

#### Staff Report Z-77-21-7 April 14, 2022

Estrella <u>Village Planning Committee</u> Meeting Date:	April 19, 2022
Planning Commission Hearing Date:	May 5, 2022
Request From:	PUD (Planned Unit Development District) (36.69 acres)
Request To:	R1-10 (Single-Family Residence District) (36.69 acres)
Proposed Use:	Single-family residential
Location:	Southeast corner of 75th Avenue and Broadway Road
Owner:	DNZ Holdings, LLC
Applicant:	Lennar
Representative:	William Lally, Tiffany & Bosco, PA
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity				
General Plan Land Use Map Designation		Mixed Use (Residential 2 to 3.5 dwelling units per acre / Mixed Use Agricultural)		
Street Map Classification	75th Avenue (Maricopa County)	Arterial Street	Roadway width varies	
	73rd Avenue (Maricopa County)	Local Street	0-foot west half street	
	Broadway Road	Arterial Street	40-foot south half street	

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

As stipulated, the development will promote neighborhood identity by requiring that

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landscaping along arterial streets conforms with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards for arterial streets in the Estrella Village. This will promote the character of the area and vision for the Estrella Village.

# CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal for a single-family detached residential community would allow development of a housing product that is consistent with other single-family uses in the area. As stipulated, the development will incorporate deeper perimeter lots along the eastern property line and enhanced landscaping, which will also help to provide a transition from the proposed development to adjacent larger-lot residential properties and to respect local conditions.

#### BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal will be required to provide shade along the internal streets and along Broadway Road where permitted. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

# Applicable Plans, Overlays, and Initiatives

Estrella Village Plan: See Background Item No. 4.

Estrella Village Arterial Street Landscaping Program: See Background Item No. 6.

Tree and Shade Master Plan: See Background Item No. 8.

Complete Streets Guidelines: See Background Item No. 9.

Zero Waste PHX: See Background Item No. 10.

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Housing Phoenix: See Background Item No. 11.

Surrounding Land Uses and Zoning			
	Land Use	<u>Zoning</u>	
On Site	Dairy farm	PUD	
North (across Broadway Road)	Single-family residential	R1-10	
South	Agricultural	RU-43 (Maricopa County)	
East (including across 73rd Avenue)	Agricultural and large-lot residential	RU-43 (Maricopa County)	
West (across the 75th Avenue alignment)	Mining operation	RU-43 (Maricopa County)	

R1-10 – Single-Family Residential District (Planned Residential Development Option)			
<u>Standards</u>	R1-10 Requirements	<u>Provisions on the</u> proposed site plan	
Gross Acreage	-	39.69 acres	
Total Maximum Number of Units	139, up to 178 with bonus	159 units (Met)	
Maximum Density	3.5 dwelling units per acre, up to 4.5 with bonus	4.01 dwelling units per acre (Met)	
Minimum Lot Width	45 feet	45 feet (Met)	
Minimum Lot Depth	110 feet adjacent to arterial street	120 feet (Met)	
Maximum Building Height	2 stories and 30 feet	Not specified*	
Maximum Lot Coverage	40 percent, up to 50 percent including attached shade structures	Not specified*	
MINIMUM BUILDING SETBACKS			
Perimeter Streets: (73rd Avenue, 75th Avenue and Broadway Road)	15 feet	Not specified*	

Interior Perimeter Property Lines: (Side and Rear)	Rear: 15 feet (1-story), 20 feet (2-story) Side: 10 feet (1-story), 15 feet (2-story)	Not specified*	
MINIMUM LANDSCAPE SETBACKS AND STANDARDS			
Adjacent to street (73rd Avenue, 75th Avenue and Broadway Road)	15 feet average, 10 feet minimum	73th Avenue: 15 feet (Met) 75th Avenue: 15 feet (Met) Broadway Road: 15 feet (Met)	
Minimum Common Area	5% of gross site area	17% (Met)	

\*Variance or site plan revision required.

#### Background/Issues/Analysis

#### SUBJECT SITE

 This request is to rezone 39.69 acres located at the southeast corner of 75th Avenue and Broadway Road from PUD (Planned Unit Development District) to R1-10 (Single-Family Residence District) for single-family residential uses. The site is presently used as a dairy and bottling facility.

