

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION September 3, 2020

ITEM NO: 5	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-155-C-01-7 Sunset Farms PUD (Companion Case GPA-EST-2-20-7)
Location:	Generally bounded by 107th Avenue on the west, Jones Avenue (Alignment) on the north, 91st Avenue on the east, and Wier Avenue (Alignment) on the south
From:	S-1 (Approved R1-6 PCD), RE-43 (Approved R1-6 PCD), PCD (Approved R1-10 PCD), PCD (Approved R-2 PCD), and PCD (Approved C-2 PCD)
To:	R1-10 PCD, R-3 PCD, and C-2 PCD
Acreage:	136.91
Proposal:	A major amendment to the Sunset Farms PCD to reallocate single-family and multifamily residential, and commercial uses
Applicant:	Julie Vermillion, CVL Consultants, Inc.
Owner:	New Era Phoenix, LLC
Representative:	Julie Vermillion, CVL Consultants, Inc.

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Estrella** 8/18/2020 Approval, per the staff recommendation. Vote: 8-0.

Planning Commission Recommendation: Approval, per the Estrella Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-155-C-01-7, per the Estrella Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Shank  
Second: Howard  
Vote: 9-0  
Absent: None  
Opposition Present: No

#### **Findings:**

1. The proposal is appropriate as the subject site is just north of the proposed SR-30 freeway alignment that will serve as a major transportation corridor for this part of the Phoenix Metropolitan region.

2. The proposed development will provide increased housing and employment opportunities in this area that has three major arterial streets and a planned freeway, the SR-30.
3. The proposed development will support the Estrella Village Plan goals, by promoting the orderly growth of this area, promoting strong residential neighborhoods, incorporating a variety of zoning districts to foster multiple home types and future commercial sites for jobs, and provide consistent streetscapes and trail linkages.
4. As stipulated, the proposal is consistent with the Tree and Shade Master plan due to the tree lined detached sidewalks and additional shade required on the site.

Stipulations:

1. The development of Units 15, 16, 17, 18, 20.A and 20.B shall be accordance with the Master Development Plan date stamped August 13, 2020 as approved by the Planning and Development Department. The total number of residential units within the Sunset Farms PCD shall not exceed 2,735.

**GATEWAY ENTRIES, LANDSCAPING, RETENTION AND SIDEWALKS**

2. Along arterial and collector streets, and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a minimum 5-foot wide landscaped strip shall be located between the sidewalk and the back of curb. The landscape strip shall be increased in width where required to meet the latest City of Phoenix Street Classification Map street cross-section. The planting area shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center and appropriate ground cover as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
3. A minimum 40-foot by 40-foot triangular landscape entry area shall be provided on each arterial street main entry corner into the PCD, as approved by the Planning and Development Department.
4. That the developer shall adhere to the Estrella Village Arterial Street Landscaping Program, as it relates to arterial streets abutting the site and the recommended gateway landscaped entry feature on the southeast corner of 107th Avenue and Broadway Road. The developer shall also utilize the recommended plant list as suggested in the Program, as approved by the Planning and Development Department.
5. Within the C-2 portion of the development at the intersection of 91st Avenue and Broadway Road, a minimum 75-foot by 75-foot triangular landscaped entryway feature shall be provided and that the landscaping of the feature shall connect to the trail within the power line corridor adjacent to Broadway Road, as approved by the Planning and Development Department.

6. A minimum 75-foot by 75-foot landscaped gateway shall be provided on the southeast corner of 107th Avenue and Broadway Roads consistent with the Estrella Village Arterial Street Landscape Program, as approved by the Planning and Development Department.
7. All retention areas shall be sloped no greater than 4:1 throughout the site, except within the Estrella Channel.

