



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report Z-43-A-12-7
February 3, 2014

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|---|---|
| Estrella Village Planning Committee Meeting Date | Did not hear case. |
| Planning Commission Hearing Date | February 11, 2014 |
| Request From: | R-5 (1.58 Acres) and PUD (83.15 Acres) |
| Request To: | PUD (84.73 Acres) |
| Proposed Use | Expansion of the Wentworth Planned Unit Development Boundary (Z-43-12-7) and changes to the perimeter and retention basin landscape requirements. |
| Location | Northwest corner of 59th Avenue and Van Buren Street |
| Owner | Wentworth Property Company, LLC |
| Applicant/Representative | Paul Gilbert/Beus Gilbert PLLC |
| Staff Recommendation | Denied as filed, approved per staff recommendation |

This addendum is to revise two Development Narrative standards pertaining to perimeter landscape setbacks and retention basin landscape areas. The applicant has acquired an adjacent 1.58 acre parcel that will be incorporated into the larger 83.15 acres for a total of 84.73 acres. The applicant has been working with staff and both parties have agreed to address and revise the development standards as outlined in attachment A. Staff is recommending modifications to the applicant's two requested development standard proposals and the applicant is amenable to the staff changes.

The applicant is requesting to modify and reduce tree sizes along 59th Avenue and Van Buren Street. Staff is amenable but is requesting that the size/caliper of trees be equal to the landscape requirements along Fillmore Street.

The applicant is also requesting to modify language pertaining to retention landscape areas. Staff has no concerns with the retention basin landscape modifications as the proposed language will clarify the 50% landscape requirements.

Rezoning case and amendment Z-43-A-12-7 is requesting to add acreage to the larger Wentworth PUD (Z-43-12-7) and the total acreage will be 84.73. All of the development standards from Z-43-12-7 will be applicable to the new expansion area.

The revised stipulations are as follows:

Revised Stipulations

1. An updated Development Narrative for the Z-43-A-12-7 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 27, 2013~~ DECEMBER 30, 2013, as modified by the following stipulations.
 - a. PAGE 24. DEVELOPMENT STANDARDS, 3. PERIMETER STANDARDS.4: SENTENCE SHALL READ AS FOLLOWS "A MIX OF TREE SIZES SHALL BE USED ALONG VAN BUREN STREET AND 59TH AVENUE. THESE AREAS SHOULD CONTAIN A MIX OF; ~~TWO (2) ONE (1)~~ **TWO (2) INCH CALIPER TREES FIFTY PERCENT (50%) FORTY PERCENT (40%) FIFTY PERCENT (50%); THREE (3) INCH CALIPER TREES TWENTY FIVE PERCENT (25%) THREE (3) INCH CALIPER TREES FIFTY PERCENT (50%) AND FOUR (4) TWO (2) INCH CALIPER TREES TWENTY-FIVE PERCENT (25%) SIXTY PERCENT (60%)** (IN ACCORDANCE WITH THE ARIZONA NURSERYMAN'S ASSOCIATION STANDARDS).
 - b. PAGE 26. DEVELOPMENT STANDARDS, 7. RETENTION BASIN LANDSCAPE AREA: APPLICANT SHALL ADD THE FOLLOWING STANDARD "(5) ANY SCREENED AND NOT VISIBLE FROM FILLMORE STREET AS WELL AS ANY OTHER RETENTION BASINS WITHIN THE DEVELOPMENT SHALL UTILIZE FIFTY PERCENT (50%) LIVE LANDSCAPING COVERAGE."

