

## Attachment H

### REPORT OF PLANNING COMMISSION ACTION May 5, 2022

ITEM NO: 8	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-62-18-2 (Verdin PUD) (Companion Cases GPA-DSTV-1-18-2, Z-75-18-2, and Z-TA-5-18-2)
Location:	Southwest corner of the 24th Street alignment and Sonoran Desert Drive
From:	S-1 DCOD, RE-35 DCOD, and S-1
To:	PUD DCOD (Pending PUD) and PUD
Acreage:	488.63
Proposal:	Planned Unit Development to allow single-family residential
Applicant:	Taylor Morrison/Arizona, Inc.
Owner:	MacEwen Ranch, LLC
Representative:	Susan Demmitt, Gammage & Burnham, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Desert View** 11/6/2018 Information only.

**North Gateway** 11/8/2018 Information only.

**Desert View** 4/2/2019 Information only.

**Desert View** 12/7/2021 Information only.

**North Gateway** 12/9/2021 Information only.

**North Gateway** 3/10/2022 Approval, per the staff recommendation with a modification.

Vote: 4-1.

**Desert View** 4/5/2022 Approval, per the staff recommendation with modifications and additional stipulations. Vote: 10-1.

Planning Commission Recommendation: Approval, per the staff memo dated May 5, 2022.

Motion Discussion: N/A

Motion details: Commissioner Simon made a MOTION to approve Z-62-18-2, per the staff memo dated May 5, 2022.

Maker: Simon  
Second: Busching  
Vote: 7-1 (Perez)  
Absent: Gaynor  
Opposition Present: Yes

#### **Findings:**

1. The proposed PUD is located directly adjacent to the Sonoran Preserve and includes standards that ensure appropriate transitions from the development to adjacent preserve areas.

2. The proposal balances the need for additional housing, while retaining and preserving the desert landscape throughout the development, as outlined in the North Land Use Plan and Sonoran Preserve Master Plan.
3. The proposal includes several development standards, such as increased open edge conditions, increased common area, and design guidelines that exceed conventional Zoning Ordinance standards.

Stipulations:

1. An updated Development Narrative for the ~~Sendero Foothills~~ VERDIN PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped ~~November 29, 2024~~ MARCH 3, 2022, as modified by the following stipulations:
  - a. ~~MODIFY THE VERDIN PUD DOCUMENT AS NECESSARY TO REFLECT A MAXIMUM OVERALL UNIT COUNT OF 1,250 UNITS AND A MAXIMUM OVERALL DENSITY OF 2.6 UNITS PER ACRE.. PAGES 6, 8, 26, AND 28: REVISE ALL REFERENCES TO THE MAXIMUM DENSITY TO 2.6 DWELLING UNITS PER ACRE.~~
  - b. ~~MODIFY THE VERDIN PUD DOCUMENT AS NECESSARY TO REMOVE THE SMALL LOT (SFR-3) LAND USE DISTRICT: PAGES 6, 8, 26, AND 28: REVISE ALL REFERENCES TO THE MAXIMUM NUMBER OF UNITS TO 1,250 DWELLING UNITS.~~
  - c. ~~MODIFY THE VERDIN PUD DOCUMENT AS NECESSARY TO REFLECT A MINIMUM 25 FOOT OPEN SPACE TRACT PROVIDED ALONG THE EASTERN BOUNDARY OF THE VERDIN PROPERTY TO PROVIDE A TRANSITION TO THE CAVE CREEK WASH CORRIDOR. THE OPEN SPACE TRACT SHALL BE CONSIDERED A CERTIFIED AREA TYPE "B"—NATURAL REVEGETATED AREA WITH PLANT MATERIALS FROM THE VERDIN PUD PLANT LIST: GREEN LIST. PAGES 23, 26, 28, 29, 35, 36, 59, 63, 75, 134, 135, AND 136: REMOVE ALL REFERENCES TO THE "SINGLE-FAMILY RESIDENTIAL – SMALL LOT (SFR-3)" LAND USE DISTRICT. UNIT COUNTS AND PERCENTAGES RELATED TO THIS REMOVAL SHALL BE UPDATED ACCORDINGLY.~~
  - d. PAGES 20, 52, 61, 102, AND 113: REVISE ALL REFERENCES TO THE WIDTH OF THE MULTI-USE TRAIL EASEMENT ALONG THE MESQUITE WASH CORRIDOR TO 30-FEET-WIDE.
  - e. PAGES 51, 71, 75, 76, 83, 86, 87, 104, 105, 106, 107, 108, 109, 110, 119, AND 121: REVISE ALL REFERENCES TO THE "APPROVED PLANT PALETTE" TO "PLANT PALETTE".
  - f. PAGES 8-22, SECTION 2. LAND USE PLAN, AND PAGES 97-123, SECTION 9. CERTIFIED OPEN SPACE DESIGN GUIDELINES: ADD LANGUAGE REGARDING CONVEYANCE OF APPROXIMATELY 16 ACRES ADDRESSED IN STIPULATION NO. 8. THERE SHALL BE A PROVISION FOR BOTH ON SITE OPEN SPACE AND THE DEDICATED 16 ACRES TO COUNT TOWARDS TOTAL OPEN SPACE.

