



## Village Planning Committee Meeting Summary

### Z-17-26-1

<b>Date of VPC Meeting</b>	April 14, 2026
<b>Request From</b>	C-2
<b>Request To</b>	R1-6
<b>Proposal</b>	Single-family residential
<b>Location</b>	Approximately 1,300 feet south of the southeast corner of Black Canyon Highway and Jenny Lin Road
<b>VPC Recommendation</b>	Denial as filed, approved with an additional stipulation
<b>VPC Vote</b>	4-0

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

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

#### **Staff Presentation:**

**Adrian Zambrano**, staff, provided an overview of Rezoning Case No. Z-17-26-1, including the location of the request, surrounding land uses and zoning, and the General Plan Land Use Map designation. Mr. Zambrano summarized the proposal and displayed the site plan and elevations. Mr. Zambrano stated that as noted in the staff report, the proposal supports efforts from various plans, policies and initiatives. Mr. Zambrano stated that no community correspondence has been received for this case. Mr. Zambrano then shared the staff findings and stated that staff recommends approval, subject to stipulations. Mr. Zambrano shared the recommended stipulations and upcoming hearing schedule.

#### **Applicant Presentation:**

**Stephen Anderson**, with Gammage & Burnham, PLC, introduced himself and the development team. Mr. Anderson provided an overview of the site and surrounding context. Mr. Anderson displayed and discussed the proposed site plan. Mr. Anderson noted that the proposed density is within the density range for the existing General Plan Land Use Map designation. Mr. Anderson stated that the homes would be between three bedrooms with 1,400 square feet of livable area up to six bedrooms with 2,548 square feet of livable area. Mr. Anderson stated that the project is referred to as Hillcrest II and noted that Hillcrest I is directly south of the site. Mr. Anderson stated that the residents in Hillcrest I and Hillcrest II would all have access to the amenities for the

community, including the community swimming pool. Mr. Anderson stated that the existing C-2 zoning does not allow for single-family residential detached, so a downzone is required for the project. Mr. Anderson stated that R1-6 zoning would be the least intense zoning compared to the surrounding zoning that was approved in recent years. Mr. Anderson stated that they have gone through the process with the Deer Valley Unified School District (DVUSD), which includes entering into an agreement with them to make the financial commitment to support the school district. Mr. Anderson stated that the DVUSD board has already approved the agreement, noting that they are into the execution and recordation process, which will happen after the City Council acts on the rezoning case. Mr. Anderson stated that the traffic impact statement has been approved by the City. Mr. Anderson added that they have received approval from both the Arizona Department of Transportation (ADOT) as well as the Maricopa County Department of Transportation (MCDOT). Mr. Anderson summarized community outreach efforts, noting that no comments have been received. Mr. Anderson stated that there was one inquiry asking about the maximum number of units on the sign posting, noting that the proposed density is less than what the zoning would allow. Mr. Anderson stated that they are in agreement with all of the stipulations recommended by staff.

**Questions from Committee:**

**Vice Chair Scott Lawrence** asked if the street at the southern perimeter of the site would be open prior to Hillcrest II being built, noting that the Fire Department would need access. **Mr. Anderson** responded that Hillcrest I and Hillcrest II are all under the same HOA, noting that the streets are all connected. Mr. Anderson stated that the Hillcrest I plat is already dedicating the right-of-way for Hillcrest Way.

**Committee Member Eileen Baden** asked if Hillcrest I will be gated. **Heather Chadwick**, with Lennar, responded that it will not be gated. Committee Member Baden stated that Daisy Mountain is to the east and all the land to the east is State Trust Land. Committee Member Baden stated that members of the public can obtain a recreational permit to access the State Trust Land to the east. Committee Member Baden asked if Hillcrest Way provides public pedestrian access to the east or if it will be fenced.

**Mr. Anderson** responded that the walls within the subdivision would be yard fences. Mr. Anderson stated that there is no plan for a perimeter wall on the east side of the subdivision. Mr. Anderson stated that the roads do allow the potential for a future connection to the east, should the State Trust Land get developed. **Committee Member Baden** stated traffic would be a potential concern. Committee Member Baden stated that there was a requirement for the developer to the north to provide a sidewalk along Jenny Lin Road on the northern perimeter of their site to provide public access to Daisy Mountain. Committee Member Baden asked if a pedestrian or bicyclist would be able to access State Trust Land to the east at the end of Hillcrest Way.

