



**City of Phoenix**  
 PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-80-17-4**  
**December 27, 2017**

**Maryvale Village Planning Committee Meeting Date:** January 10, 2018

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

**Request From:** C-2 (2.57 acres)

**Request To:** C-2 HGT/WVR (2.57 acres)

**Proposed Use:** Health fitness center with a height waiver up to 40 feet

**Location:** Northwest corner of 43rd Avenue and I-10 freeway

**Owner:** Southwest Regional Council of Carpenters

**Applicant:** Kevin Kelly - Planet Fitness

**Representative:** Stephen C. Earl - Earl, Curley & Lagarde

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

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Commercial	
<b>Street Map Classification</b>	43rd Avenue	Arterial	90 to 155-foot west half street
	Interstate-10	Freeway	~380-foot north half mainline
<p><b><i>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</i></b></p> <p>The proposed development is sensitive to surrounding commercial development thereby warranting the reasonable levels of increased intensity required for the project.</p>			

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.**

The site is located adjacent to the Interstate-10 freeway and is compatible with the existing commercial uses along 43rd Avenue.

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

The request proposes to develop currently underutilized and vacant commercial properties. The request for Height Waiver will allow a development consistent with those existing along 43rd Avenue and Interstate-10.

**Applicable Plan and Principles**

Tree and Shade Master Plan – see #9 below.

Comprehensive Bicycle Master Plan – see #10 below.

**Surrounding Land Uses/Zoning**

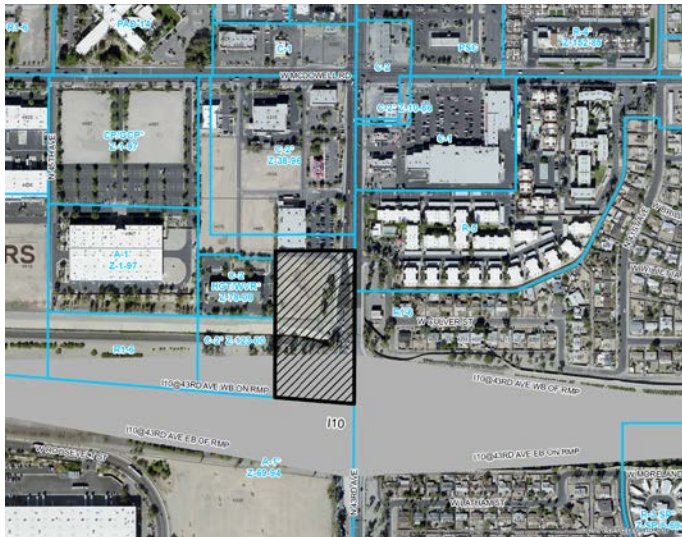
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Undeveloped	C-2
<b>North</b>	Smart & Final	C-2
<b>South</b>	Interstate-10	C-2
<b>East (across 43rd Avenue)</b>	Multifamily and Single-Family Residential	R-5 and R1-6
<b>West</b>	Hotel	C-2 HGT/WVR

<b>C-2 (Intermediate Commercial)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Met or Not Met</u></b>
<i>Building Setbacks</i>		
Adjacent to Street – 43rd Avenue	For structures exceeding two stories or 30 feet, average 30 feet; Minimum 20 feet permitted for up to 50% of structure, including projections	Met – 58 feet
Adjacent to Street – I-10 Freeway		*Not Met – 14.5 feet
Adjacent to C-2 Zoning - North	None	Met – 78 feet
Adjacent to C-2 Zoning - West		Met – 20 feet
<i>Landscaped Setbacks</i>		
Street – 43rd Avenue	Average 30-foot; minimum 20-foot permitted for up to 50% of the frontage	*Not Met – 10 feet
Street – I-10 Freeway		*Not Met – 14.5 feet
Property line not adjacent to street but adjacent to C-2 – North	None	Met – 10 feet
Property line not adjacent to street but adjacent to C-2 – West		Met – 20 feet
Lot Coverage	Not to exceed 50%	Met – 31%
Building Height (Height Waiver)	4 stories not to exceed 56 feet	Met – 2 story (40 feet)
Parking	1 space per 150 square feet floor area; 25,000 square feet / 150 = 167 parking spaces required	Met – 218 spaces
*The site plan shall be modified or a variance must be obtained.		

## **Background/Issues/Analysis**

### **SUBJECT SITE (REQUEST)**

1. This request is to add a height waiver to 2.57 acres located at the northwest corner of 43rd Avenue and the I-10 freeway [C-2 (Intermediate Commercial) to C-2 HGT/WVR (Intermediate Commercial District with a Height Waiver)], to allow a health fitness center up to 40 feet in height.



