



Village Planning Committee Meeting Summary

PHO-3-25--Z-8-22-1

Date of VPC Meeting	April 8, 2025
Date of Planning Hearing Officer Hearing	April 16, 2025
Request	1) Modification of Stipulation Nos. 1, 6, 11, 12.c, 13, 14, 15, 16, 19, 23, 24, 25, 48, and 49 2) Deletion of Stipulation Nos. 27, 28, 38, 42, 43, 44, 45, 46, and 47
Location	Southeast corner of the I-17 Freeway and Jenny Lin Road
VPC Recommendation	Approval, with modifications and additional stipulations
VPC Vote	3-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Four members of the public registered to speak on this item, with concerns.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of Planning Hearing Officer Case No. PHO-3-25--Z-8-22-1, including the location, acreage, zoning, and a summary of the request. Mr. Zambrano provided background on Rezoning Case No. Z-8-22-1, including the boundary, acreage, entitled zoning, number of stipulations, and the original phasing plan. Mr. Zambrano provided history and background of the other two phases to the south, including the modified phase boundaries for Phase 1 and Phase 2 according to the boundaries of PHO-1-23--Z-8-22-1 and PHO-2-24--Z-8-22-1, the site plan and elevations for each phase, and the approved modified stipulations for each case. Mr. Zambrano displayed the site plan, elevations, and approved modified stipulations for Rezoning Case No. Z-124-23-1 for Phase 2 North. Mr. Zambrano then provided an overview of the proposal for Phase 3, including the site plan, elevations, and the requested stipulation modifications. Mr. Zambrano noted that the request is consistent with the language that was approved for the other cases, except Stipulation No. 6 for pedestrian pathway and trail shading, Stipulation No. 23 regarding detached sidewalks within the development, Stipulation No. 24 regarding a sidewalk along Jenny Lin Road, and Stipulation No. 27 regarding a minor collector street along the southern boundary of Phase 3. Mr. Zambrano noted that the Street Transportation Department indicated that Stipulation No. 27 was a mistake and should be deleted. Mr. Zambrano concluded that

a portion of the request was for review and approval of the site plan and elevations as required by Stipulation No. 48.

Applicant Presentation:

Adam Baugh, representative with Withey Morris Baugh, PLC, introduced himself and provided an overview of the request. Mr. Baugh noted that the original proposal was for up to 588 dwelling units for a multifamily residential development, but there was no developer for Phase 3 at the time of the original rezoning case. Mr. Baugh stated that each phase has decreased density. Mr. Baugh displayed the slope exhibit, noting that topography was a challenge of the site. Mr. Baugh displayed the amenities and renderings depicting the topography. Mr. Baugh stated that the proposal was consistent with the Rio Vista Village Design Guidelines, including desert-toned colors and preservation of the wash along the southern boundary of the site. Mr. Baugh concluded with a summary of the requested stipulation modifications.

Questions from the Committee:

Committee Member Will Holton asked if the site is on a level grade. **Mr. Baugh** responded that it was not, noting that the elevation was higher on the northeast side of the site and was lower on the southwest corner of the site. **Committee Member Holton** asked if there would be excavation into the hillside area where there is a higher slope.

Joe Cable, representative with Bowman Consulting Group, responded that there would be some excavation and fill, in order for the buildings to be at the same height east to west and to have flat surfaces in some areas, but generally the development and roadways will follow the existing grade.

Mr. Baugh stated that the elevation will still be higher on the east side than on the west side of the site.

Committee Member Holton expressed concerns with shade for the north-south pedestrian connection provided along the east perimeter of the site, since it would be at a higher elevation and more exposed to the sun. **Mr. Baugh** responded that the internal walkways within the development that are between buildings would likely be shaded well from the buildings since they are up to four stories tall. **Committee Member Holton** asked if any of the units would be underground. **Mr. Baugh** responded that they would not be and clarified that buildings along the west side of the site would be at a lower grade level than on the east side. **Committee Member Holton** asked where water retention would be located. **Mr. Baugh** responded that it would be located in a variety of locations across the site, noting that the historical flows of the property must be generally followed.