**Ms. Chadwick** responded that they are currently proposing a dead-end with barricades for Hillcrest Way. Ms. Chadwick stated that pedestrian access to the east would not be prohibited. Ms. Chadwick added that there is an Arizona Public Service (APS) power line along the east perimeter of Hillcrest, on the State Trust Land side. **Committee Member Baden** stated that this public pedestrian access is important, noting that she

has seen members of the community walking around the area. Committee Member Baden asked if the homes will be for rent or for sale.

**Mr. Anderson** responded that the homes would be for sale, noting that the projected price point of the homes are high.

**Committee Member Will Holton** asked if the homes could be easily converted to a rental product. **Mr. Anderson** responded that they would not be. Mr. Anderson stated that someone could buy an individual home and lease it, but Lennar sells homes.

**Committee Member Ozzie Virgil** asked what the outcome of the traffic study was. Committee Member Virgil asked how the traffic would flow. Committee Member Virgil asked how many total dwelling units there are between Hillcrest I and Hillcrest II. Committee Member Virgil asked if the applicant has considered R1-8 zoning, noting that existing homes in the area in R1-6 subdivisions are small. **Mr. Anderson** responded that R1-6 zoning would be the least intense zoning district and the subdivision will have the largest lot sizes compared to the developments to the north and south. Mr. Anderson stated that they have not been asked to make specific improvements to the I-17 frontage road for Hillcrest II.

**Ms. Chadwick** stated that as part of the first phase of Hillcrest I, they will be improving the entire frontage road from Circle Mountain Road to Jenny Lin Road. Ms. Chadwick added that they will have to contribute to a traffic signal that is further south.

**Committee Member Baden** stated that there will be more traffic to the north as well. Committee Member Baden stated that if there is a lot of traffic going south on the frontage road, people will go north on the frontage road up to New River Road to go south on the I-17 freeway. Committee Member Baden expressed enthusiasm for the homes being for sale and for the community not being gated. Committee Member Baden stated that the Sun Corridor Trail is being planned from Nogales to Las Vegas and she was contacted by the director asking about this specific frontage road, noting that it will be an important connection to get the Sun Trail Corridor up north. Committee Member Baden stated that the multi-use trail is extremely important. Committee Member Baden added that the landscaping and the sidewalk will only add value and will make people want to live in the community. Committee Member Baden added that there is a trailhead to the north on Bureau of Land Management (BLM) land. Committee Member Baden stated that there are a lot of positives to the proposal.

**Committee Member Virgil** asked how many trips there would be from the development, noting that there would likely be traffic congestion to the south. Committee Member Virgil stated this is why he suggested R1-8, since it would permit less homes. **Mr. Anderson** responded that for this project, the trip generation is a total of 919 trips daily, with 60 trips at the a.m. peak, and 79 trips at the p.m. peak. Mr. Anderson stated that the a.m. peak is about one trip per minute and the p.m. peak is a little more than one trip per minute. Mr. Anderson stated that the frontage road would include three travel lanes with a turn lane at the intersection.

**Committee Member Baden** asked if MCDOT is requiring another lane. **Mr. Zambrano** responded that the ultimate buildout of the frontage road would include one southbound lane, a center turning lane, and two northbound lanes.

**Committee Member Holton** asked what the cost per square foot of the homes are. **Mr. Anderson** responded that it is on average \$439 per square foot. Committee Member Holton asked for clarification that the homes are approximately 1,400 square feet.

**Ms. Chadwick** responded that those are the smallest ones and they go up to 2,500 square feet with six bedrooms.

**Vice Chair Lawrence** asked if the homes will have view fencing on the east perimeter of the subdivision. **Mr. Anderson** responded that there are requirements for view fencing. Vice Chair Lawrence asked if all the rear yards of the lots adjacent to the east perimeter would have view fences.

**Mr. Zambrano** stated that view fencing adjacent to open space is a requirement in the Zoning Ordinance.

**Committee Member Baden** stated that the previous traffic study, which excluded the subject site since it was not a part of the development then, was 6,348 weekday daily trips. Committee Member Baden stated that there should have been more consideration given to the north.

**Vice Chair Lawrence** asked if the homes are spec homes. **Ms. Chadwick** responded that at Lennar, they are an all-inclusive builder, with specific spec levels and price ranges.

