

Attachment C

Planning Hearing Officer Summary of February 19, 2020
Application Z-27-B-01-7
Page 1

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer
Julianna Pierre, Planner I, Assisting

February 19, 2020

ITEM 4

DISTRICT 7

SUBJECT:

Application #: Z-27-B-01-7 (PHO-1-20)
Zoning: C-2 PCD (Approved R-3A PCD)
Location: Approximately 1,750 feet west of the southwest corner of 75th Avenue and Lower Buckeye Road
Acreage: 9.64
Request:

- 1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped August 4, 2006.
- 2) Modification of Stipulation 2 regarding general conformance with the elevations date stamped August 4, 2006.
- 3) Modification of Stipulation 2.B regarding apartment building construction materials.
- 4) Modification of Stipulation 2.C regarding garage door architectural details.
- 5) Deletion of Stipulation 3.B regarding a non-access controlled multi-use trail on the south property line.
- 6) Technical corrections to Stipulations 3, 9, 12, 15, 16, 19, 21, 22, 25.A, 25.A.3, 25.B, 25.B.4, 26, and 27.B.

Applicant: Aaron Sher, Nextgen Apartments
Owner: Retreat At Tuscano LLC
Representative: Aaron Sher, Nextgen Apartments

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approval with modifications and an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on February 18, 2020 and recommended approval with a modification by a 6-0 vote.

DISCUSSION

2 cards submitted expressing no position, 2 wishing to speak.

Jason Morris, representative with Withey Morris, stated that the site was part of the larger Tuscano Master Plan, but since that plan never came to fruition, they are now

requesting certain modifications and deletions to accommodate their proposal. Mr. Morris stated that the original rezoning case proposed that the site be developed as part of the neighboring commercial center. He stated that the second major amendment to the original PCD established the R-3A PCD zoning. He stated that the site was approved for 220 units with two and three-story buildings. He stated that Nextgen has proposed a modern redesign of the original 14-year-old design.

Lisa Perez, Chair of the Estrella Village Planning Committee, stated that the area in question was meant to be a walking community and it would be advantageous for connectivity to be provided. She stated there is a large amount of active development projects in the Estrella Village, but because communities are walling themselves off, the Village is becoming a jigsaw puzzle where the pieces don't quite fit together. She stated that typically the Village does not like to see three story buildings below Lower Buckeye Road but approved the item at the VPC meeting because the development was entitled to the proposed height. She asked if staff could confirm that three story buildings were included in the original stipulated plans.

Marvene Lobato, Superintendent of the Fowler Elementary School District, stated that there are primary schools close to the site and she expects that there may be students who live in the proposed multifamily. She stated that she had concerns about pedestrian connectivity to and from the site, traffic flow, and the height of the proposed buildings.

Mr. Morris stated that the proposed multifamily use will generate less traffic than if the site had been developed as part of the commercial center. He stated that the City built deceleration lanes and turn-outs to mitigate traffic along Lower Buckeye Road. Adam Stranieri stated that the only adjacent right-of-way is Lower Buckeye Road and it is unlikely that the site would be able to provide access to a local street through the adjacent single family residential neighborhood to the west. He stated that there is no other placement for the driveway unless it was cross access with the adjacent commercial.

Mr. Morris stated that the development was approved for three stories during the amendment process. He noted that the proposed development intends to limit taller heights to the center of the development and adjacent to the commercial center.

Mr. Stranieri asked for clarification regarding lot coverage. Mr. Morris stated that he was not sure of that calculation but noted that the open space calculation is 21.2% on the site plan. He clarified that the open space percentage on the plan only included the landscape areas and the true open space calculation was in excess of that number. Mr. Stranieri stated that he attempted to estimate the lot coverage based on the gross building pad square footage and calculated approximately 26%. Mr. Morris stated that the calculation sounded correct and the developer estimated approximately 30% lot coverage.

Mr. Stranieri stated that the original site plan did include three-story buildings but did not explicitly show the number or location of them. He stated that the unit count has not changed from the original site plan, but the total building footprint has been reduced.

