

PLEASE RESPOND ELECTRONICALLY TO BRAD WYLAM 2ND FLOOR, 602-495-0383



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

Date: June 8, 2021

From: Alan Stephenson
Planning & Development Department Director

Subject: **P.H.O. APPLICATION NO. PHO-3-21--Z-155-01-7** – Notice of Pending Actions
by the **Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **July 21, 2021**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **June 15, 2021**.

DISTRIBUTION

Mayor's Office (Lisa Fernandez), 11th Floor
City Council (Matthew Heil), 11th Floor
Aviation (Sheldon Daisley)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Aaron Conway), 2nd Floor
Light Rail (Joel Carrasco/Special TOD Only)
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Natasha Hughes), 16th Floor
Public Transit (Kathryn Boris)
Public Works (Ray Dovalina, Kristina Jensen, Elise Moore, Rudy Rangel), 5th Floor
Street Transportation Department (Maja Brkovic, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Alan Stephenson, Joshua Bednarek), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Tricia Gomes, Adam Stranieri, Brad Wylam), 2nd Floor
Village Planner (Enrique Bojorquez-Gaxilola, Estrella Village)
Village Planning Committee Chair (Mark Cardenas, Estrella Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-3-21--Z-155-01-7

Council District: 7

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation 5 regarding detached sidewalks, landscape strip, and planting standards along arterial, collector, and transitions onto local streets.

Owner	Applicant	Representative
VTLG Sunset Farms Land Co, LLC	Beus Gilbert McGroder PLLC	Andy Jochums, Beus Gilbert McGroder PLLC
14747 N. Northsight Blvd, Ste. 111-431 Scottsdale AZ 85260 (602) 230-3504 dsolomon@vtcompanies.com	701 North 44th Street Phoenix AZ 85008 (480) 429-3063 ajochums@beusgilbert.com	701 North 44th Street Phoenix AZ 85008 P: (480) 429-3063 F: (480) 429-3100 ajochums@beusgilbert.com

Property Location: Northeast corner of 103rd Avenue and Broadway Road

Zoning Map: E-2 Quarter Section: 5-4 APN: 101-25-013F Acreage: 20.39
 Village: Estrella
 Last Hearing: CC RATIFICATION
 Previous Opposition: No
 Date of Original City Council Action: 06/05/2002
 Previous PHO Actions: 08/31/2005 02/20/2019
 Zoning Vested: PCD (Appr. R-2 PCD)
 Supplemental Map No.: 1096 1102 1096
 Planning Staff: 074549

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,080.00	\$0.00	05/28/2021	21-0049941	Original Filing Fee

Signature of Applicant: _____ DATE: _____

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>07/21/2021 10 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	
Action: _____	Action: _____	Action: _____

Hancock at Sunset Farms

Z-155-01-7

Stipulation Modification Request

The subject +/- 20 gross acre property (APNs 101-25-009J, 011R and 013F) is located at the northeast corner of 103rd Avenue and Broadway Road. In 2002, under the referenced case, the larger 551 acre grouping of land known as Sunset Farms was rezoned to PCD. The subject property is Parcel 8 within the Sunset Farms PCD Master Plans. The zoning change was subject to stipulation requiring all arterial and collector streets to have a 5 wide detached sidewalk with trees planted within the strip created between the curb and the detached sidewalk.

In 2005 and in 2019 PHO Stipulation Modification applications were filed and approved; however the stipulation requiring a detached sidewalk and trees in the planting strip along all arterials and collector roads remained unchanged, save for the technical update from Development Services Department to Planning and Development Department.

Stipulation #5 of PHO-2-18 - - Z-155-01-7 requires trees along the north side of Broadway Road (an arterial roadway); however Broadway Road and the strip of land between the curb and the sidewalk is USA-Fee/Bureau of Reclamation property and houses an underground SRP irrigation pipe. For this reason, trees are not permitted to be planted in this area and we are asking for the stipulations to be modified.

