



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-46-12-7**  
**January 10, 2013**

**Estrella Village Planning Committee Meeting Date** January 21, 2014

**Planning Commission Hearing Date** February 11, 2014

**Request From:** S-1 (41.48 Acres)

**Request To:** PUD (41.48 Acres)

**Proposed Use** Dairy Farm/Bottling Facility or Single-family residential subdivision

**Location** Southeast corner of 75th Avenue and Broadway Road

**Owner** DNZ Holdings LLC

**Applicant/Representative** Bill Lally, Tiffany and Bosco P.A.

**Staff Recommendation** Approval, subject to stipulations

<b>General Plan Conformity</b>			
<b>General Plan Land Use Designation</b>		Mixed-Use (Residential 2-3.5 du/ac & MUA)	
<b>Street Map Classification</b>	Broadway Road	Arterial	40-foot half street
	75th Avenue	Arterial	33-foot half street
<b><i>NEIGHBORHOOD ELEMENT, GOAL 1, NEW NEIGHBORHOOD DESIGN: ALL NEIGHBORHOODS SHOULD BE DESIGNED TO BE SAFE, WELL-MAINTAINED, PEDESTRIAN-ORIENTED, DESIRABLE PLACES TO LIVE.</i></b>			
The proposed residential site plan encourages pedestrian circulation to promote neighborhood interaction through open space and pedestrian greenways.			
<b><i>NEIGHBORHOOD ELEMENT, GOAL 2, COMPATIBLE NEIGHBORHOOD DEVELOPMENT: NEW DEVELOPMENT AND EXPANSION OR REDEVELOPMENT OF EXISTING DEVELOPMENT IN OR NEAR RESIDENTIAL AREAS SHOULD BE COMPATIBLE WITH EXISTING USES AND CONSISTENT WITH ADOPTED PLANS.</i></b>			
The proposed residential site plan is consistent with the surrounding single-family residential developments and the Estrella Village Plan. In addition the proposed dairy farm and bottling facility is designed in a manner that ensures compatibility with adjacent single-family neighborhoods.			
<b><i>LAND USE ELEMENT: GOAL 2 – EMPLOYMENT AND POPULATION BALANCE: DEVELOPMENT OF EACH VILLAGE’S POTENTIAL SHOULD BE ENCOURAGED BY DISTRIBUTING A DIVERSITY OF EMPLOYMENT AND HOUSING IN A WAY THAT ACHIEVES A BALANCED CITYWIDE PLAN AND THAT IS CONSISTENT WITH COMMUTE TRAVEL PATTERNS AND THAT CURRENT CHARACTER OF EACH DEVELOPED VILLAGE.</i></b>			
The proposed dairy farm and bottling facility encourages the development of agricultural uses that will create jobs to balance population and employment near predominately single-family residential and agricultural areas.			

<b>Area Plan</b>
<b><i>ESTRELLA VILLAGE PLAN</i></b>
The subject property is located near the southern boundary of the Estrella Village, which is planned as a lower density residential area. The plan focuses on two key growth concepts for this part of Phoenix: encouraging the development of new residential neighborhoods and industrial areas, and the collection of impact fees to provide for future city services. The plan addresses land use policies and design guidelines that encourage new development to be compatible with the surrounding character of the area.
The subject property is located along an arterial road that consists of a mix of single-family subdivisions and agricultural uses. The proposed project will generate employment and retail opportunities within the Estrella Village.

<b>Surrounding Land Uses/Zoning</b>		
	<b>Land Use</b>	<b>Zoning</b>
<b>On Site</b>	Dairy farm	S-1
<b>North</b>	Single-Family Homes	R1-10 PCD
<b>South</b>	Agriculture	County
<b>East</b>	Single-Family Homes	County
<b>West</b>	Agriculture	County

<b>Single-Family</b>		<i>*if variance required</i>
<b>Standards</b>	<b>Requirements</b>	<b>Provisions on the Proposed site Plan</b>
Development Option	R1-10 PRD	R1-10 PRD
Gross Acreage	41.48	41.48
Total Number of Units	140	MET - 119
Density	3.5 du/ac	MET – 2.98 du/ac
Typical Lot Size	Varies	MET – 60' x 120' MET - 70' x 120'
Subject to Single-Family Design Review	Yes	MET - Yes
Open Space	5%	MET – 16%

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone a 41.48-acre site located at the southeast corner of 75th Avenue and Broadway Road from S-1 to PUD to allow for a residential subdivision or dairy farm/bottling facility/retail establishment.
2. The General Plan Land Use Map designation for the subject parcel is Mixed-Use (Residential 2-3.5 du/ac & MUA). The applicant is not required to pursue a Minor General Plan Amendment as the request is consistent with this designation.