New Development Standards

2. That 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.

Transportation Stipulations

3. Submit a revised Traffic Impact Analysis to accommodate updated development plans per the PUD requirements. The development shall be responsible for any necessary dedications and improvements to the street network as approved by the Street Transportation Department.
4. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

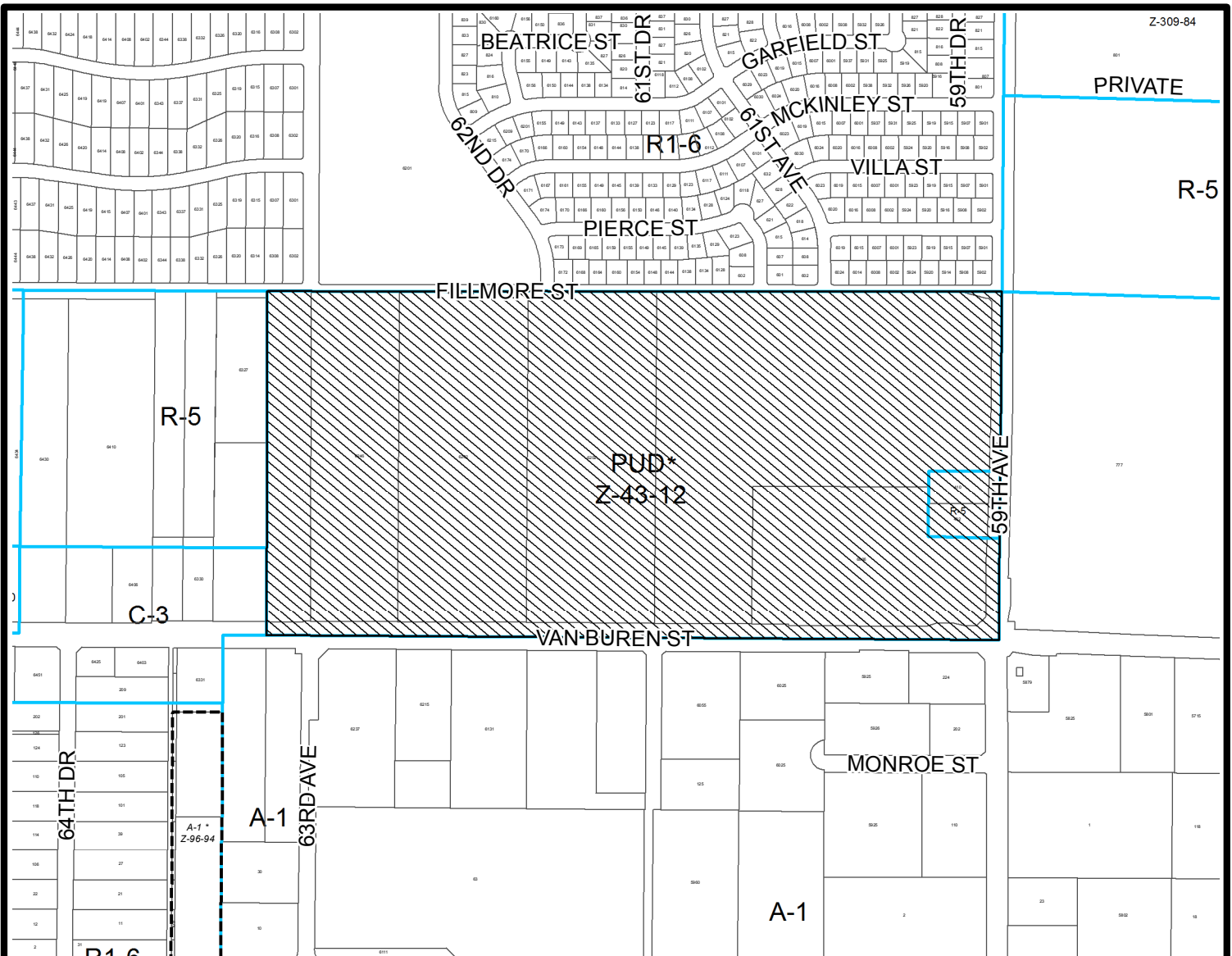
5. A Red Border Letter shall be filed with the Arizona Department of Transportation notifying them of this project. The response from ADOT shall be included in the Appendix of this study. Potential right-of-way requirements need to be addressed in ADOT's response.
6. The applicant shall revise the Traffic Impact Study in accordance with comments provided by the Street Transportation Department and with final approval by the Street Transportation Department prior to preliminary site plan approval.
7. The developer shall work with the neighborhood to pay for traffic mitigation measures along Fillmore Street adjacent to the subject site, as approved by the Street Transportation Department.