## **MASTER PLANS**

8. In addition to the Zoning Ordinance required plan elements, the developer shall update and submit the following Master Development Plans for review and approval by the appropriate city departments prior to issuance of preliminary site plan approval. The plans shall address the stipulations contained in this PCD amendment which include the following, in addition to other requirements, as approved by the Planning and Development Department:

### Master Pedestrian/Bike/Trails Circulation Plan

- A. A Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval concurrent with Planning and Development Department review of the Master Plan documents and shall identify the following:
  - (1) All proposed pedestrian walkways, multi-use trails, and bikeways within and abutting the site. The network shall include the width and locations throughout each of the future residential developments.
  - (2) Coordination of walkway and bikeway locations with drainage ways and open space to provide a trail network throughout the PCD.
  - (3) Incorporate and be in specific conformance with the Trails Plan labeled Figure 8 in the Sunset Farms Application Binder as approved by the Planning and Development Department and consistent with the most recently approved City of Phoenix Trails Plan, except where trail alignment deviations are approved by the Parks and Recreation Department. These improvements shall be developed in the following manner, which is consistent with the Estrella Village Multi-Purpose Trails Plan:
    - a) A 10-foot wide multi-use trails shall be provided along the north side of Broadway Road in the powerline corridor.
    - b) An 8-foot wide multi-use trails shall be provided along the half-mile collector streets between 91st and 99th Avenues, and 99th and 107th Avenues.

- c) The trails shall be improved using the Parks and Recreation Department recreation trails standards.

#### Master Landscape Plan

- B. A Master Landscape Plan shall be submitted to the City for review and approval concurrent with the Planning and Development Department review of the Master Plan documents and shall identify:
  - (1) Plant lists addressing areas of landscaping to be planted with arid types of vegetation.
  - (2) List of plants not allowed in the development (i.e. pine trees, palm trees, eucalyptus, etc.) due to their incompatibility.
  - (3) Coordination of the landscape conservation plan with master drainage and trails plan. The conservation plan shall preserve the mature trees along 99th Avenue, if possible, as approved by the Planning and Development Department.
  - (4) The developer shall participate in the Estrella Village Arterial Street Landscaping Program as it relates to arterial streets abutting the site and the recommended gateway landscaped entry feature on the southeast corner of 107th Avenue and Broadway Road. The developer shall also utilize the recommended plant list for areas within the powerline corridors as suggested in the Program.
  - (5) Open space and retention area improvements such as tot lots, ramadas, tennis or sports courts, barbecues, large seating areas, etc., as approved by the Planning and Development Department.

#### Master Water and Wastewater Plans

- C. The developer shall update and submit for approval by the Water Services Director, Potable Water and Wastewater System Master Plans for the PCD. Such plans must be completed by a registered engineer in conformance with Water Services Department master infrastructure plans for the area.
- D. The water supplies for any greenbelt areas of the development shall be limited to the Salt River Water Users Association (SRWUA) rights associated with the greenbelt acreage only. Water rights associated with non-greenbelt acreage must be transferred to the City of Phoenix Domestic Water Account with Salt River Project as a condition of domestic water service. This split of the water rights entitlement and transfer into the City of Phoenix water account can be affected by requesting from the SRWUA, a split for Association Convenience and transfer to the City Account. A letter from the SRWUA stating that the water rights transfer has occurred shall be provided to the Water Services Director prior to final plat approval of each phase. This phased

transfer of water rights is to allow for the retention of those water rights necessary for the interim agricultural use on the property until each phase is developed.

9. The applicant shall develop an architectural theme for each commercial development unit of the PCD. The theme shall assure that building colors, elevations, exterior materials, roofline treatment, and a street appurtenance package such as, but not limited to benches and signage, convey a sense of continuity throughout the different phases of each commercial development unit, as approved by the Planning and Development Department.

