



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-54-22-2**  
**October 10, 2022**

**North Gateway [Village Planning Committee](#) Meeting Date:** October 13, 2022

**[Planning Commission](#) Hearing Date:** November 3, 2022

**Request From:** [PCD NBCOD](#) (Approved [R1-8 PCD NBCOD](#)) (4.50 acres)

**Request To:** [P-1 PCD NBCOD](#) (4.50 acres)

**Proposed Use:** Surface Parking Lot

**Location:** Northeast corner of 27th Drive and Westland Road

**Owner:** North Valley Christian Academy

**Applicant:** Tim Scolaro, Orcutt Winslow Architects

**Representative:** Gary Yiatchos

**Staff Recommendation:** Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Residential 2 to 5 dwelling units per acre Residential 5 to 15 dwelling units per acre	
<a href="#">Street Map Classification</a>	27th Drive	Collector	55-feet east half street
	Westland Road	Minor Collector	40-feet north half street

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

The proposal allows additional overflow parking for a school located on the south side of Westland Road. As proposed and stipulated, the rezoning request is designed

to be sensitive to the surrounding neighborhood through appropriate landscape setbacks and landscaping for screening.

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

The requested zoning will allow for a low impact use that is consistent with the scale and character of the surrounding area. The parking lot will be for the sole use of the school south of Westland Drive. Ample setbacks and vegetation will screen the parking lot to provide an aesthetically pleasing streetscape that will complement the surrounding residential and commercial uses.

**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 sets forth extensive landscaping standards designed to provide robust tree shade cover along its street frontages. Revegetation of the landscape strips between the detached sidewalks along all street frontages will provide thermal comfort for pedestrians. The proposal as stipulated also requires that a minimum of 75 percent of public pedestrian pathways be shaded.

### Applicable Plans, Overlays, and Initiatives

[North Black Canyon Corridor Plan](#): Background Item No. 5.

[North Black Canyon Overlay District](#): Background Item No. 6.

[Tree and Shade Master Plan](#): Background Item No. 7.

[Complete Streets Guidelines](#): Background Item No. 8.

[Zero Waste PHX](#): Background Item No. 9.

### Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant	PCD NBCOD (Approved R1-8 PCD NBCOD)
<b>North</b>	Single-family residential, and drainage easement	R1-8 PCD NBCOD
<b>South (across Westland Road)</b>	North Valley Christian Academy	PCD NBCOD (Approved R-3 PCD

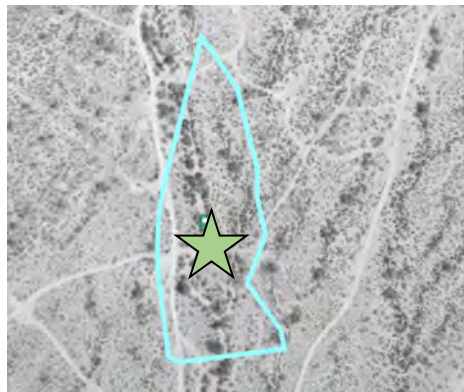
		NBCOD)
<b>East</b>	Single-family residential, and drainage easement	R1-8 PCD NBCOD
<b>West (across 27th Drive)</b>	Multifamily residential	R1-8 PCD NBCOD

**Background/Issues/Analysis**

**SUBJECT SITE HISTORY AND PROPOSAL**

1. This request is to rezone 4.50 acres located at the northeast corner of 27th Drive and Westland Road from PCD NBCOD (Planned Community Development, North Black Canyon Overlay District) (Approved R1-8 PCD NBCOD (Single-Family Residence District, Planned Community Development, North Black Canyon Overlay District)) to P-1 PCD NBCOD (Passenger Automobile Parking, Limited, Planned Community Development, North Black Canyon Overlay District) to allow a 136-space surface parking lot.

The subject site was annexed into the city in 1989 under S-1 City of Phoenix equivalency zoning. In 1999 the site was approved for R1-8 zoning as part of the greater Schreider Trust PCD (Z-129-99-2). The lot has remained vacant ever since.



