



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report: Z-72-17-7**  
**December 21, 2017**

**Estrella Village Planning Committee Meeting Date:** January 16, 2018

**Planning Commission Hearing Date:** February 1, 2018

**Request From:** C-2 (Intermediate Commercial District) (7.90 acres)  
C-3 (General Commercial District) (3.53 acres)

**Request To:** CP/GCP (Commerce Park/General Commerce Park District) (11.43 acres)

**Proposed Use:** Commerce Park

**Location:** Approximately 280 feet west of the northwest corner of 67th Avenue and Van Buren Street

**Owner:** West 67, LLC, et. al.

**Applicant/Representative:** William F. Allison, Withey Morris, PLC

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

<b>General Plan Conformity</b>			
<b>General Plan Land Use Designation</b>		Residential 3.5 to 5 du/acre	
<b>Street Map Classification</b>	67th Avenue	Arterial	33-foot west half street
	Van Buren Road	Arterial	33-foot north half street
<p><b><i>CONNECT PEOPLE AND PLACES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b></p> <p>The proposal would allow for increased intensity that is consistent in scale and character with the zoning in the area while being mindful of the residential use north of the property by providing increased building and landscape setbacks.</p> <p><b><i>STRENGTHEN OUR LOCAL ECONOMY; MANUFACTURING/INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.</i></b></p> <p>The subject site is located within the Southwest Phoenix Major Employment Center. The request for Commerce Park/General Commerce Park will support the expansion of commerce park zoning in an appropriate location in the Estrella Village.</p>			

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS; 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.**

Approval of the request would support the development of the underutilized vacant land. Rezoning to CP/GCP will provide opportunity for growth of development and employment in Estrella Village.

**Applicable Plans and Principles**

**The Tree and Shade Master Plan**

See background item #6

**Reimagine Phoenix**

See background item #7

**Surrounding Land Uses/Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant undeveloped land	C-2, C-3
<b>North</b>	San Estrella Estates mobile home park	PAD-10
<b>South across Van Buren Street</b>	Fowler Elementary School	RE-43
<b>East</b>	Family Dollar (retail) and Burger King (fast-food restaurant)	C-2, C-3
<b>East across 67th Avenue</b>	Single-family subdivision	R-5
<b>West</b>	Church, undeveloped land	RE-43, C-3

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This is a request to rezone approximately 11.43 acres located approximately 280 feet west of the northwest corner of 67th Avenue and Van Buren Street from 7.90 acres of C-2 (Intermediate Commercial District) and 3.53 acres of C-3 (General Commercial District) to CP/GCP (Commerce Park District/General Commerce Park Option). The applicant is proposing to market the property to commerce park users.
2. The proposed land use is not consistent with the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. General Plan Amendment Case No. GPA-EST-1-17-7 is being processed concurrently as a companion case. This request is to amend the General Plan Land Use Map designation for 11.43 acres at approximately 280 feet west of the northwest corner of 67th Avenue and Van Buren Street to Commerce/Business Park. The staff recommendation in GPA-

EST-1-17-7 is to approve the request as filed.

### SURROUNDING USES AND ZONING

3. North of the subject site is a mobile home park zoned PAD-10. South of the subject site is Fowler Elementary School zoned RE-43. Directly east of the subject site is a Family Dollar retail store zoned C-2 and a Burger King restaurant zoned C-3. To the east across 67th Avenue is a single-family subdivision, Northglen, zoned R-5. West of the subject site is a church zoned both RE-43 and C-3.

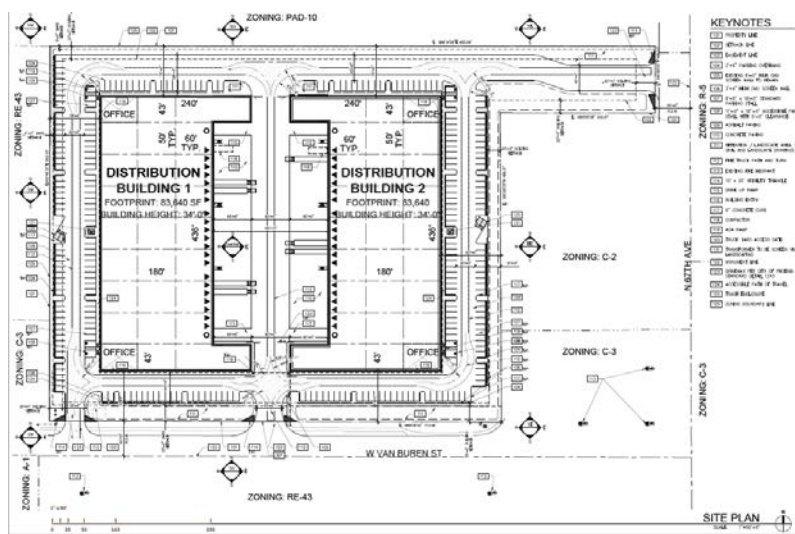


### PROPOSAL

#### 4. Site Plan

The proposed site plan is conceptual. Rezoning to CP/GCP will provide flexibility for future owners or tenants interested in developing the site.