In 2013, the site was rezoned from S-1 (Ranch or Farm Residence District) to PUD for a dairy and bottling facility, in addition to allowing future single-family residential uses. The residential density approved at that time was of 2.98 dwelling units per acre and included a mix of 60-foot-wide and 70-foot-wide lots.

#### SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of agricultural and residential zoning districts including S-1 (Ranch or Farm Residence District), R1-10 (Single-Family Residence District), and R1-8 (Single-Family Residence District). Properties to the south, east, and west of the site are zoned RU-43 (Rural 43) and located within unincorporated Maricopa County. Properties to the east of this site are primarily large-lot residential uses, while the property to the south is primarily used for agricultural purposes.

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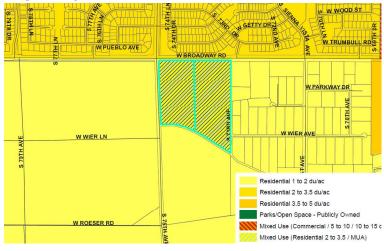
> The property west of the site, across the 75th Avenue alignment has an active mining operation. Properties north of the site, across Broadway Road, are zoned R1-10 and are single-family residential.



Zoning Aerial Map, Source: Planning and Development Department

# GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is a mix of Residential 2 to 3.5 dwelling units per acre and Mixed Use Agricultural. The proposed R1-10 zoning district is consistent with the Residential 2 to 3.5 dwelling unit per acre designation on the site. North of the site, across Broadway Road, is designated as Residential 2 to 3.5 dwelling units per acre. South, east and west of the site is designated as Residential 1 to 2 dwelling units per acre.



General Plan Land Use Map, Source: Planning and Development Department

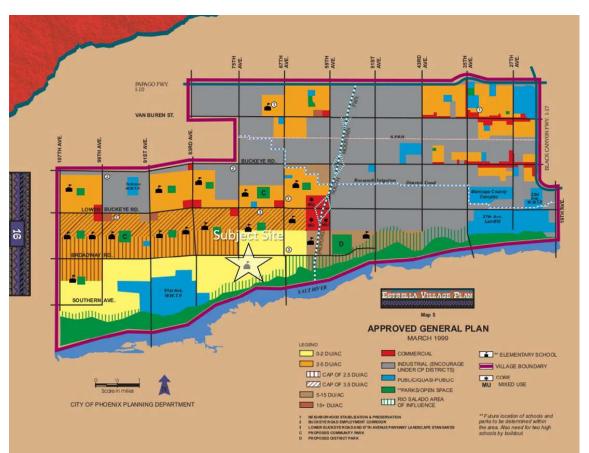
#### 4. Estrella Village Plan

The Estrella Village Plan adopted in 1999, outlines a vision for developing the Estrella Village through five main goals that include:

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- 1. Orderly growth;
- 2. Identifiable village core;
- 3. Strong residential neighborhoods;
- 4. Variety of homes and jobs; and
- 5. Consistent streetscapes and trail linkages.

The proposed development will further these goals by developing a residential community in an appropriate location bounded by an arterial street and within close proximity to the future SR-30 freeway. These will allow for transportation options for future residents. In addition, this residential community is consistent with other development patterns in the area and will promote the orderly growth of the Village. Lastly, landscaping along Broadway Road will adhere to the Estrella Village Landscaping Program which intends to promote a consistent streetscape throughout the Estrella Village.



Estrella Village Plan Land Use Map, Source: City of Phoenix Planning and Development Department

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#### PROPOSAL

 The proposal is to develop a 159-lot, single-family detached residential subdivision with primary street access along Broadway Road and secondary access proposed along 73rd Avenue. A density of 4.01 dwelling units per acre on depicted in the proposed site plan, which also depicts lots at 45 feet in width.

> Staff does not recommend general conformance to the site plan provided by the applicant as density bonus points are being sought by the applicant following the rezoning process to achieve the requested density.