Mr. Cable stated that some water retention would be underground, some along the roadways, and the wash would maintain historical flow.

Mr. Baugh stated that the development has not yet gone through the grading and drainage plan review with the City, but the slope exhibit displayed the conceptual layout of drainage.

Committee Member Holton asked what a typical traffic calming measure was. **Mr. Baugh** responded that it could include speed bumps, speed tables, or chicanes. Mr. Baugh stated that the traffic calming measure would be determined during the site plan review process. **Committee Member Holton** asked what enhanced pedestrian connections were. **Mr. Baugh** responded that when pedestrian walkways cross a street, it would require a different material or pavement treatment, such as striping, that differentiates the walkway from the street. **Committee Member Holton** asked if the pedestrian crossings would be handicap accessible. **Mr. Baugh** responded affirmatively, noting that it was a requirement. Mr. Baugh stated that he could share what was elected for the traffic calming measures and enhanced pedestrian connections for this phase after preliminary site plan approval.

Committee Member Ozzie Virgil stated that he liked the development much better than before.

Committee Member Eileen Baden stated that the pedestrian alignment along Jenny Lin Road was shown on the 2004 Maricopa County Trail Master Plan as a future connection. Committee Member Baden stated that the area to the east was owned by the Arizona State Land Department (ASLD) and could potentially develop in the future. Committee Member Baden stated that recreational public pedestrian access should be maintained to Daisy Mountain and if not provided on Jenny Lin Road, then pedestrians would be forced to go a mile south to cross over east to safely get to Daisy Mountain. Committee Member Baden stated that even though the Maricopa County Department of Transportation (MCDOT) was not requiring a sidewalk along Jenny Lin Road, public pedestrian access should still be provided along the northern portion of the site.

Chair Dino Cotton asked if Committee Member Baden was asking for a sidewalk rather than a natural pathway, noting that residents of the community had voiced concerns with not wanting a sidewalk and wanting a natural pathway. **Committee Member Baden** responded affirmatively, noting that Jenny Lin Road would be a roadway where vehicles will be driven, which is not safe for pedestrians. Committee Member Baden stated that the multi-use trail planned along the west side of the site could connect over to the east along the north side of the site.

Mr. Baugh responded that there were agreements made with the neighbors during the original rezoning case which were added as stipulations. Mr. Baugh clarified that the vehicular access to the development along Jenny Lin Road was for emergency access only. Mr. Baugh added that MCDOT does not want a sidewalk in accordance with their cross section for Jenny Lin Road. Mr. Baugh stated that there were power lines along Jenny Lin Road that may need to be relocated, which may shift the roadway for Jenny Lin Road more onto the property in order to accommodate those relocated power lines.

Committee Member Baden stated that MCDOT indicated that they were okay with a path or sidewalk being provided as long as it was not located within MCDOT right-of-way, since it does not meet their rural residential cross section. Committee Member Baden added that the pedestrian connection to the east would serve the broader community. **Mr. Baugh** responded that the north-south pedestrian connection between

phases would connect to the east from the southern phases. Mr. Baugh stated that a commitment for a pedestrian connection along Jenny Lin Road cannot be made until they know how MCDOT wants Jenny Lin Road adjusted. **Committee Member Baden** stated that the community of New River was to the north and the pedestrian connection would be a regional connection between New River and Anthem, noting that this was the reason that the Maricopa County Parks and Recreational Department originally requested a perimeter path around the overall development. Committee Member Baden expressed concerns with pedestrian safety, citing an incident that occurred along New River Road.

