

# Attachment C

Planning Hearing Officer Summary of February 19, 2020  
Application Z-180-04-7  
Page 1

## REPORT OF PLANNING HEARING OFFICER ACTION Adam Stranieri, Planner III, Hearing Officer Julianna Pierre, Planner I, Assisting

February 19, 2020

ITEM 6

DISTRICT 7

SUBJECT:

Application #: Z-180-04-7 (PHO-2-19)  
Zoning: S-1 (Approved R1-8), S-1 (Approved R-2)  
Location: Southwest corner of the 65th Avenue and South Mountain Avenue Alignments  
Acreage: 175.93  
Request: 

- 1) Modification of Stipulation 1 regarding development of the project site.
- 2) Modification of Stipulation 1.A regarding the site plan date stamped December 22, 2004.
- 3) Modification of Stipulation 1.B regarding the land use table dated December 1, 2004.
- 4) Modification of Stipulation 1.C regarding the landscape master plan dated December 1, 2004.
- 5) Modification of Stipulation 1.D regarding the open space amenities plan dated December 1, 2004.
- 6) Modification of Stipulation 2 regarding general conformance to the site plan date stamped December 22, 2004.
- 7) Modification of Stipulation 2.A regarding setbacks on the west boundary.
- 8) Modification of Stipulation 2.B regarding cul-de-sacs along Dobbins Road.
- 9) Modification of Stipulation 2.C regarding perimeter wall offsets.
- 10) Modification of Stipulation 3 regarding the school site.
- 11) Review and approval of residential and commercial elevations by the Planning Hearing Officer per Stipulation 4.
- 12) Modification of Stipulation 5 regarding master plans.
- 13) Deletion of Stipulation 5.H regarding the master lighting plan.
- 14) Modification of Stipulation 7 regarding a comprehensive sign plan.
- 15) Modification of Stipulation 19 regarding rear yard setback variation.
- 16) Modification of Stipulation 22.C regarding split rail fences.
- 17) Technical corrections to Stipulations 2.D, 2.E, 6, 8, 9, 14, 15, 22.B, and 25.

Applicant: Sara Andrews, Meritage Homes  
Owner: Williams Family Living 1996 Trust  
Representative: Jorge Villasenor, EPS Group Inc.

## **ACTIONS**

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

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on February 10, 2020 and recommended approval with modifications and additional stipulations by an 8-2 vote.

## **DISCUSSION**

Carolyn Oberholtzer, applicant and representative with Bergin, Frakes, Smalley and Oberholtzer, gave a history of the original master plan for the area. She stated that the applicant met with City staff to discuss how to restructure the functional units and modify the stipulations from the original case, which led to the current request. She described details of the site plan, specifically lot orientation, street locations, and the school site. Adam Stranieri asked for clarification regarding the continuation of 67th Avenue to the South Mountain alignment. Ms. Oberholtzer stated that 67th Avenue would not be continued to the South Mountain alignment and instead would be built as far north as necessary to connect to a collector street for the school site if developed.

Ms. Oberholtzer stated that the number of 45-foot wide lots and 55 foot by 90 foot lots were decreased per the request of the Laveen Village Planning Committee (VPC). She stated that the change decreased the density. She added that the plan intentionally had three different lot sizes on the north and south parcels to create a diversity of housing types. Mr. Stranieri stated that the site plan has a mixture of lot sizes that are centrally located and amenitized. He noted that the Laveen VPC proposed that general conformance to the site plan have modifications including the minimum lot width be 50 feet and a minimum 30% of the lots have a minimum width of 55 feet. He added that the second request may be redundant considering the applicant was requesting general conformance to a site plan and land use table that both depict 55-foot wide lots at 40% of proposed lots. The Planning Hearing Officer and applicant discussed how changes in lot sizes would affect the site plan, general conformance, density, and cost of homes. Mr. Stranieri stated that he was inclined to adopt the Village recommendation restricting the minimum lot width to 50 feet. He stated that 50-foot wide lots are consistent with other subdivisions in the area, prior rezoning case approvals, and as expressed by the community.

Mr. Stranieri stated that the proposed landscape plan is consistent with the level of detail provided in the originally stipulated plan.

Ms. Oberholtzer stated that the proposed Open Space Amenities Plan depicted a major open space amenity north of Dobbins Road and one south of Dobbins Road. She stated that per the additional stipulation recommended by the Laveen VPC they intended to build an additional amenity south of Dobbins Road; but this amenity would be minor rather than major. Mr. Stranieri stated that the Open Space Amenities Plan is

consistent with the level of detail provided in the originally stipulated plan. He added that the change in trail head locations and pedestrian pathways is more appropriate given the altered layout. He noted that the area south of Dobbins Road was larger in area, contained more proposed homes, and was appropriate for an additional amenity.