Legislative Edit of PHO-2-18--Z-155-01-7 Stipulation #5

5. Along arterial, collector and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a 5-foot wide landscaped strip shall be located between the sidewalk and back of curb. The planting area shall be planted with minimum 1-inch caliper trees placed 20 feet on center and appropriate ground cover as approved by the Planning and Development Department, EXCEPT FOR ALONG THE NORTH SIDE OF BROADWAY ROAD WHERE NO TREES SHALL BE REQUIRED DUE TO USA FEE OWNERSHIP AND UTILITY CONFLICT.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

March 4, 2019

David Coble
Coe & Van Loo Consultants
4550 North 12th Street
Phoenix, Arizona 85014

RE: PHO-2-18--Z-155-01-7 – Northeast corner of 103rd Avenue and Broadway Road and approximately 660 feet west of the northwest corner of 91st Avenue and Broadway Road (2 Parcels)

Dear Applicant:

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506 of the Zoning Ordinance, has on February 20, 2019, considered a request for 1) Modification of Stipulation No. 1 regarding a total number of 2,069 dwelling units. 2) Technical corrections to Stipulation Nos. 3, 4, 6, 7, 9, 11, 13, 14, 16, 21, 22.

The City Council ratified application Z-155-01-7 as recommended by the Planning Hearing Officer for approval.

Stipulations:

1. The master development plan shall be in general conformance to the Sunset Farms Master Development Plan date stamped December 10, 2018 as approved or modified by the Planning and Development Department, except that the entire 517-acre PCD shall not exceed 2,264 dwelling units.
2. All R-2, R1-6 and R1-8 Parcels shall utilize the planned residential development option.
3. View fencing shall be required on all lots that back onto open space/retention areas, except for those adjacent to arterial streets as approved by the Planning and Development Department.
4. All of Development Unit 3 of Figure 3 (Sunset Farms General Development Plan) shall be developed as auto-court cluster, single-family attached or shared driveway subdivisions as approved by the Planning and Development Department.

5. Along arterial, collector and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a 5-foot wide landscaped strip shall be located between the sidewalk and back of curb. The planting area shall be planted with minimum 1-inch caliper trees placed 20 feet on center and appropriate ground cover as approved by the Planning and Development Department.
6. 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.
7. All retention areas shall be sloped no greater than 4:1 throughout the site, except within the Estrella Channel.

Master Plans

8. The applicant shall develop an architectural theme for the entire 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 residential and commercial parcels and shall be submitted concurrent with the Master Plan submittal items as approved by the Planning and Development Department.
9. The Master Drainage Plan shall delineate a conceptual layout of the 150-foot wide tract area for the Estrella Channel (Buckeye Flood Control Channel) through the site. Said layout may also incorporate the 100-year 2-hour storm retention requirement.
10. In addition to the Zoning Ordinance required plan elements, the developer shall submit the following Master Development Plans for review and approval by the appropriate city departments prior to issuance of preliminary plat approval. The plans shall address the following at a minimum and the Planning and Development Department may require additional items:

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:
 - 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) It shall 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 developed in the following manner, which is consistent with the Estrella Village Multi-Purpose Trails Plan:

- a) 10-foot wide multi-use trails shall be provided along the south side of the Estrella Channel (Buckeye Feeder Channel) and along the north side of Broadway Road in the powerline corridor
- b) 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 northwest 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 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.

Commercial Parcels

11. For the C-2 portion of the development at the intersection of 91st Avenue and Broadway Road, an average 75-foot by 75-foot triangular landscaped entryway feature shall be provided and the landscaping of the feature shall connect to the trail within the powerline corridor adjacent to Broadway Road.
12. 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.
13. 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. The maximum height of the underside of the canopy (canopy ceiling) shall be 19 feet.
14. 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.
15. A 75-foot by 75-foot landscaped gateway shall be provided on the northeast corner of 107th Avenue and Broadway Road consistent with the Estrella Village Arterial Street Landscape Program as approved by the Planning and Development Department.
16. The commercial areas, labeled as parcels 1, 2 and 16 on Figure 3, shall be allowed a maximum of four commercial pads in addition to a primary use.

Transit Department

17. The following right-of-way shall be dedicated along with construction for a bus bay (P1257) and transit pad (P1261) as approved by the Transit Department.

- A. Westbound Broadway Road west of 91st Avenue.
 - B. Westbound Broadway Road west of 99th Avenue.
 - C. Eastbound Broadway Road east of 99th Avenue.
 - D. Northbound 99th Avenue north of Broadway Road.
 - E. Northbound 107th Avenue north of Broadway Road.
18. The following right-of-way shall be dedicated along with construction for transit pads (P1262) as approved by the Planning and Development Department.
- A. Westbound Broadway Road west of 93rd Avenue.
 - B. Westbound Broadway Road west of 95th Avenue.
 - C. Westbound Broadway Road west of 97th Avenue.
 - D. Westbound Broadway Road west of 101st Avenue.
 - E. Westbound Broadway Road west of 103rd Avenue.
 - F. Westbound Broadway Road west of 105th Avenue.
 - G. Eastbound Broadway Road east of 97th Avenue.
 - H. Southbound 99th Avenue south of Jones Avenue.
 - I. Northbound 99th Avenue north of Wier Avenue.

