevelopment Plan shows the subject site as designated for medical offices. This request is consistent with the vision and goals of the Plan.



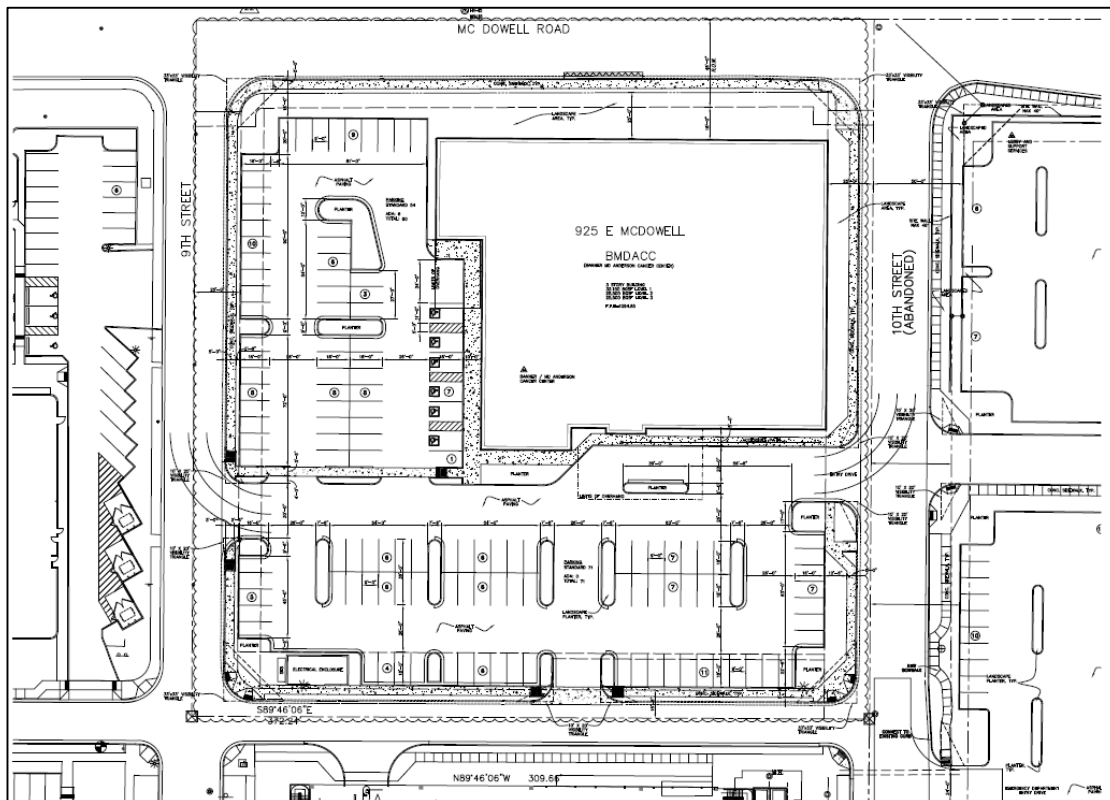
5. Medical offices are located to the north, zoned C-2 HP (Intermediate Commercial, Historic Preservation Overlay) and to the west, zoned C-2 (Intermediate Commercial) and C-2 H-R (Intermediate Commercial, High Rise and High Density District). Banner Health Hospital is located to the east, zoned C-2 (Intermediate Commercial) and C-2 H-R (Intermediate Commercial, High Rise and High Density District). To the south is a parking garage that is zoned C-2 (Intermediate Commercial).



6. The provision of shade trees in the landscape area is an essential component for contributing toward the goals of the Tree and Shade Master Plan. To provide a pedestrian-focused environment along McDowell Road and Brill Street, staff is recommending a minimum 8-foot sidewalk along McDowell Road and that required trees be planted adjacent to the sidewalk. In addition, staff is recommending the existing mature trees along Brill Street be maintained and any dead trees be replaced. These recommendations ensure that the shade is provided along McDowell Road and that the existing pleasant, shaded pedestrian experience on Brill Street. This is addressed in Stipulation #1 and #2.
7. The proposed site plan depicts a three-story, 56-foot-high cancer center. The street network internal to the medical campus is no longer comprised of public rights-of-way, however conditions of the abandonment ensure public access. Driveway access to enter and exit the facility is proposed on 10th Street, Brill Street, and 9th Street. The building is positioned closer to the sidewalk on the southeast corner located at McDowell Road and 10th Street, with parking located to the south, and west of the building.

The site plan depicts landscape island planters located along 9th Street in the parking area. To ensure that trees are planted in these locations near the sidewalk to allow shade for pedestrians, staff has included Stipulation #3.

The landscape setback along the eastern portion of the site, along 10th Street, is 12 feet. Staff is recommending that this landscape setback be maintained and planted to C-2 landscaping standards for the street frontages. Staff included this in Stipulation #4.



8. To support pedestrian access to the site from McDowell Road, staff is recommending a pedestrian access from McDowell Road to the entrance of the building. This is addressed in Stipulation #5.
9. No known archaeological work is necessary for this project. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 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 #6.
10. The City of Phoenix Aviation Department has noted that the property is in the Public Airport Disclosure area. This area may be subject to overflights of aircraft operating at the Airport. People are often irritated by repeated overflights regardless of the actual sound level at the overflight site. Therefore, a Notice to Prospective Purchasers, which follows policy regarding properties in the City of Phoenix underlying the flight patterns of Phoenix Sky Harbor International Airport, is required. This is addressed in Stipulation #7.

11. The Water Services Department has noted that there are no water or sewer infrastructure concerns with the proposed zoning.
12. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2210 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
13. Fire prevention does not anticipate any issues with this request. But the site or/and building(s) shall comply with the Phoenix Fire Code. The water supply (gpm and psi) to this site is unknown. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
14. 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 abandonment may be required.

### **Findings**

1. The proposal is consistent with the General Plan Land Use map designation.
2. The proposal is consistent with the Good Samaritan Area Redevelopment Plan.
3. The proposed development is compatible with the surrounding medical and commercial land uses and heights.
4. The proposed development provides the opportunity for Banner Health to expand operations and make improvements on site which will contribute to enhancing the area.

### **Stipulations**

1. The sidewalk on McDowell Road shall be a minimum of 8 feet, and required trees in the landscape setback shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.
2. The existing mature trees along Brill Street shall be maintained and any dead trees shall be replaced, as approved by Planning and Development Department.
3. The development shall provide a minimum of 4 landscape islands along the 9th Street alignment, within the parking area. These landscape islands shall be planted with minimum 3-inch caliper shade trees that are placed adjacent

to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.

4. A minimum landscape setback of 12 feet shall be required along 10th Street and shall be planted to C-2 streetscape landscape planting size and quantity standards, as approved by Planning and Development Department.
5. The development shall provide a pedestrian access way from McDowell Road to the entrance of the building, as approved by the Planning and Development Department.
6. 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.
7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.

**Writer**

Hannah Oliver

November 28, 2017

**Team Leader**

Joshua Bednarek

**Attachments**

Sketch Maps (2 pages)

Aerials (2 pages)

Site Plan date stamped October 30, 2017 (1 page)

Elevations date stamped October 30, 2017 (2 pages)