Ms. Oberholtzer stated that they created new functional units for the original master planned area, but the modifications to stipulations would only apply to Functional Unit 1A. Mr. Stranieri clarified that Functional Units 1B, 2, and 3 were not part of the subject site for the PHO and would still be subject to the stipulations from the original rezoning case.

Ms. Oberholtzer stated that the modifications to Stipulation 2, regarding general conformance to the site plan, and its sub-stipulations, regarding setbacks on the west boundary, cul-de-sacs along Dobbins Road, and perimeter wall offsets, would discourage monotony in the housing product. Mr. Stranieri stated that he was inclined to approve the applicant's requests with slight modifications for clarity.

Because it is still unknown if the school site will be developed, the applicant and the Planning Hearing Officer agreed to add language to Stipulation 3 to reflect the indefinite future of the site.

Ms. Oberholtzer stated that they had no issue with the VPC's recommendations regarding elevations. Mr. Stranieri stated that the stipulation would state general conformance to the elevations as modified by the recommendations of the Laveen VPC. Mr. Stranieri asked for clarification regarding the elevations submitted at the VPC meeting. Ms. Oberholtzer stated that the elevations shown at the VPC were the same as their updated plans submitted to the Planning Hearing Officer on February 14, 2020. She stated that the updated submittal depicted the height lines and four-sided architecture of the buildings.

Mr. Stranieri stated that the modifications to Stipulation 5, regarding master plans, and the deletion of Stipulation 5.H, regarding the master lighting plan, were minor updates regarding the subject property of the site and updated PCD master plan approval processes. He stated that he was inclined to approve these requests.

Mr. Stranieri stated that he was inclined to approve modifications to Stipulation 7, regarding a comprehensive sign plan, because there would not be a comprehensive sign plan for the original case area, given that is not being developed in conjunction with the site of the PHO.

Mr. Stranieri stated that his concern with Stipulation 19, regarding rear yard setback variation, is its similarity to Stipulation 2.C. He stated that it would be appropriate to delete the stipulation in its entirety and add it as a sub-stipulation of Stipulation 2 along with other similar development restrictions.

Mr. Stranieri stated that the split rail fence concept achieves the same rural and agricultural design intent as the detail on the originally stipulated plan. He asked if the

only modification was to update the plan to the proposed Open Space Amenities Plan. Ms. Oberholtzer stated that was correct.

The applicant and the Planning Hearing Officer discussed the appropriate order and organization of the proposed, modified, and additional stipulations.

Mr. Stranieri stated that there is no stipulation regarding open space. He asked the applicant if they were providing a minimum of 14% open space. Ms. Oberholtzer stated that was correct and it was depicted in the Land Use Table. She asked if there was any way to decrease the stipulated open space percentage to allow for possible changes in the site plan, such as the potential development of the school site. She asked if it would be feasible to stipulate to 14% open space of the gross project area, less the area of the school site if developed. The Planning Hearing Officer agreed that would be appropriate.

Mr. Stranieri stated that the Laveen VPC also recommended that any modifications to the stipulated plans would return to the VPC for review and comment. Ms. Oberholtzer stated that they had no issues with that recommendation.

Mr. Stranieri stated that the original case did not contain any archaeology stipulations. However, since the City of Phoenix Office of Archaeology found that the site was in an archaeologically sensitive area, he was inclined to add standard language stipulations regarding archaeology.

Mr. Stranieri stated that he was not inclined to stipulate general conformance to a plant list. He stated that general conformance would be limited to the landscape plan. Ms. Oberholtzer stated that she was fine with this decision considering the plant list had already evolved. Ms. Oberholtzer asked for clarification regarding sheet two of the stipulated landscape master plan depicting the plant palette concept. Mr. Stranieri stated that the existing general conformance stipulation did not reference this exhibit, but only the Landscape Master Plan.

Mr. Stranieri stated that the Parks and Recreation Department recommended that the developer dedicate a 30-foot-wide multi-use trail easement along the west side of the property connecting the LACC to Dobbins Road, north of Dobbins Road, along Carver Road and west of 63rd Avenue and to construct a 10-foot-wide multiuse trail within each easement. The applicant and PHO discussed where the trail easement and trail would be located. They agreed that the recommended stipulation language appeared to reference multiple off-site locations. Mr. Stranieri stated that he was inclined to adopt the recommendation as written, however could be modified to include flexible language allowing the stipulation to be modified by the Parks and Recreation Department as necessary. Ms. Oberholtzer agreed this was an acceptable compromise.