Site in 1991



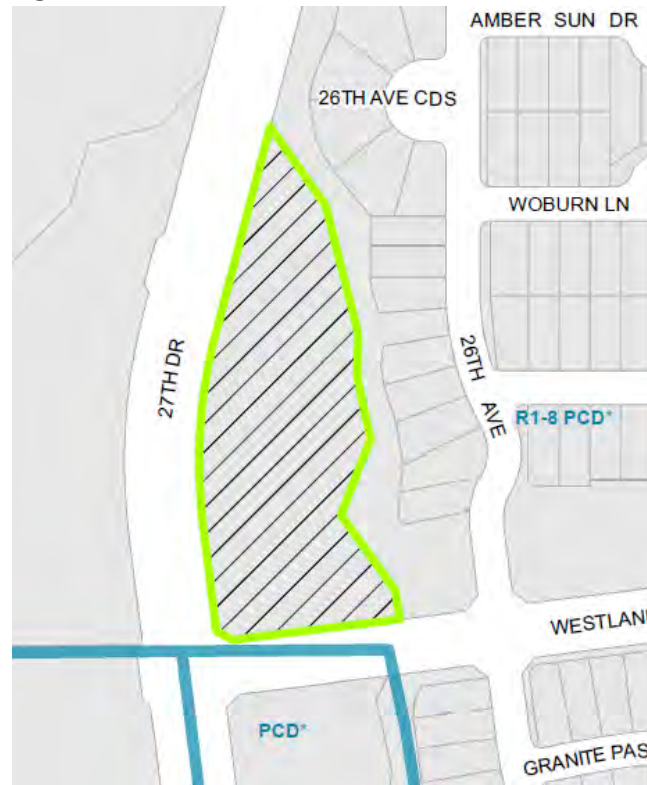
Site in 2022

*Site Aerials*

*Source: City of Phoenix Planning and Development Department*

### SURROUNDING LAND USES AND ZONING

2. The requested zoning district is consistent and compatible with the surrounding land uses. The surrounding zoning districts are R1-8 PCD NBCOD (Single-Family Residence District, Planned Community Development, North Black Canyon Overlay District) to the north, east, and west. Zoning to the south is PCD NBCOD (Planned Community Development, North Black Canyon Overlay District) (Approved R-3 PCD NBCOD (Multifamily Residence District, Planned Community Development, North Black Canyon Overlay District)) The surrounding land uses are single-family residential and a drainage easement to the north and east, multifamily to the west (across 27th Drive), and a school to the south (across Westland Road).



Site Aerial

Source: City of Phoenix Planning and Development Department

### GENERAL PLAN LAND USE MAP DESIGNATION

3. The General Plan Land Use Map designation for the subject site and to the south and southeast are Residential 5 to 15 dwelling units per acre. The north portion of the site as well as the area to the north and northwest are Residential 2 to 5 dwelling units per acre. To the east the General Plan Land Use Map designation is a mix of Preserve/Residential 2 to 3.5 and Residential 3.5 to 5 dwelling units per acre. Although the proposal is not consistent with the General Plan Land Use Map designation, it



General Plan Land Use Map

Source: City of Phoenix Planning and Development Department

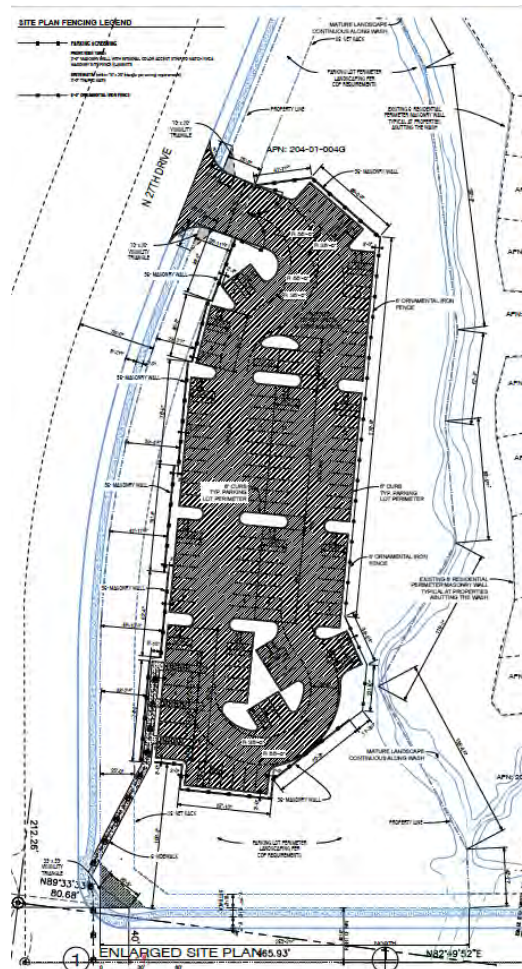
is compatible with the surrounding land uses. A General Plan amendment is not required since the rezoning area is less than 10 acres.