Due to the proposed site plan being conceptual, staff is not stipulating general conformance to the submitted site plan.



While the site plan is conceptual, staff has stipulated that the developer provide an increased building setback along the northern boundary of the site. This is addressed in Stipulation No. 1. Further, staff requested increased landscape setbacks along the north, west, and southern boundaries of the site. These are addressed in Stipulation Nos. 2 and 3.

#### 5. Elevations

Conceptual elevations were submitted with the rezoning case; however, because they are conceptual, staff is proposing a stipulation that any new building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies. This is addressed in Stipulation No. 6. Additionally, staff is proposing a stipulation limiting the height of wall lighting to a maximum of 10 feet and a maximum of 8 feet when located within the building setback along the north

boundary of the site. This is addressed in Stipulation No. 7.

6. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. The development of this site will contribute to the urban forest infrastructure through the provision of trees along the rights-of-way. Further, to the extent possible, the sidewalks will be detached from the curbs, allowing trees to be planted to shade and separate pedestrians from vehicles on the street. These are addressed in Stipulation Nos. 4, 5 and 8.
7. 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 Ordinances establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

#### DEPARTMENT COMMENTS

8. 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 11.
9. The Fire Department does not anticipate any problems with this rezoning application. A fire flow test per NFPA 291 should be done as soon as possible and submitted with the additional information to ensure that fire flow is available. See Phx Fire code section 508 and appendix B. They noted that the site and/or buildings shall comply with the Phoenix Fire Code.
10. The Water Services Department indicated that the proposed zoning change is surrounded with existing water and a sewer main extension may be required so that the development can potentially be served.
11. The Floodplain Management division indicated that this parcel is not in a Special Flood Hazard Area (SFHA), but located in a Shaded Zone X, on panel 2180 L of the Flood Insurance Rate Maps (FIRM) dated October 22, 2013.
12. The Street Transportation Department has indicated that there shall be no more than two driveways along Van Buren Street, both of which shall be limited to right-in and right-out only. Further, Street Transportation Department has indicated that the developer construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, driveways, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards. These are addressed in Stipulation Nos. 9 and 10.

13. The Public Transit, Parks and Recreation, and Aviation had no comments regarding the request.

#### MISCELLANEOUS

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 abandonments, may be required.

#### Findings

1. The request is not consistent with the General Plan Land Use Map designation of Residential 3.5 to 5 du/ acre. However, staff is recommending approval on a General Plan Amendment that is being requested concurrently with this rezoning request, GPA-EST-1-17-7.
2. The CP/GCP zoning district will allow future development that is consistent in scale and character with the land use pattern in the surrounding area as well as allow for flexibility of future developments.
3. The subject property has been identified as part of the Southwest Phoenix Major Employment Center as designated by the Maricopa Association of Governments (MAG).

#### Stipulations

1. A minimum 45-foot building setback shall be provided along the northern boundary of the site.
2. The following landscape setbacks shall be provided for the north and west boundaries of the site:
  - a. A minimum 15-foot landscape setback along the northern boundary of the site.
  - b. A minimum 10-foot landscape setback along the western boundary of the site

All landscape setbacks shall be planted with a minimum 50% 2-inch caliper trees and a minimum 50% 3-inch caliper or multi-trunk trees planted 20-feet on center or equivalent groupings with a minimum of five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. An average 35-foot, minimum 25-foot landscape setback, shall be provided along Van Buren Street, as approved by the Planning and Development Department. The streetscape landscaping shall be installed and maintained with a minimum 50% 2-inch caliper trees and a minimum 50% 3-inch caliper or multi-trunk trees planted 20-feet on center or equivalent groupings with a minimum of five 5-gallon shrubs per

tree, as approved by the Planning and Development Department.

4. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.
5. The development shall comply with the Estrella Village Arterial Landscaping Program, as approved by the Planning and Development Department.
6. Building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
7. All lighting shall be limited to the following:
  - a. Wall lighting shall be limited to 10 feet in height, and
  - b. Lighting within the building setback along the northern boundary of the site shall be limited to 8 feet in height. All light sources shall be shielded to prevent light dispersion onto adjacent properties.
8. The developer shall retain the existing detached sidewalks for the perimeter of the site, as approved by the Planning and Development Department.
9. The development shall be limited to a maximum of two driveways along Van Buren Street, both restricted to right-in and right-out only, as approved by the Planning and Development Department.
10. 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.
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.