Mr. Stranieri stated that the Street Transportation Department recommended nine new stipulations and a modification to Stipulation 3. Ms. Oberholtzer stated that she had already spoken to the Street Transportation Department and had no issues with the recommendations.

## **FINDINGS**

- 1) **FUNCTIONAL UNITS:** The subject property of this request consists of approximately 175.93 gross acres of the 365.24 gross acres included in the original rezoning case. The original rezoning case included a Land Use Table (dated December 1, 2004) that divided the subject property into 19 planning parcels allocated between areas north and south of Dobbins Road and included residential, commercial, a potential park site, and a school. The current request includes a Functional Unit Exhibit (date stamped February 14, 2020) that also includes 19 planning parcels, however these are allocated within four newly defined Functional Units. Only Functional Unit 1A, and the eight planning parcels within its boundary, is included in the subject property of this case. The result of this request will only impact the property within Functional Unit 1A and the remaining property in the original rezoning action will be subject to the existing stipulations of approval.
  
- 2) **STIPULATED PLAN MODIFICATIONS:** The applicant requested five modifications to Stipulation 1 and its sub-stipulations to update general conformance requirements to the stipulated site plan, land use table, landscape master plan, and open space amenities plan. The existing zoning in Functional Unit 1A consists primarily of S-1 (Approved R1-8) zoning. There is a small portion of S-1 (Approved R-2) zoning on the east portion of the property near the Dobbins Road alignment, however no multifamily residential uses are proposed. The proposed site plan depicts a single-family residential development consisting of 604 lots, approximately 14 acres reserved for a potential future school site, and 14% open space. There are four proposed lot sizes: 45'x120' (42% of lots), 50'x120' (18% of lots) 55'x120' (27% of lots), and 55'x90' (13% of lots).

Updates to the proposed plans are recommended for approval with modifications as requested by the applicant, with exception of the Land Use Table.

- The Site Plan depicts a mixture of lot sizes, centrally located and amenitized open spaces at a greater percentage than required by Ordinance standards, and other features that were present on original stipulated plans. See Findings #3 & 5 for discussion regarding recommended modifications to the site plan.
- The applicant's request for modification of the Land Use Table is recommended for denial and the stipulation is recommended for deletion. The proposed Land Use Table contains no unique information that is not already separately provided on the proposed site plan. Further, the only unique information on the original stipulated Land Use Table is the open space calculation. This recommendation includes a new, separate, additional stipulation that details the required open space and open space features. See Finding #4 for a more detailed discussion of open space requirements.
- The Landscape Master Plan correlates with the revised layout depicted on the site plan. General conformance to this plan is intended to apply solely

to the landscape plan submitted. General conformance is not intended to apply to the plant list which was submitted separately.

- The Open Space Amenities Plan updates locations of open spaces relevant to the revised layout and provides updated information regarding the location of trailheads, power line easements, and trailhead fence and column designs. See Finding #4 for information regarding additional stipulations impacting the design of open spaces.
- The Functional Unit Exhibit defines the updated area and development parcels relevant to the subject property of this case. See Finding #1 for more information regarding Functional Units.

- 3) **LOT WIDTHS:** In the original stipulated site plan and related land use table, there were four proposed lot sizes, with lot widths ranging from 50 feet to 65 feet. 59.63% of the proposed lots had a minimum width of 55 feet or greater.

The applicant's proposed site plan and related land use table depicts four lot sizes, with lot widths ranging from 45 feet to 55 feet. 18% of proposed lots have a minimum width of 50 feet and 40% of lots have a minimum width of 55 feet. The proposed plans represent a divergence from the residential character depicted in the original stipulated plans.

The Laveen Village Planning Committee recommended two additional stipulations regarding lot size. The first stipulation limits the minimum lot width to 50-feet. The 50-foot lot width is consistent with the standard established in the original rezoning case, similar developments in the surrounding area, and other rezoning approvals in this Village. The stipulation is recommended for inclusion. Implementing this stipulation will require a modification to the proposed site plan and land use table; therefore, the stipulation should be included as a sub-stipulation of Stipulation 2 which outlines required modifications.

The second recommendation is to require that a minimum of 30% of residential lots provide a minimum lot width of 55-feet. This stipulation is not recommended for inclusion. The proposed site plan, which is recommended for general conformance, already depicts 40% of proposed lots with a minimum width of 55-feet. Additionally, based on the other recommended stipulation modifications in this request, it is unclear what the final breakdown of lots by dimension will be. There may be additional lot sizes proposed which meet the intent of the stipulation to maintain a minimum lot width of 50-feet but alter the distribution of lots by size.