Attachments

Revised Sketch Map

Attachment A: Amendment Request Dated December 19, 2013

Attachment B: Wentworth PUD Development Narrative Date Stamped December 30,
2013



Z-309-84

PRIVATE

R-5

R-5

PUD*
Z-43-12

C-3

VAN BUREN ST

MONROE ST

A-1

A-1

A-1 *
Z-96-94

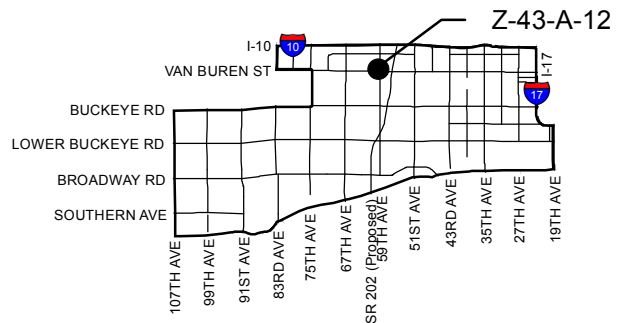


600 300 0 600 Feet

CITY OF PHOENIX PLANNING DEPARTMENT

ESTRELLA VILLAGE

CITY COUNCIL DISTRICT: 7



| | | | |
|---|--|---|--|
| APPLICANT'S NAME: Dennis Newcomb/Beus Gilbert PLLC | | REQUESTED CHANGE: FROM: R-5, (1.58 a.c.) PUD, (83.15 a.c.) TO: PUD, (84.73 a.c) | |
| APPLICATION NO. Z-43-A-12 | DATE: 12/6/13 | REVISION DATES: 1/21/14 | |
| <small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 84.73 Acres | <small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 11-14 | <small>ZONING MAP</small> F-5 | |
| MULTIPLES PERMITTED R-5, PUD PUD | CONVENTIONAL OPTION 68, N/A N/A | | * UNITS P.R.D. OPTION 82, N/A N/A |

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

BEUS GILBERT

PLLC

ATTORNEYS AT LAW

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95187-001

December 19, 2013

HAND DELIVERY

Mr. Alan Stephenson, AICP, Acting Director
Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003-1611

Re: Minor PUD Amendment Request: Z-43-12-7. Wentworth PUD.
Location: Northwest Corner of Van Buren Street and 59th Avenue.
Acreage: Approximately 83.15 acres.

Dear Alan:

We are requesting a Minor PUD Amendment to the City Council's recently approved Wentworth PUD on May 1, 2013 (Case: Z-43-12-7). Our minor amendment request is to correct a scrivener's error as well as an oversight with regards to landscaping requirements within the PUD. With that being said, the following language within the PUD needs to be modified.

Perimeter Landscape Setbacks. (See page 23 – Existing language.)

...

- (4) A mix of tree sizes shall be used along Van Buren Street and 59th Avenue. These areas should contain a mix of; two (2) inch caliper trees fifty percent (50%); three (3) inch caliper trees twenty-five percent (25%), and four (4) inch caliper trees twenty-five percent (25%) (in accordance with the Arizona Nurseryman's Association Standards).

Unfortunately, this was an error/oversight on our part in the size caliper of trees (i.e., 3 and 4 inch calipers) and a requirement that is excessive for these two (2) streets (i.e., Van Buren Street and 59th Avenue). In fact, these caliper trees are more than that required along Fillmore Street within the PUD, which was the area in need of the greatest protection/buffering since it abuts residential homes. Thus, we are suggesting the following minor change, as noted below.

Perimeter Landscape Setbacks. (See page 23 – Proposed modification to language.)

...