Chair Cotton asked for clarification if any members of the local community have expressed that they do not want a sidewalk. **Mr. Baugh** responded that he had not heard anyone indicate that they want one. **Chair Cotton** asked if there could be a compromise for a pedestrian connection that could not be a sidewalk. **Mr. Baugh** responded that there may be some space for it depending on what MCDOT determines for Jenny Lin Road.

Committee Member Baden stated that the perimeter path originally requested by Maricopa County Parks and Recreation Department was only provided along the west perimeter since there was supposed to be a sidewalk along Jenny Lin Road and Circle Mountain Road. Committee Member Baden reiterated that MCDOT does not care if a sidewalk is provided as long as it is not within their right-of-way. Committee Member Baden asked why MCDOT chose two northbound lanes for the expansion of the I-17 frontage road. **Mr. Baugh** responded that he was not sure and noted that improvements are determined by the approved traffic study.

Committee Member Baden expressed concerns with wildfires, noting that two southbound lanes may be more effective.

Mr. Cable stated that it was a balance between the I-17 freeway and the frontage roads on each side, noting that it was not up to the applicant to determine that, and it was based on the traffic study.

Committee Member Baden stated that the area is pretty green, including saguaros, ocotillos, and other plants, noting that the color palette could include more green accents. Committee Member Baden asked where the bicycle repair station would be located.

Matthew Klein, representative with Lincoln Avenue Communities, responded that it was not shown on the conceptual site plan, but would be provided along the multi-use trail along the west side of the site.

Committee Member Baden asked if the master plans have been completed yet. **Mr. Baugh** responded that they were likely completed by the phases to the south, and they will be amended by this phase. **Committee Member Baden** asked what color the noise wall would be. **Mr. Baugh** responded that it would match the color of the noise wall on the other side of the freeway. **Committee Member Baden** stated that the noise wall

was very dark and recommended the color be lighter or include art, which is encouraged in the Rio Vista Village Character Plan. Committee Member Baden stated that the I-17 is a scenic corridor in this area. **Mr. Baugh** responded that they would likely want the noise wall to be consistent with the existing noise walls along the corridor. Mr. Baugh stated that they could take a look at some other color options the Committee recommends. **Committee Member Baden** recommended that language be added to clarify that the north-south pedestrian connection between phases be publicly accessible. **Mr. Baugh** responded that they would be agreeable to that as a matter of consistency between phases. **Committee Member Baden** recommended discussing the potential for the multi-use trail to act as a fire break and firetruck pathway in the event of an emergency with Daisy Mountain Fire & Medical. **Mr. Baugh** responded that it may be a challenge for firetrucks to use the multi-use trail as an emergency pathway due to the 75 percent shade requirement for the multi-use trail and tree canopies that may be in the way. Mr. Baugh added that firetrucks would likely sink within the multi-use trail in a storm event. **Committee Member Baden** stated that it could just be a conversation with Daisy Mountain Fire & Medical that if they use the multi-use trail in the event of an emergency and disturb the area around it, they would need to restore it to how it was before. Committee Member Baden asked if the multi-use trail along the I-17 frontage road would be constructed from Jenny Lin Road to Circle Mountain Road as part of the first phase of development or if it would be segmented.

Mr. Klein responded that if the development was phased, it would be phased from either east to west or west to east, noting that the full frontage of the western side would be completed.

Committee Member Baden asked if there was more information about the development being affordable housing, noting that the letter from Bowman Consulting Group in the submittal materials noted that the project was affordable. **Mr. Baugh** responded that there was not. **Committee Member Baden** asked for an approximation of the number of people that would be living within the development.

Mr. Klein responded that there would be two-bedroom, three-bedroom, and four-bedroom units, noting that the development was largely catered towards families. Mr. Klein stated that an average of three people within each unit would be around 1,200 people living within the development.

Committee Member Baden expressed support for good pathways and opportunities for children and non-drivers to be able to utilize the site, citing sections of the General Plan.

Mr. Klein responded that the entire site will be ADA accessible, noting that the amenities within the development would be accessible from every ADA unit on the site.