- 4) **OPEN SPACE:** The proposed plans depict 14% of the gross project area as open space. This exceeds the Ordinance standard of minimum 5% and an additional stipulation is recommended to require this.

The Laveen Village Planning Committee also recommended two additional stipulations regarding open space. The first recommendation is to require the developer to provide a minimum of two amenity areas south of Dobbins Road.

This stipulation is appropriate given that the portion of the subject property south of Dobbins Road (approximately 101 gross acres) is larger than the area north of Dobbins Road (approximately 78 gross acres). Additionally, in the area north of Dobbins Road, 14 acres is identified for retention as a potential future school site. Finally, the proposed Land Use Table indicates that 370 homes are proposed south of Dobbins Road and 234 are proposed north of Dobbins Road. This stipulation is recommended for inclusion.

However, the second recommended stipulation is that required open space be evenly allocated between the areas north and south of Dobbins Road. Given the uneven distribution of homes, the lack of certainty regarding the final location of the school site, and the requirement to update plans subject to all other stipulations in this request, it is unclear whether an even distribution of open space would have the desired effect of providing equal access to open space to all residents. Additionally, the applicant's request includes general conformance to an Open Space Amenities Plan that depicts a major amenity area both north and south Dobbins Road. A modification to the stipulation regarding general conformance to this plan is recommended to include specific regard to the open spaces both north and south of Dobbins Road which achieves the intent of the Village recommendation.

- 5) **RESIDENTIAL DEVELOPMENT UPDATES:** The applicant requested four modifications to Stipulation 2 and its sub-stipulations regarding required updates to residential development on the stipulated site plan. The modification to Stipulation 2.A is to remove a reference to an outdated Exhibit that no longer reflects the proposed site design. The location of the units in relation to the power line easements are depicted on the new proposed plans addressed elsewhere in the request. Proposed modifications to Stipulations 2.B and 2.C include a new wall-offset option that may be implemented as an additional design consideration to discourage monotonous streetscapes. This proposal responds to the updated site plan that no longer contains multiple cul-de-sacs.
- 6) **PROPOSED SCHOOL LOCATION:** The applicant's request includes the reservation of approximately 14 acres for a potential future school site and a modification of Stipulation 3 indicating that the proposed site will be relocated to an area along the South Mountain Avenue alignment near the northwest corner of the site. When the original stipulation language was developed, South Mountain Avenue was intended to be built as a collector street, potentially intersecting with 67th Avenue, also a collector street. However, South Mountain Avenue has since been abandoned and it is unknown whether 67th Avenue will be built as a collector street from the South Mountain Avenue alignment to the south. Therefore, it is unclear whether the proposed school site is appropriate or if it would have connectivity to and from collector streets. The conceptual site plan depicts the site adjacent to what are likely solely local streets.

The Street Transportation Department requested alternative stipulation language be added to require that the final school site have frontage with vehicular ingress and egress to a collector street. The intent of this modification is to ensure that

the site does not add traffic congestion or pressure on local streets, increase trips adjacent to single family homes, or decrease safety for children walking to school. This language will ensure that the final location of the school site, if developed, has appropriate vehicular access but does not tie its final location to South Mountain Avenue, which is no longer planned as a collector street.

- 7) **ELEVATIONS:** The applicant requested that the proposed elevations be stipulated for general conformance with four additional sub-stipulations regarding design. These conditions include a requirement for four-sided architecture, diversity in adjacent elevations, limitations on the use of the Spanish elevation, and a minimum eave overhang dimension. These conditions are consistent with the recommendation of the Laveen Village Planning Committee and are recommended for inclusion.
- 8) **PCD MASTER PLANS:** The applicant requested two modifications to Stipulation 5 and sub-stipulation 5.h. These modifications are intended to update the references to the Functional Exhibits per the modifications discussed in Findings #1 and 2 and remove an outdated reference to a requirement for lighting plans in the PCD master plan review process. These modifications are recommended for approval.
- 9) **SIGN PLANS:** The applicant requested a modification to Stipulation 7 to specify that the requirement for comprehensive sign plans shall be required of each individual Functional Unit. This modification reflects that the ownership, configuration, and planning of the area in the original rezoning case is no longer unified.
- 10) **SETBACK VARIATION:** The applicant's request for modification of Stipulation 19 regarding setback variation and interruption of continuous runs of lots is recommended for denial as filed and approval with modifications. This design consideration reflects the revised site plan, new street layout, and other changes. However, the condition is similar to other requirements in Stipulation 2 and should be included as a new sub-stipulation of Stipulation 2 for consistency.
- 11) **ARCHAEOLOGY:** The site is located in an archaeologically sensitive area and no archaeology stipulations are present in the existing approval. Three additional standard language stipulations are recommended to address City standards for archaeological assessment in sensitive areas.
- 12) **STREETS:** The Street Transportation Department recommends nine additional stipulations addressing various City code conformance, design, and other considerations regarding street layout and configuration. These stipulations include dedication of right-of-way, alignment with planned streets on adjacent properties, trail access, block length, traffic signals, alterations to existing irrigation facilities, and other concerns. The nine stipulations are recommended to be adopted as additional stipulations.