Street Transportation

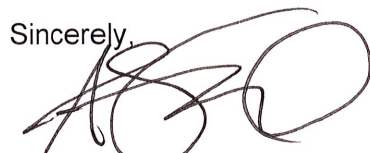
- 19. Right-of-way for all arterial and collector streets shall be dedicated as per the approved Master Street Plan.
- 20. Along the park site and the Estrella Channel or the power line corridor along the Elwood alignment, no more than 66 percent of the lots for each development parcel shall back onto the Channel as approved by the Planning and Development Department.
- 21. Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the Planning and Development Department at the time of Preliminary Subdivision Plat Review.
- 22. The applicant shall submit a Traffic Impact Study to the City for this development. No zoning shall be vested until the study is reviewed and approved by the City. Please contact the Traffic Engineer II in the Street Transportation Department (602) 534-5688, to set up a meeting to discuss the requirements of the study.
- 23. 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 City. All

improvements shall comply with all ADA accessibility standards.

24. 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 clean air quality requirements.
25. A 15-acre parcel for an elementary school site and an adjacent 10-acre neighborhood park shall be designated within the Littleton School District boundaries as approved by the superintendent and Parks and Recreation Department. The two sites shall be reserviced for a period of one year following the approval of the first final plat in phase two unless otherwise released by the Littleton School District or the Parks and Recreation Department. If the school district does not acquire the site, then the park will increase in size to 15 acres.
26. Should an intergovernmental agreement be formed in the future to facilitate the construction of the Estrella Drainage Channel (Buckeye Flood Control Channel), the developer agrees to cooperate in the design of the drainageway through this project. The design will include the laying out of the adjacent subdivision plats to accommodate a 150-foot "clean take" line on the lots adjacent to the channel in parcels 6, 7, and 11. The applicant shall be allowed to plan the southern most 50-feet of the 150-foot "clean take" area.
27. Prior to issuance of building permits for each individual parcel, the property owner shall record documents that disclose to purchasers of the property within the development the location, existence and operational characteristics of the multiple dairies on the site and in the area along with the 91st Avenue Wastewater Treatment Plant. That the developer shall prepare an odor study to evaluate the potential for complaints of the 91st Avenue wastewater treatment plant. The City Attorney shall approve the form and content of such documents.
28. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of undeveloped or newly developed property within the development the existence and operational characteristics of Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
29. The applicant shall contact the City Archaeologist (602-597-0901) for the potential survey request for Parcel 15.
30. 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 for parcels 8 and 15.
31. 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 for parcels 8 and 15.

