Attachment B



Staff Report: Z-4-20-8 July 31, 2020

South Mountain <u>Village Planning</u> <u>Committee</u> Meeting Date	September 8, 2020
Planning Commission Hearing Date	October 1, 2020
Request From:	<u>R1-6</u> (1.57 acres)
Request To:	<u>CP/GCP</u> (1.57 acres)
Proposed Use	Landscape contractor office and yard
Location	Approximately 400 feet south of the southwest corner of 32nd Street and Roeser Road
Owner	Platinum Estates Development, LLC
Applicant/Representative	Nick Labadie, Rose Law Group
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan L Designation	and Use Map	Commerce/Business Park	
Street Map Classification	32nd Street	Arterial	Varies, 33-foot to 40- foot west half

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The request from R1-6 (Single-Family Residence District) to CP/GCP (Commerce Park/General Commerce Park District) would allow for increased intensity that is consistent in scale and character with the zoning and General Plan Land Use designation in the area south of Roeser Road. Surrounded on three sides by Commerce Park and Industrial Park zoning, activities on the subject site will not impact any residential properties in the area. However, as stipulated, the development would be mindful of screening the site by providing an enhanced landscape area facing the street frontage across from a public park, particularly as outdoor uses are being proposed which are not present on most properties in the area.

STRENGHTEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

Rezoning to CP/GCP will provide opportunity for growth, development, and employment generating uses within the South Mountain Village. Furthermore, the proposal for CP/GCP zoning is consistent with the surrounding area, as Commerce Park and Industrial Park zoning are presently found south of Roeser Road and west of 32nd Street.

CERTAINTY AND CHARACTER CORE VALUE; 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.

Approval of the request as stipulated, would support the continued use and compliance of a residentially zoned property which has been utilized for non-residential uses for numerous years in a location that is appropriate for the CP/GCP zoning. As stipulated, the proposal would contain enhanced landscaping along 32nd Street and landscaping along the northern property line to help minimize visual impacts on the adjacent streetscape and public park to the east of 32nd Street from the outdoor uses proposed.

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, will be required to provide shade along the adjacent multiuse trail and sidewalk where possible, in addition to shading pedestrian pathways. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives

Esteban Park Area Plan: See Background Item No. 6.

Tree and Shade Master Plan: See Background Item No. 7.

<u>Complete Street Guidelines</u>: See Background Item No. 8.

Comprehensive Bicycle Master Plan: See Background Item No. 9.

Reimagine Phoenix: See Background Item No. 10.

Surrounding Land Uses/Zoning			
	Land Use	Zoning	
On Site	Landscape contractor office and yard	R1-6	
North	Vacant undeveloped land (future warehouse)	CP/GCP	
South	Warehouses	CP/BP	
East (across 32nd Street)	City of Phoenix Esteban Park	R1-6	
West	Warehouses	IND.PK.	

Commerce Park / General Commerce Park			
<u>Standards</u>	<u>Requirements</u>	Met or Not Met	
Building Setbacks			
Perimeter Street (32nd Street)	30 feet	Not Met (28 feet 6 inches)*	
Interior not on a street (North)	0 feet	Met (78 feet)	
Interior not on a street (South)	0 feet	Met (22 feet)	
Interior not a street (West)	0 feet	Met (0 feet)	
Landscaped Setbacks			
Perimeter Street (32nd Street)	30 feet	Not Met (less than 28 feet 6 inches)* (See Background Item No. 5)	
Interior not on a street (North)	0 feet	Met (0 feet)	
Interior not on a street (South)	0 feet	Met (0 feet)	
Interior not on a street (West)	0 feet	Met (0 feet)	
Lot Coverage	50%	Not specified	
Building Height	18-foot maximum height is permitted within 30 feet of the perimeter lot line, then one-foot of additional height is allowed for every three feet of additional setback, maximum 56 feet to 80 feet with a use permit and site plan.	Not specified	

Parking	Contractor equipment and lumber yards:	Not specified (7 parking spaces shown)
	1 space per 1.5 warehouse or production workers. If the facility runs more than one shift a day, employee count will be based on the two	30 individuals are employed and the office is 3,733 square feet in area.
	largest shifts and 1 space per 300 sq. ft. of administration office.	Total: 20 + 13 = 33 parking spaces (calculation is based on one shift per day)

*Variance may be required.