- g. PAGE 16, OFF-SITE CONNECTIVITY: ADD LANGUAGE REGARDING PUBLIC TRAIL ACCESS EASEMENTS PROVIDED FOR THE MESQUITE WASH CORRIDOR TRAIL AND COMMUNITY PASEO PATHS, PER STIPULATION NO. 6. THE SECTION SHALL SPECIFICALLY NOTE THAT THE ACCESS EASEMENTS WILL ENSURE PERMANENT PUBLIC ACCESS AND RESTRICT UNAUTHORIZED MOTOR VEHICLE ACCESS THROUGH THE RESIDENTIAL COMMUNITY TO THE SONORAN PRESERVE.
- h. Page 23, Section 1.d.Accessory uses.(1): Revise to read, “permanent and/or  
d. temporary alcoholic beverage and/or food sales and/or consumption;”
- i. PAGE 35, SINGLE-FAMILY LAND USE DISTRICT DEVELOPMENT STANDARDS TABLE: ADD A ROW AFTER MAX. DWELLING UNIT DENSITY THAT READS “MAXIMUM UNITS: 1,250 DWELLING UNITS FOR THE ENTIRE PUD AREA”.
- j. PAGES 36-37, SINGLE-FAMILY LAND USE DISTRICT DEVELOPMENT STANDARDS TABLE: ADD A FOOTNOTE THAT REFERS TO THE DEVELOPMENT PARCEL ALLOCATION TABLE IN SECTION 4.C. (REGULATORY STANDARDS & LAND USE DISTRICTS – DEVELOPMENT STANDARDS) FOR THE MAXIMUM UNIT COUNTS FOR EACH DEVELOPMENT PARCEL.
- k. PAGE 41, SECTION 6.1: REVISE TO READ, “WHEN NOT PROHIBITED BY CITY CODE, SECTION 31-13, PRIMARY ORNAMENTAL ENTRIES NO HIGHER THAN 16-FEET ARE ALLOWED...”
- l. PAGE 41, SECTION 6.3.A: ADD THE FOLLOWING SENTENCE UNDER THE EXISTING SENTENCE: “ANY WALLS OR FENCING ALONG A PRESERVE EDGE/MCFCD PROPERTY BOUNDARY, OTHER THAN WALLS OR FENCING FOR INDIVIDUAL RESIDENTIAL LOTS, SHALL BE COMPRISED OF THE BARRIER FENCING TYPE, WHICH ARE DESIGNED WITH SUFFICIENT OPENINGS TO ALLOW THE REGULAR PASSAGE OF WILDLIFE.”
- m. PAGE 42, SECTION 6.3.B: REVISE THE REFERENCE TO ‘A MAXIMUM 6-FOOT, 4-INCH HIGH FULL VIEW FENCING’ TO ‘A MAXIMUM 5-FOOT HIGH FULL VIEW FENCING’.
- n. PAGE 46, SECTION 6.6: CHANGE ‘14 FEET’ TO ‘12 FEET’.
- l.o. PAGES 52-53, SECTION 2.C: ADD LANGUAGE REGARDING PUBLIC TRAIL ACCESS EASEMENTS PROVIDED FOR THE MESQUITE WASH CORRIDOR TRAIL AND COMMUNITY PASEO PATHS, PER STIPULATION NO. 6. THE SECTION SHOULD SPECIFICALLY NOTE THAT THE ACCESS EASEMENTS WILL ENSURE PERMANENT PUBLIC ACCESS AND RESTRICT UNAUTHORIZED MOTOR VEHICLE ACCESS THROUGH THE RESIDENTIAL COMMUNITY TO THE SONORAN PRESERVE.
- p. PAGE 79-80, SECTION 5.A, LAST BULLET POINT: ADD THE FOLLOWING AFTER THE FIRST SENTENCE: “THE USE OF RETAINING WALLS IN EXCESS OF 4 FEET IS DISCOURAGED AND SHOULD BE LIMITED TO

LOCATIONS WHERE NECESSARY TO ACCOMMODATE SPECIFIC SITE TOPOGRAPHY.”

