

Staff Report Z-87-24-4 August 29, 2024

Maryvale Village Planning Committee September 11, 2024

Meeting Date:

Planning Commission Hearing Date: October 10, 2024

Request From: Ind.Pk. (Industrial Park) (5.11 acres)

Request To: A-1 (Light Industrial District) (5.11

acres)

Proposed Use: Office, fabrication, indoor storage,

and vehicle/equipment repair

Location: Northwest corner of 36th Avenue and

Cambridge Avenue

Owner: Ellis Johnson, Big Dog Properties,

LLC

Applicant: Dane Brubaker

Representative: Jordan Greenman, Greenman Law

Firm

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Commerce/Business Park			
Street Map Classification	Roanoke Avenue	Local Street	30-foot south half street		
	36th Avenue	Local Street	30-foot west half street		
	Cambridge Avenue	Local Street	33 to 30-foot north half street		

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

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The subject site is currently vacant and the proposed development, as stipulated, is compatible with the existing surrounding land uses.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING/INDUSTRIAL DEVELOPMENT LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.

The proposal will protect and strengthen Phoenix's industrial sector by providing fabrication services that can be used to support jobs and businesses in the area.

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, provides enhanced levels of trees and shade which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plans, Overlays, and Initiatives

Phoenix Grand Avenue Employment Center – See Background Item No. 6.

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

Complete Streets Guiding Principles – See Background Item No. 8.

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

<u>Transportation Electrification Action Plan</u> – See Background Item No. 10.

Zero Waste PHX – See Background Item No. 11.

Conservation Measures for New Development - See Background Item No. 12.

Phoenix Climate Action Plan – See Background Item No. 13.

Surrounding Land Uses/Zoning			
	Land Use	Zoning	
On Site	Vacant land	Ind. Pk.	

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North (across Roanoke Ave)	Vacant land, office/warehouse and wholesaling	Ind. Pk.
South (across Cambridge Ave)	Office/warehouse and wholesaling	Ind. Pk.
East (across 36th Ave)	Vacant land and warehouse	Ind. Pk.
West	Office/warehouse, manufacturing	Ind. Pk.

A-1 (Light Industrial)

<u>Standards</u>	<u>Requirements</u>	Met or Not Met			
Minimum Building Setbacks					
Street (South)	0 feet	50 feet (Met)			
Street (East)	0 feet	85 feet (Met)			
Side (West)	0 feet	60 feet (Met)			
Street (North)	0 feet	88 feet (Met)			
Minimum Landscaped S	etbacks				
Street (South)	0 feet	20 feet (Met)			
Street (East)	0 feet	20 feet (Met)			
Side (West)	0 feet	0 feet (Met)			
Street (North)	0 feet	20 feet (Met)			
Maximum Lot	N/A	42% (Met)			
Coverage Maximum Building Height	56 feet, 80 feet with use permit	38 feet (Met)			
Minimum Parking	75 spaces	97 spaces (Met)			
	Primary Suite: Office: 1 per 300 square feet 4,477 square feet/300 = 15 spaces				
	Fabrication and Warehouse Workers: 1 space for 1.5 employees				
	30 employees/1.5 employees = 20 spaces				
	Primary Suite: 35 spaces				

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Tenant Suite:

Office: 3,700 sq. ft./300 sq. ft. =

12.4 spaces

Industrial/Warehouse: 1 per

1,000 square feet

Industrial 13,695 sq. ft./1,000

sq. ft = 13.7 spaces

Warehouse: 13,695 sq. ft./1,000

sq. ft = 13.7 spaces

Tenant Suite: 40 spaces

Background/Issues/Analysis

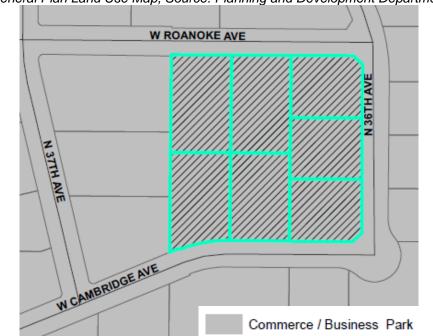
SUBJECT SITE

1. This request is to rezone 5.11 acres located at the northwest corner of 36th Avenue and Cambridge Avenue from Ind. Pk. (Industrial Park) to A-1 (Light Industrial District) to allow office, fabrication, indoor storage, and vehicle/equipment repair.