In order to buffer the site from agricultural uses to the east, staff recommends Stipulation Nos. 1 and 2 to require deeper lots and a wider landscape setback than required by the Zoning Ordinance along the eastern property line. To mitigate impacts from the adjacent mining operation west of the 75th Avenue alignment, staff recommends Stipulation No. 3 to require a larger landscape setback. Lastly, staff recommends Stipulation No. 5 to require 2-inch and 3inch caliper trees to screen the site from adjacent uses.



Conceptual Site Plan, Source: RVi



Open Space/Density Bonus Point Exhibit, Source: RVi

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Staff also recommends Stipulation No. 8 to require that an open space tract be located directly across the main drive to the development along Broadway Road. This will provide visual interest for incoming residents and pedestrians walking along Broadway Road.

The conceptual building elevations submitted by the applicant depict various architectural styles, colors and textures. Staff is not recommending a stipulation to require general conformance to the building elevations, as the Single-Family Design Review guidelines found in Section 507.Tab.A.II of the Phoenix Zoning Ordinance will help to address design considerations based on unique site conditions.



Conceptual Building Elevations, Source: Lennar

#### 6. Estrella Village Arterial Street Landscaping Program

The Estrella Village Arterial Street Landscaping Program adopted in 1999, provides a landscape palette for arterial streets within the Estrella Village to help establish the community's character. In addition to providing planting guidelines, the plan also indicates the locations to establish entry gateways that welcome individuals entering the village with an entry sign and an enhanced landscape area of 75 feet by 75 feet in size.

Stipulation Nos. 5 and 10 require that landscaping along Broadway Road, an arterial street, adhere to the Estrella Village Arterial Street Landscaping Program to promote the vision of the Village and provide consistent streetscapes.

# 7. State Route 30 (SR-30) Freeway Alignment

As of the writing of this staff report, the Arizona Department of Transportation (ADOT) had selected a preferred SR-30 freeway alignment that crosses this proposed development along the southern portion of the site. The proposed

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> development will provide increased housing opportunities in this area, while the SR-30 freeway will serve as a major transportation route in this part of the region, connecting the residents of this development to employment and services in the region.

To mitigate impacts on future homes from the future SR-30 freeway, staff recommends several stipulations. Stipulation No. 4 requires that a landscape setback be provided along the south property line where the SR-30 freeway will be located. Stipulation No. 6 requires a large separation between lots and the SR-30 freeway to prevent or minimize visual plus noise impacts. Stipulation No. 7 requires that a minimum 6-foot-tall solid wall be provided along the south perimeter of the site adjacent to the SR-30 freeway alignment behind the landscape setback to screen the freeway as much as possible and also provide visual interest by including material and textural differences.

#### 8. Tree and Shade Master Plan

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for enhanced landscaping and shaded sidewalks:

- Seventy-five percent two-inch caliper and 25 percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 5);
- Detached sidewalks along internal streets with a minimum of one tree per lot and additional trees placed 20 feet on center (Stipulation No. 9);

Staff also recommends that the sidewalk along Broadway Road is detached per Stipulation No. 10. Due to existing overhead power lines, the applicant shall work with the utility company to determine if trees are allowed to be located within the landscape strip between the sidewalk and back of curb.

#### 9. <u>Complete Streets Guidelines</u>

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as

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> bicycles, pedestrians, transit, and vehicles. This development will help to pedestrianize the immediate street frontages by providing detached sidewalks along Broadway Road and within internal streets. Recreation will be furthered by providing a multi-use trail easement along the western perimeter of the site to be improved by the City in the future. This trail will help to establish a new trail alignment that could connect the trail on the northside of Broadway Road to trails or pathways along Salt River via an underpass along 75th Avenue. These are addressed in Stipulation Nos. 9, 10, and 11.

#### 10. Zero Waste PHX

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The City of Phoenix offers recycling services to residential properties.

#### 11. Housing Phoenix

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

If this development is approved, it would allow a new housing development within the area and new housing choice for existing and new residents to the area.