- m-q. PAGES 90-91, SECTION 6.H: DELETE “CHILOPSIS LINEARIS – DESERT WILLOW” TREE FROM THE GREEN LIST AND ADD IT TO THE YELLOW LIST TREES ON PAGE 91.
  - n-r. PAGES 90 AND 92, SECTION 6.H: DELETE “CELTIS RETICULATA – NETLEAF HACKBERRY” SHRUB FROM THE YELLOW LIST AND ADD IT TO THE GREEN LIST SHRUBS ON PAGE 90.
  - o-s. PAGE 101, CERTIFIED AREA OPEN SPACE TYPES EXHIBIT. UPDATE THE EXHIBIT TO INCLUDE THE 25-FOOT OPEN SPACE TRACT THAT WILL BE PROVIDED ALONG THE EASTERN BOUNDARY OF THE SITE AS A CERTIFIED AREA TYPE “B” – NATURAL REVEGETATED AREA.
  - p-t. PAGE 105-108, SECTION 1.D.2: ADD LANGUAGE REGARDING THE MINIMUM 25-FOOT OPEN SPACE TRACT THAT WILL BE PROVIDED ALONG THE EASTERN BOUNDARY OF THE SITE TO PROVIDE A TRANSITION TO THE CAVE CREEK WASH CORRIDOR. EXPLAIN THAT THE AREA’S PLANT MATERIAL WILL BE FROM THE PLANT PALETTE GREEN LIST.
  - q-u. PAGES 119 AND 121, 1.E. PLANT AND WILDLIFE RELATIONSHIP MATRIX, PLANT PALETTE: GREEN LIST: REMOVE THE IMAGE AND INFORMATION REGARDING “CHILOPSIS LINEARIS – DESERT WILLOW” AND ADD TO THE PLANT PALETTE: YELLOW LIST ON PAGE 121.
  - r-v. PAGES 119 AND 122, 1.E. PLANT AND WILDLIFE RELATIONSHIP MATRIX, PLANT PALETTE: YELLOW LIST: REMOVE THE IMAGE INFORMATION REGARDING “CELTIS RETICULATA – NETLEAF HACKBERRY” AND ADD TO THE PLANT PALETTE: GREEN LIST ON PAGE 119.
  - s-w. PAGE 123, SECTION 10.1.B: REVISE TO READ, “THE MAXIMUM HEIGHT FOR PRIMARY ORNAMENTAL ENTRY SIGN LETTERING AND COPY IS 16 FEET...”
2. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The TIS shall provide signal warrant analysis for development access points along Sonoran Desert Drive as well as 7th Street and Dove Valley Road. The developer will be responsible for all additional dedications and/or roadway and signal improvements as identified by the approved study.
  3. The developer shall submit Master Street Design and Phasing Plans for each Development Unit, as required by Section 636, Planned Community District (PCD), of the Phoenix Zoning Ordinance.
  4. All designated public roadways shall meet the City of Phoenix Storm Water Design Manual Standards for wash crossings.
  5. 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.