13) **PARKS & RECREATION:** The Parks and Recreation Department recommended an additional stipulation requiring that the developer construct multi-use trails along the west side of the property connecting the Laveen Area Conveyance Channel (LACC) to Dobbins Road, north of Dobbins Road, along Carver Road and west of 63rd Avenue. This recommendation is unclear regarding the final location of trails in multiple locations. Specifically, the west side of the property is adjacent to a 500kv power line easement and provides no opportunity for connection between the LACC and Dobbins Road. Additionally, Carver Road is approximately a half-mile south of the subject property and not adjacent to any portion of the original rezoning case. Finally, the subject property is not adjacent to the 63rd Avenue alignment. Additional stipulation language is recommended to allow flexibility to approve final trail locations and development standards with the Parks and Recreation and Planning and Development Departments.

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

**STIPULATIONS**

1.	That <del>d</del> Development of FUNCTIONAL UNIT 1A, AS DEPICTED ON THE FUNCTIONAL UNIT EXHIBIT DATE STAMPED FEBRUARY 14, 2020, the <del>project site</del> shall be in general conformance with the following PLANS, and as modified by THE FOLLOWING stipulationS <del>nos. 2, 3 and 22</del> AND as approved by the PLANNING AND Development <del>Services</del> Department:	
	A.	FUNCTIONAL UNIT 1A Site Plan date stamped FEBRUARY 14, 2020 <del>December 22, 2004</del>
	B.	<del>Land Use Table dated December 1, 2004</del>
	B. C.	FUNCTIONAL UNIT 1A Landscape Master Plan DATE STAMPED FEBRUARY 14, 2020 <del>dated December 1, 2004</del>
	C. D.	FUNCTIONAL UNIT 1A Open Space Amenities Plan DATE STAMPED FEBRUARY 14, 2020, <del>dated December 1, 2004</del> WITH SPECIFIC REGARD TO THE PROVISION OF A MINIMUM ONE MAJOR OPEN SPACE AMENITY PROVIDED BOTH NORTH AND SOUTH OF DOBBINS ROAD.
	D. E.	Main entry concept dated December 1, 2004
	E. F.	Wall & column concepts dated December 1, 2004
	F.	FUNCTIONAL UNIT EXHIBIT DATE STAMPED FEBRUARY 14, 2020
2.	That <del>all r</del> Residential development AS DEPICTED on the FUNCTIONAL UNIT 1A	

	Site Plan date stamped FEBRUARY 14, 2020 <del>December 22, 2004</del> shall be modified by the following AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
A.	THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 50 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
B. A.	All residential units shall be set back a minimum of 75 feet ( <del>75'</del> ) from the centerline of the 500kv power line easement on the west boundary of the development., <del>as shown on Exhibit A date stamped April 18, 2005 and as approved by the Development Services Department.</del>
C. B.	All parcels abutting Dobbins Road in FUNCTIONAL UNIT 1A <del>development units, 5, 6, 9, and b</del> shall be developed through a cul-de-sac roadway configuration, OR PROVIDE A MINIMUM THREE-FOOT PERIMETER WALL OFFSET AT A MINIMUM OF EVERY THIRD LOT. <del>as shown on Exhibit B date stamped April 18, 2005 and as approved by the Development Services Department.</del>
D. C.	Where perimeter walls <del>are provided</del> abutting an arterial or collector street that do not include a cul-de-sac back up treatment, THE DEVELOPER shall provide a minimum THREE-FOOT <del>five feet (5')</del> wall offset AT a minimum of every third lot. <del>as shown on Exhibit C date stamped April 18, 2005 and as approved by the Development Services Department. Where offsets occur an inset "v" shaped wall treatment shall be provided that shall be a minimum ten feet (10') wide by five feet (5') deep.</del>
E.	PARCELS WITHIN THE DEVELOPMENT THAT ABUT AN ARTERIAL OR COLLECTOR STREET THAT DO NOT INCLUDE A CUL-DE-SAC BACK UP TREATMENT SHALL INCLUDE REAR YARD SETBACK VARIATION SUCH THAT NO MORE THAN THREE CONTIGUOUS LOTS CONTAIN IDENTICAL REAR LOT LINES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. AT A MINIMUM, EVERY EIGHTH LOT SHALL BE INTERRUPTED BY AN OPEN SPACE CORRIDOR, STREET CONNECTION, OR SHALL PROVIDE A MINIMUM COMBINED 15-FOOT SIDE YARD SETBACK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
F. D.	Parcels 4B, A and 1b shall each include a minimum of one acre (1 ac) centralized open space area, as approved by the PLANNING AND Development Services Department.
G. E.	Where appropriate, lots adjacent to the public school site should be oriented facing the school site to maximize view of the school site, as approved by the PLANNING AND Development Services Department.
3.	OPEN SPACE SHALL BE PROVIDED AS FOLLOWS:

	A.	A MINIMUM OF 14 PERCENT OF THE GROSS PROJECT, LESS THE ACREAGE OF THE PROPOSED SCHOOL SITE IF DEVELOPED, SHALL BE RETAINED AS OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	B.	THE DEVELOPER SHALL PROVIDE MINIMUM TWO AMENITY AREAS IN FUNCTIONAL UNIT 1A SOUTH OF DOBBINS ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4.		THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED FEBRUARY 14, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	A.	THE ELEVATIONS SHALL INCORPORATE FOUR-SIDED ARCHITECTURE, EXTERIOR ACCENT MATERIALS, DETAILING, AND A MINIMUM THREE COLOR PALETTES, IN ORDER TO CONVEY A SENSE OF CONTINUITY THROUGHOUT THE DEVELOPMENT.
	B.	WHERE TWO TWO-STORY HOMES ARE BUILT ADJACENT TO EACH OTHER, THE SAME ELEVATION SHALL NOT BE UTILIZED IF BOTH HOMES SHARE THE SAME COLOR SCHEME AND FLOORPLAN.
	C.	THE SPANISH ELEVATION SHALL NOT BE UTILIZED ON ANY TWO ADJACENT HOMES IF BOTH HOMES SHARE THE SAME FLOORPLAN.
	D.	FOR EACH ELEVATION THAT FEATURES EAVES, SUCH EAVES SHALL HAVE A MINIMUM OVERHANG OF 12 INCHES.
5. 3.		<del>That the IF DEVELOPED, THE school site shall HAVE FRONTAGE WITH VEHICULAR INGRESS AND EGRESS TO A COLLECTOR STREET, be relocated to the South Mountain Avenue frontage as approved or modified by the PLANNING AND Development Services Department.</del>
6. 4.		<del>That the residential and commercial elevations shall be subject to approval through the Planning Hearing Officer (PHO) process prior to preliminary site plan approval as approved or modified by the Development Services Department.</del>
7. 5.		<del>That dDevelopment of the project site shall be subject to the approval of the following equivalent Planned Community District (PCD) master plans for Functional Unit 1A, AS DEPICTED ON THE FUNCTIONAL UNIT EXHIBIT DATE STAMPED FEBRUARY 14, 2020, #1 located north of Dobbins Road, for Functional Unit #2 located between Dobbins Road and Olney Road, and for Functional Unit #3 located south of Olney Road, each pursuant to the Development Services Department PCD Master Plan Manual, AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT</del>

	DEPARTMENT:	
	A.	Master Development Plan
	B.	Master Street Plan and Phasing Plans
	C.	Master Wastewater Plan
	D.	Master Water Plan
	E.	Master Drainage Plan
	F.	Master Landscape Plan
	G.	Master Pedestrian, Bicycle, and Trails Plan including
	1)	An 8' wide trail system linking open space areas throughout the project site, and providing a minimum of two connections to the Maricopa County trail in the adjacent power line corridor
	2)	A pedestrian connection providing access to the Laveen Conveyance Channel
	H.	Master Lighting Plan
8. 6.	That development of the project site shall be subject to the approval of a Master Architectural Design, Materials, and Colors Plan reflecting the rural character of the Laveen Village, as approved by the PLANNING AND Development Services Department. Architecture of a rural character utilizes materials that include stone, brick, wood, and smooth stucco, and colors that include those found in the natural environment.	
9. 7.	That a comprehensive sign plan shall be REQUIRED FOR EACH FUNCTIONAL UNIT approved for the entire development in accordance with Section 705.F.2 of the Zoning Ordinance AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
10. 8.	That aAll USA fee title properties shall be relocated out of any existing or proposed right-of-way, as approved by the PLANNING AND Development Services Department.	
STREET TRANSPORTATION		
11.	THE DEVELOPER SHALL DEDICATE 30 FEET OF RIGHT-OF WAY FOR THE EAST HALF OF 67TH AVENUE AND CONSTRUCT TO COLLECTOR STREET STANDARDS FROM DOBBINS ROAD TO THE NORTHERN LIMITS OF THE	