He stated that the R-3A zoning district permits three-story and 40-foot tall buildings by right. He stated that the reduced footprints and enhanced open space would help to mitigate impacts of building massing. He stated that the stipulated site plan depicted 5.9% open space, which was much less than the proposed site plan. He stated that open space is critical to the discussion of height because reducing the footprint and increasing the open space limits the impact of height on adjacent properties. He stated that the surrounding proposed single family residential has view corridors to the mountains to the south, which would not be impacted by the proposed multifamily. He stated that the proposed multifamily may mitigate impacts of the adjacent commercial on the nearby single-family homes.

Mr. Stranieri stated that he had no issues with the proposed elevations. He stated that the design and color palette was more modern when compared with the stipulated elevations.

Mr. Stranieri stated that the language of Stipulation 2.B, regarding apartment building construction materials, was not prescriptive regarding what materials could be used to mitigate noise levels. He stated that the triple pane windows were not the only material that could be used to dampen noise levels. He stated that language could be added to clarify the flexibility of materials without losing the 45-decibel requirement.

Mr. Stranieri stated that Stipulation 2.C, regarding garage door architectural details, is incredibly specific and would be difficult to enforce on the proposed site plan. He stated that there is a significant reduction in the amount of garage doors and was inclined to incorporate standard language adapted from single family design review requirements.

Mr. Stranieri asked Mr. Morris to clarify the rationale for deletion of Stipulation 3.B, regarding a non-access controlled multi-use trail on the south property line. Mr. Morris stated that the trail was justifiable when a contiguous trail system was proposed throughout the entire Tuscano Master Plan. He added that the trail was intended to allow access to what would have been the middle of the commercial center. However, considering the fact that the site is no longer intended for a commercial use, the circulation may not need to be accommodated. He added that he believed there was not a trail to the south to connect to. Mr. Stranieri stated that there is an existing Tuscano Master Pedestrian Trails Plan, which does not show a stipulated trail in this location. He added that the single family residential to the south has a tract that may contain a sidewalk but may not be able to contain a trail that meets MAG standards. He also added that this segment does not connect to any other segment of multi-use trail. He stated that the nearest connection is approximately one quarter mile from the site. Mr. Morris clarified that they intended to delete Stipulation 3.B because they felt it was not possible to make the connection but are willing to work with the City if there is a way to provide the trail.

Mr. Stranieri stated that he had concerns with placing a multi-use trail adjacent to the tract with intention to provide connection to the Tuscano Towne Center because the tract is extremely short, would not connect to another multi-use trail, and it is within a drive aisle. He stated that Stipulation 3.A separately requires two pedestrian access points on the east side of the development at the north and south ends to provide

access to the Tuscano Towne Center. Mr. Morris stated that the developer planned on accommodating that stipulation.

Mr. Stranieri stated that that he was inclined to modify Stipulation 3.B to allow alternative pedestrian pathway options to connect adjacent residential developments to the Tuscano Towne Center. Mr. Morris asked where the connection would be made. Mr. Stranieri clarified that the connection could be made at Tract AA on the neighboring single-family development. Mr. Morris asked if it was appropriate to convey pedestrians to the rear of the commercial center. Mr. Stranieri stated that he assumed this was the intent based on the language of the stipulation and the stipulated site plan.

Mr. Stranieri stated that the Pedestrian Safety Coordinator had concerns about the pedestrian paths along the driveway at the northwest corner. He stated that the site plan depicts a pedestrian pathway on the west side of driveway despite the fact that most pedestrian traffic is anticipated to move east to the commercial center. He stated that a second pedestrian path may be placed at the northeast corner of the site to accommodate the department recommendation.

Ms. Lobato asked how children would exit the multifamily development if they were attending the nearby Tuscano Elementary School at 79th Avenue and Elwood Street. Mr. Stranieri stated that there would be two pedestrian pathways from the site to the multiuse trail on Lower Buckeye Road. He stated that there would be infrastructure for a protected pedestrian pathway on the street and that students would be able to continue their walk from there.