Committee Member Baden stated that the elevations do not seem to be compatible with the architectural theme of the phases to the south, as required by Stipulation No. 48.c.

Lori Knudson, representative with Kaas Wilson Architects, responded that they were working with the Rio Vista Village Design Guidelines, including the desert-tone color palette.

Chair Cotton asked for clarification if the site plan and elevations are to be reviewed by the Committee. **Mr. Zambrano** responded affirmatively, noting that Stipulation No. 48 required review and approval of the site plan and elevations for Phase 3 through the Planning Hearing Officer public hearing process prior to preliminary site plan approval.

Mr. Baugh stated that the phases to the south included a variety of architectural styles.

Committee Member Holton recommended a more indigenous architectural style.

Committee Member Baden asked if notification letters for this request were sent to members of the public that submitted opposition or spoke in opposition or with concerns at prior rezoning and PHO hearings. **Mr. Baugh** responded that letters were sent to individuals that filled out their address on the meeting sign-in sheets or speaker cards. **Committee Member Baden** stated that she spoke at previous meetings and did add her address on the speaker card. **Mr. Baugh** responded that Committee Member Baden only provided her email address. **Committee Member Baden** stated that the notification requirements should include email. Committee Member Baden asked if the other individuals that spoke at prior hearings were sent letters. **Mr. Baugh** responded that two individuals are in attendance. **Committee Member Baden** responded that the two individuals in attendance live within a certain radius from the site and expressed concerns with the notification requirements not being met. Committee Member Baden stated that the sign-in sheets and speaker cards should indicate that the contact information provided will be used for notification of future changes to the project.

Chair Cotton concurred and added that there could be an option to select to only be notified by email if the individual does not want a mailed letter. Chair Cotton stated that he does not agree that apartments should be located in this area but understood that it was what the approved zoning allows. Chair Cotton expressed concerns with the urban heat island effect and stated that he was not in favor of the proposed modification to Stipulation No. 6. Chair Cotton stated that the shading requirement should be kept at 75 percent.

Public Comments:

Ed Taylor, representative with Friends of Daisy Mountain Trails, introduced himself as a nearby neighbor that has lived in the area for 25 years, with concerns. Mr. Taylor expressed concerns with natural desert preservation, referencing the Daisy Mountain/New River Area Plan. Mr. Taylor stated that residents move to this area for open spaces, mountain views, and the desert environment, which is the community identity. Mr. Taylor expressed concerns with preserving the rural lifestyle of the area. Mr. Taylor stated that they were not opposed to the proposed development, but expect it to enhance, rather than diminish, these values. Mr. Taylor stated that communities should be connected, not isolated, and expressed support for trail connectivity, wildlife corridors, and open spaces that connect neighborhoods, for a stronger sense of community. Mr. Taylor stated that regional trail access is an essential amenity and should not be an optional feature. Mr. Taylor discussed how respecting these values would reduce costs and increase value to the project. Mr. Taylor expressed concerns with emergency response times, noting that the nearest fire station was over 10 minutes

away from the community. Mr. Taylor stated that existing traffic congestion along the frontage road would worsen with increased density and would further delay emergency response times and exacerbate traffic congestion in emergency evacuations, noting that it was critical for the development to include proper pedestrian and bicycle infrastructure for safe alternative transportation. Mr. Taylor recommended a decision on this request be delayed until these concerns have been addressed and recommended a comprehensive traffic and emergency services impact study be completed and reviewed by Daisy Mountain Fire & Medical before proceeding.

John Dixon introduced himself as a nearby neighbor for 25 years in New River by the surface mine along the frontage road, with concerns. Mr. Dixon expressed concerns with safety and traffic congestion of the frontage road. Mr. Dixon stated that the frontage road serves as the main arterial road connecting residents of New River to Anthem for shopping and services. Mr. Dixon stated that the traffic along the frontage road was not monitored by the County, the City, or the Arizona Department of Transportation (ADOT). Mr. Dixon expressed concerns with the trail along the east perimeter of the site being torn up when power lines need to be moved, noting that there was a power line road adjacent to it. Mr. Dixon asked what plans the City of Phoenix has for the frontage road, noting that the frontage road was only maintained up to a certain point.