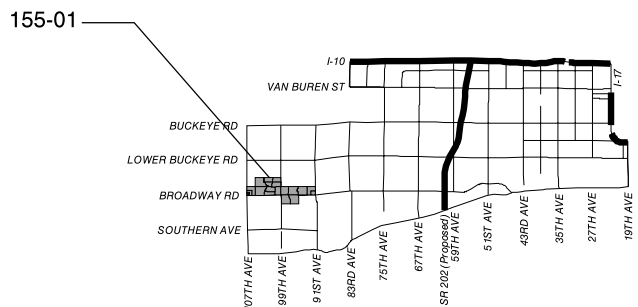
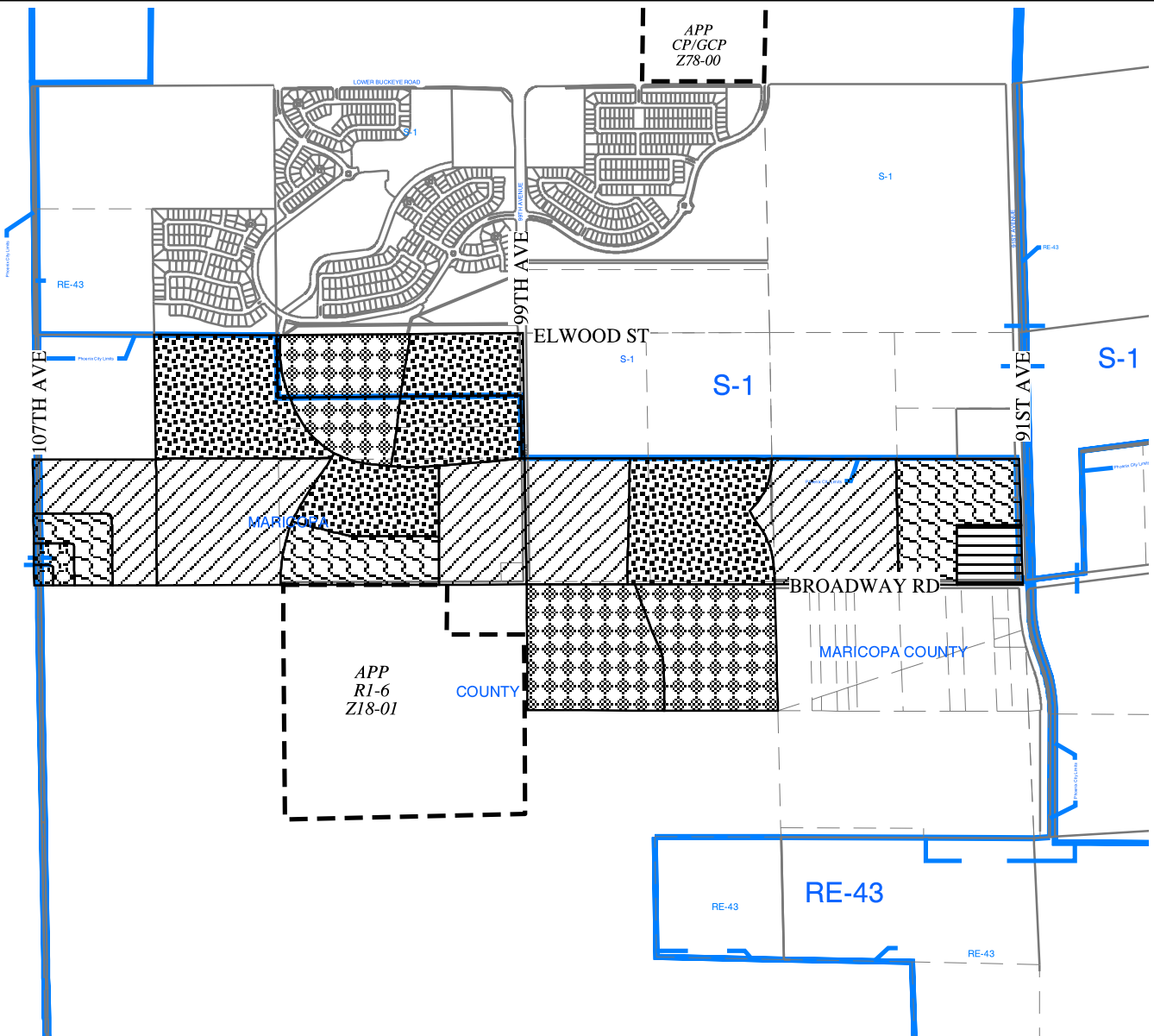
32. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
33. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's office. 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.

Sincerely,

A handwritten signature in dark ink, appearing to read 'ASO', written over the word 'Sincerely,'.

Adam Stranieri
Planner III

- c: New Era Phoenix, 7201 E. Camelback Rd., #2100, Scottsdale, AZ 85251
Sofia Mastikhina, PDD-Planning (Electronically)
Joshua Bednarek, PDD-Development (Electronically)
Greg Gonzales, NSD (Electronically)
Penny Parrella, City Council (Electronically)