*Source: City of Phoenix, Planning & Development Department*

### **SURROUNDING ZONING AND LAND USE**

2. The subject site is currently undeveloped and zoned C-2. A Smart & Final retail store exists to the north, and to the south is the Interstate-10 freeway, both of which are zoned C-2. East, across 43rd Avenue, are multifamily and single-family residential uses, zoned R-5 and R1-6 respectively. A hotel use zoned C-2 with a Height Waiver (Z-78-06) exists to the west.

### **GENERAL PLAN AND SPECIFIC PLAN**

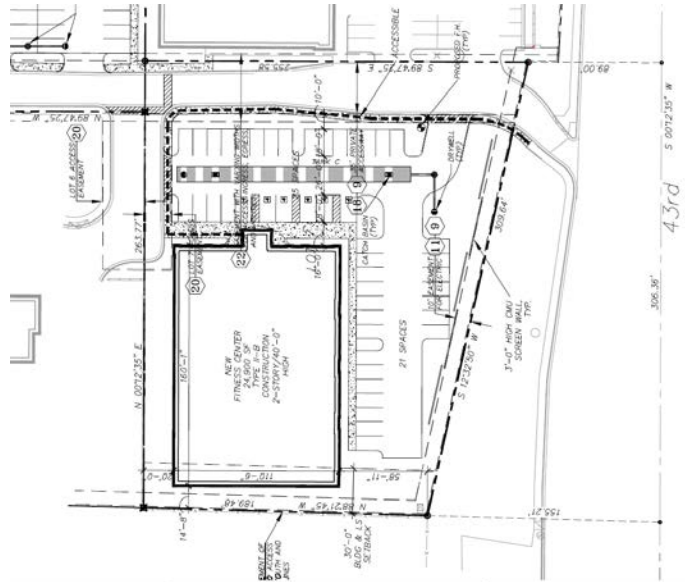
3. The General Plan Land Use Map designation for the subject site is Commercial. The proposal is consistent with the General Plan designation and land uses in the area.

### **ANALYSIS OF PROPOSAL**

4. The C-2 zoning district yard, height, and area requirements are established to provide an appropriate transition between commercial uses and adjoining neighborhoods. District regulations state that a request can be made to exceed the height requirements of two stories and 30 feet, but not to exceed the height requirements of four stories and 56 feet upon finding that such additional height is not detrimental to adjacent property or the public welfare in general (623.E.4.b.). The additional building height requested at this location will not be detrimental to adjacent properties. The request for C-2 with a Height Waiver will allow two stories within 40 feet. Staff is recommending a stipulation that the maximum building height be limited to two stories and 40 feet. This is addressed in Stipulation #1.

5. The subject site was part of a previous rezoning request. In 2000, the Phoenix City Council approved request Z-123-00-7, approximately 12 acres for rezoning from R1-6 to C-2 for a parcel located approximately 627 feet south of McDowell Road on the west side of 43rd Avenue, subject to stipulations. Amendments to various portions of the zoning stipulations were approved later in 2001, 2002, and 2008, for individual sites within the larger commercial center, and linked in varying degrees with the adjacent C-2 zoning approval case to the north, Z-38-96-7. Approval of a height waiver for this site is in addition to conditions attached to the underlying C-2 zoning through Z-123-00-7. The applicant is currently pursuing a Planning Hearing Officer request to modify approved stipulations for the subject site from Z-123-00-7, regarding a comprehensive sign plan and signage not exceeding 10 feet in height.

6. The conceptual site plan shows a new building footprint with a height of two stories and 40 feet. The building covers approximately 31% of the net lot area, and parking is located on the subject site. Additional parking is provided on the sites to the northwest within the larger commercial center. Ingress and egress to the site is provided through existing drive aisles installed with prior development to connect the sites to the north and the west as a larger commercial center.



Source: Breckenridge Group Architects Planners

7. Several variances will be necessary to develop the site as designed. The site plan depicts a 14.5-foot building and landscape setback on the south property line adjacent to the Interstate-10 freeway, where an average 30 foot, minimum 20 foot is required.

8. The north, west and east elevations depict a visually interesting proportion of façade treatments such as brick and block cladding, textured stucco and paint finishes, painted parapets, vertical and horizontal elements, building articulation, as well as the location of windows and signage. Per Section 507 TAB A.II.B.5.1., all sides of a structure should exhibit design continuity and contain multiple exterior accent materials that exhibit quality and durability. The south elevation contains somewhat consistent horizontal elements, but lacks vertical elements.



