



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report Z-50-16-8
(Gardener’s Enclave PUD)
 August 2, 2018

South Mountain Village Planning Committee Meeting Date July 10, 2018
Planning Commission Hearing Date August 2, 2018

Request From: [S-1 BAOD](#) (20.33 acres)
[S-1 BAOD](#) (Approved [MUA BAOD](#)) (2.03 acres)
[R1-18 SP BAOD](#) (8.06 acres)

Request To: [PUD BAOD](#) (30.42 acres)

Proposed Use Planned Unit Development to allow a mix of uses including single-family residential and commercial

Location Approximately 480 feet east of the southeast corner of 32nd Street and Baseline Road

Owner RW 3401 Baseline, LLC/Keystone at S Mtn

Applicant/Representative Ed Bull, Burch & Cracchiolo, P.A.

Staff Recommendation Approval, subject to stipulations

The South Mountain Village Planning Committee heard the request on July 10, 2018 and voted 15-1 (Ealim dissenting) to recommend approval subject to the staff recommendation and an additional stipulation. The recommended additional stipulation is as follows:

1. ...
 - F. PAGE 38, SECTION H.8.F: REPLACE THE FIRST SENTENCE WITH THE FOLLOWING: “THE GARDENER’S ENCLAVE RESIDENTIAL DEVELOPMENT SHALL UTILIZE THE EXISTING SRP IRRIGATION SUPPLY LOCATED AT THE SOUTH END OF THE PROPERTY.”

Staff does not support the additional stipulation as recommended by the Village Planning Committee. The deletion of the selected language regarding the use of SRP irrigation water results in language that may be perceived to suggest that the development must use SRP water. The City of Phoenix Planning and Development Department does not regulate or enforce the requirements governing either the use of irrigation water or

provision of domestic water service through the Zoning Ordinance. Further, the City of Phoenix cannot require that a property owner participate in an SRP irrigation program.

Therefore, staff recommends an additional stipulation which proposes a partial reorganization of the PUD development narrative in order to separate regulatory and non-regulatory provisions of the PUD. The existing Section H.8.f regarding SRP irrigation supply and Section H.12 regarding infrastructure standards are located in the Design Guidelines and Standards section of the Development Narrative which is regulatory. The staff stipulation moves these sections to their own discrete section regarding infrastructure standards, which is not regulatory. Section H.13 containing the phasing plan is unrelated to either section and is therefore moved to its own discrete section.

Staff recommends approval of the request subject to the revised stipulations as follows:

1. An updated Development Narrative for the Gardener's Enclave 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 May 22, 2018, as modified by the following stipulations:
 - a. Page 19, Section F.2.c, 1st Sentence: Replace with the following: "The following commercial accessory uses are permitted in the commercial component of the PUD area as defined on the Conceptual Land Use Plan."
 - b. Page 22, Projections, Closed Projections: Add text to development standard as follows and update Comparison Reference Table accordingly: "These provisions shall not apply to front-loaded garages."
 - c. Page 32, Section H.3.a, 2nd & 3rd Sentence: Replace with the following: "Architectural styles permitted within Gardener's Enclave shall include a minimum of three of the following options: Farmhouse, Craftsman, Prairie and/or Ranch style homes. Architectural styles prohibited include Tuscan or Spanish styles which have dominated the surrounding vicinity. Elevations shall be reviewed and approved by the Single-Family Design Advisor for compliance with these design guidelines."
 - d. Page 44, Section H.10, Last Sentence: Update minimum required sustainability practices from two to three.
 - e. Page 59, Landscape Development Standards (Commercial), Trees (Baseline Road): Delete standard: "Fifty (50) feet".
- F. RENUMBER THE TABLE OF CONTENTS TO MAKE SECTION H.12 THE NEW SECTION I, RENUMBER SECTIONS H.12.A-E TO I.1-5, MAKE SECTION H.8.F THE NEW SECTION I.6, MAKE SECTION H.13 THE NEW SECTION J, AND UPDATE THE PUD TEXT ACCORDINGLY.**

2. Building elevations shall be reviewed and approved by the Single-Family Design Advisor for compliance with the Design Guidelines of the PUD, with specific regard to the building style requirements in Section H.3, Architecture and Building Materials, of the PUD Development Narrative.
3. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the south side of Baseline Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail and as approved by the Parks and Recreation and Planning and Development Departments.
4. 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. Nothing in this stipulation shall be construed to require improvements that may be modified or waived by the Subdivision Committee upon approval of a technical appeal or by the approval of a zoning adjustment.
5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
6. In the event archaeological 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 Archaeologist, and allow time for the Archaeology Office to properly assess the materials.