**Writer**

Elyse DiMartino

December 21, 2017

**Team Leader**

Joshua Bednarek

Staff Report: Z-72-17-7  
December 21, 2017  
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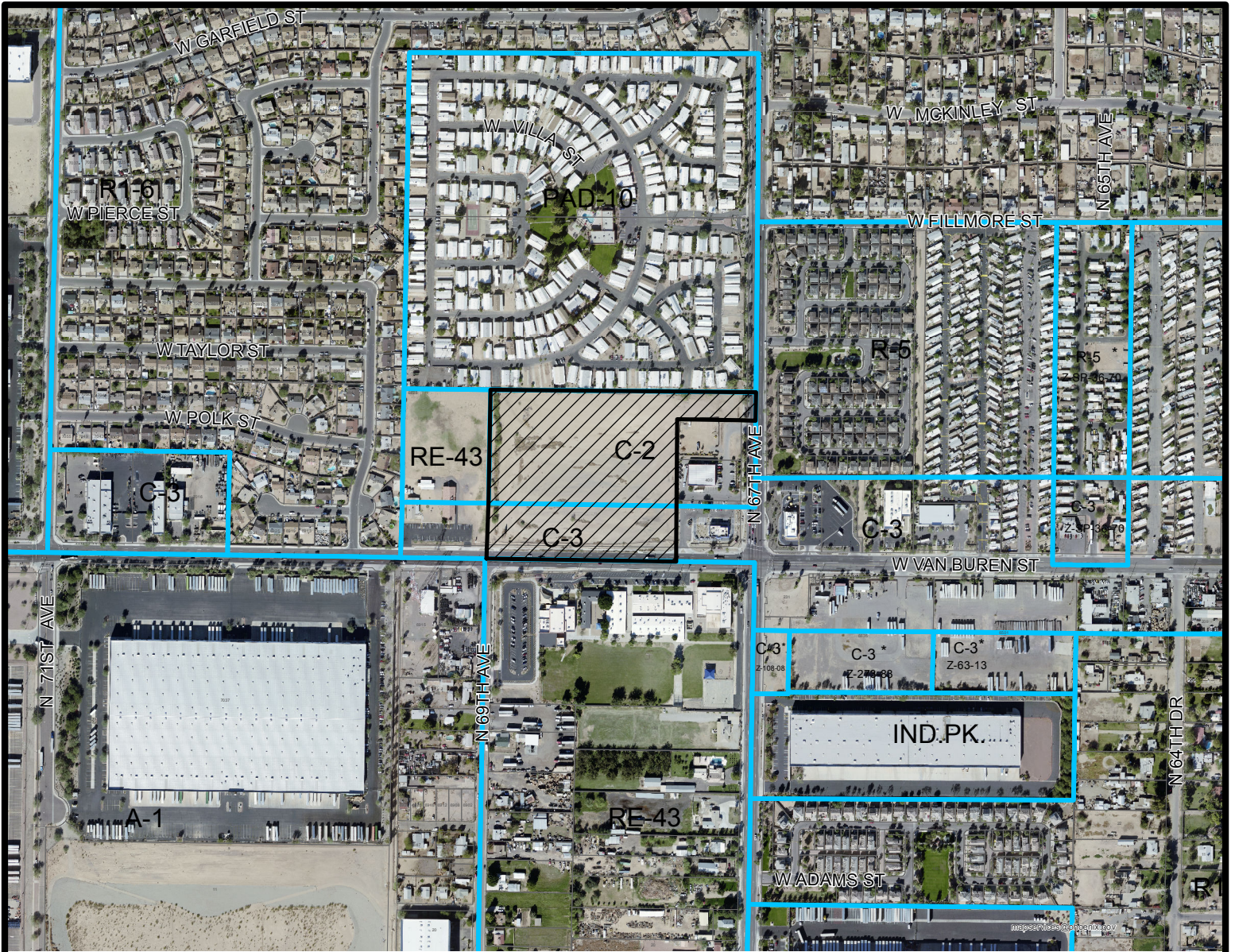
**Attachments**