*Source: Breckenridge Group Architects Planners*

9. 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. Toward that end, future improvements of this site will contribute to the urban forest infrastructure through the provision of trees along the right-of-way. Staff is recommending a stipulation that the developer work with the Planning and Development Department to determine a type of tree appropriate for the 43rd Avenue street frontage which will provide shade and thermal comfort to pedestrians. This is addressed in Stipulation #2.
10. The Comprehensive Bicycle Master Plan supports options for bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The conceptual site plan does not show bicycle parking. It is recommended that bicycle parking be provided on the property for employees and guests. The property is near a several major bus routes. Providing bicycle parking for employees and guests is supportive of multimodal travel options. The applicant will work with Planning and Development staff through the site plan review process to determine the location for bicycle parking. The bicycle racks should be an Inverted-U design where both ends of the "U" are affixed to the ground and installed per the requirements of Walkable Urban Code. This is addressed in Stipulation #3.



*Inverted-U bicycle rack, where both ends of the "U" reach the ground.*

#### AVIATION

11. The City of Phoenix Aviation Department has requested that the property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation #4.

#### FIRE

12. No fire code issues are anticipated with this case and the site and/or buildings shall comply with the Phoenix Fire Code.

#### FLOOD

13. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

#### WATER

14. The City of Phoenix Water Services Department has noted the site has existing water and sewer mains that can potentially serve the proposed development however, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

#### OTHER

15. 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.
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 #5.
17. 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 provide a specialized commercial service that caters to the diverse needs of the community.
2. The request for additional building height is consistent with the adjacent zoning approval and will not be detrimental to surrounding properties.
3. The proposal is compatible with the existing freeway corridor, as well as with the commercial uses to the north and west along 43rd Avenue.

### **Stipulation**

1. The maximum building height shall be two stories and 40 feet.
2. The developer shall work with the Planning and Development Department to determine a type of tree appropriate for the 43rd Avenue street frontage which will provide shade and thermal comfort to pedestrians.
3. A minimum of two inverted-U bicycle racks for employees or visitors shall be provided on site, located near a publicly accessible entrance to the building, and installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.
4. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
5. 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**