## PROPOSAL

### 4. Site Plan

The applicant is proposing a 136-space surface parking lot. The site will provide an average 25-foot landscaped setback along street frontages, except for a small portion where the setback will be 10 feet to minimize disturbance to a wash that runs along the eastern portion of the site, the setback to the nearest residence is approximately 100 feet. Thus, staff is stipulating general conformance to the site plan as Stipulation No.1. A minimum 10 percent of the surface parking area shall be landscaped and tree planters will be arranged to meet 25 percent shading for the parking area as Stipulation Nos. 2 and 3. Furthermore, a decorative 6-foot-tall iron fence will provide security while still permitting visibility onto the site.

There are no specific standards for P-1 zoning other than the the design guidelines in Section 507 Tab A of the Zoning Ordinance which includes design guidelines for parking lot landscaping, screening, and lighting. Therefore, specific and enhanced standards are addressed through the stipulations of entitlement for the P-1 zoning.



Proposed Site Plan  
Source: orcutt | winslow

## STUDIES AND POLICIES

5. **North Black Canyon Corridor Plan**

The subject site is within the North Black Canyon Corridor Plan. The Phoenix City Council adopted the Corridor Plan in 1999 to guide growth and development within the planned area. The proposal is consistent with the intent of the following goals from the plan:

- Goal 3: *Concentrate growth within a defined corridor.*

The proposal is the last parcel to develop at the intersection of 27th Drive and Westland Road and is located directly across from the school it will serve.

- Goal 4: *Preserve North Sonoran desert amenities and use these features to define community form and identity.*

The proposal will preserve the existing drainage wash and existing vegetation to the maximum extent possible. Revegetation of missing landscaping and enhanced landscape setbacks will provide a densely vegetated and aesthetically pleasing streetscape consistent with North Black Canyon Corridor characteristics.

6. **North Black Canyon Overlay District**

The subject site is within the North Black Canyon Overlay District (NBCOD). The City Council adopted the NBCOD in 2001 in order to implement the designs and concepts of the North Black Canyon Corridor Plan. The NBCOD ensures development is compatible with the desert environment by providing comprehensive design guidelines. The development will be consistent with the NBCOD guidelines by integrating the natural desert environment into the built environment by preserving the wash and native vegetation on site to the maximum extent possible. This is addressed in Stipulation Nos. 1 and 6.

7. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending stipulations designed to provide trees and enhance shade within the development.

The proposal includes stipulations for enhanced landscaped areas, revegetation of detached sidewalks, and a minimum 75 percent shade requirement for all public sidewalks in Stipulation Nos. 4-6.

8. **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 enhance the immediate street frontage by providing landscaping along 27th Drive and along Westland Drive. In addition, any street improvements will be done to City of Phoenix and ADA standards. This is addressed in Stipulation Nos. 4, 5, and 7.

9. **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 Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. The applicant has not indicated any recycling containers on site.

COMMUNITY CORRESPONDENCE

10. As of the writing of this report, staff received two correspondence letters in opposition from the public regarding this request with concerns about traffic congestion and the need for the installation of a traffic light.

INTERDEPARTMENTAL COMMENTS

11. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that fire flow requirements may present a challenge for this site.
12. The Street Transportation Department commented that all required street improvements shall be provided and meet ADA standards. This is addressed in Stipulation No.7. The department is also requiring the developer to deposit funds into an escrow account to cover one-quarter of the cost of the eventual installation of a traffic signal at 27th Drive and Westland Road, prior to preliminary site plan approval. This is addressed in Stipulation No. 8.

OTHER

13. 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. 9

through 11.

14. 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. 12.
15. 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 proposed development is appropriate at this location and is consistent with the scale and existing uses in the surrounding area.
2. The proposal will provide a low-intensity neighborhood compatible use on an underutilized parcel and will facilitate pedestrian-oriented design and promote a safer walking environment.
3. The development, as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.