Sketch Map

Aerial Map

Site Plan Date Stamped October 23, 2017





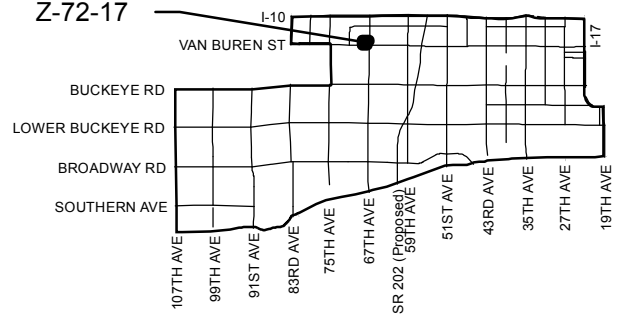
Feet

625 312.5 0 625

**ESTRELLA VILLAGE**  
CITY COUNCIL DISTRICT: 7



Z-72-17



APPLICANT'S NAME: **Withey Morris, PLS/William F. Allison**

APPLICATION NO. **Z-72-17**

DATE: **11/16/2017**  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

**11.43 Acres**

AERIAL PHOTO & QUARTER SEC. NO.  
**QS 11-12**

ZONING MAP  
**F-4**

REQUESTED CHANGE:

FROM:  
**C-3, (3.53 a.c.)  
C-2, (7.9 a.c.)**

TO:  
**CP/GCP, (11.43 a.c.)**

**MULTIPLES PERMITTED**

**C-3, C-2  
CP/GCP**

**CONVENTIONAL OPTION**

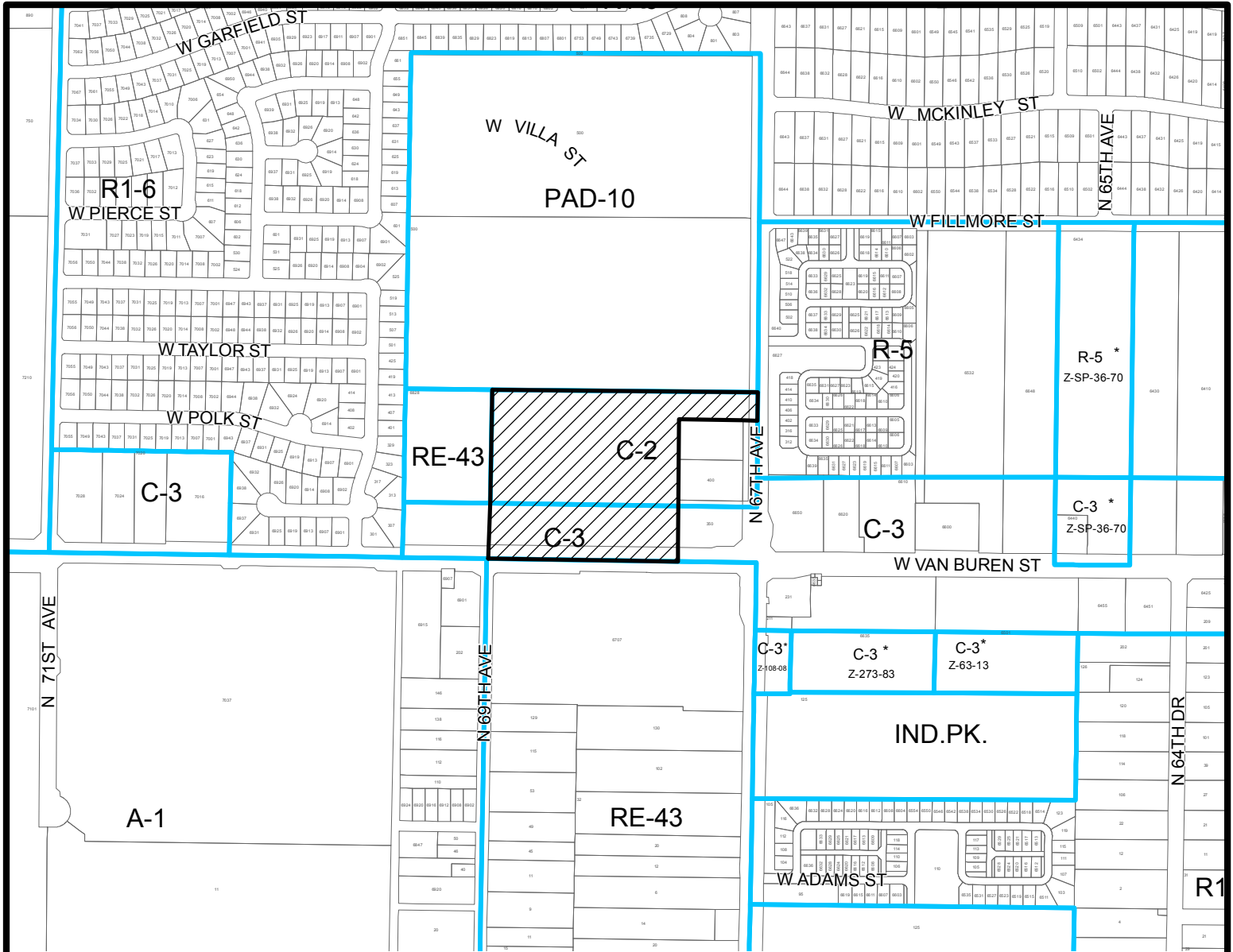
**51, 114  
N/A**

**\* UNITS P.R.D. OPTION**

**61, 137  
N/A**

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

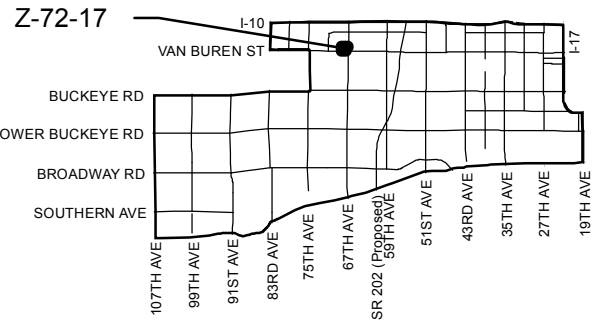




Feet

625 312.5 0 625

**ESTRELLA VILLAGE**  
CITY COUNCIL DISTRICT: 7

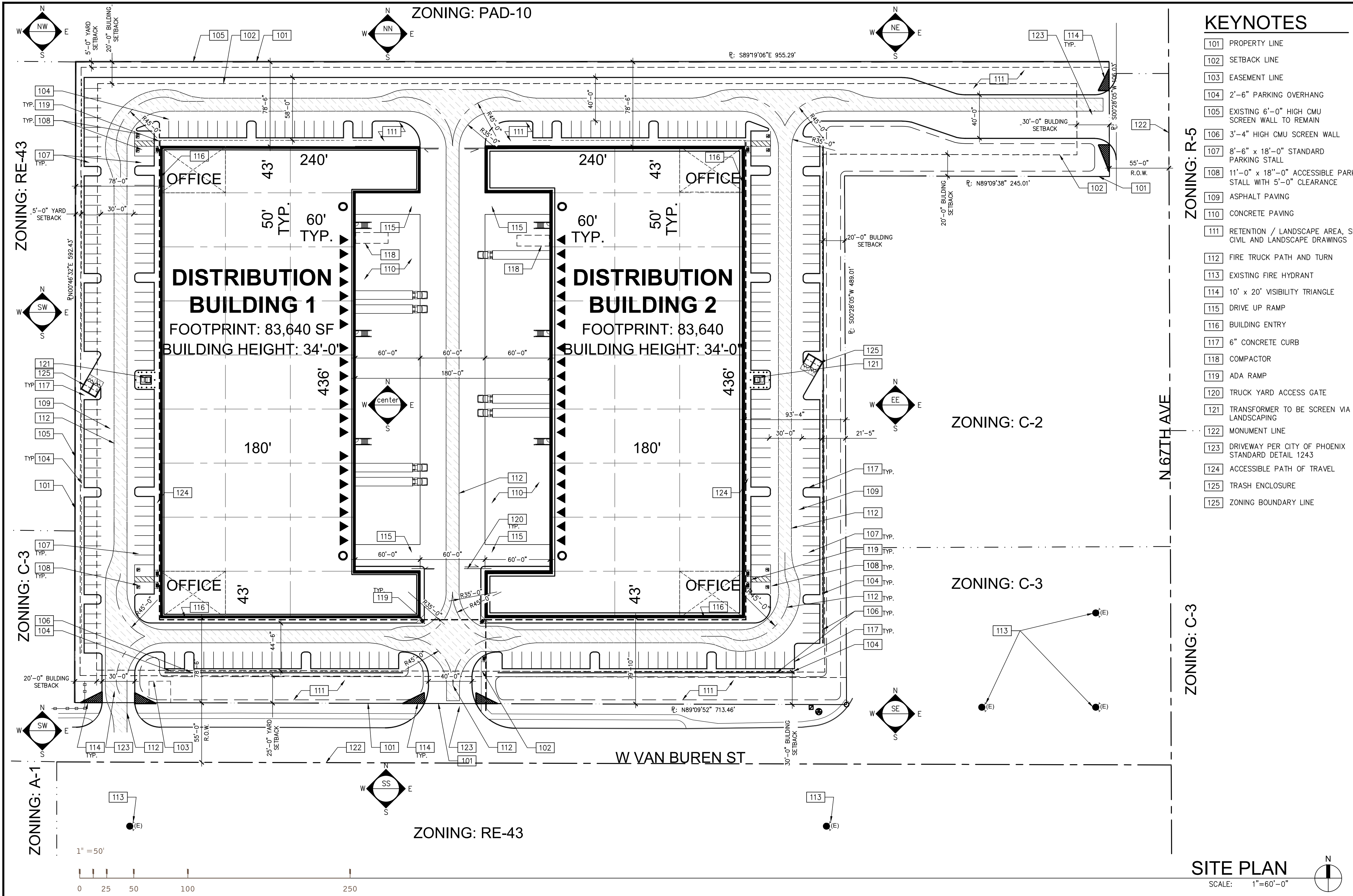


<b>REQUESTED CHANGE:</b>	
FROM:	C-3, (3.53 a.c.) C-2, (7.9 a.c.)
TO:	CP/GCP, (11.43 a.c.)
<b>* UNITS P.R.D. OPTION</b>	
	61, 137
	N/A

<b>APPLICANT'S NAME:</b> Withey Morris, PLS/William F. Allison	
<b>APPLICATION NO.</b> Z-72-17	<b>DATE:</b> 11/16/2017
<b>REVISION DATES:</b>	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b>	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b>
11.43 Acres	QS 11-12
	<b>ZONING MAP</b>