Joél Carrasco

December 27, 2017

### **Team Leader**

Joshua Bednarek



Staff Report: Z-80-17-4

December 27, 2017

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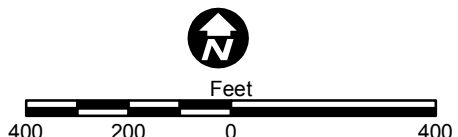
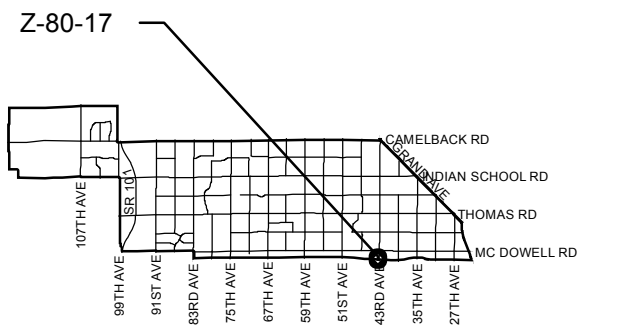
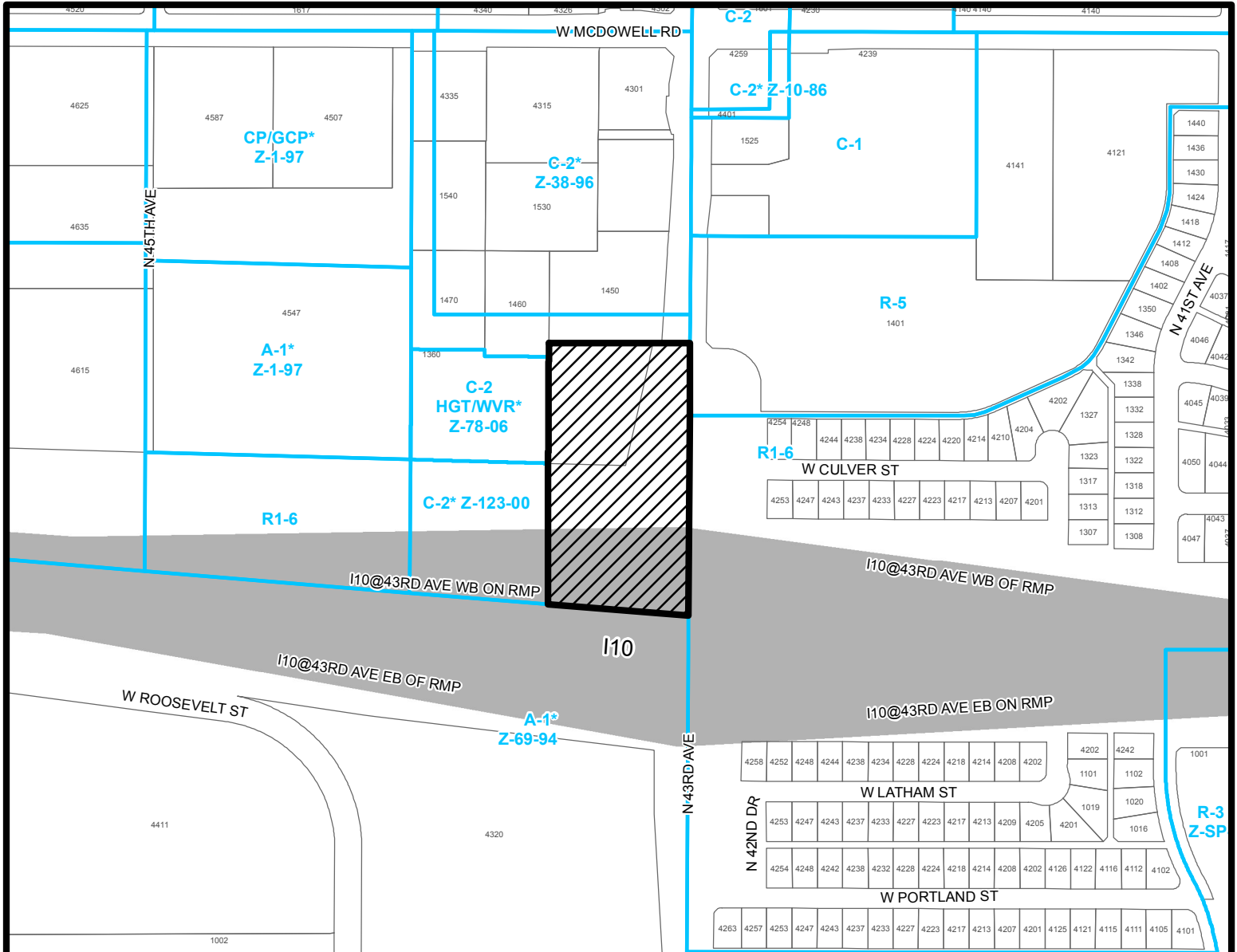
**Exhibits**

Z-80-17-4 Zoning sketch

Z-80-17-4 Aerial

Conceptual Site plan date stamped November 13, 2017

Conceptual Elevations date stamped November 13, 2017 (2 pages)