	MCCLELLAN RANCH MASTER STREET PLAN. ANY PROPOSED EXTENSION OF 67 <sup>TH</sup> AVENUE BEYOND THESE LIMITS WOULD REQUIRE THE FULL DEDICATION AND CONSTRUCTION OF 67 <sup>TH</sup> AVENUE TO A COLLECTOR STREET STANDARD.
12.	ACCESS POINTS ALONG 67TH AVENUE SHALL BE ALIGNED TO MATCH THE APPROVED MCCLELLAN RANCH MASTER STREET PLAN TO THE WEST OR BE OFFSET AS ALLOWED BY CITY CODE.
13.	PEDESTRIAN TRAIL ACCESS SHALL BE PROVIDED AND SHALL ALIGN WITH THE MCCLELLAN RANCH MASTER TRAILS PLAN ALONG THE WESTERN EDGES OF THE SITE.
14.	STREET ALIGNMENTS SHALL PROVIDE FOR CONNECTIONS TO FUTURE UNPLATTED LANDS AND CONNECT TO ESTABLISHED STUB STREETS IN NEIGHBORING SUBDIVISIONS.
15.	BLOCK LENGTHS REQUIRED AS PER CITY CODE 32-28 SHALL NOT BE EXCEEDED IN ANY INDIVIDUAL DEVELOPMENT PHASE.
16.	THE APPLICANT SHALL SUBMIT A TRAFFIC IMPACT STUDY (TIS) FOR THIS DEVELOPMENT. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. UPON COMPLETION OF THE TIS THE DEVELOPER SHALL SUBMIT THE COMPLETED TIS TO THE PLANNING AND DEVELOPMENT DEPARTMENT COUNTER WITH INSTRUCTIONS TO FORWARD THE STUDY TO THE STREET TRANSPORTATION DEPARTMENT, DESIGN SECTION.
17.	THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TRAFFIC SIGNALS AND OR ESCROW FUNDS AS IDENTIFIED WITHIN THE TRAFFIC STUDY AND APPROVED STREETS MASTER STREET PLAN.
18.	EXISTING IRRIGATION FACILITIES ALONG ANY EXISTING AND/OR PROPOSED RIGHTS-OF-WAY ARE TO BE UNDERGROUNDED AND RELOCATED OUTSIDE OF CITY RIGHT-OF-WAY. CONTACT SRP TO IDENTIFY EXISTING LAND RIGHTS AND ESTABLISH APPROPRIATE PROCESSES TO RELOCATE IMPACTED FACILITIES. RELOCATIONS THAT REQUIRE ADDITIONAL DEDICATIONS OR LAND TRANSFER REQUIRE COMPLETION PRIOR TO OBTAINING PLAT AND/OR CIVIL PLAN REVIEW APPROVAL.
19.	CONNECTION OF TRAILS SHALL BE MADE TO COLLECTOR STREETS THROUGH CLEARLY DEFINED BICYCLE AND PEDESTRIAN ROUTES. LOCAL STREET CONNECTIONS ALONE ARE INSUFFICIENT TO PROVIDE THIS CONNECTIVITY. THIS CONNECTIVITY SHALL BE ADDRESSED THROUGH THE TRAILS MASTER PLAN, AS APPROVED BY THE PLANNING