Background/Issues/Analysis

SUBJECT SITE

 This request is to rezone a 1.57-acre site, located approximately 400 feet south of the southwest corner of 32nd Street and Roeser Road from R1-6 (Single-Family Residence District) to CP/GCP (Commerce Park/General Commerce Park District) to allow an existing landscape contractor yard. From aerial imagery, it appears that non-residential uses have been operating on the subject property since at least 1998.

SURROUNDING USES AND ZONING

2. North of the subject site is a vacant undeveloped property zoned CP/GCP. There is a proposal for a distribution warehouse on the site.

South of the subject site are warehouses zoned CP/BP (Commerce Park/Business Park)

West of the subject site are multiple warehouses zoned IND. PK. (Industrial Park District).

East of the subject site, across 32nd Street, is a City of Phoenix park, Esteban Park, zoned R1-6 (Single-Family Residence District).



Figure A. (Top) Source: City of Phoenix Planning and Development Department

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3. The subject site has a General Plan Land Use Map designation of Commerce/Business Park which is consistent with the request to rezone to CP/GCP (Commerce Park/General Commerce Park).

> Figure B. (Right) Source: City of Phoenix Planning and Development Department



4. Site Plan

The conceptual site plan proposes to maintain an existing office building of 3,733 square feet that is one-story in height. This building serves as an office for the operations of the landscape contractor yard. Most of the site is used for vehicular parking and outdoor storage. Other smaller structures, including enclosed and open container-type structures, are located throughout the site. Access to the site is exclusively provided on 32nd Street where a gated entry grants access to the yard area. In addition, a second driveway is located directly in front of the office building adjacent to 32nd Street.



Figure C. (Top), Site Plan, Source: Rose Law Group

The site plan, as proposed, will need several variance approvals that include but are not exclusive to the front perimeter building setback, front perimeter landscape setback and the existing front perimeter wall along 32nd Street, which were constructed under less restrictive standards of the R1-6 Single-Family zoning district. The building height, lot coverage and parking have not been clearly identified on the site plan submitted with this case.

If this request for a change of zoning to the CP/GCP district is approved, the applicant will need to submit a use permit application and undergo a public hearing process with the Zoning Adjustment Hearing Officer to further review the landscape contractor yard proposed. The use permit process will include a review of the specific areas for the orderly arrangement of all operations, products, materials, equipment, and storage on the site. A minimum six-foot-high solid masonry wall is presently required to screen open uses and storage areas, but additional wall height may be required as a condition of approval of the use permit. Further improvements if deemed necessary can be imposed through the use permit process and through other formal actions if required as well.

Stipulation No. 19 would require that the improvements stipulated, presented in this staff report, must be completed before the site is issued a certificate of occupancy to operate with the city's approval.

5. 32nd Street

Between Broadway Road and Southern Avenue, along 32nd Street, there are a variety of land uses that include industrial parks, single-family and multifamily uses. Thirty-Second Street serves as the main thoroughfare in this part of the city which provides direct access to the Interstate 10 freeway north of Broadway Road. This street provides exclusive direct street access to the subject property in addition to several other properties between Roeser Road and Southern Avenue. Presently, there are two driveways on the subject site along 32nd Street, however staff is recommending that only one vehicular entrance is maintained along 32nd Street to reduce the number of driveways which cross a regional public trail and sidewalk. Presently, the driveway located to the south of the site provides access to vehicular parking in front of the existing office building. Lastly, where a vehicular driveway connects to 32nd Street, staff is recommending a stipulation to require traffic calming measures. The driveway and traffic calming measures are addressed in Stipulation Nos. 6 and 7.