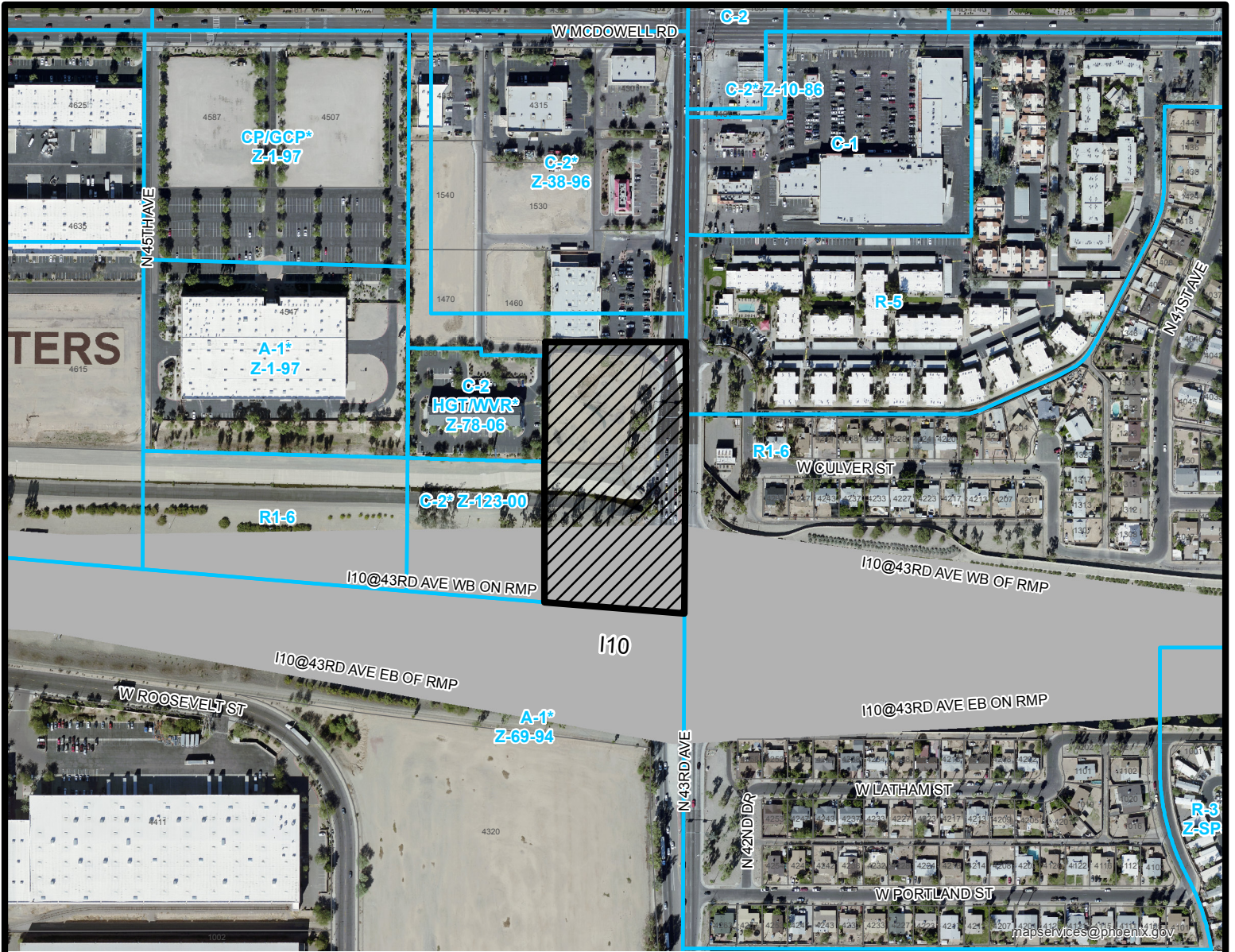


**MARYVALE VILLAGE**  
CITY COUNCIL DISTRICT: 4



<b>APPLICANT'S NAME:</b> Kevin Kelly - Planet Fitness		<b>REQUESTED CHANGE:</b> FROM: C-2 (2.57 a.c.) TO: C-2 HGT/WVR (2.57 a.c.)	
<b>APPLICATION NO.</b> Z-80-17	<b>DATE:</b> 11/20/2017 <b>REVISION DATES:</b> 12/19/2017		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <b>2.57 Acres</b>	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 12-18	<b>ZONING MAP</b> G-6	
<b>MULTIPLES PERMITTED</b> C-2 C-2 HGT/WVR	<b>CONVENTIONAL OPTION</b> 37 37	<b>* UNITS P.R.D. OPTION</b> 44 44	

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



Feet

400 200 0 400

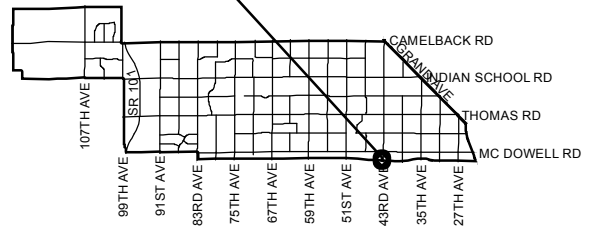
**MARYVALE VILLAGE**

CITY COUNCIL DISTRICT: 4



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

Z-80-17



APPLICANT'S NAME: **Kevin Kelly - Planet Fitness**

APPLICATION NO. **Z-80-17**

DATE: **11/20/2017**  
REVISION DATES:

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

**2.57 Acres**

AERIAL PHOTO & QUARTER SEC. NO. **QS 12-18**  
ZONING MAP **G-6**

**REQUESTED CHANGE:**

FROM: **C-2 (2.57 a.c.)**

TO: **C-2 HGT/WVR (2.57 a.c.)**

**MULTIPLES PERMITTED**

**C-2**  
**C-2 HGT/WVR**

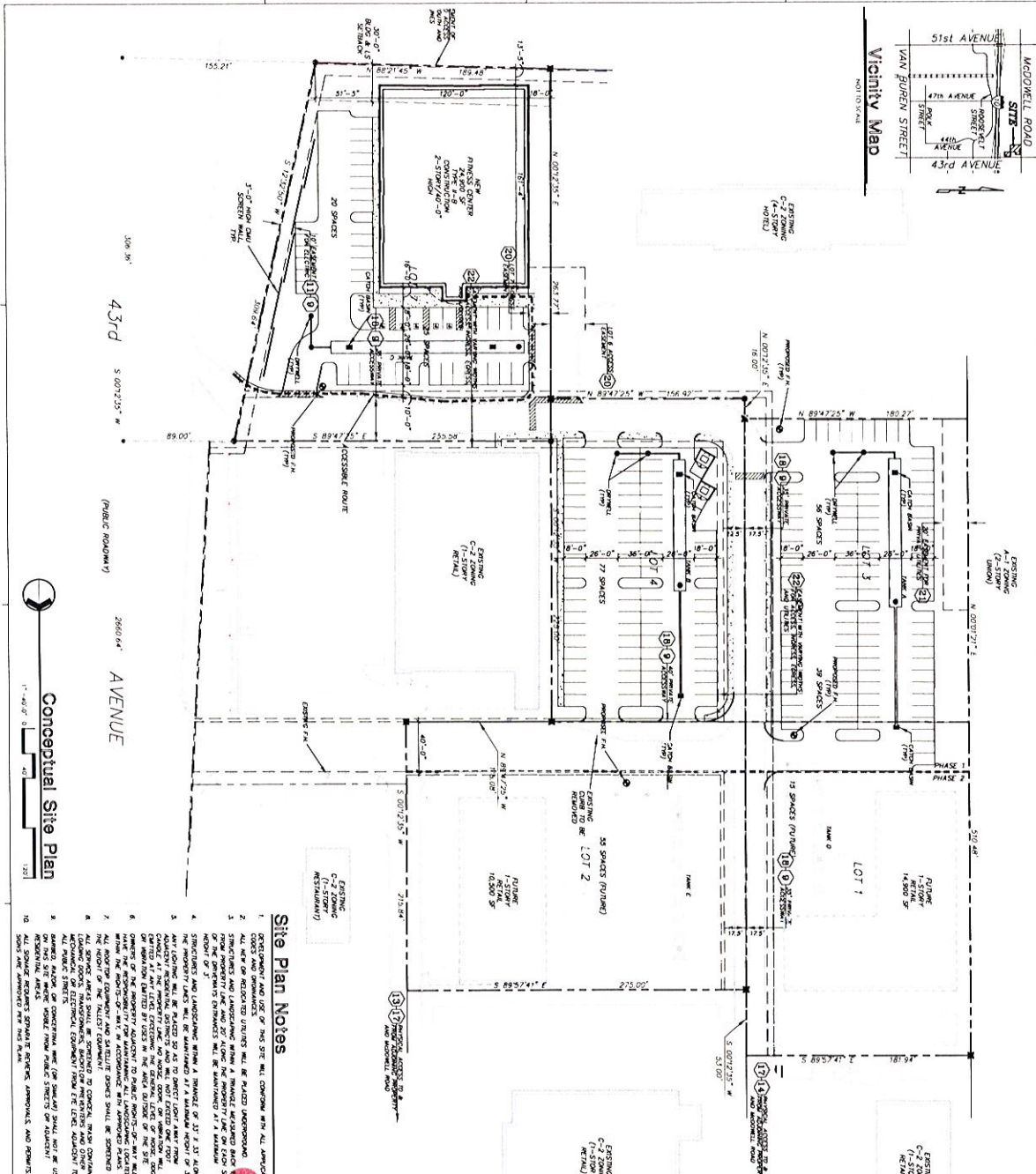
**CONVENTIONAL OPTION**

**37**  
**37**

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

**44**  
**44**

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



### Site Development Notes

1. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. ANY CHANGES TO EXISTING UTILITIES SHALL BE APPROVED BY THE CITY ENGINEER AND THE UTILITY PROVIDER. A UTILITY LOCATING REPORT SHALL BE SUBMITTED TO THE CITY ENGINEER AND THE UTILITY PROVIDER PRIOR TO CONSTRUCTION.

2. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE UTILITY PROVIDER'S SPECIFICATIONS. A UTILITY LOCATING REPORT SHALL BE SUBMITTED TO THE CITY ENGINEER AND THE UTILITY PROVIDER PRIOR TO CONSTRUCTION.