FINDINGS

- 1) The original stipulated site plan consisted of 220 multifamily units and depicted approximately 5.9% open space and 29.6% lot coverage. There was a mixture of two-story and 30-foot and three-story and 40-foot tall buildings however, the site plan did not identify the height of specific individual buildings. In addition to traditional multifamily apartment buildings, the site plan depicted carriage units along the west property line, a portion of the north property line adjacent to commercial zoned property, and within the east portion of the site.

The proposed site plan also consists of 220 units and depicts 17% open space and approximately 26% lot coverage. All buildings are 3-story and 38 feet in height. There are no proposed carriage units adjacent to the west perimeter, a shared property line with planned single-family residential homes. The carriage units are located primarily on the eastern portion of the site and two buildings on the perimeter of the centralized open space. Additionally, the proposed site plan consists of 13 buildings compared to the 29 individual buildings on the original stipulated site plan. The significantly enhanced open space, enhanced building setback along the west property line, and the reduced number of buildings and building footprint will mitigate the impacts of the increased height on planned single-family homes in the surrounding. Other development standards do not represent a major diversion from the originally stipulated plans.

- 2) The proposed site plan depicts one pedestrian pathway along the north property line, located on the west side of the main entrance. There is a major big-box retail and grocery store immediately to the east of the property. Additionally, there is a multi-use trail along the south side of Lower Buckeye Road. It would be more appropriate to locate the pedestrian pathway along the east side of the primary driveway. Additionally, the proposed site plan depicts a pedestrian pathway near the northeast corner of the site that terminates near the north property line with no connection to the trail.

An additional stipulation is recommended to require a minimum of two pedestrian pathways on the north property line which would allow either the relocation of the planned pathway to the east side of the driveway and an additional pathway or maintaining the proposed pathway and providing an additional path to the east to promote safe access to the multi-use trail for those trying to access the adjacent retail uses.

- 3) The proposed elevations contain a variety of architectural details such as stone veneers, corbels, metal balcony railings with inserts, decorative metal plates, window sill pop outs, trellises, and other features that will add visual interest to the facades.
- 4) The applicant's request to delete language regarding triple-pane windows from Stipulation 2.b is not recommended for approval. The stipulation is not prescriptive regarding the specific use of triple-pane windows for noise mitigation. A modification is recommended to clarify the stipulation language to better reflect the various options for construction materials or techniques that can contribute to noise mitigation.
- 5) The applicant's request to delete language regarding decorative windows for garages and the specific variation for doors is not recommended for approval. The stipulation is not prescriptive regarding the use of decorative windows. However, the proposed site plan differs from the stipulated site plan in that there is a reduced number of garages (30 vs. 41) and the garages are only used on the carriage units. Additionally, no carriage unit buildings are immediately adjacent to each other. Therefore, a reduction to the stipulated details is appropriate. A modification to this stipulation is recommended to clarify the variety of garage treatments that may be utilized.
- 6) The applicant's request to delete Stipulation 3.b regarding a multi-use trail connection along the south property line is recommended to be denied as filed and approved with a modification. The original stipulation required that a multi-use trail be provided to connect to the trail system of the neighborhood south of the site to the Tuscano Towne Center. The final approved site plans for Tuscano Parcels D & G (KIVA 01-21305), the neighborhood to the south, do not depict a trail system that connects to the southern property line of the subject property in this case. Additionally, the Tuscano Master Pedestrian/Bicycle/Trails Plan (KIVA 01-21305, MDPR 0103525) does not depict any multi-use trails or a trail system in this location.

However, there is a tract (Tract AA, APN 104-56-337) along this property line which would allow a pedestrian pathway that provides connectivity from the neighborhood to the south to the Tuscano Towne Center commercial development to the east. It may not be appropriate to stipulate a multi-use trail that does not connect to any other multi-use trail and which traverses a drive aisle internal to a multifamily development. Therefore, the recommended modification permits an alternative pathway design and removes the reference to the non-existing trail system and approved site plan which does not depict the trail.