#### COMMUNITY INPUT SUMMARY

12. As of the writing of this report, staff did not receive any correspondence from the public on this rezoning case.

#### INTERDEPARTMENTAL COMMENTS

13. The Parks and Recreation Department did not provide any comments on this project. However, this department supports the new proposed multi-use trail

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> alignment along the east side of the 75th Avenue alignment from Broadway Road to the Rio Salado as it will create an alternative pedestrian way under the State Route 30 freeway which bisects other north-south trail alignments in this area. This is addressed in Stipulation No. 11.

- 14. The Public Transit Department requires the construction of a bus stop pad along eastbound Broadway Road. This is addressed in Stipulation No. 12.
- 15. The Street Transportation Department provided comments pertaining to detached sidewalks along Broadway Road. Other comments pertained to right-of-way dedications and/or construction, roadway access restrictions, traffic impact statement, overhead utility undergrounding and other general street improvement requirements. These comments are addressed in Stipulation Nos. 10, and 13 through 21.
- 16. The Fire Department indicated that the development shall comply with the latest Phoenix Fire Code edition. Further, the Department commented that they do not know the water supply at this site and other general comments about fire hydrants, fire lanes and gates were provided.
- 17. The Water Services Departments commented that there are water and sewer mains that can potentially serve the development. However, capacity is a dynamic condition that can change over time due to a variety of factors. Furthermore, the City intends to provide water and sewer service, requirements and assurances for which are determined during the site plan review process. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure. Lastly, this development is within a sewer repayment area under Sewer Agreement No. 120849.
- 18. The Floodplain Management division of the Public Works Department did not have any comments on this case.

#### OTHER

- 19. The subject site is within close proximity to properties used for agricultural and mining uses, plus the State Route (SR) 30 freeway, thus potentially leading to dust, odors or other impacts to future residential uses on the site. Stipulation Nos. 22 through 24 would require disclosure to purchasers of property within the development regarding the existence and operational characteristics of these uses.
- 20. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological

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> projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 25 through 27.

- 21. 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. 28.
- 22. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure regarding lot space and density.
- 23. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

# <u>Findings</u>

- 1. This proposed development provides a housing option that is consistent with development patterns in the general area.
- 2. As stipulated, the proposed development will promote the vision of various policy plans including the Tree and Shade Master Plan, Estrella Village Area Plan and Estrella Village Arterial Street Landscaping Program.
- 3. As stipulated, this development will serve as a gateway to the Rio Salado by providing the first section of a new multi-use trail alignment via a trail easement that may ultimately allow pedestrians along Broadway Road to connect to the Rio Salado.

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#### **Stipulations**

- 1. Lots within 30 feet of the eastern perimeter property line 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.
- 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.

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- 9. All sidewalks within the development shall be detached with a minimum five-footwide 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.

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- 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.

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- 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.

