



Village Planning Committee Meeting Summary

PHO-1-24--Z-8-21-8

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| Date of VPC Meeting | June 11, 2024 |
| Date of Planning Hearing Officer Hearing | June 12, 2024 |
| Request | <ol style="list-style-type: none"> 1) Deletion of Stipulation No. 7 regarding entryways 2) Modification of Stipulation No. 10 regarding decorative wall design 3) Deletion of Stipulation No. 11.b regarding the inclusion of a clubhouse 4) Modification of Stipulation No. 12 regarding minimum percent of shade in the open space areas 5) Modification of Stipulation No. 13 regarding minimum percent of shade for pedestrian paths 6) Deletion of Stipulation No. 14.a regarding direct connection to 36th Street 7) Deletion of Stipulation No. 15 regarding public open space 8) Modification of Stipulation No. 17 regarding the location of bicycle parking 9) Modification of Stipulation No. 20 regarding the cul-de-sac termination at 36th Street |
| Location | Approximately 910 feet north of the northwest corner of 36th Street and Southern Avenue |
| VPC Recommendation | Approval with modifications and additional stipulations |
| VPC Vote | 11-1-2 |

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No members of the public registered to speak on this item.

STAFF PRESENTATION

John Roanhorse, staff, provided an introduction and overview of the proposal, identifying the size, location, zoning, adjacent streets, and General Plan Land Use Map designation. Mr. Roanhorse discussed the PHO (Planning Hearing Officer) process, history of the site and displayed the proposed site plan, landscape plan and approved and proposed stipulations. Mr. Roanhorse stated the applicants request includes the deletion of four stipulations and the modification of five stipulations.

APPLICANT PRESENTATION

Taylor Earl, representing the applicant with Earl & Curley, PC, stated they are requesting to modify some of the approved stipulations to allow development at the proposed site. Mr. Earl provided a review of the site noting the initial proposal, the zoning changes and the current proposal stating that the development team looked at the stipulations very closely to minimize any adverse impacts for the new proposed development. Mr. Earl stated that the request is to modify the stipulations that would allow them to proceed with a more responsive residential product type for the location. Mr. Earl displayed the site plan and stated the proposal is designed for single family attached development for ownership although the zoning does allow multifamily development. Mr. Earl provided the background of the site, the location, and the adjacent uses. Mr. Earl stated the proposal will develop 192 townhomes on the existing 18-acre site with access from 36th Street. Mr. Earl said that many of the proposed residential projects that come to the committee are for rental units and this one is intended for ownership opportunity. Mr. Earl stated that the developer successfully constructed a similar community near 24th Street and Northern Avenue. Mr. Earl discussed the core stipulations that will remain part of the design which include the placement of balconies, setbacks, building height, and a connection to the west. Mr. Earl stated that there are stipulations regarding building elevations and an enhanced primary entrance, a request for perimeter wall design, and certain amenities which will be changed. Mr. Earl discussed the proposed amenities and noted their intent is to have functional and accessible features that promotes open space. Mr. Earl stated that the open space has active recreation areas with shade, which is also an asset for residents. Mr. Earl stated there will be a dog park, benches, a basketball court, pool and other functional active amenities. Mr. Earl displayed the proposed shaded areas and reviewed each of the stipulations noting what changes are being requested. Mr. Earl provided the rationale for each of the proposed stipulation changes regarding entries and access to the residential units. Mr. Earl stated that he consulted with the Community Action Officer who provided feedback on the configuration of the residential units adjacent to Esteban Park. Mr. Earl also consulted with Mr. Joe Diaz with the Parks Department regarding current and future park features. Mr. Earl stated that there will be some improvements to the park in the future which will include a community center. Mr. Earl said that they would consider a connection to the park from the proposed development. Mr. Earl stated that the requirement for view fencing would remain, and this would allow a more interactive connected community. Mr. Earl discussed the perimeter wall and anticipated

that they would offer more options. Mr. Earl stated that they are requesting the removal of the clubhouse which may be an unnecessary expense for the residents. Mr. Earl stated that with the removal of the clubhouse there would be alternative options. Mr. Earl displayed the triangular open space and discussed changing the percentage of shade and the location and availability of bicycle parking. Mr. Earl discussed the traffic calming measures and changes to the cul-de-sac. Mr. Earl stated their request is to make adjustment to the technical aspect of the cul-de-sac design. Mr. Earl thanked the committee and concluded his presentation.

QUESTIONS FROM THE COMMITTEE

Committee Member Gene Holmerud stated that Esteban Park is one of the few parks that allows recreational drones and has this been considered for the proposed residential development. **Mr. Earl** responded that he was not aware of the allowance for drones.