3. ALL STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. A STRUCTURAL ENGINEER'S REPORT SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

4. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. A SIGNAGE PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

5. ALL PAVING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. A PAVING PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

6. ALL LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. A LANDSCAPING PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

7. ALL LIGHTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. A LIGHTING PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

8. ALL SECURITY MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. A SECURITY PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

9. ALL ACCESSIBLE ROUTES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY ENGINEER'S REQUIREMENTS AND THE APPLICABLE ZONING ORDINANCES. AN ACCESSIBLE ROUTE PLAN SHALL BE SUBMITTED TO THE CITY ENGINEER PRIOR TO CONSTRUCTION.

10. ALL OTHER NOTES AND SPECIFICATIONS SHALL BE AS SHOWN ON THE PLANS AND NOTED HEREON.

NOV 13 2017

**Planning & Development Department**

**CITY OF PHOENIX**

APPROVED FOR THE CITY ENGINEER: [Signature]

APPROVED FOR THE UTILITY PROVIDER: [Signature]

APPROVED FOR THE STRUCTURAL ENGINEER: [Signature]

APPROVED FOR THE SIGNAGE ENGINEER: [Signature]

APPROVED FOR THE PAVING ENGINEER: [Signature]

APPROVED FOR THE LANDSCAPING ENGINEER: [Signature]

APPROVED FOR THE LIGHTING ENGINEER: [Signature]

APPROVED FOR THE SECURITY ENGINEER: [Signature]

APPROVED FOR THE ACCESSIBLE ROUTE ENGINEER: [Signature]

DATE: NOV 13 2017

PROJECT: 17-2346

SCALE: AS SHOWN

DATE: 11/13/17

BY: [Signature]

FOR: [Signature]