Since the subject site is located in an area with an important regional transportation network and within proximity to a public park, staff is recommending enhancements to the existing building elevations adjacent plus oriented to 32nd Street, the front perimeter wall elevations facing 32nd Street, landscape enhancements along the frontage of the property next to 32nd Street and a landscape setback on the north property line to help screen outdoor uses which will improve the aesthetics of this

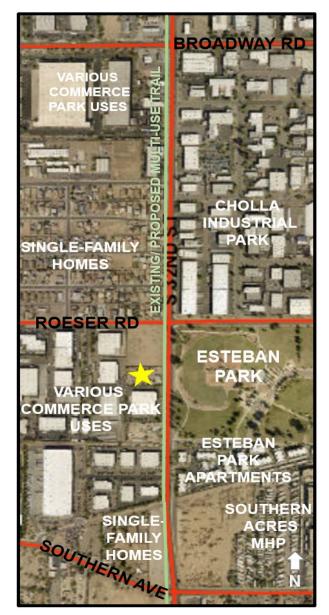
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> property. The building elevations and wall enhancements are addressed in Stipulation Nos. 1 and 2, while the landscape enhancements are addressed in Stipulation Nos. 3 and 4. Furthermore, there is an existing and planned multi-use regional trail that extends from north to south along the west side of 32nd Street, providing a critical connection to other existing and planned trails in the region. An 18-foot wide MUTE (multi-use trail easement) and trail presently exist along the 32nd Street frontage on the subject property.

> The Parks and Recreation Department has requested a wider multi-use trail easement (MUTE) and a multi-use trail (MUT) along the frontage of this property adjacent to 32nd Street. This is addressed in Stipulation No. 10.

The Esteban Park Area Plan supports these improvements to the frontage of the property and trail connection as proposed and discussed further in Background Item No. 6 below.

Figure D. (Right), Source: City of Phoenix Planning and Development Department



STUDIES AND POLICIES

6. Esteban Park Area Plan

The Esteban Park Area Plan was adopted in 2003 with the intent of guiding future development in this area which has transition from large-lot agricultural uses to a mixture of agricultural, commerce park and residential land uses. The Esteban Park Area Plan is bounded by Roeser Road to the north, Southern Avenue to the south, 36th Street to the east and 24th Street to the west. At the southeast corner of 32nd Street and Roeser Road, one can find Esteban Park, a public park which was annexed into the City of Phoenix in the 1960s and which serves as the only publicly accessible open space in the general area today.

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> Besides preserving park space, the Esteban Park Area Plan envisioned a robust transportation system with a variety of transportation options including public transportation, pedestrian, equestrian and bicycle paths that connect this area of the city to the broader region-wide transit and trail networks in a safe plus attractive manner. In terms of recreation, the plan advocates for adequate, attractive

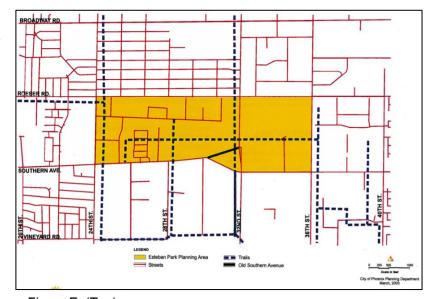


Figure E. (Top) Source: City of Phoenix, Planning and Development Department

recreation amenities that are safe, accessible and benefit the physical, social, and leisure needs of all area residents. Bicycle parking facilities at the subject site are addressed in Stipulation No. 5, to further the goals of this area plan.

Other goals of this area plan included land use compatibility through a balanced mix of land uses, protecting residential plus agricultural land uses through urban design that incorporates additional landscaped buffers and stepped building heights. Neighborhood preservation and improved drainage for the area are also other goals of the Esteban Park Area Plan. Improved exterior treatments of building façade(s) and front perimeter walls across the street from Esteban Park are addressed in Stipulation Nos. 1 and 2. Enhanced landscape buffers are addressed in Stipulation Nos. 3 and 4.

7. Tree and Shade Master Plan

The Tree and Shade Master Plan is a roadmap for creating a healthier, more livable and prosperous 21st Century desert city. The goal is to treat the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. Per the Tree and Shade Master Plan, staff is recommending that the landscape setbacks along 32nd Street include a combination of 2-inch and 3-inch caliper shade trees planted a minimum of 20 feet on center, or equivalent groupings, placed within proximity to the multi-use trail and oriented in a manner that will shade the adjacent trail plus sidewalk as much as possible, while pedestrian paths on the site shall be shaded to a minimum 75 percent by a combination of tree and architectural shade, in order to ensure thermal comfort for pedestrians. Pedestrian This is addressed in Stipulation Nos. 3, 8 and 9. Staff Report: Z-4-20-8 July 31, 2020 Page 9 of 14

8. Complete Street Guidelines

The City's complete streets policy further advances its goal to create a more sustainable transportation system that is safe and accessible for everyone. Complete streets provide infrastructure that encourages active transportation such as walking, bicycling, transportation choices and increased connectivity. Through this policy, the primary focus of street design will no longer be solely on the speed and efficiency of automobile travel, but on the safety and comfort of all users. This development will help to pedestrianize the immediate street frontage by shading the adjacent trail and sidewalk, where possible, along 32nd Street. Furthermore, bicycle parking will be provided at this facility, encouraging the use of alternative transportation modes. These are addressed in Stipulation Nos. 3 and 5.