CITY OF PHOENIX PLANNING DEPARTMENT

Estrella Village

CITY COUNCIL DISTRICT: 7

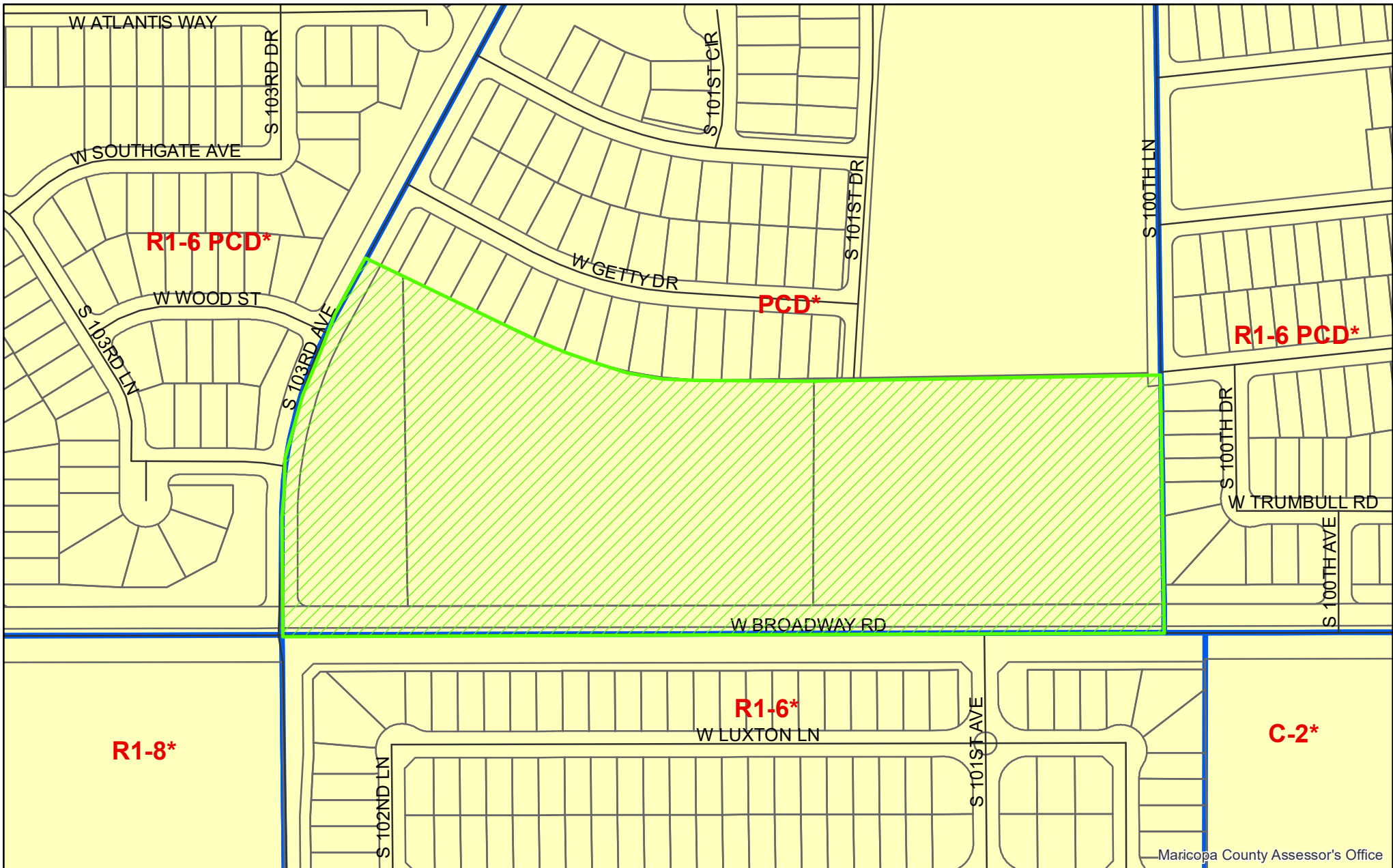
APPLICANT'S NAME: LVA Urban Design , c/o Alan Beaudoin		REQUESTED CHANGE: FROM: S-1 TO: <table border="0"> <tr> <td></td> <td>C-1 (4.3 ac)</td> </tr> <tr> <td></td> <td>C-2 (9.9 ac)</td> </tr> <tr> <td></td> <td>R-2 (60.7 ac)</td> </tr> <tr> <td></td> <td>R1-10 (114.8 ac)</td> </tr> <tr> <td></td> <td>R1-6 (173.7 ac)</td> </tr> <tr> <td></td> <td>R1-8 (153.7 ac)</td> </tr> </table>			C-1 (4.3 ac)		C-2 (9.9 ac)		R-2 (60.7 ac)		R1-10 (114.8 ac)		R1-6 (173.7 ac)		R1-8 (153.7 ac)
	C-1 (4.3 ac)														
	C-2 (9.9 ac)														
	R-2 (60.7 ac)														
	R1-10 (114.8 ac)														
	R1-6 (173.7 ac)														
	R1-8 (153.7 ac)														
APPLICATION NO. 155-01	DATE: 11-29-2001 REVISION DATES:														
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 517.1 Acres	AERIAL PHOTO & QUARTER SEC. NO. 5-3, 5-4 5-5, 5-6, 4-5	ZONING MAP E2, E3													
MULTIPLES PERMITTED S-1 R-2, R1-6, R1-8, R1-10	UNITS STANDARD OPTION 517 600 / 920 / 661 / 402	* UNITS P.R.D. OPTION N / A 728 / 1101 / 793 / 482													

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



PHO-3-21--Z-155-01-7

Property Location: Northeast corner of 103rd Avenue and Broadway Road



PHO-3-21--Z-155-01-7

Property Location: Northeast corner of 103rd Avenue and Broadway Road

Council District: 7
Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella VPC was scheduled to hear this case on Jan. 15, 2019, but did not hear it due to a lack of quorum.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification on Jan. 16, 2019. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Note: The following comment card was submitted for the record in favor of the Item 81:

Brennan Ray - Applicant

This item was approved.