#### **COMMERCIAL DEVELOPMENT UNITS (16 AND 20.A)**

10. The use of “corporate” colors (excluding signage); specifically, but not limited to those typically associated with chain/franchise establishments, shall only be used as an accent. Building design, common areas, and parking lots of the center shall integrate the approved PCD architectural theme, as approved by the Planning and Development Department.
11. Any gas station pump island canopies and columns shall be constructed with the approved PCD architectural theme to minimize “corporate” colors, as approved by the Planning and Development Department.
12. Any light fixtures mounted in or on the ceiling of the pump island canopy shall be fully recessed and directed downward. Dropped lenses extending below the ceiling of the canopy shall not be permitted.
13. Commercial buildings within each commercial development unit shall provide a minimum of four inverted U-bicycle racks, artistic style rack (in adherence to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan) or “Outdoor/Covered Facilities” for customers and employees. These facilities shall be located near building entrances, installed per the requirements of Section 1307.H. of the Zoning Ordinance, and as approved by the Planning and Development Department.
14. Each commercial development unit shall provide and maintain at least two bicycle repair stations (“fix it station”) located in an area of high visibility, separated from vehicular maneuvering areas, and located as close as possible to the nearest bus stop pad along 91st Avenue and Broadway Road, where applicable. The placement of the bicycle repair station along 107th Avenue shall be near the southwest corner of Development Unit 20.A. The final placement of each bicycle repair stations shall be as approved by the Planning and Development Department. The repair stations shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
15. Each commercial development unit shall incorporate a centrally located plaza or courtyard of no less than 3,500 square feet in area that includes at a minimum three pedestrian seating park-style or concrete benches, a ramada, an art feature and passive open space accessible to pedestrians within the commercial

development unit. This area shall be shaded at a minimum of 75 percent via single trunk shade trees of no less than 2-inch caliper size placed 20 feet on center consistent with a pedestrian environment, as approved by the Planning and Development Department.

16. If a commercial development unit develops as multifamily, the development shall follow the stipulations contained in this rezoning case which apply to multifamily development units.

#### **MULTIFAMILY DEVELOPMENT UNITS (15 AND 20.B)**

17. All ground floor units adjacent to 91st Avenue, 107th Avenue and Broadway Road shall have individual porches or patios oriented to the nearest public street.
18. Each multifamily development unit shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - A. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a combination of "Secure/Covered Facilities" and "Outdoor/Covered Facilities" as defined in Appendix K of the Comprehensive Bicycle Master Plan. "Outdoor/Covered Facilities" shall comprise no more than 60 percent of required resident bicycle parking.
  - B. Guest bicycle parking shall be provided through the provision of a minimum of four inverted U-bicycle racks, artistic style racks or "Outdoor/Covered Facilities" for guests located near building entrances of each residential building. All racks shall adhere to Appendix K of the Comprehensive Bicycle Master Plan.
  - C. A minimum of one bicycle repair station ("fix it station") shall be provided and maintained within close proximity to the resident "Secured/Covered Facilities" bicycle parking area. This bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas. The repair stations shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
19. The required landscape setback areas for multifamily development shall be planted in accordance with the Estrella Village Arterial Street Landscaping Program where adjacent to arterial streets. Where not adjacent to arterial streets, trees in the required landscape setback areas shall be planted 20-feet on center, or in equivalent groupings. Large canopy shade trees including minimum 80 percent 2-inch caliper and 20 percent 3-inch caliper size trees shall be planted within the required landscape setbacks, as approved by the Planning and Development Department.
20. Each phase of a multifamily development unit shall provide a minimum of 8 percent of the gross site area as open space.

**BOTH COMMERCIAL AND MULTIFAMILY DEVELOPMENT UNITS (15, 16, 20.A AND 20.B)**

21. Each phase of a commercial and multifamily development unit shall provide a minimum 25 percent shade of the parking lot with landscaping and/or carports as measured on the summer solstice at noon and as approved by the Planning and Development Department.
22. A system of pedestrian thoroughfares as described below via the most direct route shall be provided, as approved or modified by the Planning and Development Department for commercial and multifamily development units:
  - A. Pedestrian paths shall be shaded to a minimum of 75 percent.
  - B. Pedestrian paths shall be illuminated by pedestrian scale lighting per Section 1304(H)5.
  - C. Vehicular crossings shall be kept to a minimum. Where crossings exist, the pedestrian pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces.
  - D. Connections shall be between:
    - (1) All commercial building entrances and exits;
    - (2) Commercial development units and adjacent residential development units with a minimum of two pedestrian paths connecting each adjacent development unit;
    - (3) Amenity areas located within the commercial and residential development units to each building in that development unit;
    - (4) Adjacent bus stops and sidewalks along 91st Avenue, 107th Avenue and Broadway Road;
  - E. At corner properties located at signalized intersections (or future signalized intersections), an additional ADA compliant pedestrian path must be provided from the traffic signal (or future site of a traffic signal) to the entrance of the nearest building in the most direct route.
23. The primary vehicular entrances to each residential and commercial development units shall include the following elements, as approved by the Planning and Development Department:
  - A. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
  - B. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet each.