	F-4
<b>MULTIPLES PERMITTED</b>	<b>CONVENTIONAL OPTION</b>
C-3, C-2	51, 114
CP/GCP	N/A

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





**PROJECT DATA**

ARCHITECT: KEVIN EVERNHAM NCARB AIA  
WARE MALCOMB  
8181 N. VIA DE NEGOCIO  
SCOTTSDALE, ARIZONA 85258  
480.767.1001  
KEVERNHAM@WAREMALCOMB.COM

APPLICANT/DEVELOPER: DON LARKE  
HOPEWELL DEVELOPMENT  
410, 2020 4TH STREET SQ  
ALBERTA T2S 1W3



**PROJECT DESCRIPTION**

THE DEVELOPMENT OF TWO NEW CONCRETE TILT, INDUSTRIAL BUILDING WITH A CENTRALIZED LOADING DOCK AREA. PROJECT WILL INCLUDE NEW GRADING, DRAINAGE, PAVING, LANDSCAPE AND PARKING AREAS WITH ASSOCIATED SITE WORK.

**LEGAL DESCRIPTION**

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE SOUTH 544 FEET OF THE EAST 300 FEET AND EXCEPT THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1; AND EXCEPT THE SOUTH 55 FEET; AND EXCEPT THE EAST 55 FEET

**PROPERTY DATA**

ADDRESS: 400N 67TH AVE PHOENIX, AZ 85043

PARCEL NUMBER: 102-41-001J

EXISTING ZONING: C-2 AND C-3  
PROPOSED ZONING: CP/GCP ( COMMERCE PARK / GENERAL COMMERCE PARK DISTRICT  
CONSTRUCTION TYPE: V-B

SITE AREA:  
GROSS: 11.32 AC 493,355 SF  
NET: 10.29 AC 448,314 SF

RETENTION AREA: 47,500 SF ( 1.1 ACRE) 10.60%

LOT COVERAGE:  
GROSS: 34% NET: 37.3%

BUILDING AREA:  
WEST WARE HOUSE 167,280 SF  
OFFICE 78,400 SF  
TOTAL: 83,640 SF

EAST WARE HOUSE 76,440 SF  
OFFICE 5,160 SF  
TOTAL: 83,640 SF

PARKING TOTALS:  
REQUIRED (1:2000) 168 SPACES  
OFFICE (1:300) 35 SPACES  
TOTAL REQUIRED 203 SPACES  
PROVIDED 265 SPACES (1.28/1000)  
STANDARD ACCESSIBLE TRUCK 257 SPACES  
8 SPACES  
0 STALLS

**SHEET INDEX**

ARCHITECTURAL	
A1.1	SITE PLAN
A4.1	EXTERIOR ELEVATIONS

**SITE PLAN GENERAL NOTES**

a. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.

b. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.

c. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.

d. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.

e. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33' X 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.

f. ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE OF THE SITE.

g. OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.

h. THE EXISTING STRUCTURES MUST COMPLY WITH THE CHANGE OF OCCUPANCY PROVISIONS IN THE PHOENIX CONSTRUCTION CODE PRIOR TO USE.

i. AFTER FINAL APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY PDD PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 262-6981 AND REQUEST A DESIGN REVIEW INSPECTION.

j. ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.

k. ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.

l. BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.

m. ALL SIGNAGE REQUIRES A SEPARATE REVIEW AND PERMIT.