9. Comprehensive Bicycle Master Plan

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Bicycle lanes have been designed within the 32nd Street and Roeser Road corridors. Staff is recommending a stipulation to require bicycle parking on the site, given there is an existing bicycle lane along 32nd Street. This is addressed in Stipulation No. 5.

10. Reimagine Phoenix

As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, industrial, and mixed-use developments meeting certain criteria.

COMMUNITY INPUT SUMMARY

11. From the time the case was filed to the time the staff report was written, no correspondence from the public was received by staff.

INTERDEPARTMENTAL COMMENTS

- 12. The Water Services Departments commented that the property has existing water and sewer mains that can potentially serve the development. However, capacity is a dynamic condition that can change over time due to a variety of factors.
- 13. The Floodplain Management division of the Public Works Department has indicated that the parcel is not located in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 2220 L of the Flood Insurance Rate Maps (FIRM) dated February 10, 2017.

- 14. The Fire Department does not anticipate any problems with this case. However, they noted that the site and/or buildings shall comply with the Phoenix Fire Code.
- 15. The Public Transit Department requires that a clearly defined, accessible pathways constructed of decorative pavers, stamped or colored concrete or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces be provided. These paths shall connect all building entrances and exits and all public sidewalks utilizing the shortest distance and most direct route. This is addressed in Stipulation No. 8.

The Public Transit Department requires the shading of pedestrian paths in the subject site shall be provided to a minimum of 75 percent via shade trees. The request from the Public Transit Department was modified to allow both architectural and tree shading of pedestrian paths in the subject site, due to potential conflicts with the multi-use trail location. This is addressed in Stipulation No. 9.

- 16. The Parks and Recreation Department requested the dedication of a multi-use trail easement (MUTE) along the west side of 32nd Street and construction of a 10-foot wide multi-use trail (MUTE) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement. A 25-foot wide MUTE along the northern portion of the property has been required. This 25-foot wide trail easement shall taper to a width of 20-feet along the southern portion of the property. However, the width of the MUTE can be reduced where conflicts exist with existing walls, existing structures or utilities, but shall at no point be less than 18 feet in width. This is addressed in Stipulation No. 10.
- 17. The Street Transportation Department commented on the dedication of street rightof-way along 32nd Street, the replenishment of streetscape landscaping between the sidewalk and curbs, plus the construction of any necessary street improvements within and adjacent to the development to comply with ADA guidelines. These are addressed in Stipulation Nos. 11 through 13.
- 18. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners of the property. Furthermore, that Form 7460-1 be filed for the development and that the development receive a "No Hazard Determination" from the FAA. These are addressed in Stipulation Nos. 14 and 15.

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- 19. 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. 16 through 18.
- 20. The property is undergoing a rezoning to the CP/GCP district, to be followed by a use permit submittal, with the intent to allow the existing use on the property. Stipulation No. 19 would require that the improvements stipulated, presented in this staff report, must be completed before the site is issued a certificate of occupancy to operate with the city's approval.

OTHER

21. 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 proposal is consistent with the General Plan Land Use Map designation of Commerce/Business Park.
- 2. The proposed commerce park development, as stipulated, is compatible with the surrounding land uses.
- 3. The proposed development will further the goals of the Esteban Park Area Plan.