Committee Member Brooks asked what the size of the proposed backyards would be. **Mr. Earl** responded that there would be a patio, and the backyards would range from 180 to 280 square feet. Committee Member Brooks asked about the shade study and when was the research done and if the percentage provided will be suitable for the future. Mr. Earl responded that the study was done recently, and the amount of shade meets the current coverage requirements.

Committee Member Tamala Daniels asked about the reduction of shade trees and the location of open space. **Mr. Earl** responded that if amenities like the basketball court was reduced or removed additional trees could be added, and if the pool was reduced then more trees could be added, and the objective is to have useable recreational areas. Mr. Earl stated they are seeking to have useable open space that has shade coverage where possible.

Committee Member Emma Viera commented that trees are not the only option for shade and having shade coverage in amenity areas could be achieved and would be very beneficial. **Mr. Earl** stated that the playground will have a shade sail and the pool area could have a shade structure. Mr. Earl stated that the amount of shade coverage is a balance and long-term maintenance cost for residents would be a consideration and maintaining usable open space. Committee Member Emma Viera commented that shade coverage is a public health concern and an appropriate response to heat and climate change and is important for communities and there a various coverage opportunities.

Chair Marchuk asked staff for stipulation language that addresses shade coverage.

Committee Member Emma Viera responded that the language should not be changed, and the shade could be varying methods of coverage. Chair Marchuk asked if it would be agreeable to maintain the shade coverage at 50 percent but include inorganic materials.

Mr. Earl responded with a suggestion of changing the coverage to 35 percent and would include structural shade, which may add to the cost for residents.

Committee Member Mark Beehler asked what was the origin of the 50 percent shade coverage. **Committee Member Tamala Daniels** responded that the shade coverage is a city requirement and they have pursued more shade coverage to increase up to 25 percent in other communities. Committee Member Tamala Daniels referenced a development at 24th Street and Southern Avenue that has extensive shade coverage and the proposed reduction is significant. **Mr. Earl** stated they are asking for a reduction which is reasonable. Committee Member Tamala Daniels said that more shade promotes walkable communities, and it is a policy goal. Mr. Earl responded that he agrees with walkable communities, and they are seeking a suitable alternative.

Committee Member Tremikus Muhammad commented that shade is important, but air quality, temperature and water quality are also important factors to address when reducing the number of trees. Committee Member Tremikus Muhammad stated that air quality should be considered to improve the quality of life for the community.

Committee Member Fatima Muhammad Roque asked if the clubhouse is removed will there be bathroom facilities around the pool. **Mr. Earl** responded that bathroom facilities will be provided which is a county requirement. Committee Member Fatima Muhammad Roque commented that a residential development with 192 units needs a community gathering space as an opportunity to socialize in a cooled area. Committee Member Fatima Muhammad Roque asked about Stipulation No. 15 regarding the deletion of benches, community garden, nature wall, fountain, and landscaped areas. Committee Member Fatima Muhammad Roque stated there is a goal to promote access to healthy fresh foods and access to walkable spaces, shade, safe places, and it is important for homeowners to have access to gardens, shade and safe areas and these features should be retained in the proposed development. Committee Member Fatima Muhammad Roque stated that reducing blacktop, creating more playground features, and expanding the greenbelt should be added as well as having access to the adjacent park. Mr. Earl responded that the stipulations is for access to public space outside the community in the prior plan, and the removal of the stipulation will change the requirement so residents will not have to maintain the open space adjacent to the public park. Mr. Earl stated that residents would have a backyard, a perimeter wall then open space that they would be required to maintain, police and enforce and with the new model there is access to the park and there would still be open space within the development. Mr. Earl stated removing the clubhouse would reduce costs for the neighborhood residents and other amenities would remain. Mr. Earl stated that the adjacent public park will have community spaces that would be available to community residents and the proposal provides a balance for potential homeowners which is the target population.

Chair Marchuk asked Committee Member Fatima Muhammad Roque if there was a recommendation on the stipulation language. **Committee Member Fatima Muhammad**

Roque stated the proposed language should reflect that the project should work for the community and the stipulations should not change. Chair Marchuk responded to the committee that the language for the stipulation should be adjusted to reflect Committee Member Fatima Muhammad Roque's position. Chair Marchuk stated that Stipulation No. 11.b the clubhouse will remain, Stipulation No. 15.a, would remain, 15.c would remain, and 15.d would remain.