**SURROUNDING USES & ZONING**

3. **North:** An existing single-family residential development zoned R1-10.  
**West:** An agricultural parcel that is located in the County.

**South:** A vacant parcel that is located in the County.

**East:** An existing neighborhood located in the County

## PROPOSAL

4. The proposal was developed utilizing the PUD zoning designation, which allows an applicant to propose uses, development standards, and design guidelines for a site. A primary goal of this process is to allow the applicant to develop standards that respond to the surrounding environment more so than conventional zoning districts allow. The end result is property rezoned with standards crafted specifically for the site that allows for increased development flexibility, while simultaneously providing enhanced development standards that could otherwise be developed through conventional zoning tools.

Where the PUD narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

5. Below is a summary of the proposed standards for the subject site as described in the attached PUD narrative date stamped December 27, 2013, Attachment B.

### **Land Use**

The narrative permits two main uses for the subject site:

1. Danzeisen Farms, dairy distribution, bottling and sales facility or
2. Residential Subdivision (R1-10 Zoning District standards).

### **Development Standards**

The maximum permitted building height for dairy related structures on site is two stories not to exceed 30 feet. The maximum building height for the possible future residential subdivision is also two stories not to exceed 30 feet.

The perimeter setbacks for the proposed dairy uses are a 40 feet front, 20 feet adjacent to a street, 15 feet for the side yards, and 0 feet for the rear.

The perimeter setbacks for the proposed single-family subdivision mirror the R1-10 Zoning Ordinance standards of a 15-foot front, 20-foot rear setback for 2-story homes, and 20-foot side yard setback for 2-story homes.

Staff has no concerns with the proposed development standards.

### **Landscaping Standards**

A mix of landscaping that will comply with zoning ordinance standards will be provided for the dairy and residential uses within the proposed perimeter setbacks.

Staff has no concerns with the proposed landscape standards.

### **Parking**

The minimum number of required parking spaces for the dairy uses shall be as set forth in Section 649 (MUA Zoning District) of the Zoning Ordinance.

**Shading**

A shading plan is not addressed within the PUD.

**Design Guidelines**

The Development Narrative does not propose any new design guidelines with the exception of landscape standards for the dairy uses; therefore, all applicable design guidelines outlined in the Guidelines for Design Review section of the Zoning Ordinance will apply.

In addition the proposed subdivision will be subject to residential design review.

**Phasing**

The Danzeisen Farms portion of this proposal will be developed first and as a unified phase with the residential subdivision possibly coming at a later date.

**Signage**

In the event of a conflict between a provision of the PUD and a provision of Section 705 of the city of Phoenix Zoning Ordinance, the PUD prevails. In the event that the PUD is silent regarding a specific sign standard, the city of Phoenix Zoning Ordinance prevails.

**Sustainability**

The narrative proposes many options to incorporate sustainability principles, which may include building orientation, solar collection technologies, and design for effective water use. In addition the narrative states the rural and agrarian lifestyle of the Danziesen farm will be preserved with proposed dairy uses.

**STREETS AND TRAFFIC**

6. The Street Transportation Department has indicated that there are right-of-way improvements needed for this site. Several stipulations have been added to address these improvements.
7. A stipulation has been added for the applicant to submit a Red Border Letter to ADOT notifying them of the proposed development adjacent to a freeway corridor.

**MISCELLANEOUS**

8. Water for the proposed development will be provided to the site through an existing 24-inch transmission main and a 12-inch line in Broadway Road.

Sewer service for the proposed development will be provided to the site through an existing 42-inch interceptor main in Broadway Road.

9. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

### **Findings**

1. The proposed use is consistent with the General Plan land use designation of Mixed-Use (Residential 2-3.5 du/ac & MUA).
2. The proposed rezoning with conditions is compatible with surrounding zoning patterns and land uses within the area.
3. The proposed development will retrofit an existing dairy farm to allow additional dairy related uses.

### **Stipulations**

1. An updated Development Narrative for the Z-46-12-7 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 December 27, 2013.
2. A minimum of 12% open space for the residential subdivision shall be provided, as approved by the Planning and Development Department.
3. The maximum number of residential lots shall not exceed 119, as approved by the Planning and Development Department.