GENERAL PLAN LAND USE MAP DESIGNATION

2. The General Plan Land Use Map designation for the site is Commerce/Business Park. The General Plan Land Use Map designations for the surrounding parcels to the north, east, south and west are also Commerce/Business Park. This land use category generally consists of uses such as professional offices, research and development, wholesale and storage warehouses. The proposal for A-1 zoning is not consistent with the General Plan Land Use Map designation, however a General Plan Amendment is not required as the site is less than ten acres in size.

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

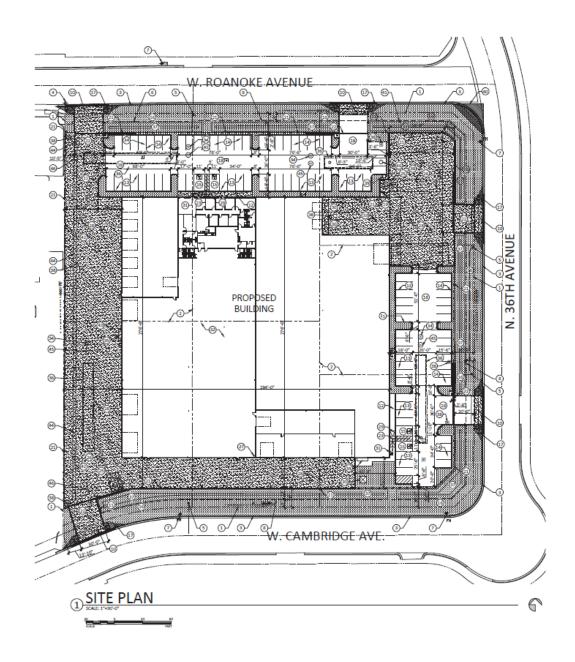
EXISTING CONDITIONS AND SURROUNDING ZONING

3. The subject site is currently vacant, as shown in the aerial sketch map included as an exhibit and has been vacant since its annexation in 1958. The surrounding zoning designations to the north, south, east and west are Industrial Park. North of the subject site, across Roanoke Avenue, is a vacant parcel and office, wholesaling and warehouse uses. To the east of the subject site, across 36th Avenue, is a vacant site and a warehouse. Also to the east of the site are A-1 zoned properties fronting 35th Avenue. To the south, across Cambridge Avenue, are office, wholesaling and warehouse uses. To the west are office, warehouse and manufacturing uses.

SITE PLAN PROPOSAL

The conceptual site plan, attached as an exhibit, proposes a 75,686-square-foot building, with a 4,436 square foot mezzanine, to be used for office, fabrication, and storage. Two parking lot areas are proposed, one along the north side of the building and the other along the east side, totaling 97 parking stalls. The site features five ingress/egress points to public streets. Two access points are along the east side along 36th Avenue, another two are along the north side along Roanoke Avenue, and the fifth is at the southwest corner linking the site to Cambridge Avenue. An 8-foot solid metal fence is proposed around the perimeter of the site. The perimeter of the subject site along the street frontages will contain enhanced landscape setbacks and planting standards. Stipulation No. 1 requires general conformance with the site plan with specific regard to the landscape setbacks along all street frontages with enhanced planting standards to ensure the site develops as proposed.

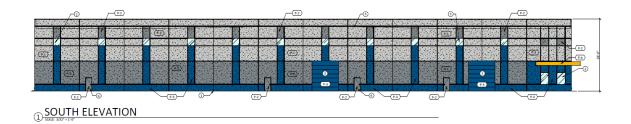
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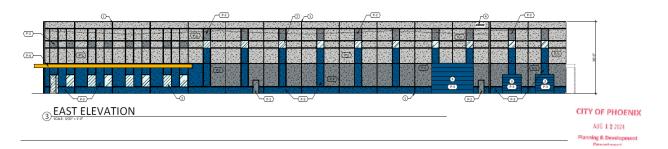


5. ELEVATIONS

The proposal includes conceptual elevations, attached as an exhibit, for a concrete tiltup building 38 feet in height (to the top of the parapet). The elevations feature clerestory windows, roll-up doors at the loading areas, and architectural elements with metal canopies at the public entrances. Stipulation No. 2 requires the development to be in general conformance with the proposed elevations.