**Committee Member Baden** stated that the original design was a white, Mediterranean architectural style. Committee Member Baden asked if that same design is still planned for the development to the south. **Mr. Zambrano** responded that this design was changed with one of the Planning Hearing Officer (PHO) cases. Committee Member Baden asked if Lennar is building all of the development down to Circle Mountain Road.

**Ms. Chadwick** responded that they are not, noting that the development to the south is a townhome development that is being done by a different developer.

**Vice Chair Lawrence** added that the multi-family residential development to the north is being done by a different developer. Vice Chair Lawrence asked for clarification that Lennar will only be building the single-family homes. **Ms. Chadwick** responded affirmatively. Ms. Chadwick added that the original traffic study that was approved showed the site as commercial, which is now being downgraded, noting that the traffic impact is now significantly less.

**Committee Member Holton** asked when Hillcrest Way would be completed. **Ms. Chadwick** responded that Hillcrest II will likely catch up to the development of Hillcrest I, due to a regional water pressure issue that they have been trying to resolve. Ms.

Chadwick stated that there is a path forward, and both projects will likely be graded and completed all at the same time.

**Committee Member Baden** asked if the pipes have gone under the I-17 freeway yet. **Ms. Chadwick** responded that they have not yet. Committee Member Baden asked if Lennar is taking on most of the cost for these infrastructure improvements and will be reimbursed later on. Ms. Chadwick responded affirmatively. Committee Member Baden asked for clarification if the improvements along the I-17 frontage road would be done all at once. Ms. Chadwick responded affirmatively. Committee Member Baden asked if Lennar would be constructing the pathway along Jenny Lin Road. Ms. Chadwick responded that this would be constructed by the other developer to the north. Committee Member Baden asked if Lennar would be constructing the sidewalk along Circle Mountain Road. Ms. Chadwick responded that this would be constructed by the other developer to the south. Committee Member Baden asked if the stipulation for five home plans to include a front porch or courtyard is for five home plans out of all of the home options.

**Mr. Zambrano** responded affirmatively, noting that there are a total of six home options.

**Mr. Anderson** clarified that it is not just five homes that would have front porches or courtyards.

**Vice Chair Lawrence** asked if the City requires a mix of each plan. **Mr. Anderson** responded affirmatively.

**Committee Member Baden** stated that front porches and courtyards are a nice added value and will help create a great community.

**Public Comments:**

None.

**Applicant Response:**

None.

**MOTION – Z-17-26-1:**

**Committee Member Baden** made a motion to recommend approval of Z-17-26-1, per the staff recommendation. **Vice Chair Lawrence** seconded the motion.

**VOTE – Z-17-26-1:**

**2-2;** the motion to recommend approval of Z-17-26-1, per the staff recommendation failed with Committee Members Baden and Lawrence in favor and Committee Members Holton and Virgil opposed.

**Discussion:**

**Committee Member Holton** asked where the next road is to the north that goes across the freeway. **Vice Chair Lawrence** responded that it is New River Road.

**Committee Member Baden** stated that people will be going north. Committee Member Baden asked if there has been community outreach for the traffic signal to the south. **Mr. Zambrano** responded that the applicant is required to send notice letters to all property owners within 600 feet of the site and all registered neighborhood organizations within one mile of the site. Mr. Zambrano stated that if there is an HOA that is affected by the traffic signal that is within one mile of the site, then the HOA contact that the City has on file would have received a notice letter and then would have had to notify all the residents within their HOA.

**Committee Member Virgil** stated that he is currently opposed to the proposal. Committee Member Virgil expressed concerns with traffic. Committee Member Virgil expressed support for R1-8 zoning, noting that there is R1-6 zoning everywhere, and it has to be balanced out.

**Committee Member Holton** stated that the members of the public that showed up to previous hearings were very upset about the traffic.

**Vice Chair Lawrence** expressed concerns with R1-8 zoning, noting that if they made the lots wider to get to a lower density, the houses would be much more expensive and there would be fewer buyers.

**Committee Member Baden** asked if the staff report discussed affordable housing. **Mr. Zambrano** responded that the staff report references the Housing Phoenix Plan, which is a policy plan that was adopted by the City Council to promote building more housing in Phoenix to address the housing shortage problem.