**82 Modification of Stipulation Request for Ratification of Jan. 16, 2019,
Planning Hearing Officer Action - Z-155-01-7**

Request to approve Planning Hearing Officer's recommendation to modify stipulations on Z-155-01-7 without further hearing by the City Council on matters heard by the Planning Hearing Officer on Jan. 16, 2019. This ratification requires formal action only.

Summary

Application: PHO-2-18--Z-155-01-7

Existing Zoning: PCD (Approved R-2 PCD)

Acreage: 28.97

Applicant: David Coble - Coe & Van Loo Consultants

Representative: David Coble - Coe & Van Loo Consultants

Owner: New Era Phoenix

Proposal:

1. Modification of Stipulation 1 regarding a total number of 2,069 dwelling units.
2. Technical corrections to Stipulations 3, 4, 6, 7, 9, 11, 13, 14, 16, 21 & 22.

Location

Northeast corner of 103rd Avenue and Broadway Road and approximately 660 feet west of the northwest corner of 91st Avenue and Broadway Road (2 parcels).

Council District: 7

Parcel Address: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee was scheduled to hear this case on Jan. 15, 2019, but did not hear it due to a lack of quorum.

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations on Jan. 16, 2019. See **Attachment A** for a complete list of the Planning Hearing Officer recommended stipulations.

This item was approved.

**83 Map of Dedication - La Sagrada Familia Lutheran Church - 170003
- Northeast Corner of 25th Street and Campo Bello Drive**

Map of Dedication: 170003

Project: 16-3002

Name of Map of Dedication: La Sagrada Familia Lutheran Church

Owner(s): Campo Bello Properties, LLC

Engineer(s): Strategic Surveying, LLC

Request: A 1 Lot Commercial Map of Dedication

Reviewed by Staff: Jan. 23, 2019

Map of Dedication requires Formal Action Only

Summary

Staff requests that the above map of dedication be approved by the City Council and certified by the City Clerk. Recording of the map of dedication dedicates the streets and easements as shown to the public. Please note this map of dedication was previously approved by City Council on June 27, 2018, however that map of dedication has expired and the resubmitted documents require new approval.

Location

Generally located at the northeast corner of 25th Street and Campo Bello

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer
Jazmine Braswell, Planner II, Assisting

January 16, 2019

ITEM 8

DISTRICT 7

SUBJECT:

Application #: Z-155-01-7 (PHO-2-18)
Zoning: PCD (Approved R-2 PCD)
Location: Northeast corner of 103rd Avenue and Broadway Road and approximately 660 feet west of the northwest corner of 91st Avenue and Broadway Road (2 Parcels)
Acreage: 28.97
Request: 1) Modification of Stipulation No. 1 regarding a total number of 2,069 dwelling units.
2) Technical corrections to Stipulation Nos. 3, 4, 6, 7, 9, 11, 13, 14, 16, 21, 22.
Applicant: David Coble - Coe & Van Loo Consultants
Owner: New Era Phoenix
Representative: David Coble - Coe & Van Loo Consultants

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

Village Planning Committee (VPC) Recommendation: The request was scheduled to be heard by the Estrella Village Planning Committee at its January 15, 2019 meeting. The Committee did not hear this case due to not having a quorum.

DISCUSSION

Julie Vermillion with Coe & Van Loo Consultants, representing the property owner, stated this request is for the Sunset Farms Planned Community Development. They are proposing a modification to Stipulation No. 1 regarding the total number of units permitted for the overall Sunset Farms development. This request is to prepare for future development on Units 8 and 15. Units 8 and 15 are zoned R-2 and were originally planned for a single-family attached development and an auto-cluster development that was restricted to a density that was below the R-2 standard. Today they are proposing multifamily developments on Units 8 and 15, which requires increasing the density and total number of permitted units allowed (the proposed total number of units, 2,264 units, is based on the maximum allowed density for the R-2 zoning district). Currently, the stipulation restricts the total number of units to 2,069 units. They attended the Estrella Village Planning Committee and no formal action was taken because of a lack of quorum.