### **Stipulations**

1. The development shall be in general conformance with the site plan date stamped September 22, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum 10 percent of the surface parking lot area, exclusive of perimeter landscape setbacks, shall be landscaped.
3. 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.
4. The developer shall revegetate the landscape strip located between the sidewalk and back of curb, along the east side of 27th Drive, planted to the following standards and as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings and provide a minimum of 75 percent shade at maturity.



- b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

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

- 5. The developer shall revegetate the landscape strip located between the sidewalk and back of curb, along the east side of Westland Road, planted to the following standards and as approved by Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings and provide a minimum of 75 percent shade at maturity.
  - b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

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

- 6. A 25-foot average landscape setback shall be installed and maintained in accordance with the C-2 standards for planting type, size and quantity, as approved by the Planning and Development Department. Existing healthy landscape material onsite may be utilized to meet the landscape requirement.
- 7. 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.
- 8. The developer shall provide \$120,000.00 in an escrow account to the Street Transportation Department to fund a traffic signal at 27th Drive and Westland Road, prior to preliminary site plan approval.
- 9. 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.
- 10. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified

archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

11. 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.
12. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

**Writer**

Elias Valencia

October 10, 2022

**Team Leader**

Racelle Escolar

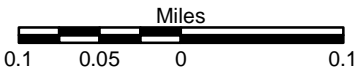
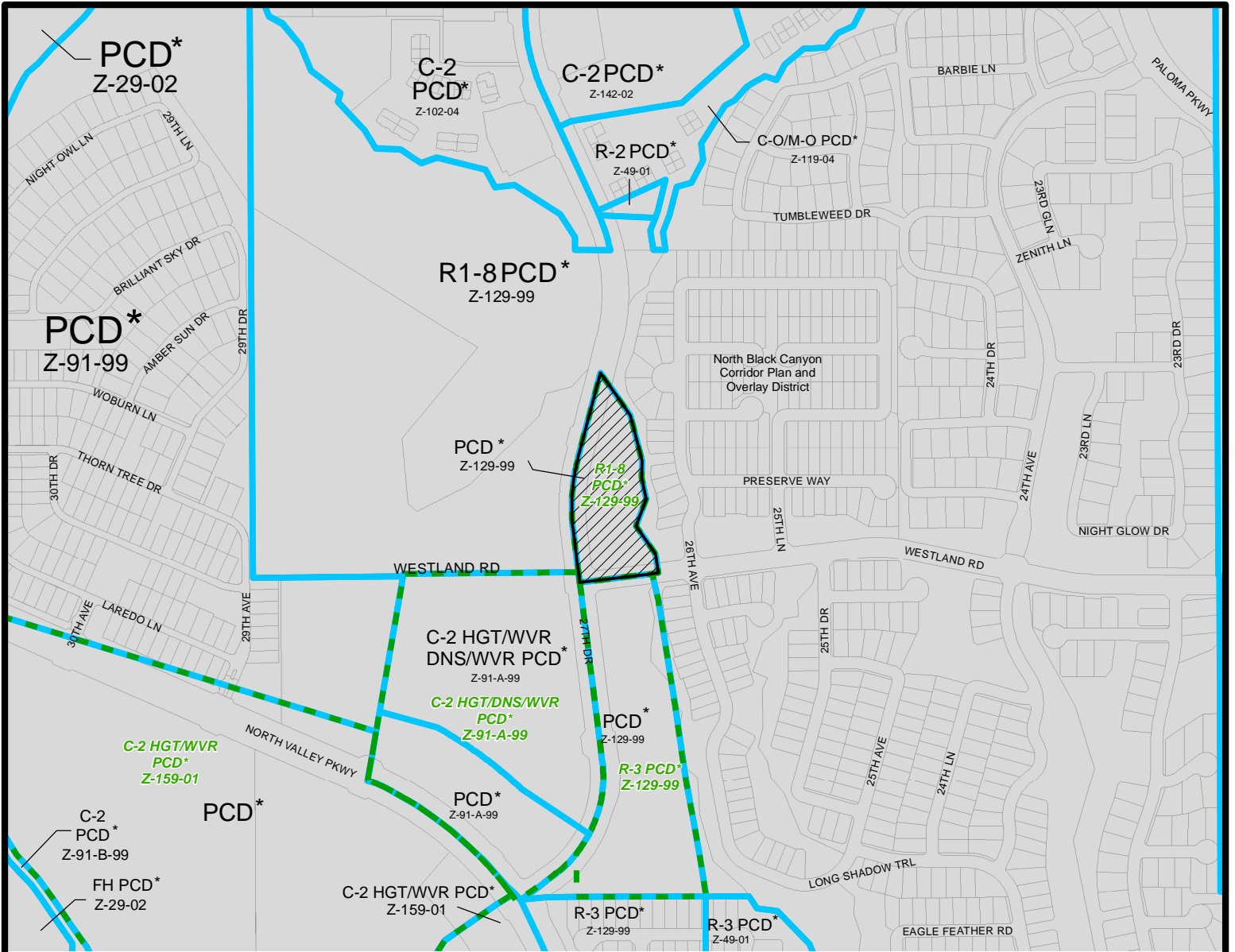
**Exhibits**