Stipulations

1. Building elevations adjacent and oriented to public streets shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco,

to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

- 2. Perimeter walls, including existing walls, adjacent to public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
- 3. The required street side landscape setback shall be planted with single-trunk drought-tolerant shade trees and other vegetation. There shall be a minimum of five 3-inch caliper trees and four 2-inch caliper trees, and five 5-gallon shrubs per tree to achieve 75-percent live coverage. The required landscaping shall be located in front of perimeter walls along 32nd Street where conflicts with the MUTE, multi-use trail and/or utilities do not exist. Trees shall be oriented to provide the maximum shade possible to the multi-use trail and sidewalk along 32nd Street, as approved by the Planning and Development Department.
- 4. A minimum 5-foot wide landscape setback shall be provided along the north property line and shall be planted 20 feet on center, or in equivalent groupings, with large canopy drought-tolerant trees including 40 percent 1-inch caliper and 60 percent 2-inch caliper sizes, as approved by the Planning and Development Department. These trees shall be arranged in manner that maximizes the screening of uses from adjacent property lines, as approved by the Planning and Development.
- 5. The developer shall install a minimum of three inverted U-bicycle racks or artistic style racks, installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
- 6. The development shall be limited to one vehicular driveway along 32nd Street. This driveway shall incorporate sight visibility triangles of 10 feet by 20 feet in dimension located where the driveway intersects the adjacent street, as approved by the Planning and Development Department.
- 7. The developer shall provide traffic calming measures at the vehicular point of ingress and egress to slow vehicles departing the development and crossing the multi-use trail and public sidewalks, as approved by the Planning and Development Department.
- 8. The developer shall provide a clearly defined, accessible pathway constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisles

surfaces. This pathway shall connect all building entrances and exits to all public sidewalks utilizing the minimum possible distance and providing the most direct route.

- 9. Pedestrian paths on the subject site shall be shaded to a minimum 75 percent by a combination of tree and architectural shade, as approved by the Planning and Development Department.
- 10. The developer shall dedicate a 25-foot-wide multi-use trail easement (MUTE) along the west side of 32nd Street that gradually tapers to 20 feet to meet the existing 20-foot-wide MUTE south of the property. The width of the MUTE can be reduced where conflicts exist with existing walls, existing structures or utilities, but shall at no point be less than 18 feet in width. The developer shall construct a minimum 10-foot wide multi-use trail (MUT) within the MUTE in accordance with the MAG supplemental detail indicated in Section 429 or as otherwise approved by the Parks and Recreation Department and/or the Planning and Development Department.
- 11. The developer shall dedicate 7 feet of right-of-way for a total of 40 feet along 32nd Street, as approved by the Street Transportation Department.
- 12. Streetscape landscaping between the sidewalk and curb shall be replenished with drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage, as approved by the Planning and Development Department.
- 13. 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.
- 14. The developer shall record a Notice of 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 of the property. The form and contents of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
- 15. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for all development required by the FAA to file this form, and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure, as required by the FAA, a

separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.

- 16. 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.
- 17. If Phase I data testing is required, and if, upon review of the results from 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.
- 18. 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.
- 19. Prior to the issuance of a permit for change of occupancy for the existing building to a CP/GCP use and/or building permits for any new buildings and/or additions, all of the stipulated improvements listed above shall be completed, as approved by the Planning and Development Department.