Committee Member Edward Aldama stated he appreciates the committee's discussion, and recognizes that community, city, and state initiatives response to the concerns that have been noted. Committee Member Edward Aldama expressed that some of the features in the proposal require the developer to include them and then become the responsibility of the residents. Committee Member Edward Aldama said that some community gardens and other features that were intended to be beneficial are not successful. Committee Member Edward Aldama stated that the city and county do provide spaces for community gardens. Committee Member Edward Aldama stated that the committee is supportive of features that improve neighborhoods and maintain unique characteristics and that additions or changes should not impose constraints on the residents and neighborhoods.

Chair Marchuk asked if there was a preference to strike the stipulation language or if there were suggestions. **Committee Member Edward Aldama** responded that shade is important and observed that there is a balance to be achieved between what the applicant is requesting and intent of the committee for the proposed development.

Committee Member Tamala Daniels stated that in the original proposal, the triangular area was intended as part of the multifamily development and was part of an exterior open space and will now be adjusted for only the internal residents use. **Mr. Earl** responded that the intent of the request is not to delete the community garden and other amenities but to change the open space, so it is not for public access. Committee Member Tamala Daniels stated that with previous residential developments that have been reviewed there was consistent interest in having community gardens and more trees but in some cases the garden space was not fully utilized. Committee Member Tamala Daniels stated there is access to garden spaces in the area, and in the proposal the residential units will have backyards and the community garden is not always practical in a subdivision.

Chair Marchuk asked if there was a recommendation regarding the stipulation language. **Committee Member Tamala Daniels** responded that the garden space may not be fully utilized and may be better suited for the proposal as open space.

Committee Member Emma Viera commented that this discussion is beneficial and asked the committee to consider how things have been done in the review process and there is an opportunity to have developers respond to the unique conditions of the community. Committee Member Emma Viera stated that with the Village review process

they make positive changes for South Phoenix. Committee Member Emma Viera stated that community gardens are a good idea and have many benefits.

Committee Member Mark Beehler asked about the request to change the open space shading from 50 to 25 percent and asked if the front yards have trees, will there be space for trees and landscaping with the multiplex units and will there be tree lined street. **Committee Member Tamala Daniels** commented that it is common for single family homes to have a landscaped front yard. **Mr. Earl** responded that some of the smaller spaces cannot accommodate trees due to the placement of utilities but there will be trees placed at the end of the blocks. Committee Member Mark Beehler asked if trees would be placed along the multiplex units, and it does not appear that there will be tree-lined streets. Mr. Earl responded they are still considering development options in design and displayed the landscape plan to show that overall shade will still be provided with the reduction request for the open space areas, and shade will be adjusted for cost and maintenance factors that have to be considered in the development.

Committee Member George Brooks stated that adjusting the stipulations is a challenge and that innovative changes can be made but the process and rules limit flexibility.

Committee Member Petra Falcon stated she is supportive of Committee Member Emma Viera's comments and agrees there needs to be innovative solutions and there are many plans developed such as the TOD Policy Plan which have been approved and noted that there is a short time for committee review. **Chair Marchuk** responded that the committees input is important and will be a consideration for the PHO.

Committee Member Marcia Busching stated that a possible motion to move forward would be to delete Stipulation No. 7 as requested, Stipulation No. 10 to add suggested language, delete Stipulation No. 11.b, maintain Stipulation No. 12 and modify it by including inorganic materials, Stipulation No. 14.a could be deleted, Stipulation No. 15 could be deleted, Stipulation No. 20 could be modified as requested to provide pedestrian access to the park, and add a stipulation that the elevations come back to the committee for review and approval.

Committee Member Fatima Muhammad Roque stated that an additional stipulation be included to address pavement treatment to reduce heat. **Committee Member Marcia Busching** asked where the pavement treatment would be preferred. Committee Member Fatima Muhammad Roque responded on the driveways. Committee Member Marcia Busching stated that adding this stipulation is suitable, but the cool pavement is under development. **Committee Member Emma Viera** stated the cool pavement has been successfully implemented in various locations.

Committee Member Tamala Daniels stated that in gated communities the streets are private, and the residents will have to maintain them with HOA fees, and this increases residential fees and may not be practical for the targeted population.

Committee Member Emma Viera stated that cool pavement is more durable and extends the pavement surface, regular pavement typically last ten years and cool pavement last longer and over the long term it reduces this cost.

Committee Member Kassandra Alvarez stated cool pavement can be expensive but over time the cost will be reduced and with technology and availability costs will be adjusted and allow wider use.

Committee Member Tamala Daniels stated that development should not be cost prohibitive for potential residents and additional features can be costly and the committee needs to be mindful of adjusting the requirements for development.