Zoning sketch map

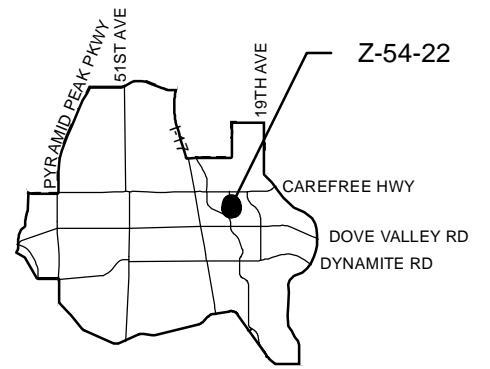
Aerial sketch map

Conceptual Site Plan date stamped September 22, 2022

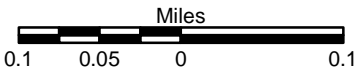
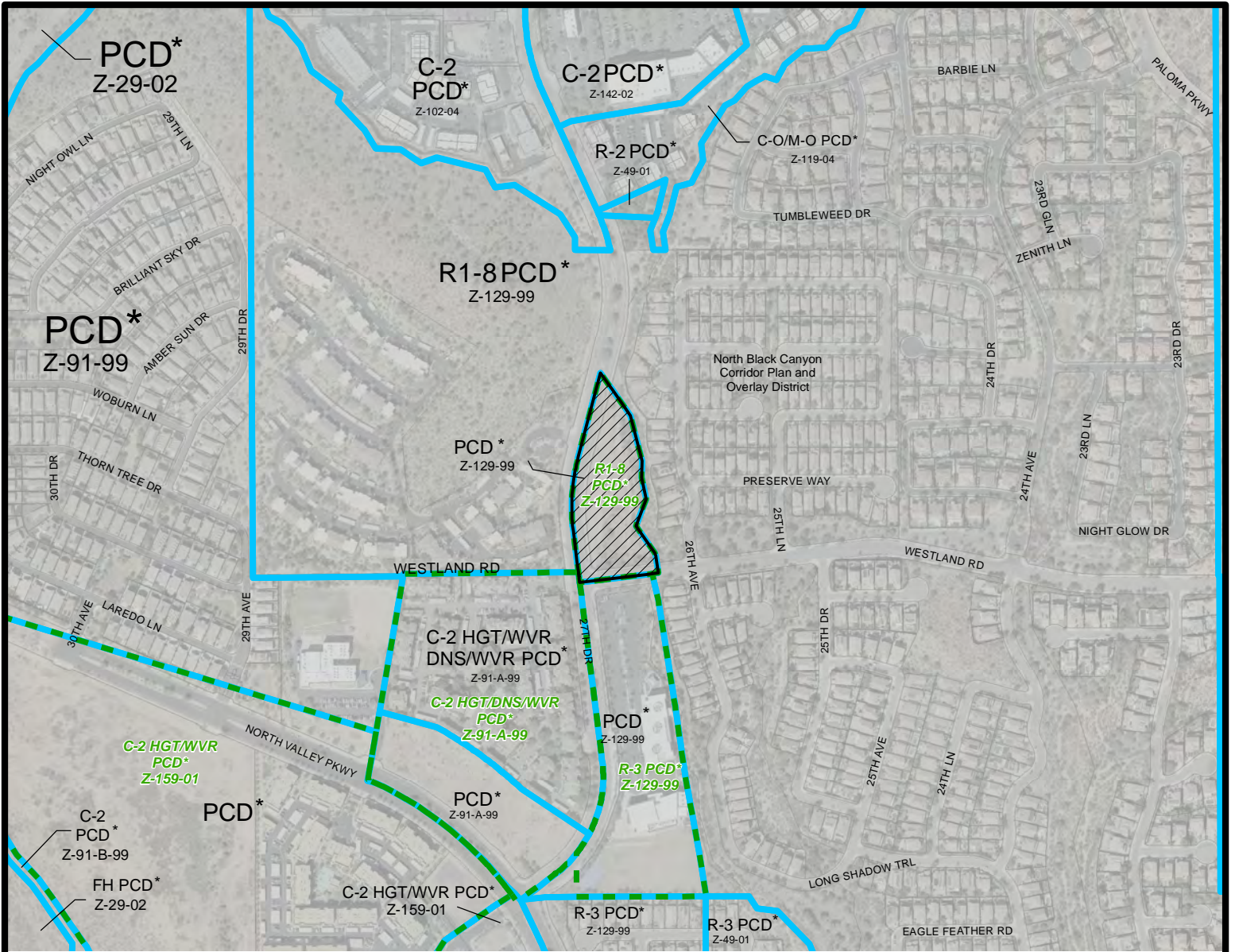
Community Correspondence (2 Pages)