6. THE DEVELOPER SHALL ~~WORK WITH THE CITY OF PHOENIX PARKS AND RECREATION DEPARTMENT~~ TO PROVIDE PUBLIC TRAIL ACCESS EASEMENTS FOR THE MESQUITE WASH CORRIDOR TRAIL AND COMMUNITY PASEO PATHS THAT PROVIDE CONNECTION TO THE SONORAN PRESERVE AS DEPICTED ON EXHIBIT 6, PEDESTRIAN CIRCULATION PLAN, IN THE ~~PUD DOCUMENT~~ DEVELOPMENT NARRATIVE, AS MODIFIED AND APPROVED BY THE PARKS AND RECREATION DEPARTMENT AND PLANNING AND DEVELOPMENT DEPARTMENT. THE PUBLIC ACCESS SHALL BE DESIGNED TO RESTRICT UNAUTHORIZED MOTOR VEHICLE ACCESS, AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT AND PLANNING AND DEVELOPMENT DEPARTMENT. THE LOCATION AND DESIGN OF TRAIL CONNECTIONS SHALL BE COORDINATED WITH THE ~~CITY OF PHOENIX~~ PARKS AND RECREATION DEPARTMENT AND PLANNING AND DEVELOPMENT DEPARTMENT.
7. A MINIMUM 12-FOOT-WIDE MULTI-USE TRAIL (MUT) SHALL BE CONSTRUCTED WITHIN AN ~~AVERAGE~~ 30-FOOT-WIDE MULTI-USE TRAIL EASEMENT (MUTE) ALONG THE MESQUITE WASH IN ACCORDANCE WITH SECTION 429 OF THE CITY OF PHOENIX MAG SUPPLEMENTAL DETAIL, AS MODIFIED TO ADDRESS WASH CORRIDOR CONSTRAINTS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8. THE DEVELOPER SHALL CONVEY APPROXIMATELY 16 ACRES LOCATED AT THE SOUTHEAST CORNER OF THE SITE WITHIN THE EROSION HAZARD SETBACK AREA ALONG THE CAVE CREEK WASH CORRIDOR, AS GENERALLY SHOWN ON EXHIBIT 11 OF THE DEVELOPMENT NARRATIVE, TO THE CITY OF PHOENIX FOR INCLUSION IN THE SONORAN PRESERVE, AS MODIFIED AND APPROVED BY THE PARKS AND RECREATION DEPARTMENT AND PLANNING AND DEVELOPMENT DEPARTMENT. THE FINAL ACREAGE AND CONFIGURATION OF THE PROPERTY TO BE CONVEYED, ALONG WITH TIMING OF THE CONVEYANCE, SHALL BE MUTUALLY AGREED UPON BY THE DEVELOPER, THE PARKS AND RECREATION DEPARTMENT, AND PLANNING AND DEVELOPMENT DEPARTMENT.
9. If determined necessary by the Phoenix Archaeology Office, the applicant shall
8. 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
9. 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
40. 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.

13. THE DEVELOPER SHALL NOTIFY THE FOLLOWING INDIVIDUALS BY EMAIL A MINIMUM OF 15 DAYS PRIOR TO ANY PRELIMINARY SITE PLAN REVIEW MEETINGS WITH THE PLANNING AND DEVELOPMENT DEPARTMENT, PLANNING HEARING OFFICER REQUESTS TO MODIFY STIPULATIONS, OR ANY ZONING ADJUSTMENT REQUESTS. THE NOTICE SHALL INCLUDE THE DATE, TIME, AND LOCATION OF THE MEETING/HEARING.
  - A. DR. GARY KIRKILAS: GARYKIRKILAS@GMAIL.COM
  - B. MEMBERS OF THE PHOENIX SONORAN PRESERVE AND MOUNTAIN PARKS/PRESERVES COMMITTEE
  - C VASHTI "TICE" SUPPLEE: VSUPPLEE25@GMAIL.COM
14. APPROVAL OF THE PLANNED UNIT DEVELOPMENT SHALL BE CONDITIONED UPON THE FINAL EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND THE DEVELOPER WITHIN 24 MONTHS OF CITY COUNCIL APPROVAL OF THIS CHANGE OF ZONE. ADDITIONALLY, THE DEVELOPMENT AGREEMENT SHALL BE EXECUTED PRIOR TO FINAL SITE PLAN APPROVAL AND ISSUANCE OF ANY GRADING AND DRAINAGE PERMITS. THE DEVELOPMENT AGREEMENT SHALL AT A MINIMUM OUTLINE THE REQUIREMENTS FOR INITIAL IMPROVEMENTS TO SONORAN DESERT DRIVE, AS WELL AS FINANCIAL CONTRIBUTIONS FOR THE ULTIMATE BUILDOUT OF SONORAN DESERT DRIVE, AS MODIFIED AND APPROVED BY THE STREET TRANSPORTATION AND PLANNING AND DEVELOPMENT DEPARTMENTS.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-376-3981, Les.scott@phoenix.gov or TTY: Use 7-1-1.