Also, note that existing Stipulation 3.a requires two pedestrian access points to be provided on the east side of the development to provide pedestrian access to the Tuscano Towne Center on the north and south end of the property. Tract AA is on the south end of the property and would provide connectivity to the Tuscano Towne Center. The applicant has not proposed any modification to this stipulation and a pedestrian pathway should be provided in this location on the final site plan. This may fulfill the requirement of both Stipulations 3.a and 3.b.

DECISION: The Planning Hearing Officer recommended denial as filed and approval with modifications and an additional stipulation.

STIPULATIONS

SITE PLAN		
1.	That THE development shall be in general conformance with the site plan date stamped JANUARY 3, 2020 August 4, 2006 as approved or modified by FOLLOWING STIPULATIONS AND APPROVED BY the PLANNING AND Development Services Department.	
A.	THE DEVELOPER SHALL PROVIDE A MINIMUM OF TWO PEDESTRIAN PATHWAYS ALONG THE NORTH PROPERTY LINE PROVIDING DIRECT ACCESS TO THE MULTI-USE TRAIL ALONG THE SOUTH SIDE OF LOWER BUCKEYE ROAD.	
ELEVATIONS		
2.	That The development shall be in general conformance with the elevations date stamped JANUARY 3, 2020 August 4, 2006 with SPECIFIC REGARD TO THE FOLLOWING ELEMENTS the following additional elements as approved or modified by the PLANNING AND Development Services Department:	
A.	That The elevations shall include the use of the use of stone and exposed beams projecting from the facades at sill, header and eave locations. That the exterior color theme shall be Tuscano color tones.	

	B.	That the apartment ALL buildings adjacent to Lower Buckeye Road and ALONG the east side of the property LINE shall utilize construction materials such as but not limited to, triple pane windows, and additional insulation, OR OTHER NOISE MITIGATION CONSTRUCTION TECHNIQUES to achieve an interior noise level not to exceed 45 decibels.
	C.	All garage doors shall include architectural details, such as decorative windows, included as follows: there shall be a minimum of three different garage door styles throughout the development. Each "carriage unit" has a set of three single-car garage doors facing the drive aisle (a grouping), in which all garage doors shall all be identical. Where carriage units occur adjacent to each other, the style of each grouping shall be different than the style of any adjacent groupings. ALL GARAGE DOORS SHALL INCLUDE ARCHITECTURAL TREATMENTS SUCH AS WINDOWS, RAISED OR RECESSED PANELS, ARCHITECTURAL TRIM, AND/OR SINGLE GARAGE DOORS.
TRAILS AND PEDESTRIAN ACCESS		
3.		That a An internal pedestrian circulation plan shall be provided between open spaces, amenities, parking areas, and the dwelling structures, which shall consist of a minimum 5-foot wide walkway adjacent to all amenities (clubhouse, pool and porte cochere) and across all drive aisles and a minimum 3½ foot wide walkway in all other areas to be constructed of pavers, stamped concrete, or other non-asphalt material, that shows pedestrian connection from the residential units to the recreation/clubhouse area and the Tuscano Towne Center as approved or modified by the PLANNING AND Development Services Department.
	A.	That t Two pedestrian access points shall be provided on the east side of the development to provide pedestrian access to the Tuscano Towne Center located at the north and south end of the property.
	B.	That THE DEVELOPER SHALL PROVIDE a non-access controlled multi-use trail OR ALTERNATIVE PEDESTRIAN PATHWAY be provided to connect the trail system of the neighborhood directly south of the site to the Tuscano Towne Center, to be located as shown on the approval final site plan of the Tuscano Towne Center or as APPROVED OR modified by the Parks and Recreation PLANNING AND DEVELOPMENT Department.
4.		That a A 10-foot wide multi-use trail in a 30-foot pedestrian easement shall be provided on the south side of Lower Buckeye Road as approved or modified by the Parks and Recreation Department.
STREET IMPROVEMENTS		

5.	The right-of-way for Lower Buckeye Road shall be dedicated as per the approved Tuscano Master Street Plan.
6.	That t 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 Services Department. All improvements shall comply with all ADA accessibility standards.
OTHER	
7.	That p Prior to final site plan approval, the developer shall create and record documents that ensure disclosure to the occupants within the development, the existence and characteristics of the dairies and Tolleson and Phoenix Wastewater Treatment Plants. The form and content of such documents shall be reviewed and approved by the City Attorney.
Other stipulations brought forward from the Tuscano Planned Community District PCD/Z-27-01-7	
8.	That d Development shall be in general conformance to the statistical table below Dated May 23, 2006 and Statistical Data listed below.