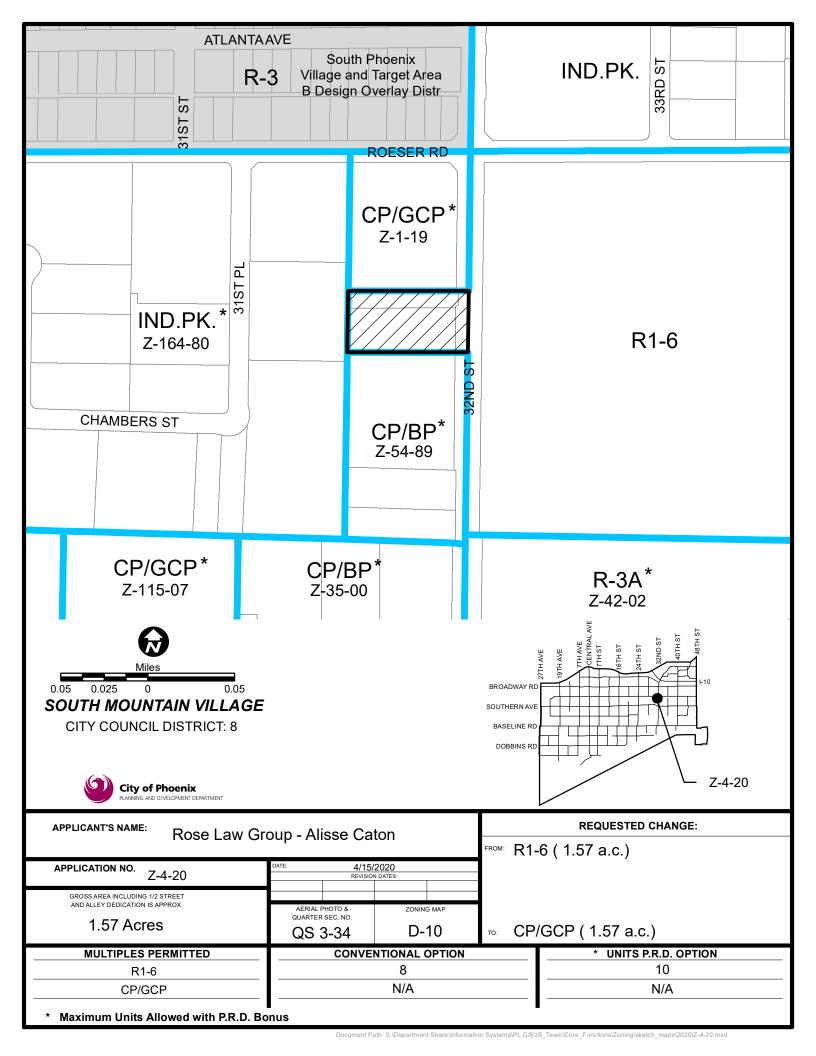
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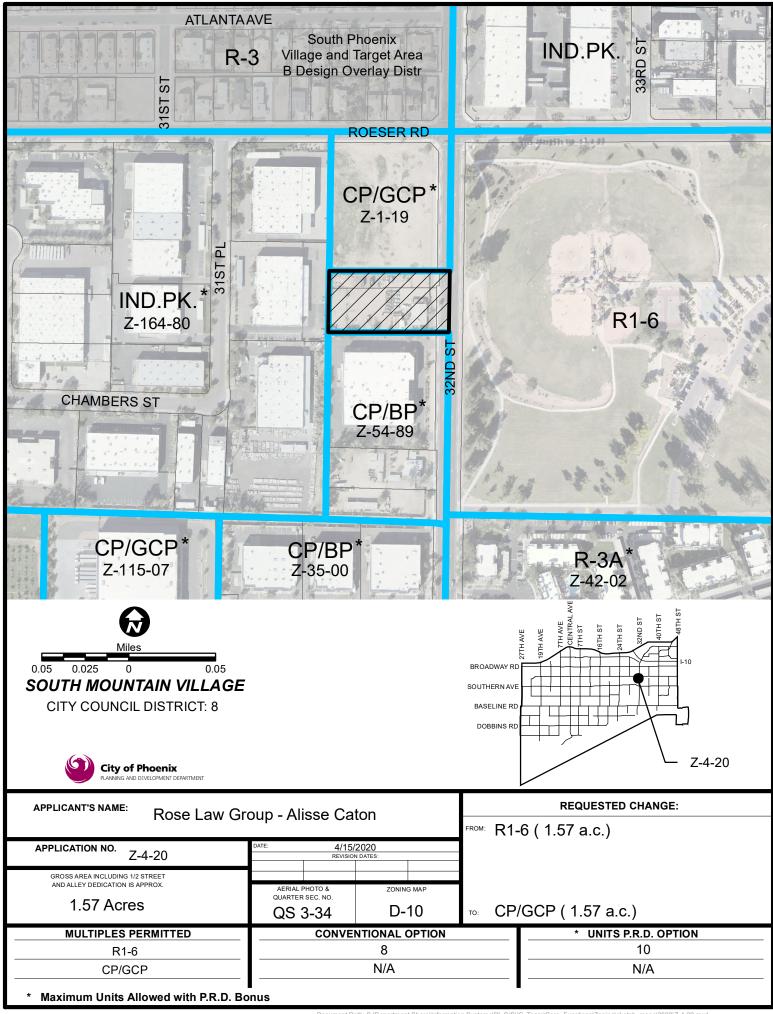
Enrique Bojórquez-Gaxiola July 31, 2020