- (4) A mix of tree sizes shall be used along Van Buren Street and 59th Avenue. These areas should contain a mix of; ~~two (2)~~ **ONE (1)** inch caliper trees ~~fifty percent (50%)~~ **FORTY PERCENT (40%)**; ~~three (3) inch caliper trees twenty-five~~

percent (~~25%~~), and four (~~4~~) **TWO (2)** inch caliper trees ~~twenty-five percent (25%)~~
SIXTY PERCENT (60%) (in accordance with the Arizona Nurseryman's
Association Standards).

The above tree calipers/quantities are more inline with the City's industrial landscaping standards and the area. Moreover, the proposed tree calipers will allow them to mature and grow more quickly, provide a more stable root system, and be less crowded as they grow into more natural/pleasing forms.

The other item or oversight in need of correcting is in the *Retention Basin landscape Area* section of the PUD, which specifically mentions those basin's adjacent to and visible from Fillmore Street. (See underlined text below.)

Retention Basin Landscape Area. (See page 25 – Existing language.)

Improved retention basin landscape areas shall be incorporated into the site development of the project when adjacent and visible to Fillmore Street. It is the intent of this PUD to encourage the development of these spaces to create interesting arrangements of shrub and groundcover plantings for those living north of the PUD. In providing these elements, the retention basin landscape areas will promote a pleasant environment. The landscaping in these areas shall be designed so that the plant material has the opportunity to use the storm water runoff to supplement the irrigation system and provide groundwater recharge. Limited use of turf may be used in the bottom of basins where appropriate, otherwise fractured granite rip rap or river rock should be placed in the low water areas to hide unsightly dirt and oils from storm water runoff.

Since we inadvertently left out those retention basins not visible and adjacent to Fillmore Street, we believe it is necessary to add a point to clarify the landscaping requirement for those basin areas as well as any other retention basins within the development. We suggest the following requirement be added to this section.

Proposed language to be added to *Retention Basin landscape Area* section of the PUD.

- (5) ANY SCREENED AND NOT VISIBLE FROM FILLMORE STREET AS WELL AS ANY OTHER RETENTION BASINS WITHIN THE DEVELOPMENT SHALL UTILIZE FIFTY PERCENT (50%) LIVE LANDSCAPING COVERAGE.**

Clearly we recognize that retention basins need to be landscaped and visually pleasing, but they also need to function as designed. Thus, we believe the proposed language above will accomplish both endeavors and correct an oversight too.

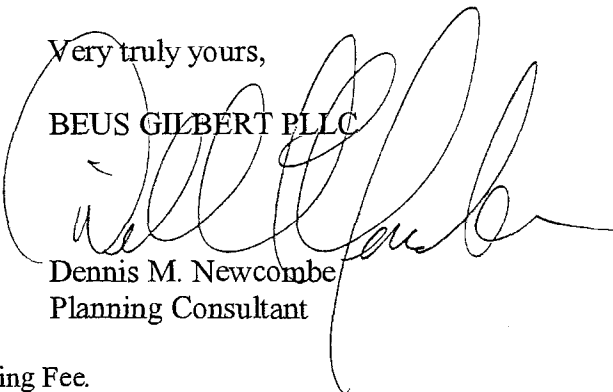
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December 19, 2013
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In summation, these two (2) minor amendment items do not detract or degrade from the original spirit and intent of the Wentworth PUD. One of the primary goal's of the PUD was the protection of those homes/residents along Fillmore Street with as much visual interest and buffering as possible, which will still be maintained with these proposed minor changes. We hope you will agree and approve this Minor PUD Amendment request.

Thank you for your time, assistance, and patience in reviewing this request. If you have any questions or need additional information regarding the above, please feel free to contact me.

Very truly yours,

BEUS GILBERT PLLC



Dennis M. Newcombe
Planning Consultant

Enclosure: Minor PUD Amendment Filing Fee.

cc: Marc Thornton, Estrella Village Planner, City of Phoenix (via Hand Delivery & E-mail).
Tim Chester, Managing Director, Wentworth Property Company (via E-mail).