### **New Development Standards**

4. All sidewalks, trails, or pedestrian pathways when crossing street intersection for the residential subdivision shall be constructed of decorative pavers, stamped or colored concrete, or another material different than the primary paving material, as approved by the Planning and Development Department.
5. All sidewalks for the residential subdivision 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 shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the HOA.
6. The perimeter walls adjacent to Broadway Road and 75th Avenue for the residential subdivision shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
7. Ground signs for the residential subdivision shall be monument style and not exceed six feet in height, as approved by the Planning and Development Department.

**Street Transportation Stipulations (for the residential subdivision)**

8. A 55-foot right-of-way shall be dedicated with appropriate transit easement. Construct a bus bay (P1256-1) on Broadway Road as approved by the Planning and Development Department.
9. 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. Provide phoenix standard pavement transition tapers to all existing improvements.
10. Dedications and improvements on 75th Avenue to be per the Maricopa County Department of Transportation 75th Avenue and Broadway Road to Southern Avenue Technical Memorandum No.9, as approved by the Planning and Development Department.
11. 75th Avenue mainline and intersection improvements as well as access spacing to be coordinated and approved with Maricopa County Department of Transportation Project TT383, as approved by the Planning and Development Department.
12. Right-of-way totaling 25 feet shall be dedicated for the west half of 73rd Avenue. Provide curb, gutter, sidewalk, paving and incidentals for the length of the property, as approved by the Planning and Development Department.
13. Provide conduit and junction boxes at 75th Avenue and Broadway Road for future traffic signal equipment on the southeast corner of the intersection. The plan is to be submitted to Maricopa County Department of Transportation and City of Phoenix, Street Transportation Department for review and approval.
14. Complete a Red Border Letter to notify ADOT of development adjacent to its freeway corridor and submit it to Derek Fancon in the Planning and Development Department, with a copy to the Traffic Engineer and Civil Plans Reviewer.

**Street Transportation Stipulations (for dairy farm)**

15. A 55-foot right-of-way shall be dedicated for the entirety of the parcel for the south half of Broadway Road. A 50-foot right-of-way shall be dedicated for the east half of 75th Avenue as per the Maricopa County Department of Transportation 75th Avenue and Broadway Road to Southern Avenue Technical Memorandum No.9 (not just for the corner with the bottling facility), as approved by the Planning and Development Department.
16. Provide a paved/asphalt connection to serve as a driveway from Broadway Road into the proposed facility, as approved by the Planning and Development Department.
17. Dust proof all street shoulders with material that's compliant with the zoning ordinance, as approved by the Planning and Development Department.

18. Provide a means of vehicle separation between roadway and site improvements along Broadway Road, such as site wall or barrier, as approved by the Planning and Development Department.
19. No site access shall be allowed on to 75th Avenue, as approved by the Planning and Development Department.