Team Leader

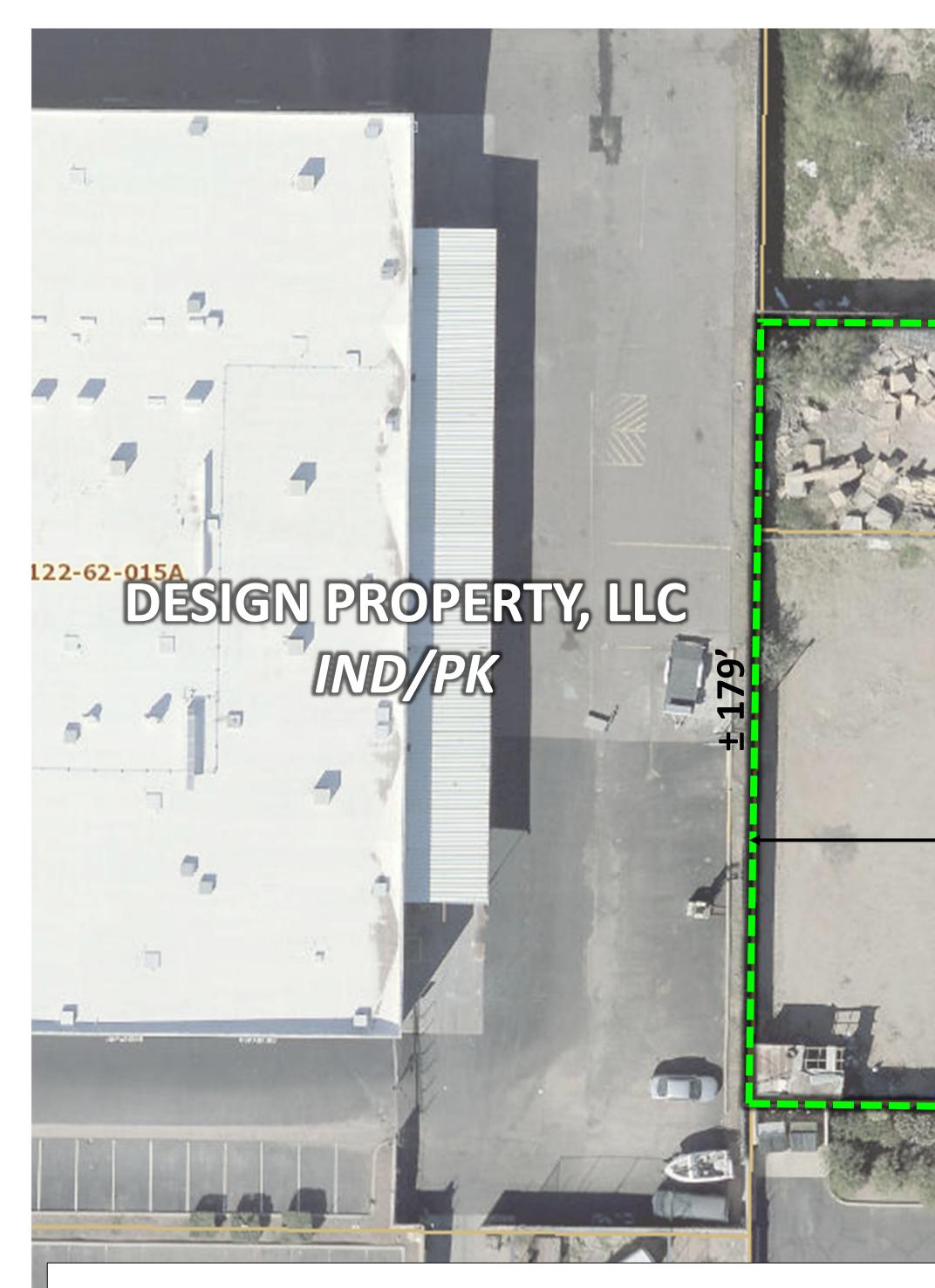
Samantha Keating

<u>Exhibits</u> Sketch Map Aerial Map Conceptual Site Plan Date Stamped January 23, 2020





Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-4-20.mxd



SITE DATA ACRES - +/-1.38 AC EXISTING GP – COMMERCE/BUSINESS PARK EXISTING ZONING – R1-6 EXISTING USE – BLACK EAGLE NURSERY & LANDSCAPING

PROPOSED ZONING – CP/GCP PROPOSED USE - BLACK EAGLE NURSERY & LANDSCAPING

ROESER INDUSTRIAL PARTNERS, LLC CP/GCP

+ 327'