**Planet Fitness Site Study**  
1350 N. 43rd Avenue  
Phoenix, AZ 85009

**PRELIMINARY**  
NOT FOR CONSTRUCTION

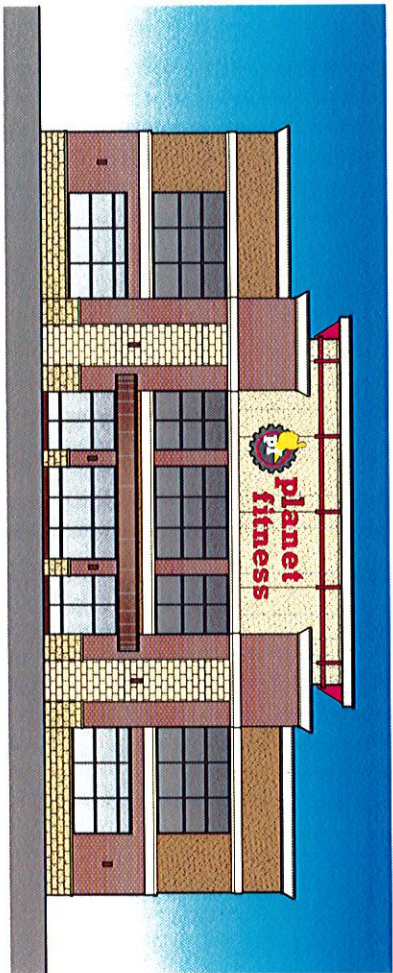
**AS10**

**BrickmanIdgs**  
2470 N. Hardy Road Ste 2  
Tempe, Arizona 85282  
480.659.3332

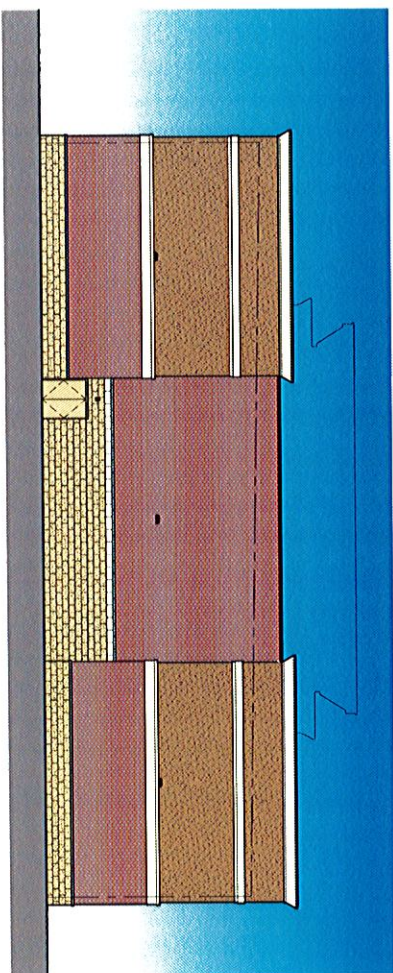
# CITY OF PHOENIX

NOV 13 2017

Planning & Development  
Department



North Elevation



South Elevation

**Breckinridge**  
Architects  
P L L C  
2470 S HARDY ROAD SUITE 2  
TAMPA FLORIDA 33629  
800.859.3332

Planet Fitness Site Study  
1350 N. 43rd Avenue  
Phoenix, AZ 85009

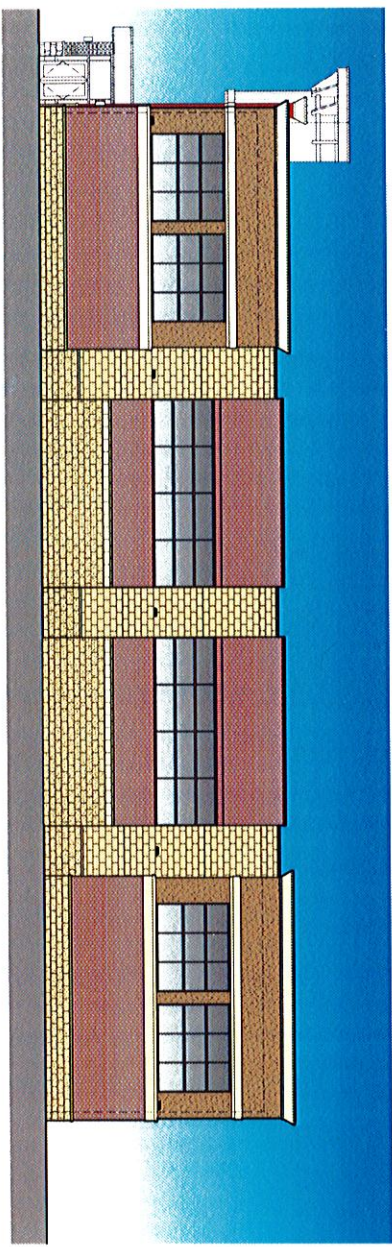
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NOT FOR CONSTRUCTION

DATE: 11/13/17  
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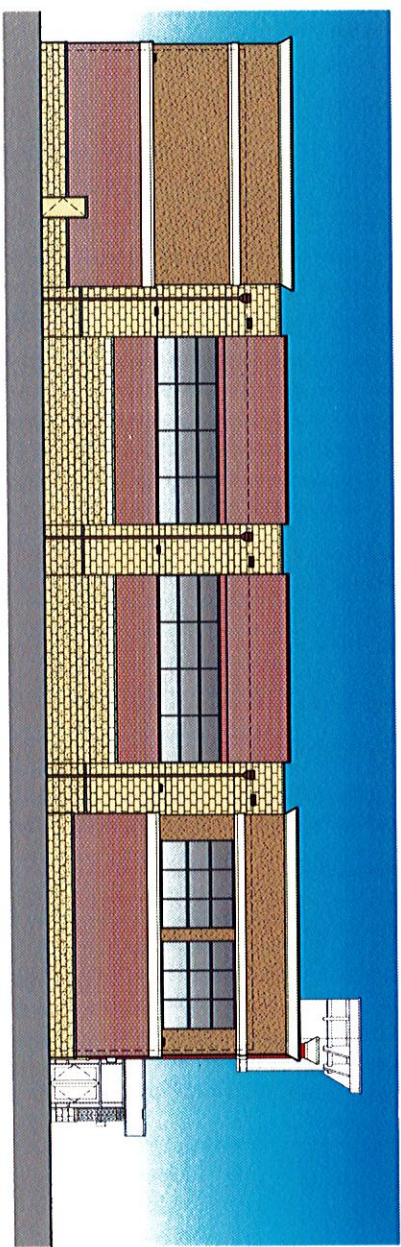
Building Elevations  
**A2.0**

# CITY OF PHOENIX

NOV 13 2017  
 Planning & Development  
 Department



West Elevation  
 1/32" = 1'-0"  
 1" = 12'-0"



East Elevation  
 1/32" = 1'-0"  
 1" = 12'-0"

**Brackenhilde**  
 Architects  
 2470 N Hardy Road Ste 2  
 Tempe, Arizona 85282  
 480.859.3332

Planet Fitness Site Study  
 1350 N. 43rd Avenue  
 Phoenix, AZ 85009

**PRELIMINARY**  
 NOT FOR CONSTRUCTION

Project No.	171305
Date	OCTOBER 30, 2017
Client	Planet Fitness
Location	1350 N. 43rd Avenue, Phoenix, AZ
Scale	1/32" = 1'-0"
Drawn By	[Signature]
Checked By	[Signature]
Approved By	[Signature]

**Building Elevations**  
**A2.1**