n. SMOKE, GAS AND ODOR EMISSIONS SHALL COMPLY WITH REGULATION III OF THE MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS.

o. THE DISPOSAL OF ALL WASTE MATERIALS SHALL COMPLY WITH TITLE 9, CHAPTER 9, ARTICLES 18 AND 4 OF THE HAZARDOUS WASTE REGULATIONS AS ADOPTED BY THE ARIZONA HEALTH DEPARTMENT.

p. THE AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55 DB (1 DN) WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.

q. ALL NEW SANITARY SEWER LINES WITHIN THE SITE SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE OR THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) AQUIFER PROTECTION PROGRAM (APP) GENERAL PERMIT 4.01 IN ACCORDANCE WITH ARIZONA ADMINISTRATIVE CODE TITLE 18, CHAPTER 9, SECTION E301 (AAC R18-9-E301) WHICHEVER IS APPLICABLE.

r. THE SANITARY SEWER COLLECTION SYSTEM WITHIN THIS PROJECT WILL BE A PRIVATE SYSTEM, OWNED AND MAINTAINED BY THE PROPERTY OWNER(S) OR ASSOCIATION. THE SYSTEM WILL BE REVIEWED AND INSPECTED BY THE BUILDING SAFETY SECTION OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

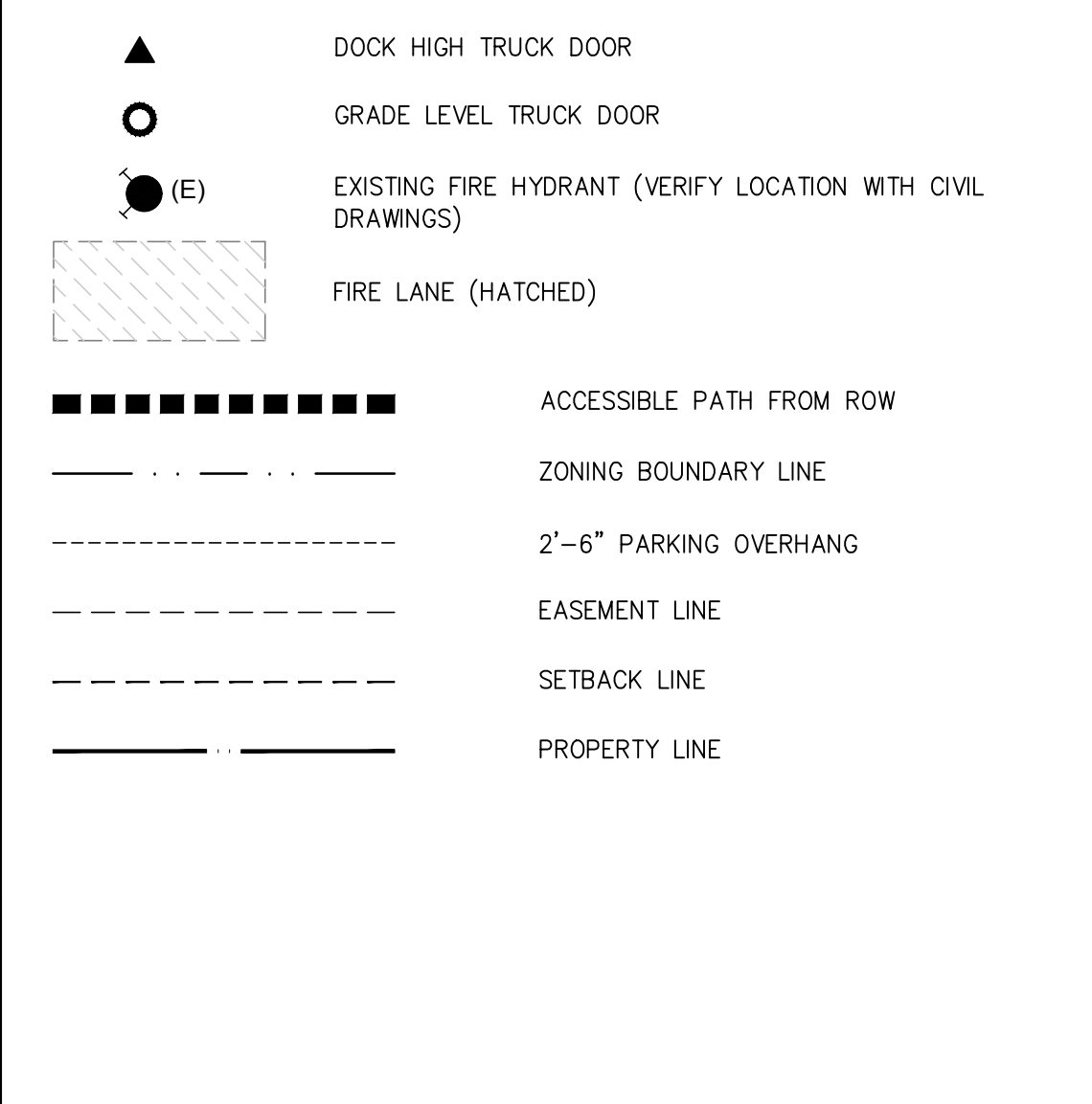
s. ALL ON-SITE WATER LINES SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE.

t. I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN FOR THE PURPOSE OF FUTURE AMENDMENTS PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO TAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE PLAN.