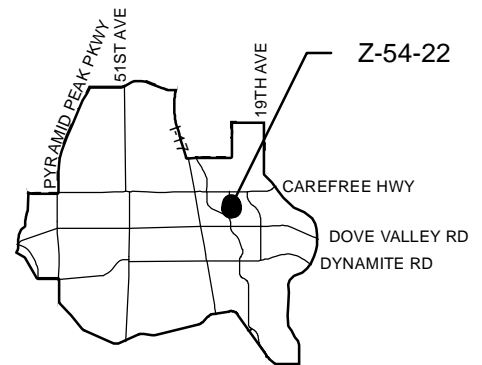
**NORTH GATEWAY VILLAGE**  
CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> Tim Scolaro, Orcutt Winslow Architects		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-54-22		<b>FROM:</b> PCD NBCOD (Approved R1-8 PCD NBCOD) ( 4.50 a.c.)	
<b>DATE:</b> 7/5/2022 <small>REVISION DATES:</small>		<b>TO:</b> P-1 PCD NBCOD ( 4.50 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>4.50 Acres</b>		<small>DATE:</small> 10/4/2022	
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 58-23</b>		<small>ZONING MAP</small> <b>R-7</b>	
<b>MULTIPLES PERMITTED</b> PCD NBCOD (Approved R1-8 PCD NBCOD) <b>P-1 PCD NBCOD</b>		<b>CONVENTIONAL OPTION</b> N/A (19) N/A	
<b>* UNITS P.R.D. OPTION</b> N/A ( 24) N/A			
<b>* Maximum Units Allowed with P.R.D. Bonus</b>			



**NORTH GATEWAY VILLAGE**  
CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> Tim Scolaro, Orcutt Winslow Architects		<b>REQUESTED CHANGE:</b>	
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<b>REVISION DATES:</b> 10/4/2022			
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 4.50 Acres		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 58-23	
		<b>ZONING MAP</b> R-7	
<b>MULTIPLES PERMITTED</b> PCD NBCOD (Approved R1-8 PCD NBCOD) P-1 PCD NBCOD		<b>CONVENTIONAL OPTION</b> N/A (19) N/A	
		<b>* UNITS P.R.D. OPTION</b> N/A ( 24) N/A	

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



**From:** [Ben Daniels](#)  
**To:** [Racelle Escolar](#); [Elias Valencia](#)  
**Subject:** Rezoning case no. Z-54-22, North Valley Christian Academy  
**Date:** Tuesday, August 23, 2022 4:19:06 PM  
**Attachments:** [2022-8-23 Las Colinas ltr to PHX planning.pdf](#)

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Dear Racelle and Elias,

Thanks for the Webex meeting today. As I said on the call, I'm an attorney with the parent company of Las Colinas at Black Canyon Apartments. Please find attached a letter I had emailed to Julianna Pierre. Julianna emailed me back stating that she is no longer working in planning and development. So, I wanted to make sure you have this letter. Again, our main concern is traffic congestion and the difficulties our residents and employees will have making a left out of Las Colinas. We'd love to see a light at our entrance, which I understand might be the entrance to the proposed parking lot as well.

