



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager
Planning and Development Director

Date: May 27, 2022

From: Joshua Bednarek 
Planning and Development Deputy Director

Subject: ITEM 61 ON THE JUNE 1, 2022 FORMAL AGENDA – REZONING
APPLICATION Z-77-21-7 – SOUTHEAST CORNER OF 75TH AVENUE AND
BROADWAY ROAD (ORDINANCE G-6994)

Item 61, Rezoning Application Z-77-21-7, is a request to rezone 39.69 acres located at the southeast corner of 75th Avenue and Broadway Road, from PUD (Planned Unit Development) to R1-10 (Single-Family Residence District) to allow single-family residential.

The Estrella Village Planning Committee heard the case on April 19, 2022 and recommended approval, per the staff recommendation by a vote of 6-0. On April 29, 2022, staff issued the Addendum A Staff Report to include a recommended modification to Stipulation No.1 regarding a minimum lot depth applicable to lots along the eastern perimeter of the site. This modification was prompted by a revised site plan submitted by the applicant depicting a decrease in the number of lots from 159 to 152 on the subject site. Furthermore, the updated site plan depicts a change in the lot layout and an increase in the landscape setback width along the 75th Avenue alignment consistent with recommended Stipulation No. 3.

The case was heard by the Planning Commission on May 5, 2022, where there was no one registered to speak on the item other than the applicant. The recommended stipulations per the Addendum A Staff Report were inadvertently not presented at the Planning Commission meeting. Therefore, the Planning Commission recommended approval of the requested zoning, per the Estrella Village Planning Committee recommendation by a vote of 8-0.

The applicant appealed the Planning Commission recommendation in order to consider the stipulations recommended as part of the Addendum A Staff Report, as reflected in the stipulations below. The updates from Addendum A are in bold font.

Staff recommends approval, subject to the following stipulations:

1. Lots ~~within 30 feet of~~ **WITH A REAR LOT LINE ALONG** the eastern perimeter ~~property line~~ **OF THE SITE** shall be a minimum of 140 feet in depth.

2. A minimum 15-foot-wide landscape setback shall be provided along the eastern perimeter property line (s), as approved by the Planning and Development Department.
3. A minimum 30-foot-wide landscape setback shall be provided along the western perimeter property line(s) along the 75th Avenue alignment, as approved by the Planning and Development Department.
4. A minimum 10-foot-wide, average 15-foot, landscape setback shall be provided along the south perimeter property line(s) abutting the State Route (SR) 30 freeway, planted with large evergreen trees to provide a minimum 30-foot vertical screen at maturity, as approved by the Planning and Development Department.
5. The required landscape setbacks shall be planted with minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Except that landscaping along arterial streets shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards in the Estrella Village, 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.
6. Residential lots shall be a minimum 150 feet from the south perimeter property line abutting the State Route (SR) 30 freeway alignment, as approved by the Planning and Development Department.
7. A perimeter wall no less than 6 feet in height shall be provided along the south perimeter of the site adjacent to the State Route (SR) 30 freeway alignment. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
8. An open space area shall be provided directly across the vehicular entrance from Broadway Road into the development, as approved by the Planning and Development Department.
9. All sidewalks within the development shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single trunk shade trees planted at a rate of one tree per lot or a minimum of 20 feet on center or equivalent groupings where adjacent to open space areas, as modified and 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.

10. The sidewalk along Broadway Road shall be a minimum of five feet in width and detached from the curb, consistent with the City of Phoenix Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.
 - a. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.
 - b. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

11. The developer shall dedicate a multi-use trail easement (MUTE) along the east side of the 75th Avenue alignment in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.
12. The developer shall construct one bus stop pad on this site on eastbound Broadway Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and shall be spaced from the intersection of 75th Avenue according to City of Phoenix Standard Detail P1258.
13. The developer shall dedicate minimum 55 feet of right-of-way and construct the south side of Broadway Road, as approved by the Planning and Development Department.
14. The developer shall construct a minimum 14-foot-wide landscaped median along Broadway Road, as approved by the Street Transportation Department.
15. Access control to Broadway Road shall meet current Street Transportation Planning and Design Guidelines.
16. The developer shall dedicate a tract for the east side of 75th Avenue of sufficient width necessary to accommodate a City "D" Section Arterial Roadway for the purposes of conditional right-of-way for the future 75th Avenue alignment, as approved by the Planning and Development Department.
17. Access to existing MCDOT roadways shall require approval from Maricopa County.

18. The developer shall submit a Traffic Impact Statement (TIS) to the City and MCDOT for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City and MCDOT. The TIS shall include signal warrant analysis for the intersection of 75th Avenue and Broadway. Prior to final site plan approval, the applicant will contribute 25-percent to the traffic signal at 75th Avenue and Broadway Road to the appropriate jurisdiction.
19. The developer shall underground all existing electrical utilities within the City public right-of-way that are impacted or must be relocated as part of the project.
20. Existing irrigation facilities along Broadway Road are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
21. The developer shall construct all City 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. Adjacent street improvements shall apply to Broadway Road only. All improvements shall comply with all ADA accessibility standards.
22. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of existing mining operations in the area. The form and content of such documents shall be reviewed by the City prior to recordation.
23. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
24. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the preferred alignment and operational characteristics of the State Route 30 or SR-30 freeway. The form and content of such documents shall be reviewed by the City prior to recordation.
25. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

26. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
27. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
28. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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.

Enclosures:

Conceptual Site Plan date stamped April 27, 2022

Approved:



Alan Stephenson

Deputy City Manager/Planning and Development Director

[illegible]

SITE AREA (GROSS): 40.5 AC (+/-)
 SITE AREA (NET): 38.0 AC (+/-)
 ZONING: R1-10 PRD
 # OF UNITS: 152
 GROSS DENSITY: 3.8 DU/AC*
 TYPICAL LOT SIZE: 45' x 120'
 OPEN SPACE PROVIDED: 7.8 ACRES (19%)

*MAX. ALLOWED DENSITY FOR R1-10 ZONING IS 3.5 DU/AC. THIS SITE IS SUBJECT TO MEETING DENSITY BONUS OF APPROX. 40 POINTS.

**Planning & Development
Department**

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