PARKING 5+ provided

STORAGE

122-62-0020

± 251.6

TURBOANALISIS CP/BP

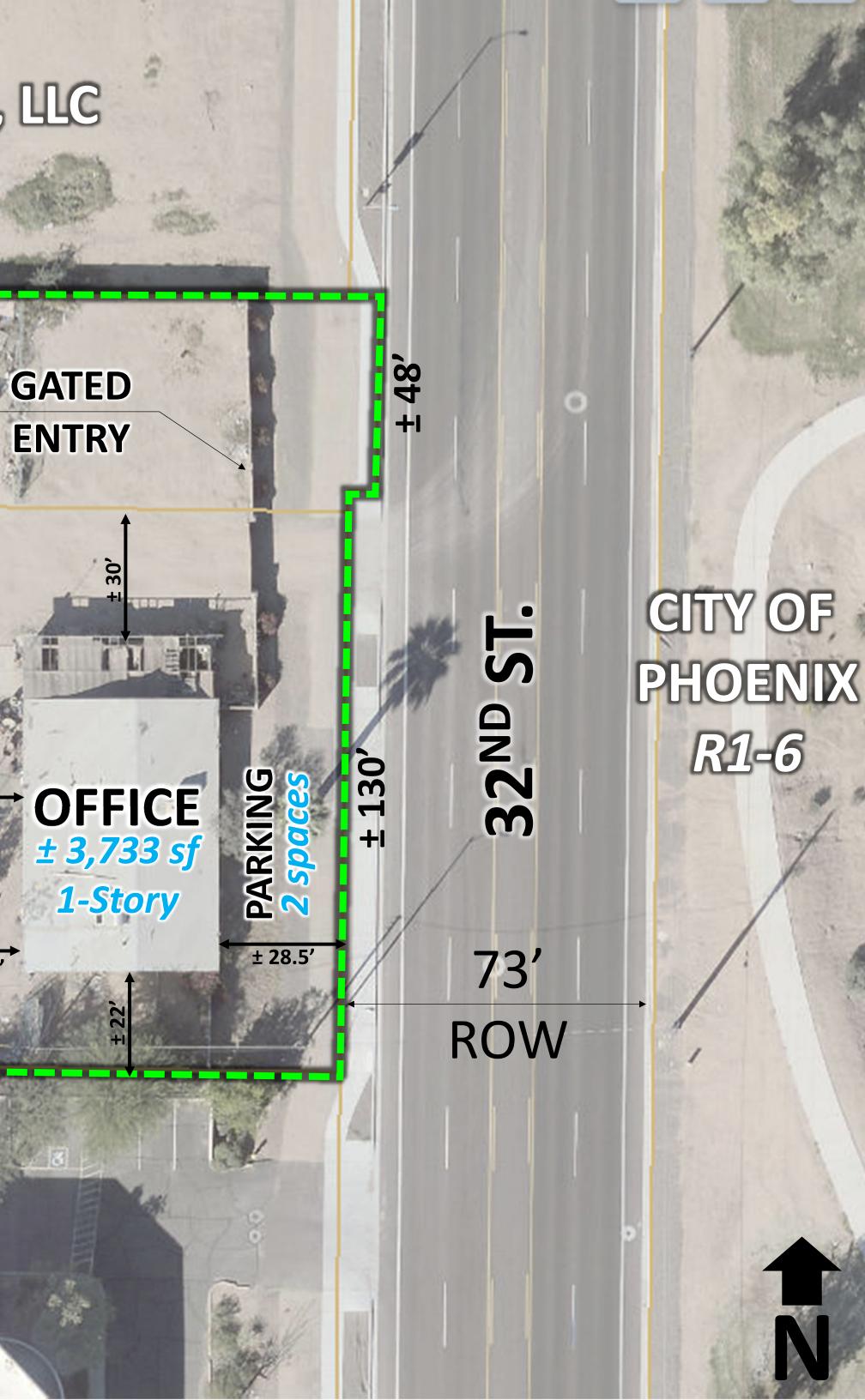
± 328

CITY OF PHOENIX

± 21.3'

JAN 2 3 2020

Planning & Development Department



*NO CHANGE TO SITE PLAN IS PROPOSED WITH REQUESTED