Adam Stranieri stated he would like to clarify that there were two major amendments to the Sunset Farms PCD. Z-155-B-01 was a Special Permit for a cell tower site. Z-155-A-01 impacted multiple parcels within the Sunset Farms PCD and established the current maximum dwelling unit cap permitted in the overall PCD at 2,086. He noted that the PHO request incorrectly identified the maximum dwelling unit cap at 2,069. He stated that the request would contribute to the housing diversity in the Estrella Village, and was consistent with the approved R-2 zoning district. The Planning Hearing Officer approved the request with a modification and additional stipulations.

FINDINGS

1. The current maximum dwelling unit count for the Sunset Farms PCD is 2,086 units and was established in major amendment Z-155-A-01. This major amendment impacted many development units within the PCD and included the addition of Parcels 8 and 15.
2. The proposed master development plan indicates a maximum unit count of 225 units for Parcel 8 (12.0 du/acre) and 122 units for Parcel 15 (12.0 du/acre). The proposal represents an increase of 178 units above the existing maximum dwelling unit count. The proposed density for Parcels 8 and 15 is consistent with the approved underlying zoning of R-2 PCD.
3. The proposal will support the development of multifamily residential projects in two locations adjacent to an arterial street in an area dominated by detached single-family residential development. The proposal will contribute to housing diversity in the surrounding area with density that is compatible with the land use pattern and the location of the development parcels.
4. Both development parcels are located within the MAG designated Southwest Phoenix major employment center.

DECISION: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

STIPULATIONS

1.	That The master development PLAN shall be in GENERAL conformance to the Sunset Farms MASTER DEVELOPMENT PLAN DATE STAMPED DECEMBER 10, 2018 Project Application Binder dated November 5, 2001 and the statistical data listed in Figure 1 within this report as approved OR MODIFIED by the PLANNING AND Development Services Department (DSD), except that the entire 517-acre PCD shall not exceed 2,264 2,069-dwelling units.
2.	That aAll R-2, R1-6 and R1-8 Parcels shall utilize the planned residential development option.
3.	That vView fencing shall be required on all lots that back onto open space/retention areas, except for those adjacent to arterial streets as approved by THE PLANNING AND DEVELOPMENT DEPARTMENT DSD .

4.	That a All of Development Unit 3 of Figure 3 (Sunset Farms General Development Plan) shall be developed as auto-court cluster, single-family attached or shared driveway subdivisions as approved by THE PLANNING AND DEVELOPMENT DEPARTMENT DSD .		
5.	That a Along arterial, collector and appropriate transitions onto adjoining local streets within the residential development, the sidewalks shall be detached and a 5-foot wide landscaped strip shall be located between the sidewalk and back of curb. The planting area shall be planted with minimum 1-inch caliper trees placed 20 feet on center and appropriate ground cover as approved by THE PLANNING AND DEVELOPMENT DEPARTMENT DSD .		
6.	That a 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 DSD .		
7.	That a All retention areas shall be sloped no greater than 4:1 throughout the site, except within the Estrella Channel.		
Master Plans			
8.	That t The applicant shall develop an architectural theme for the entire 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 residential and commercial parcels and shall be submitted concurrent with the Master Plan submittal items as approved by the PLANNING AND Development Services Department.		
9.	That t The Master Drainage Plan shall delineate a conceptual layout of the 150-foot wide tract area for the Estrella Channel (Buckeye Flood Control Channel) through the site. Said layout may also incorporate the 100-year 2-hour storm retention requirement.		
10.	That i n addition to the Zoning Ordinance required plan elements, the developer shall submit the following Master Development Plans for review and approval by the appropriate city departments prior to issuance of preliminary plat approval. The plans shall address the following at a minimum and THE PLANNING AND DEVELOPMENT DEPARTMENT DSD may require additional items:		
<u>Master Pedestrian/Bike/Trails Circulation Plan</u>			
A.	That a A Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval concurrent with PLANNING AND DEVELOPMENT DEPARTMENT DSD review of the Master Plan documents and shall identify:		
	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)	That it shall 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 DSD and developed in the following manner, which is consistent with the Estrella Village Multi-Purpose Trails Plan:	
		a.	That 10-foot wide multi-use trails SHALL be provided along the south side of the Estrella Channel (Buckeye Feeder Channel) and along the north side of Broadway Road in the powerline corridor.	
		b.	That 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.	
<u>Master Landscape Plan</u>				
B.	That a Master Landscape Plan shall be submitted to the City for review and approval concurrent with the PLANNING AND Development Services 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 Services Department.		
	4)	That tThe 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 northwest 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 Services Department.		
<u>Master Water and Wastewater Plans</u>				
C)	That tThe developer shall 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)	That 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.
Commercial Parcels	
11.	That For the C-2 portion of the development at the intersection of 91st Avenue and Broadway Road, an average 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 powerline corridor adjacent to Broadway Road.
12.	That 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- DSD .
13.	That 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- DSD . The maximum height of the underside of the canopy (canopy ceiling) shall be 19 feet.
14.	That 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.
15.	That A 75-foot by 75-foot landscaped gateway SHALL be provided on the northeast corner of 107th Avenue and Broadway Road consistent with the Estrella Village Arterial Street Landscape Program as approved by the PLANNING AND Development Services Department.
16.	That The commercial areas, labeled as parcels 1, 2 and 16 on Figure 3, shall be allowed a maximum of four commercial pads in addition to a primary use.
Transit Department	
17.	That The following right-of-way SHALL be dedicated along with construction for a bus bay (P1257) and transit pad (P1261) as approved by the Transit Department.