Land Use Map, Figure 2.2 4/23/01. Rev. 9/10/04, 12/304, 5/11/06					
UNIT NO	USE	ZONING	GROSS ACRES	DENSITY	DWELLING UNITS
1	Single-Family	R1-8	50.3	3.2 – 4.4	406 (Unit 1 & 3)
2	Open Space	R1-8	5.4 +	n/a	n/a
3	Single-Family	R1-6	46.8 +	4.1 – 5.0	see above
4	Open Space	R1-6	3.6	n/a	n/a
5	City Park	R1-6	17.1	n/a	n/a
6	School	R1-6	16	n/a	n/a
7	Single-Family	R1-6	41.2	4.1 – 5.0	252
8	Single-Family	R1-8	34.3	3.2 – 4.4	139
9	Single-Family	R1-10	46.7	2.4 – 3.4	135
10	Single-Family	R1-8	73.8	3.2 – 4.4	221
11	Open Space	R1-6	20.4	n/a	n/a
12	Single-Family	R1-6	67.2	4.1 – 5.0	357
13	Multifamily	R-2	33.5	6 – 7.5	400 (Unit 13 & 14)
14	Church	R-2	6.3	6 – 7.5	see above
15	Commercial	C-2	34.76***	n/a	*376,450 sq. ft.
16	Multifamily	R-3A	9.68 ***	20 – 24	220
Totals			507.04		2130
+ Corrects Mistype from 12/3/04 Minor Amendment					
* Gross Lease Area in Square Feet					

** Dwelling Count Change based upon 12/3/04 Minor Amendment
*** Acreage Change reflects 7/8/02 Minor Amendment Correction

9.	That a All single-family development shall be subject to Section 507.Tab A, 2.12 Planned Residential Development Option.
10.	That t The commercial parcel shall be limited to eight commercial pads only.
PARKS, OPEN SPACE, LANDSCAPING	
11.	That t The property owner agrees to dedicate both school and park sites and the dedication and temporary landscape improvements of the County drainage way west of 79th Avenue. Dedication of the park shall be done in two phases as approved by the Parks and Recreation and Library Department. Improvements of the park shall be provided by the applicant pursuant to the City of Phoenix park standards on a phased basis. Timing of school site dedication shall be according to an agreement between the applicant and the school district.
12.	Should an Intergovernmental Agreement be formed in the future to facilitate the construction of the Buckeye Flood Control Channel project, the developer agrees to cooperate in the design of the drainage way through the project. The developer will submit to the PLANNING AND Development Services Department a design that shows the clean take line and the adjacent subdivision plats for the east half of Tuscano. Once an intergovernmental agreement is completed, the developer agrees to cooperate with the City and the County for temporary improvements of the eastern half from 75th Avenue to 79th Avenue. On the west half, the property owner agrees to dedicate the property and provide temporary landscaping improvements to the county drainage way. The City shall not own or maintain common private retention areas. Final ownership and maintenance responsibilities for the drainage way will be worked out between the City and the Maricopa County Flood Control District.
13.	That a Along arterial, collector, and appropriate transitions onto adjoining local streets within the residential development, the sidewalk shall be detached, and a minimum 5-foot wide landscape strip shall be located between the sidewalk and back of curb except for intersections (where ADA requirements apply). The planting area shall be planted with minimum 15-gallon trees placed 20 feet on center with ground cover.
14.	That a A minimum 40 by 40-foot triangular landscape entry area SHALL be provided at the main residential entries from both Lower Buckeye Road and 83 rd Avenue into the PCD.
15.	That a At the main entry on Lower Buckeye Road, a large stone entry monument shall be constructed as a main focal point for the project as approved by the