Committee Member Kay Shepard stated with the clubhouse it is an added cost and may not be fully used by all residents and development funds maybe better invested in the other amenities including increasing the size of the swimming pool.

Committee Member Gene Holmerud stated with the discussion on the clubhouse that it should be up to the developer to determine if the cost is suitable.

Committee Member Kassandra Alvarez asked about the motion and if the clubhouse would be deleted. **Chair Marchuk** responded that the clubhouse would be deleted as discussed by the committee.

Chair Marchuk stated that he agreed with Committee Member Kay Shepard on the possibility of adjusting the pool size if the clubhouse is excluded.

PUBLIC COMMENT

None.

APPLICANT RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

Committee Member Marcia Busching made a motion to recommend approval of PHO-1-24--Z-8-21-8 as follows:

- a. Stipulation No. 7 regard the facing of individual units on 36th Street and Esteban Park, be deleted.
- b. Stipulation No. 10 be modified to add column and pillar accent for perimeter walls.
- c. Stipulation No. 11.b regarding the clubhouse, be deleted.

- d. Stipulation No. 12 regarding the 50 percent of shade coverage would remain and include the use of inorganic material for shade coverage to achieve shade coverage.
- e. Stipulation No. 13 would remain with no changes.
- f. Stipulation No. 14.a regarding direct connection to the sidewalk along 36th Street for each individual unit be deleted.
- g. Stipulation No. 15 regarding the public open space at the northern tip of the project area be deleted.
- h. Stipulation No. 17 regarding placement of bicycle parking to be modified to include amenity area.
- i. Stipulation No. 20 regarding the cul-du-sac and the language provided by the applicant be adopted and included as a modification.
- j. Stipulation No. 27 be added regarding pedestrian access to Esteban Park, to be included to provide access from the proposed development.
- k. Stipulation No. 28 be added regarding returning to the Village for review and comment of the elevations.
- l. Stipulation No. 29 be added regarding the cool pavement be added.

Ms. Stockham asked for concurrence on the proposed language regarding Stipulation No. 14a. stating that a minimum of one pedestrian access point will be provided along the northwest perimeter of the site; Stipulation No. 29 be adjusted to state the property owner shall investigate cool pavement or alternative material that reduces surface temperature for driveways as approved by the Planning and Development Department.

MOTION

Committee Member Marcia Busching made a motion to recommend approval of PHO-1-24--Z-8-21-8 with modifications and additional stipulations. **Committee Member Shepard** seconded the motion.

VOTE

11-1-2, motion to recommend approval of PHO-1-24—Z-8-21-8 per the staff recommendation with modifications and additional stipulations passed with Committee Members Aldama, Alvarez, Beehler, Brooks, Busching T. Daniels, Falcon, Holmerud, Shepard, Viera, and Greathouse in favor, T. Muhammad opposed and, F Muhammad Roque Chair and Marchuk abstained.

Chair Marchuk commented on the location of the storage facility at Esteban Park and noted the use would be consistent with A-1 zoning, Light Industrial and this is inappropriate next to a residential use and the Parks Department needs to be petitioned to relocate the use because an A-1 use should not be next to a residential use.

Chair Marchuk explained that he abstained from the vote because there was no tie to break.

VPC RECOMMENDED STIPULATIONS:

1. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
 - b. Building elevations adjacent and oriented to public streets and the public park, shall contain a minimum of 25 percent brick, masonry, stone, or another exterior accent material that exhibits quality and durability.
 - c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.
2. Building height shall be limited to two stories and 30 feet.
3. There shall be no balconies on the upper floors of residential dwellings adjacent or oriented toward single-family residential homes not part of this development.
4. The required landscape setbacks shall be planted to the following standards, as described below and as approved or modified by the Planning and Development Department:
5. The development shall be limited to a maximum density of 192 dwelling units.
6. The development shall provide a primary and secondary vehicular access to the site along 36th Street. The secondary access point may serve as vehicular ingress and egress, or limited to vehicular egress and emergency access only, as approved or modified by the Planning and Development Department.