**Writer**

Marc Thornton

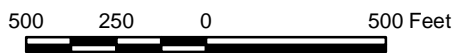
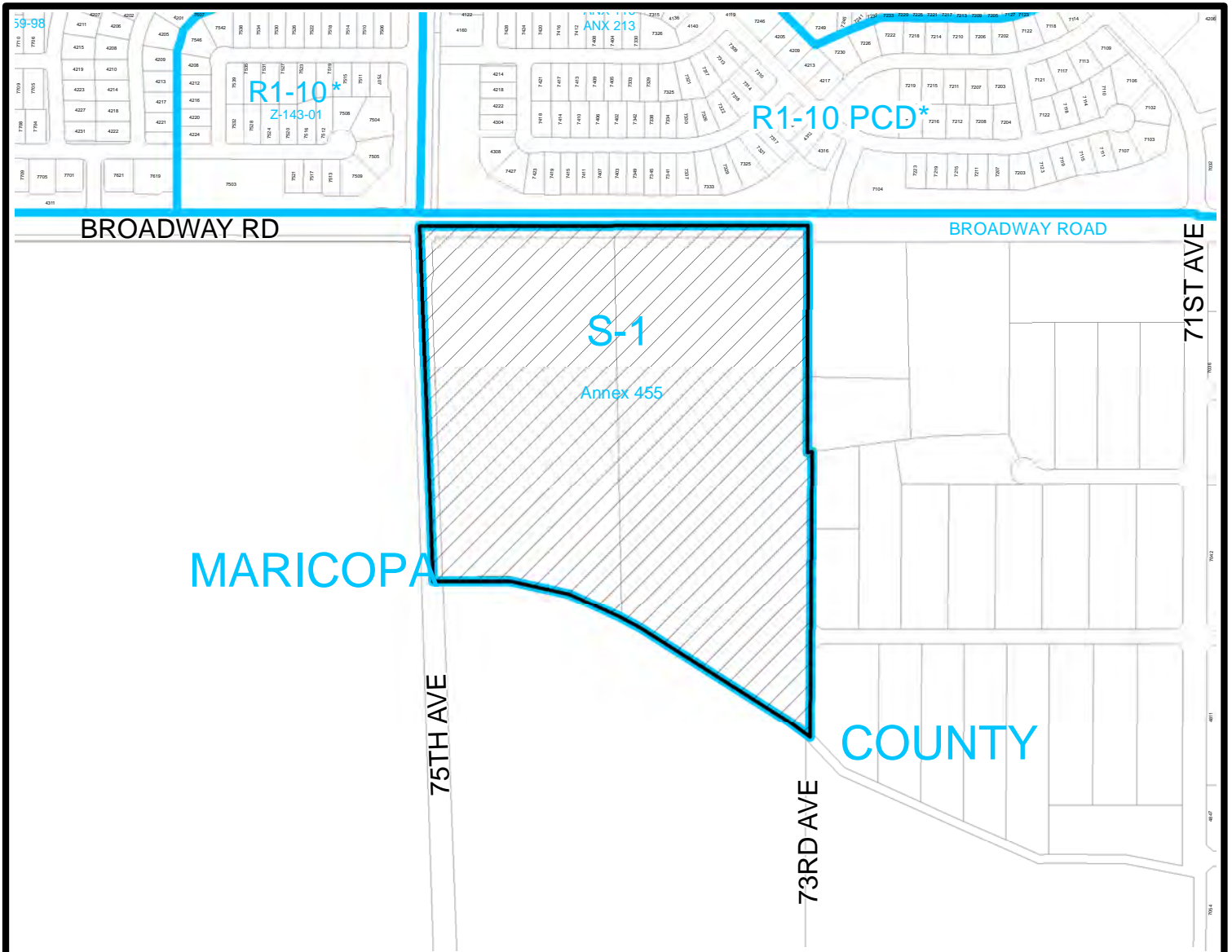
10/24/2012

**Attachments**

Zoning Sketch

Aerial

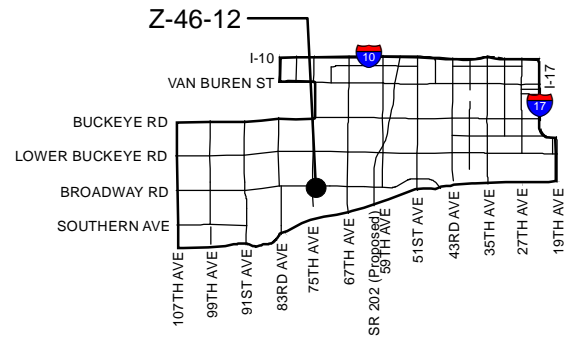
Danzeisen Dairy Farm Development Narrative date stamped December 27, 2013



CITY OF PHOENIX PLANNING DEPARTMENT

**ESTRELLA VILLAGE**

CITY COUNCIL DISTRICT: 7



<b>APPLICANT'S NAME:</b> William Lally/Tiffany & Bosco		<b>REQUESTED CHANGE:</b> FROM: S-1, (41.48 a. c.)  TO: PUD, (41.48 a. c.)	
<b>APPLICATION NO.</b> Z-46-12	<b>DATE:</b> 12/4/12	<b>REVISION DATES:</b>	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small>  41.48 Acres	<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> Q4-11	<small>ZONING MAP</small> E-4	
<b>MULTIPLES PERMITTED</b> S-1 PUD	<b>CONVENTIONAL OPTION</b> 41 145		<b>* UNITS P.R.D. OPTION</b> 41 174

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





Juan Javier Photography

W Wood St

W Wood St

S 77th Ave

S 76th Ln

S 75th Ave

S 74th Ln

W Getty Dr

S 73rd Dr

W Getty Dr

S 72nd Ave

Express Pool Care - W Pueblo Ave

W Wood St

W Pueblo Ave

W Pueblo Ave

W Pueblo Ave

W Broadway Rd

W Broadway Rd

W Broadway Rd

W Wier Ave

W Wier Ave

Ark Pressure Washing

W-Tan

W Wier Ave

S 71st Ave