	PLANNING AND Development Services Department.	
16.	That r Recreational amenities such as trails, ramadas, and playground equipment, shall be provided in the development's linear open space parcels. Details of the above amenities and a site plan depicting the location of such on the site shall be submitted by the developer and approved by the PLANNING AND Development Services Department prior to preliminary site plan approval.	
17.	That a All retention areas shall be sloped no greater than 4:1 throughout the site except adjacent to streets or entrances. A 6:1 slope shall be used within the park and school sites. If a 6:1 slope requires additional land for retention volume, applicant has flexibility to widen basin to south.	
18.	That f For the C-2 portion of the development, an average 75-foot by 75-foot triangular landscaped entryway feature shall be provided at the street intersection of 75th Avenue and Lower Buckeye Road.	
19.	That s Stone, pots, urns, ironwork, and/or wood timbers or such other similar materials/elements as approved by THE PLANNING AND Development Services Department, shall be integrated in the streetscape and building design of commercial and subdivision entry features within the Tuscano development. The exterior color theme will be deep rich tones.	
DESIGN		
20.	The future homebuilders will be required to apply the Tuscano design theme in their subdivisions. The use of stone, will be required to be used on at least one of the models constructed. The look will include stone accents using the mortar-wash technique. Additionally, exposed beams projecting from the facades at sill, header and eave locations will also be encouraged.	
21.	That v View fencing shall be required for all lots that back onto the central open space as approved by the PLANNING AND Development Services Department, except where it is adjacent to roadways.	
22.	That t The commercial parcel shall be developed with common architectural themes, materials, and landscaping as the Tuscano residential portion of the Planned Community District as approved by THE PLANNING AND Development Services Department.	
23.	That f For the C-2 portion of the development the following features shall be included in the design:	
	a.	That t The use of "corporate" colors, specifically but not limited to those typically associated with chain/franchise establishments shall only be used as an accent.

		Building design, common areas, and parking lots of the commercial center shall integrate the Tuscano architectural theme: i.e. stone surfaces, wood trusses, pots, urns or exposed wood beams.		
	b.	That a A gas station pump island canopy shall be constructed to match the proposed Tuscano retail buildings in terms of color and materials. The maximum height of the canopy shall be 19 feet to the canopy ceiling.		
	c.	That t The pump island canopy columns shall be constructed to match the retail buildings in terms of color and materials. The construction shall extend completely to the canopy ceiling and leave no gaps. The minimum width and depth of each column shall be 2 feet.		
	d.	That a Any light fixtures mounted in or on the ceiling of the pump island canopy shall be fully recessed and directed downward. Dropped lenses extending below the ceiling of the canopy shall not be permitted.		
24.	That w With the development of the commercial parcel, an 8-foot high wall shall be constructed where the parcel abuts any residential parcel.			
MASTER PLAN DEVELOPMENTS				
25.	That, in addition to the Ordinance required plan elements, the developer shall submit the following Master Development Plans for review and approval by appropriate City Departments prior to development of the first parcel. The Plans are to address, at a minimum, the following:			
	A.	<u>Master Pedestrian/Bike/Trails Circulation</u> The Master Pedestrian/Bike/Trails Circulation Plan shall be submitted to the City for review and approval by the Parks AND Recreation and Library Department, Planning AND Development, Services and Street Transportation Departments prior to vesting of zoning for the first development unit and shall identify:		
			1)	All proposed pedestrian walkways, multi-use trails, and bikeways within and abutting the site. The network shall include the width and locations throughout each of the future residential developments.
			2)	Coordination of the location of walkways and bikeways with drainage ways to provide a trail network throughout the PCD.
			3)	That 10-foot wide multi use trails SHALL be provided within the power line corridor or in combination with the regional drainage way location and along the north side of Broadway Road. An 8-foot wide trail should be provided on the south SIDE of Lower Buckeye Road. Also, an 8-foot wide trail shall be located along

