



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A **Staff Report: Z-62-18-2** **Verdin PUD** April 26, 2022

<u>North Gateway</u> Village Planning Committee Meeting Date	March 10, 2022
<u>Desert View</u> Village Planning Committee Meeting Date	April 5, 2022
<u>Planning Commission</u> Hearing Date	May 5, 2022
Request From	S-1 DCOD (Ranch or Farm Residence, Desert Character Overlay District) (144.82 acres), S-1 (Ranch or Farm Residence) (333.57 acres), RE-35 DCOD (Single-Family Residence District, Desert Character Overlay District) (10.24 acres)
Request To	PUD DCOD (Pending PUD) (Planned Unit Development, Desert Character Overlay District, pending Planned Unit Development) (155.06 acres), PUD (Planned Unit Development) (333.57 acres)
Proposed Use	Planned Unit Development to allow single-family residential
Location	Southwest corner of the 24th Street alignment and Sonoran Desert Drive
Owner	MacEwen Ranch, LLC
Applicant	Taylor Morrison/Arizona, Inc.
Representative	Susan Demmitt, Gammage & Burnham, PLC
Staff Recommendation	Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations, as requested by the applicant:

- Modification to the maximum number of dwelling units and addition of that number to the development standards,
- Modifications to the height of primary ornamental entry signs,
- Modifications to the plant palette,
- Addition of public trail access easements for the Mesquite Wash Corridor Trail and Community Paseo Paths,
- Requirement for a trail and easement along the Mesquite Wash,
- Addition of a 25-foot-wide open space tract along the eastern boundary of the property,

- Dedication of 16 acres at the southeast corner of the property to the City of Phoenix Parks and Recreation Department.

Additionally, this addendum provides community correspondence received since the staff report was published.

The North Gateway Village Planning Committee (VPC) heard this request on March 10, 2022, and recommended approval with modifications by a 4-1 vote. The modifications included revisions to the development name and date stamp in Stipulation No. 1. During the meeting, discussion occurred regarding the proposal – both support and concerns – such as compatibility with standards outlined in the Desert Character Overlay District, density, and guidelines for a development adjacent to the Sonoran Preserve. Since this meeting, Taylor Morrison has worked with the community to revise standards in the Development Narrative.

The Desert View VPC heard this request on April 5, 2022, and recommended approval with modifications and additional stipulations by a 10-1 vote. The modifications included the following:

- Revisions to the development name and date stamp in Stipulation No. 1,

The additional VPC recommended stipulations included the following:

- Modifications to reflect a maximum overall unit count of 1,250 units and a maximum overall density of 2.6 units per acre,
- Removal of the Small Lot (SFR-3) land use district,
- Addition of a minimum 25-foot-wide open space tract along the eastern boundary of the property,
- Addition of public trail access easements for the Mesquite Wash Corridor Trail and Community Paseo Paths,
- Requirement for a trail and easement along the Mesquite Wash.

During the meeting, discussion occurred regarding the proposal, specifically noting protection of Cave Creek Wash, additional housing product, retention of the Desert Character Overlay District, groundwater issues, and sensitivity to natural wildlife.

Dwelling Units

The applicant has requested to decrease the maximum number of units for the proposal from 1,420 to 1,250 dwelling units, thus changing the overall density from 3.0 to 2.6 dwelling units per acre. Therefore, staff is recommending that Stipulation Nos. 1.a and 1.b require the maximum unit count and overall density to be updated throughout the Development Narrative.

Additionally, the dwelling units and development parcel allocation are outlined in Section 4, Regulatory Standards and Land Use Districts, of the Development Narrative. Stipulation Nos. 1.i and 1.j require the maximum unit count and a footnote referencing the development parcel allocation table be added to the Single-Family Land Use District Development Standards table.

Land Use Districts

The proposal utilizes land use districts as an alternative to traditional zoning districts. Each land use district regulates the product type and development standards. After discussions with the community and VPC, the applicant decided to remove the Single-Family Residential – Small Lot (SFR-3) district and focus on districts with larger lots. The SFR-3 district would have accommodated attached and detached single-family dwellings on minimum 3,000 square foot lots and had the highest density attainable in the development. Stipulation No. 1.c requires any references to the SFR-3 district to be removed from the Development Narrative and the applicant will update unit counts and percentages accordingly.