	AND DEVELOPMENT DEPARTMENT.
20. 9.	<del>That</del> Right-of-way totaling 30 feet shall be dedicated for the south half of South Mountain Avenue, or as may otherwise be modified by the PLANNING AND Development <del>Services</del> Department at time of subdivision review.
21. 10.	<del>That</del> Right-of-way totaling 55 feet shall be dedicated for the west half of 63rd Avenue.
22. 11.	<del>That</del> Right-of-way totaling 110 feet shall be dedicated for Dobbins Road.
23. 12.	<del>That</del> Right-of-way totaling 60 feet shall be dedicated for Olney Avenue.
24. 13.	<del>That</del> aAdditional rights-of-way for bus-bays, corner triangles and intersection flares will be determined at time of subdivision review.
25. 14.	<del>That</del> tThe 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 <del>Services</del> Department. All improvements shall comply with all ADA accessibility standards.
26. 15.	<del>That</del> tThe applicant shall submit paving plans for all arterial streets within and adjacent to the development to the PLANNING AND Development <del>Services</del> Department for review.
27. 16.	<del>That</del> tThe applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
PARKS AND RECREATION	
28.	THE DEVELOPER SHALL DEDICATE A 30' WIDE MULTI-USE TRAIL EASEMENT (MUTE) ALONG THE WEST SIDE OF THE PROPERTY CONNECTING THE LAVEEN AREA CONVEYANCE CHANNEL (LACC) TO DOBBINS ROAD, NORTH OF DOBBINS ROAD, ALONG CARVER ROAD, AND WEST OF 63RD AVENUE. WITHIN EACH EASEMENT, THE DEVELOPER SHALL CONSTRUCT A 10-FOOT WIDE MULTI-USE TRAIL (MUT) AS INDICATED IN SECTION 429 OF THE CITY OF PHOENIX MAG SUPPLEMENT. THE FINAL LOCATION AND DEVELOPMENT STANDARDS REGARDING ALL TRAILS AND TRAIL EASEMENTS SHALL BE AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION AND PLANNING AND DEVELOPMENT DEPARTMENT.

ARCHAEOLOGY	
29.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY 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 ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
30.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
31.	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.
ADDITIONAL	
32.	ALL RESIDENTIAL DRIVEWAYS SHALL PROVIDE A MINIMUM DEPTH OF 21- FEET FROM BACK OF SIDEWALK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
<del>33.</del> 47.	<del>That a</del> All single-family residential buildings adjacent to Dobbins Road shall be single story, not to exceed 20 feet (20').
<del>34.</del> 48.	<del>That n</del> No less than 50% of the single-family homes abutting South Mountain Drive, Olney Avenue, and 63rd Avenue shall be single-story, not to exceed 20 feet (20'). No more than two contiguous lots shall contain two-story homes.
49.	<del>That parcels within the development that abut an arterial or collector street that do not include a cul-de-sac back up treatment shall include side and rear yard setback variation such that no three contiguous lots contain identical setback dimensions, as approved by the Development Services Department. At a minimum, every eighth lot shall be interrupted by an open space corridor or street connection, or shall provide a minimum 15-foot (15') side yard setback.</del>
<del>35.</del> 20.	<del>That a</del> Any green court two-story structures abutting 63rd Avenue or Dobbins Road (Parcels 4b, a, and 1b) shall be setback a minimum of 50 feet (50') from the street right-of-way.

36. <del>21.</del>	<del>That n</del> No residential or commercial building shall exceed two (2) stories of thirty feet (30').
37. <del>22.</del>	<del>That t</del> The development theming elements illustrated through Coe and Van Loo (CVL) Exhibits 1 through 7 date stamped December 1, 2004, be modified by the following:
	A. Variable tree sizes for residential development only, including 25% at 1.5" caliper, 50% at 2" caliper, and 25% at 3", shall be provided for all roadway edge treatment along Dobbins Road, 63rd Avenue, Olney Avenue, and South Mountain Drive.
	B. A windmill feature with blades, consistent with the image illustrated through CVL Exhibit 6, shall be placed on a tower entry feature located at either the northwest or southwest corner of Dobbins Road and 63 <sup>rd</sup> Avenue, as approved by the PLANNING AND Development <del>Services</del> Department.
	C. The split rail fence concept illustrated through Exhibits <del>5</del> , 6 and 7 DATED DECEMBER 1, 2004 AND THE OPEN SPACE AMENITIES PLAN DATED FEBRUARY 14, 2020 shall be constructed of metal, as approved by the PLANNING AND Development <del>Services</del> Department.
38. <del>23.</del>	Prior to preliminary site plan approval for all applicable commercial structures, elevations for these structures, as well as the landscaping, lighting and sign packages for the commercial areas shall be presented by the applicant to the Laveen Village Planning Committee for review and comment.
39.	ANY PROPOSED MODIFICATIONS OF THE STIPULATED PLANS SHALL BE PRESENTED TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO ANY FINAL PLAN APPROVAL.
40. <del>24.</del>	<del>That t</del> The school site shall be set aside for purchase by the school district for 12 months, commencing with the issuance of the first residential certificate of occupancy.
41. <del>25.</del>	<del>That c</del> Crosswalks on Dobbins Road shall incorporate alternate paving materials, as approved by the PLANNING AND Development <del>Services</del> Department.
42.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. 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.



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