The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

- C. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

#### **SINGLE-FAMILY DEVELOPMENT UNITS (17 AND 18)**

- 24. Single-family development units 17 and 18 shall provide at a minimum two pedestrian sidewalk connections in an east to west direction, in addition to any connections required within right-of-way, that connect both development units. This connection shall be shaded to a minimum of 50 percent and approved by the Planning and Development Department.
- 25. View fencing shall be required on all lots that back onto open space/retention areas, except for those adjacent to arterial streets or the SR-30 freeway as approved by the Planning and Development Department.

#### **PUBLIC TRANSIT**

- 26. The developer shall dedicate right-of-way and construct bus stop pads at the locations listed below. All bus stop pads shall be compliant with City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. Bus stop pads shall be spaced from the indicated intersection as per City of Phoenix Standard Detail P1258.
  - A. Northbound 99th Avenue north of the Weir Avenue alignment;
  - B. Eastbound Broadway Road east of 105th Drive;
  - C. Eastbound Broadway Road east of 99th Avenue;
  - D. Eastbound Broadway Road east of 96th Drive;
  - E. Westbound Broadway Road west of the 93rd Avenue alignment;
- 27. The developer shall dedicate right-of-way and construct bus bays with attached bus stop pads at the locations listed below. All bus bays shall be compliant with City of Phoenix Standard Detail P1256. Attached bus stop pads shall be compliant with City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. Bus stop pads shall be spaced from the indicated intersection as per City of Phoenix Standard Detail P1258.
  - A. Eastbound Broadway Road east of 107th Avenue;
  - B. Westbound Broadway Road west of 91st Avenue;
- 28. Final placement of bus stop pads and bus bays shall require approval from the Public Transit Department.



29. The developer shall locate trees in close proximity to each bus stop to shade the bus stop area to a minimum of 75 percent, as approved by the Planning and Development Department. Where utility conflicts exist, an alternative design shall be provided consistent with a pedestrian environment, as approved by the Planning and Development Department.

## **STREETS**

30. Prior to preliminary site plan approval, the developer shall submit an updated Master Street and Phasing Plan to be approved by the Street Transportation Department. The master street and phasing plan shall contain specified right-of-way dedications, improvements, and developer funded signal locations.
31. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or, to be relocated as part of this project. The developer shall coordinate with the affected utilities company for their review and permitting.
32. 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.
33. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study has been reviewed/coordinated with the approved and updated Master Street and Phasing Plans as approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.
34. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Chief Engineering Tech with the Street Transportation Department at (602) 262-6193. This form is a requirement of the EPA to meet clear air quality requirements.
35. Provide additional ADA compliant space and shade at street intersections to allow for pedestrians' comfort while they wait to cross safely as approved by the Planning and Development Department.

## **DISCLOSURES**

36. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property and tenants within the development(s) the existence and operational characteristics of the multiple dairies on the site and in the surrounding area and the 91st Avenue Wastewater Treatment Plant. The form and content of such documents shall be reviewed and approved by the City Attorney.

37. The property owner shall record documents that disclose to purchasers of property impacted by the approved and/or preferred alignment of the SR-30 freeway, the existence or future potential of noise from the SR-30 freeway. 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.

## **FREEWAY SEPARATION**

38. Development units affected by the SR-30 freeway shall incorporate a minimum 50-foot setback between the edge of the SR-30 freeway alignment and any residential lot lines. This setback can incorporate local street rights-of-way and shall contain a landscape area with large canopy drought-tolerant trees of minimum 3-inch caliper size, planted 20-feet on center, as approved by the Planning and Development Department. This stipulation shall not apply in the event that ADOT has not chosen a finalized SR-30 freeway alignment prior to preliminary site plan approval for the final alignment.

## **ARCHAEOLOGY**

39. 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.
40. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
41. 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.
42. 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.

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