#### <u>Writer</u>

Enrique Bojórquez Gaxiola April 14, 2022

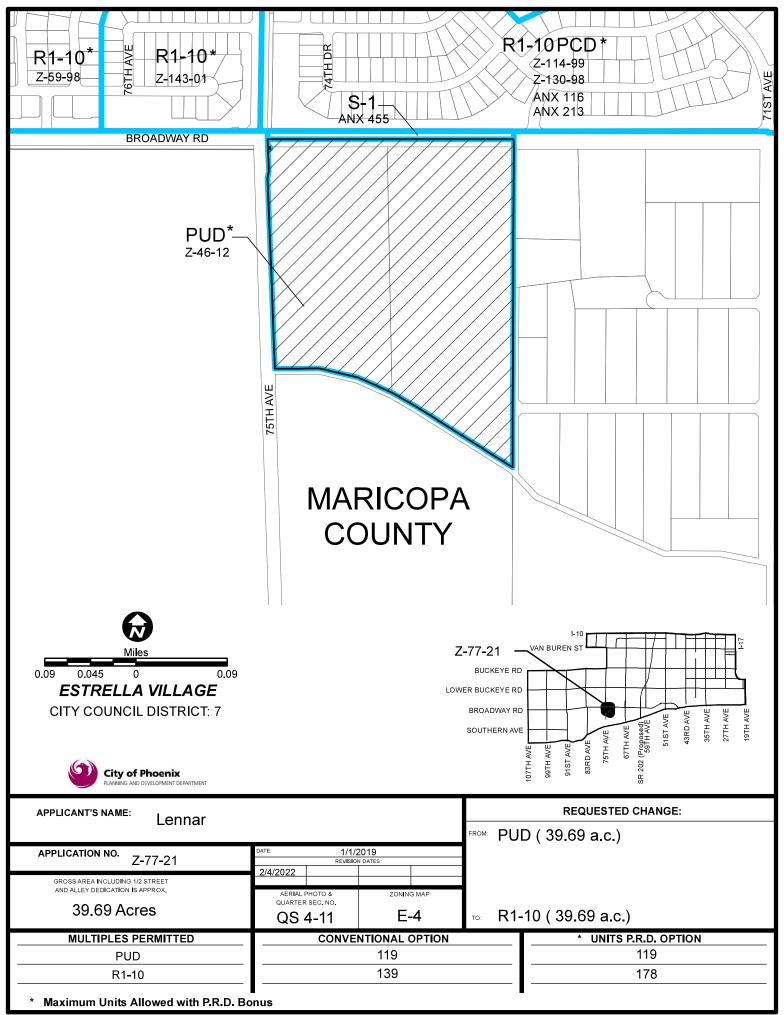
Team Leader

Racelle Escolar

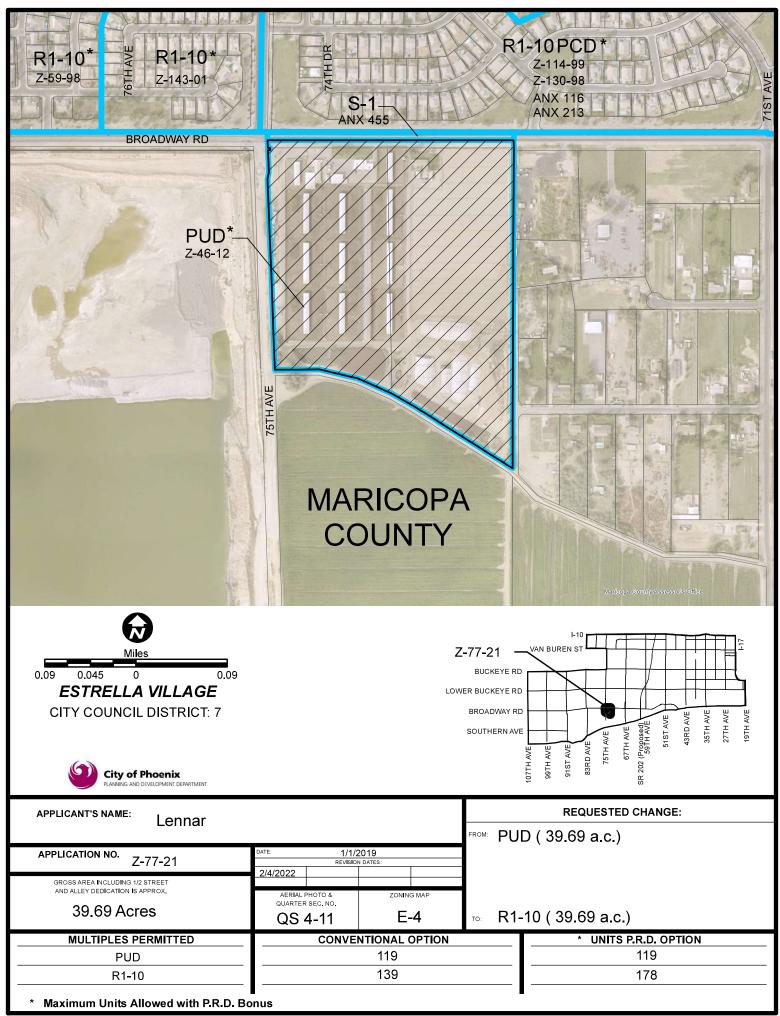
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# <u>Exhibits</u>

Zoning sketch map Aerial sketch map Conceptual Site Plan date stamped December 3, 2021 Conceptual Building Elevations date stamped December 3, 2021 (12 pages)



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