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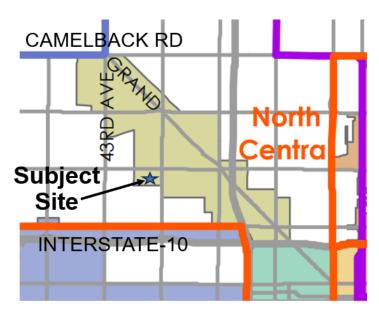




STUDIES AND POLICIES

6. **Phoenix Grand Avenue Employment Center**

The subject site is located within the MAG designated Phoenix Grand Avenue Employment Center. The substantial size and diverse nature of the labor pool found in the Maryvale area is a key factor in contributing to the overall attractiveness of this employment center. This employment center includes properties adjacent to Grand Avenue from the I-10 Freeway on the south to Camelback Road on the north. This proposal adds light industrial uses that will add to the employment in a designated employment center.



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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. Staff recommends stipulations designed to provide trees and enhance shade. Stipulation No. 1 requires enhanced landscaping setbacks and planting standards. Additionally, a resting area for employees is required to be provided with additional shade from trees or architectural elements per Stipulations No.3. Stipulation No. 15 requires 25 percent of the surface parking lot to be shaded by structure or 2-inch caliper, drought tolerant, shade trees.

8. 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. To provide a safe pedestrian environment, staff recommends enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles per Stipulation No. 4. Additionally, staff recommends a sidewalk along 36th Avenue per Stipulations No. 5 which will ensure a more comfortable and safe walking environment. Additionally, Stipulation Nos. 7 and 8 will encourage the use of bicycles by providing the infrastructure for bicycle parking and electrical charging capabilities.

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. The Comprehensive Bicycle Master Plan also supports options for both short-and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations, including light industrial employment centers. Stipulation Nos. 7 and 8 require bicycle parking spaces be provided on the site with electrical bicycle charging capabilities.

10. 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. Stipulation No. 9 provides requirements for

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electric vehicle parking, charging and infrastructure and Stipulation No. 8 requires electrical bicycle charging capabilities.

11. 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 proposed conceptual site plan does not show recycling facilities, but the application submittal notes the proposed facility will incorporate recycling. It is undetermined at this time how this will occur.

12. 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. This is addressed in Stipulation Nos. 10 through 18.

13. Phoenix Climate Action Plan

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 16, which requires a minimum of two GI technique for stormwater management to be implemented in this development.

COMMUNITY INPUT SUMMARY

14. At the time this staff report was written, staff has not received any community correspondence in support or opposition.

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INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department requested that all street improvements be constructed to city and ADA accessibility. Additionally, a minimum 5-foot-wide sidewalk shall be constructed on the west side of 36th Avenue adjacent to the development. These are addressed in Stipulation Nos. 5 and 6. The Street Transportation Department also noted all gates are to comply with the City of Phoenix Controlled Access Gate Policy.

OTHER

- 16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 19.
- 17. 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. 20.
- 18. 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 abandonments may be required.

Findings

- 1. The proposal will develop a vacant property and as stipulated will be compatible with surrounding land uses.
- 2. The proposal will provide employment uses near the Grand Avenue, I-17 and I-10 Freeway corridors, and within a MAG designated Employment Center.
- 3. The stipulated planting standards are above the required minimum standards and will make the proposal a compatible addition to the neighboring commerce park area.

Stipulations

1. The development shall be in general conformance with the site plan date stamped June 25, 2024 with specific regard to the 20-foot landscape setbacks along all street frontages, planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, as modified by the following stipulations and as approved by the Planning and Development Department.

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2. The development shall be in general conformance with the elevations date stamped August 12, 2024, as approved by the Planning and Development Department.

- 3. One outdoor employee resting area of no less than 400 square feet, or two 200 square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper large canopy shade trees and/or architectural shade, as approved by the Planning and Development Department.
- 4. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
- 5. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 36th Avenue, adjacent to the development.
- 6. 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.
- 7. Bicycle parking shall be provided at a rate of two bicycle spaces per 25 vehicle parking spaces through Inverted U and/or artistic racks and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, or through secure parking storage area/s, 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. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- 9. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
- 10. 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.
- 11. 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

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located on properties for uses such as parks, schools, and residential common areas, as approved by the Planning and Development Department.

- 12. 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.
- 13. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.
- 14. A leak detection device shall be installed for the irrigation of landscape areas 10,000 square feet or greater.
- 15. 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.
- 16. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- 17. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.
- 18. Any wet-cooling systems shall be designed and installed per the standards in the latest adopted version of the International Green Construction Code (IGCC).
- 19. 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.
- 20. 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.

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<u>Writer</u>

Matteo Moric August 29, 2024

Team Leader Racelle Escolar

Exhibits

Aerial Sketch Map Zoning Sketch Map Conceptual Site Plan date stamped June 25, 2024 Conceptual Elevations date stamped August 12, 2024 (2 pages)