**Vice Chair Lawrence** stated that there was significant opposition to the original proposal, rezoning case Z-8-22-1, due to traffic. Vice Chair Lawrence stated that the Committee has had presentations from MCDOT multiple times to talk about the frontage road.

**Committee Member Holton** expressed concerns with traffic congestion and emergency response times.

**Vice Chair Lawrence** stated that it will be good once the frontage road has a center lane that will allow for emergency access.

**Committee Member Baden** stated that the previous proposals included a stipulation for downward-facing lighting to protect dark skies. Committee Member Baden asked if this was included in the stipulations. **Mr. Zambrano** responded that staff did not recommend that stipulation for this project because it is repetitive of what is already required by the Phoenix City Code.

**Committee Member Holton** suggested that the community be inclusive for seniors.

**Vice Chair Lawrence** asked if Next Gen homes will be offered. **Ms. Chadwick** responded affirmatively, noting that Lennar tries to get at least one Next Gen home plan

in every community. Ms. Chadwick stated that a Next Gen home is an on-suite that is connected underneath the same roof structure that has its own access point from the outside and inside and can be locked from both sides. Ms. Chadwick stated that they were developed in 2014 and they were mainly for the older generation that wanted help but also wanted independence. Ms. Chadwick stated that it has now also morphed into people buying a Next Gen home for their children that cannot afford a home.

**Committee Member Baden** stated that she would be supportive of Next Gen homes. Committee Member Baden added that it gives the individuals more independence to have a separate entry into the unit. Committee Member Baden asked approximately how much more Next Gen homes cost. **Ms. Chadwick** responded that it depends on the square footage and how many bedrooms are in the main home. Ms. Chadwick stated that they are typically about \$40,000 more due to the added cost of an additional full kitchen and laundry.

**Committee Member Virgil** stated that he wants to try to get more families in the area. Committee Member Virgil stated that there is R1-6 zoning to the west, across the freeway, and the zoning should be balanced out.

**Mr. Zambrano** stated that the applicant could still achieve what they want with R1-8 zoning, noting that the proposed density is 3.6 dwelling units per acre and the maximum density allowed in the R1-8 zoning district is 5.5 dwelling units per acre.

**MOTION – Z-17-26-1:**

**Committee Member Virgil** made a motion to recommend denial as filed of Z-17-26-1 and approval of R1-8 zoning, with an additional stipulation for all lighting to be dark sky compliant. **Committee Member Baden** seconded the motion.

**VOTE – Z-17-26-1:**

**4-0;** the motion to recommend denial as filed of Z-17-26-1 and approval with an additional stipulation passed with Committee Members Baden, Holton, Virgil and Lawrence in favor.

**VPC RECOMMENDED STIPULATIONS:**

1. A minimum of 20% of the gross area shall be retained as open space, including washes and natural open space areas, as approved by the Planning and Development Department.
2. A minimum of five home plans provided for the subdivision shall provide minimum 50-square-foot covered front porches on the front elevations, or a fenced front courtyard in the front yards, for active space in the front of each home, as approved by the Planning and Development Department.
3. Enhanced building materials and four-sided architecture shall be provided on the building elevations, as approved by the Planning and Development Department.

4. The colors and materials of buildings and walls shall blend with the natural desert environment, as approved by the Planning and Development Department.
5. A minimum building setback of 58 feet shall be provided along the west property line adjacent to the I-17 frontage road, inclusive of the required landscape setback, as approved by the Planning and Development Department.
6. A minimum landscaped setback of 30 feet shall be provided along the west property line adjacent to the I-17 frontage road, as approved by the Planning and Development Department.
7. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 50% 2-inch caliper and 50% 3-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, with a staggered row of trees.
  - b. A minimum of five, 5-gallon shrubs per tree, and a mixture of shrubs, accents, and vegetative groundcovers, evenly distributed throughout the landscape areas to achieve a minimum of 50% live coverage.
8. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the property adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
9. A publicly accessible north-south pedestrian connection (paseo) shall be provided to connect to the paseo to the north and to the south of the development and shall comply with Section 1304.H of the Phoenix Zoning Ordinance, using the shortest and most direct route for pedestrians, as approved by the Planning and Development Department.
10. Prior to preliminary site plan approval, a Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development on the east side of the I-17 between Circle Mountain Road to Jenny Lin Road, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be submitted for review and approval, shall be updated as necessary with each phase of development, and shall include the following elements, as approved by the Planning and Development Department.
  - a. The multi-use trail (MUT) along the I-17 frontage road.