				79th Avenue from Lower Buckeye Road until it reaches the utility corridor where the 10-foot wide trail is located. The 8-foot wide trail will continue in a north south direction through the park and continue along approximately the 81st Avenue alignment until it reached Broadway Road as approved by THE PLANNING AND Development Services Department and Parks AND RECREATION DepartmentS. The community trails are recommended based on the Estrella Village Multi-Purpose Trail Plan. Trails shall be improved using the Parks and Recreation Department's recreation trails standards.
			4)	That a A sidewalk (the width meeting Street Transportation Department standards) SHALL be provided which links the middle of the east half of the utility corridor through subdivisions proposed in phase III and VI to reach the commercial center through an opening in the back wall. The sidewalk should meander between the commercial anchor buildings to the front parking area. A north/south sidewalk should also be provided which links subdivisions in Phase I, II, and IV with the park and school sites.
	B.	<u>Master Landscape Plan</u>		
		The Master Landscape Plan shall be submitted to the City for review and approval by the Parks AND Recreation and Library Department , AND Planning AND Development Services , and Planning Departments. The Master Landscape Plan shall be submitted prior to vesting of zoning for the first development unit and is to include but not be limited to the following:		
			1)	Plant lists addressing areas of landscaping to be planted with arid types of vegetation.
			2)	List of plants not allowed in the development (i.e. pine trees, eucalyptus, etc.) due to their incompatibility. Palm trees are allowed as accent planting within the interior of the development and maintained by the homeowners association.
			3)	Coordination of the landscape conservation plan with master drainage plans and trails plan.
			4)	That t The developer of this property will participate in the Estrella Village Arterial Street LANDSCAPING Landscape Program as approved by the Estrella Village Planning Committee. The landscape program impacts the arterial streets abutting this property.
	C.	<u>Master Water and Wastewater System</u>		

			1)	The developer shall submit for approval by the Water Services Director, potable water and wastewater system master plans for the PCD. Such plans must be completed by a registered engineer in conformance with Water Services Department master infrastructure plans for the area.
			2)	That The water supplies for the greenbelt areas of the development shall be limited to the Salt River Water Users Association Rights associated with the greenbelt acreage only. Water rights associated with non-greenbelt acreage must be transferred to the City of Phoenix Domestic Water Account with the Salt River Project as a condition of domestic water service. This split of the water rights entitlement and transfer into the City of Phoenix water account can be affected by requesting from the Salt River Water Users Association, a split for Association Convenience and transfer to the City Account. A letter from the Salt River Water Users Association stating that the water rights transfer has occurred shall be provided to the Water Services Director prior to final plat approval of each phase. This phased transfer of water rights is to allow for the retention of those water rights necessary for the interim agricultural use on the property until each phase is developed.
RIGHT OF WAY DEDICATIONS, STREETS				
26.	That The following rights of way and transit pads SHALL be provided based on the request of the Public Transit Department or as approved by THE PLANNING AND Development Services Department. In addition, bus bays will be required for locations a and b listed below or as approved by THE PLANNING AND Development Services Department:			
		a.	Southbound 75th Avenue south of Lower Buckeye Road (P1257) (P1261)	
		b.	Northbound 83rd Avenue north of Broadway Road (P1257), (P1261)	
		c.	Southbound 75th Avenue south of Superior Avenue (P1262)	
		d.	Southbound 75th Avenue south of Elwood Street (P1262)	
		e.	Southbound 75th Avenue south of Jones Avenue (P1262)	
		f.	Westbound Broadway Road west of 79th Avenue (P1262)	
		g.	Westbound Broadway Road west of 81st Avenue (P1262)	

		h.	Westbound 83rd Avenue north of Jones Avenue (P1262)
		i.	Northbound 83rd Avenue north of Elwood Street (P1262)
		j.	Northbound 83rd Avenue north of Superior Avenue (P1262)
		k.	Eastbound Lower Buckeye Road east of 81st Avenue (P1262)
		l.	Eastbound Lower Buckeye Road east of 79th Avenue (P1262)
27.	That the following right-of-way SHALL be dedicated:		
	a.	Right-of-way be dedicated for the arterial and collector streets as per the approved Master Street Plan.	
	b.	The PLANNING AND Development Services Department at the time of Preliminary Subdivision Plat Review will determine right of way dedications and street alignments for local streets within the subdivisions.	

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.