- ~~7. Individual dwelling units adjacent to 36th Street and Esteban Park shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall not exceeding 40 inches in height to accentuate the primary entrance, plus oriented towards the public street or public park, as approved by the Planning and Development Department.~~
8. The primary entrance to the development from 36th Street shall include the following elements, as approved by the Planning and Development Department.
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular entryway into the development.
 - b. The pedestrian pathways shall be detached from the primary vehicular entryway with a minimum 5-foot-wide landscaped accent area provided on both sides of the entryway in the development. The landscape accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
 - c. A median island of no less than 5 feet in which shall be located centrally within the vehicular entryway into the development and accented by a minimum of three drought-tolerant trees, and drought-tolerant ornamental, flowering shrubs to provide a minimum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants.
 - d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
9. Perimeter walls adjacent to the public park shall be limited to open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing, as approved by the Planning and Development Department.
10. All perimeter walls visible from a public street shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as COLUMNS, COLOR ACCENTS, tile or stamped designs, as approved by the Planning and Development Department.
11. The development shall include the following amenities and elements at a minimum, distributed between the open space area(s) throughout the site, as approved by the Planning and Development Department:
 - a. Swimming pool.

- ~~b. Clubhouse.~~
 - c. Two picnic areas, each with one barbecue grill, shade ramada and a picnic table.
 - d. Five benches distributed throughout the development, including one bench located within close proximity to 36th Street.
 - e. Turf area(s) of no less than a combined 1,000 square feet.
 - f. Community garden area(s) of no less than a combined 1,000 square feet that will each include a garden tool library, irrigation, and one bench or seating feature.
12. Open space areas shall have a minimum ~~50~~ **25 50** percent shade **USING ARCHITECTURAL SHADE AND/OR SHADE TREES AT FULL MATURITY**, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants), as approved by the Planning and Development Department.
13. Pedestrian paths shall be shaded to a minimum of ~~75~~ **50 75** percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.
14. The developer shall provide a system of pedestrian thoroughfares, as described below and as approved or modified by the Planning and Development Department:
- a. ~~Direct connection to the sidewalk along 36th Street for individual dwelling units adjacent to this street.~~
 - b. The developer shall provide a minimum of two pedestrian paths connecting to the sidewalk along 36th Street, exclusive of pedestrian connections along vehicular entryways.
 - c. Illuminated by pedestrian scale lighting per Section 1304(H)5 for a pathway connecting 36th Street along the primary entrance, passing through a central amenity area, and terminating at the west property line.
 - d. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

- e. Connections to/between:
 - (1) All residential dwellings.
 - (2) All amenity facilities and active open space areas.
 - (3) The sidewalk along 36th Street.
- 15. ~~The development shall provide a minimum 1,000 square foot publicly accessible pedestrian seating node and amenity area along the most northern portion of the development adjacent to the western edge of 36th Street (future cul-de-sac portion) to include the following elements at a minimum, as approved by the Planning and Development Department:~~
 - a. ~~Two benches or seating features.~~
 - b. ~~Bicycle repair station ("fix it station") provided and maintained in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike~~
 - c. ~~Amenity area that includes either/or combination of a community garden, art feature, nature walk, natural features such as boulders or fountains, or other uniquely identifying features.~~
 - d. ~~A landscape accent area, exclusive of perimeter landscaping and right-of-way, planted and maintained with at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.~~
- 16. The public sidewalk along 36th Street shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees planted a minimum of 25 feet on center or in equivalent groupings to provide shade to a minimum 75 percent of the sidewalk.
 - b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

17. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near ~~each vehicular point of ingress or egress~~ THE AMENITIES AREA and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
18. The developer shall provide traffic calming measures at all vehicular points of ingress/egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
19. The developer shall dedicate a minimum of 5 feet of right-of-way for a total 30-foot half-street right-of-way, and construct the west half of 36th Street, as approved by the Planning and Development Department.
20. ~~The developer shall complete the 50-45-foot radius cul-de-sac termination at 36th Street, as approved by the Planning and Development Department.~~
DEDICATE RIGHT-OF-WAY AND CONSTRUCT A CUL-DE-SAC AT THE NORTHERN TERMINATION OF 36TH STREET, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
21. Existing irrigation facilities along 36th Street are to be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
22. 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.
23. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the property.
24. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
25. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discover, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials

26. 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.
27. **A MINIMUM OF ONE DIRECT PEDESTRIAN ACCESSWAY TO ESTEBAN PARK SHALL BE PROVIDED ALONG THE NORTHWEST PERIMETER OF THE SITE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
28. **BUILDING ELEVATIONS SHALL BE PRESENTED FOR REVIEW AND COMMENT TO THE SOUTH MOUNTAIN VILLAGE PLANNING COMMITTEE PRIOR TO FINAL SITE PLAN APPROVAL.**
29. **THE PROPERTY OWNER SHALL INVESTIGATE USING COOL PAVEMENT OR OTHER ALTERNATIVE MATERIAL TO REDUCE SURFACE TEMPERATURES ON ALL INTERNAL PRIVATE STREETS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND THE STREET TRANSPORTATION DEPARTMENT.**

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.