I'll contact Maja Brkovic about this as well.

Thanks,

Ben

Benjamin J. Daniels  
Associate General Counsel



[\[managementsupport.rentanapt.com\]](http://managementsupport.rentanapt.com)

1800 E. Deere Ave.  
Santa Ana, CA 92705  
Phone: (949) 251-9411 x226  
Fax: (949) 251-9417

# LAS COLINAS AT BLACK CANYON APARTMENTS

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1800 EAST DEERE AVENUE | SANTA ANA | CALIFORNIA | 92705  
949.251.9411 x226 | FAX 949.251.9417 | ben@rentanapt.com

August 23, 2022

Julianna Pierre  
City of Phoenix Village Planner  
Sent via e-mail to: julianna.pierre@phoenix.gov

City of Phoenix Planning and Development Department  
200 W Washington St  
2<sup>nd</sup> Floor  
Phoenix, AZ 85003

Re: Rezoning Case No. Z-54-22

Dear Ms. Pierre and the Planning and Development Dept:

I'm an attorney with Las Colinas at Black Canyon Apartments ("Las Colinas"), located at 34000 N 27<sup>th</sup> Dr, Phoenix, and I'm writing in regard to North Valley Christian Academy's ("NVCA") rezoning request for 2680 W Westland Rd, to change the zoning from R1-8 PCD to P-1 PCD to allow for a 135-space parking lot with its entrance directly across from the Las Colinas entrance on N 27<sup>th</sup> Dr.

I'm writing to strongly object to any plans that do not include a new traffic light on N 27<sup>th</sup> at the entrance to Las Colinas and the entrance to the proposed new NVCA parking lot. The new lot will have a substantial impact on Las Colinas residents and employees, potentially forcing northbound traffic bound for the Carefree Hwy to turn right/south out of Las Colinas instead and have to make a dangerous U-turn at Fry's or go all the way to I-17 and then head north, which adds significant and unreasonable travel time. The increased traffic, without a traffic light, will likely also increase the risk of accidents at the entrance to Las Colinas and this new parking lot. Furthermore, if N 27<sup>th</sup> becomes too congested, Las Colinas may suffer a reduction in visits from potential new residents and therefore reduced leasing activity and revenue.

Traffic has been increasing steadily on N 27<sup>th</sup> for the past couple of years, at least, and this new parking lot will exacerbate the problem unless adequately addressed with a new traffic light.

Sincerely,

*/s/ Ben J. Daniels*

Benjamin J. Daniels, Esq.  
Associate General Counsel

**From:** [Ben Daniels](#)  
**To:** [Julianna Pierre](#)  
**Cc:** [Michael Kron](#)  
**Subject:** North Valley Christian Academy rezoning case Z-54-22  
**Date:** Friday, July 15, 2022 3:46:10 PM

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Dear Julianna,

We own and operate the apartment complex known as Las Colinas at Black Canyon, located at 34000 N 27<sup>th</sup> Dr, Phoenix. I'm writing with regard to the First Notification Letter dated July 12, 2022 that we received concerning NVCA's desire to rezone their property to allow for construction of a parking lot (case Z-54-22).

We are concerned about the impact the extra traffic at their proposed location will have on our residents, and we very much are in favor of a requirement that they install a traffic light at Westland Rd and if not there, then at the entry point for Las Colinas, which is directly across 27<sup>th</sup> from NVCA's proposed parking lot entrance.

I understand that they City may be leaning toward requiring a light at Westland and wanted to let you know that we are strongly in favor of such a requirement here at the outset. I'm sure we'll discuss further as the process continues. Please call me if you'd like to discuss further.

Thanks,

Ben

Benjamin J. Daniels  
Associate General Counsel



[\[managementsupport.rentanapt.com\]](http://managementsupport.rentanapt.com)

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