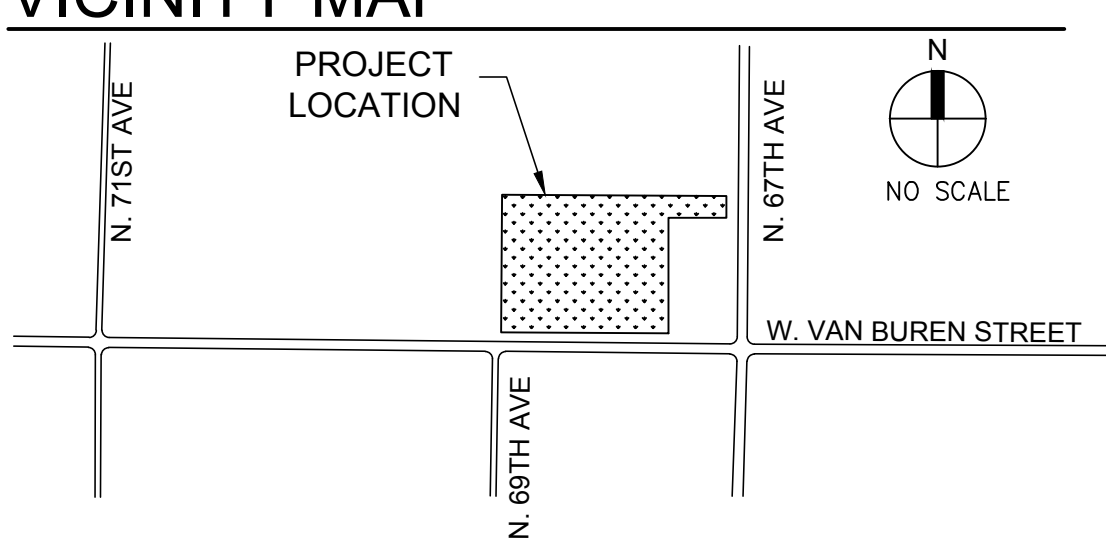
SIGNATURE OF COPYRIGHT OWNER: *[Signature]*

PRINTED NAME OF COPYRIGHT OWNER: KEVIN EVERNHAM

**SITE LEGEND**



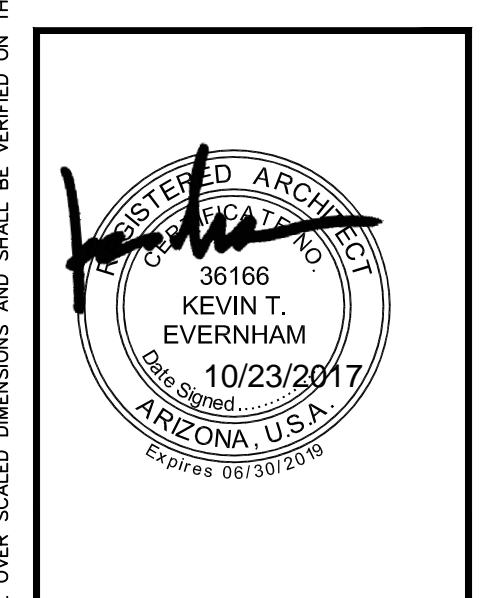
**VICINITY MAP**



**WARE MALCOMB**  
Leading Design for Commercial Real Estate

architecture  
planning  
interiors  
graphics  
civil engineering

8181 north via de negocio  
scottsdale, arizona 85258  
P 480.767.1001  
F 480.907.2288



**67TH / VAN BUREN**  
400 NORTH 67TH AVENUE  
PHOENIX, AZ 85043

**SITE PLAN**

DATE	REMARKS
09/14/2017	PRE-APPLICATION
10/23/2017	ZONING APPLICATION

PA / PM: H. CHAN  
DRAWN BY: E. AZIMI  
JOB NO.: PHX17-0070-00

SHEET  
**A1.1**

**CITY OF PHOENIX**  
OCT 23 2017  
Planning & Development  
Department