- b. The publicly accessible north-south pedestrian connection (paseo) to connect all phases together to provide an ultimate connection from Circle Mountain Road to Jenny Lin Road.
11. A minimum of one, minimum 5-foot-wide east-west pedestrian pathway shall be provided near the midpoint in between lots, from lots 61 to 81 as depicted on the site plan date stamped February 9, 2026, to connect the north-south paseo to the internal sidewalk, as approved by the Planning and Development Department.
12. Direct pedestrian pathways shall be provided to connect the internal sidewalk to the front entries of homes, as approved by the Planning and Development Department.
13. Prior to final site plan approval, the developer shall include with the building plans submitted for Phoenix Building Construction Code compliance review certification by an Acoustical Consultant demonstrating the average indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.
14. Noise mitigation walls shall be provided adjacent to the western perimeter of the site, adjacent to the I-17 frontage road. The wall height shall be a minimum of 8 feet tall, or as determined through a noise analysis prepared by an Acoustical Consultant. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation, for drainage, or for pedestrian connections to the multi-use trail, as approved by the Planning and Development Department.
15. The property owner shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.
16. Perimeter walls, noise walls, and other walls adjacent to perimeter streets shall vary by a minimum of four feet for every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.
17. Where perimeter walls are provided, including the noise wall, they shall incorporate stone veneer, stonework, integral color CMU block, or a similar material, as approved by the Planning and Development Department.
18. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.

19. Bicycle parking spaces shall be provided at a minimum rate of 0.05 spaces per lot. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near open space areas 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 of the Comprehensive Bicycle Master Plan.
20. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.
21. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
22. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.
23. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
24. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized throughout the subdivision including the front, side, and rear yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
25. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
26. A leak detection device shall be installed for the irrigation system of landscape areas larger than 10,000 square feet.
27. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

28. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
29. All bicycle parking, trails, and pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
30. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed along both sides of all streets within the development, planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, planted on both sides of the sidewalk to achieve a minimum of 75% shade.
  - b. A minimum of five, 5-gallon shrubs per tree, and a mixture of shrubs, accents, and vegetative groundcovers, maintained to a maximum height of three feet (excluding accents), evenly distributed throughout the landscape areas to achieve a minimum of 50% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

31. A minimum of 30 feet of right-of-way shall be dedicated adjacent to the southern boundary of the subject site.
32. A minimum of 65 feet of right-of-way shall be dedicated for the east half of the I-17 frontage road and shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.
33. A minimum 6-foot-wide detached sidewalk, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, separated by a minimum 6-foot-wide landscape strip located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards, shall be constructed along the east side of the I-17 frontage road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management company/homeowners' association to maintain the installed landscaping within MCDOT right-of-way, as approved by MCDOT and the Planning and Development Department.

- a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, planted on both sides of the sidewalk to achieve a minimum of 75% shade.
- b. A mixture of shrubs, accents, and vegetative groundcovers, maintained to a maximum height of three feet (excluding accents), evenly distributed throughout the landscape areas to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

34. Where pedestrian walkways and trails cross a street, the walkway shall be constructed of an alternative material that visually contrasts the street surface, as approved by the Street Transportation Department and the Planning and Development Department.
35. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated December 16, 2025.
36. Unused driveways shall be replaced with sidewalk, curb, and gutter. Also, any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets shall be replaced and all off-site improvements shall be upgraded to be in compliance with current ADA guidelines.
37. All streets within and adjacent to the development shall be constructed 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.
38. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
39. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
40. 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 discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

41. Prior to final 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.
42. The developer shall notify the following individuals/groups by mail a minimum of 15 calendar days prior to any preliminary site plan review meetings. The notice shall include the date, time, and location of the meeting.
  - a. Friends of Daisy Mountain Trails, 39506 N. Daisy Mountain Drive #122-505, Anthem, AZ 85086.
  - b. Dave Wilson, Daisy Mountain Fire and Medical Department, 41018 Daisy Mountain Drive, Anthem, AZ 85086.
43. **ALL STREET, SITE, AND BUILDING LIGHTING SHALL BE DARK SKY COMPLIANT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND THE STREET TRANSPORTATION DEPARTMENT.**

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.