Signage

The applicant had clarified that the maximum lettering and copy height for the Primary Ornamental Entry signs is 16 feet to accommodate grading issues and being directly adjacent to Sonoran Desert Drive, a major arterial that will have a total of 6 lanes in the future. Stipulation Nos. 1.k and 1.s ensure that the correct height is formalized in the Development Narrative.

Plant Palette

The Development Narrative contains a plant palette that lists desert plants typically found in the Sonoran Desert of north Phoenix. The green list includes desert plants allowed within all areas of the PUD, as well as open space and common areas immediately adjacent to the edges of the subject site. The yellow list includes Sonoran Desert native and non-native plants that are representative of southwestern deserts. The yellow list plants may be used within all areas of the PUD, except for open spaces and common areas immediately adjacent to the edges of the subject site.

The applicant clarified two modifications to the proposed plant palette: removal of “Chilopsis Linearis – Desert Willow” from the green list and addition to the yellow list and removal of “Celtis Reticulata – Nettleleaf Hackberry” from the yellow list and addition to the green list. Stipulation Nos. 1.m, 1.n, 1.q, and 1.r formalize the changes to the plant palette.

The applicant has collaborated with the National Wildlife Federation (NWF) to determine an appropriate plant palette for the development and the NWF has approved the plant palette. Stipulation No. 1.e to removes the word “approved” from any references to the plant palette. This change will avoid confusion since the plant palette has not been approved by the City’s Landscape Architect.

Trails, Easements, and Open Space

The development will have a public trail (Mesquite Wash Trail) developed along the Mesquite Wash Corridor. The Mesquite Wash Trail will be a 12-foot-wide natural surface multi-use public trail within a 30-foot-wide public multi-use trail easement along

the east side of the wash. Stipulation No. 7 formalizes the requirement and ensures that the trail is accessible to the public and built to Maricopa Association of Governments (MAG) standards. Additionally, Stipulation No. 1.d ensures that the width of the multi-use trail easement is revised to 30-foot-wide throughout the Development Narrative.

After the North Gateway VPC meeting, the applicant negotiated additional modifications regarding easements and open space along the east side of the site with a member of the City of Phoenix Sonoran Preserve and Mountain Parks/Preserve Committee.

Public trail access easements will be provided for the Mesquite Wash Corridor Trail and Community Paseo Paths that provide connections to the Sonoran Preserve, as depicted on the Pedestrian Circulation Plan. These easements will ensure public access to the Preserve and restrict unauthorized motor vehicle access through the subject site to the Sonoran Preserve. Additionally, determination of the location and design elements of the trail connections will be coordinated with the City of Phoenix Parks and Recreation Department. Stipulation Nos. 1.g and 1.i formalize these changes in the Development Narrative. Additionally, Stipulation No. 6 ensures that the trail is accessible to the public as discussed in the Development Narrative.

The applicant also proposes a minimum 25-foot open space tract along the eastern boundary of the subject site to provide a transition to the Cave Creek Wash corridor. Additionally, the open space tract will be considered a Certified Area Type "B" – Natural Revegetated Area which will include plant materials from the Plant Palette: Green List. Stipulation No. 1.p ensure that the open space tract is discussed in the section of the Development Narrative regarding the Certified Area Type "B". Stipulation No. 1.o updates the Certified Area Open Space Types exhibit to show the 25-foot open space tract.

The applicant also indicated that they are willing to dedicate approximately 16 acres at the southeast corner of the development to the City's Parks and Recreation Department for inclusion into the Sonoran Preserve. Stipulation No. 1.f ensures that language will be added to the Development Narrative discussing the dedication and Stipulation No. 8 requires the applicant to continue working with the Parks and Recreation Department to formalize the dedication.

Proposition 207 Waiver

Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 12.

Community Correspondence

Since the staff report was published, staff has received 37 items of correspondence. The correspondence is attached to this addendum.

Stipulations

Staff recommends approval per the modified stipulations below:

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
- d. and/or 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. **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.**

- m. **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. **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. **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. **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. **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. **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. **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
9. 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.
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.**

Exhibits

Community Correspondence (75 pages)

[Verdin PUD](#) Development Narrative date stamped March 3, 2022