	A.	Westbound Broadway Road west of 91st Avenue.
	B.	Westbound Broadway Road west of 99th Avenue.
	C.	Eastbound Broadway Road east of 99th Avenue.
	D.	Northbound 99th Avenue north of Broadway Road.
	E.	Northbound 107th Avenue north of Broadway Road.
18.	That the following right-of-way SHALL be dedicated along with construction for transit pads (P1262) as approved by the PLANNING AND Development Services Department.	
	A.	Westbound Broadway Road west of 93rd Avenue.
	B.	Westbound Broadway Road west of 95th Avenue.
	C.	Westbound Broadway Road west of 97th Avenue.
	D.	Westbound Broadway Road west of 101st Avenue.
	E.	Westbound Broadway Road west of 103rd Avenue.
	F.	Westbound Broadway Road west of 105th Avenue.
	G.	Eastbound Broadway Road east of 97th Avenue.
	H.	Southbound 99th Avenue south of Jones Avenue.
	I.	Northbound 99th Avenue north of Wier Avenue.
Street Transportation		
19.	That Right-of-way for all arterial and collector streets shall be dedicated as per the approved Master Street Plan.	
20.	That Along the park site and the Estrella Channel or the power line corridor along the Elwood alignment, no more than 66 percent of the lots for each development parcel shall back onto the Channel as approved by the PLANNING AND Development Services Department.	
21.	That Right-of-way dedications and street alignments for local streets within the subdivision shall be determined by the PLANNING AND Development Services Department at the time of Preliminary Subdivision Plat Review.	
22.	That The applicant shall submit a Traffic Impact Study to the City for this development. No zoning shall be vested until the study is reviewed and approved	

	by the City. Please contact the Traffic Engineer II in the Street Transportation Department (602) 534-5688, to set up a meeting to discuss the requirements of the study.
23.	That t 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 City. All improvements shall comply with all ADA accessibility standards.
24.	That t 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 clean air quality requirements.
25.	That a A 15-acre parcel for an elementary school site and an adjacent 10-acre neighborhood park shall be designated within the Littleton School District boundaries as approved by the superintendent and Parks and Recreation Department. The two sites shall be reserviced for a period of one year following the approval of the first final plat in phase two unless otherwise released by the Littleton School District or the Parks and Recreation Department. If the school district does not acquire the site, then the park will increase in size to 15 acres.
26.	That s Should an intergovernmental agreement be formed in the future to facilitate the construction of the Estrella Drainage Channel (Buckeye Flood Control Channel), the developer agrees to cooperate in the design of the drainageway through this project. The design will include the laying out of the adjacent subdivision plats to accommodate a 150-foot "clean take" line on the lots adjacent to the channel in parcels 6, 7, and 11. The applicant shall be allowed to plan the southern most 50-feet of the 150-foot "clean take" area.
27.	That p Prior to issuance of building permits for each individual parcel, the property owner shall record documents that disclose to purchasers of the property within the development the location, existence and operational characteristics of the multiple dairies on the site and in the area along with the 91st Avenue Wastewater Treatment Plant. That the developer shall prepare an odor study to evaluate the potential for complaints of the 91st Avenue wastewater treatment plant. The City Attorney shall approve the form and content of such documents.
28.	That p Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of undeveloped or newly developed property within the development the existence and operational characteristics of Phoenix Goodyear Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
29.	That t The applicant shall contact the City Archaeologist (602-597-0901) for the potential survey request for Parcel 15.
30.	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 FOR PARCELS 8 AND 15.
31.	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 FOR PARCELS 8 AND 15.
32.	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.
33.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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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