Chris Willis stated that her concerns had been addressed by previous speakers.

Harmony Brown introduced herself as a nearby neighbor, with concerns. Ms. Brown expressed concerns with traffic. Ms. Brown stated that MCDOT, ADOT, and the City of Phoenix need to work together to come up with a solution for the traffic congestion along the frontage road. Ms. Brown stated that there was no room to expand the frontage road. Ms. Brown expressed concerns with the frontage road only being widened for one segment, adjacent to the development, but not being widened south of the development. Ms. Brown requested the number of occupants and the traffic count numbers. Ms. Brown asked if the vehicular access along Circle Mountain Road for Phase 1 would be for emergency access only.

Chair Cotton read an email sent from Ken Vonderscher, a resident opposed to the request to remove the stipulation for a sidewalk on Jenny Lin Road.

Applicant Response:

Mr. Baugh stated that the City was requiring the development to upgrade booster stations and water lines for the capacity to serve fire. Mr. Baugh stated that this capacity did not currently exist in the roadway. Mr. Baugh added that pressure zones would be improved along the frontage of the development, so the ability to fight fires around the development and to the north would increase with the improved infrastructure. Mr. Baugh stated that the trail along the east perimeter of the site would be located on their private property. Mr. Baugh stated that the frontage road would be improved to include two northbound lanes, one southbound lane, and a center lane. Mr. Baugh stated that the frontage road is solely within MCDOT jurisdiction, not the City of Phoenix. Mr. Baugh stated that the frontage road is within the City of Phoenix jurisdiction further south. Mr. Baugh stated that an overpass was the solution for traffic congestion along

the frontage road and noted that this may be the reason why the frontage road was planned to be widened the way it was. Mr. Baugh stated that the development will be required to dedicate land as public right-of-way in order to widen the frontage road.

Mr. Klein stated that the development would be parked at a ratio of 1.5 parking spaces per dwelling unit, which would be a maximum capacity of 582 vehicles parked on the site with 388 units.

Mr. Baugh clarified that this does not mean that there would be 582 vehicles on the road at the same time.

Dawn Fortuna, representative with Bowman Consulting Group, stated that there was a master traffic impact study which used models for a 24-hour count to determine the number of vehicles being driven on the road at peak hours.

Mr. Baugh added that the master traffic impact study was updated last year. Mr. Baugh stated that Phase 1 would have vehicular access along Circle Mountain Road but clarified that it would be a townhome product rather than an apartment product, which would be lower in density.

Tim Johnson, representative with Bowman Consulting Group, stated that there were challenges with achieving 75 percent shade for walkways internally due to required height clearances of the canopies and the topography of the site. Mr. Johnson clarified that there would be sufficient room to achieve 75 percent shade along the perimeter of the site and adjacent to the amenities.

Discussion:

Chair Cotton stated that the higher-density design of the development limits landscape areas, which was the design that was chosen. Chair Cotton reiterated concerns with the urban heat island effect and noted the importance of open space and shade.

Committee Member Baden stated that if the pathway were provided along the north side of the site, overall shade coverage may be able to be increased.

Mr. Klein stated that there would be a lot of open space and natural landscape with the preservation of the wash along the south side of the site. Mr. Klein added that there would be natural landscaping provided along the walkways.

Chair Cotton stated that if walkways are shaded more, there would be less direct sunlight to hard surfaces; thus, reducing the urban heat island effect and keeping temperatures cooler.

Committee Member Baden expressed concerns with this higher-density development having less shade when the other phases to the south did not modify the shade requirement.

Committee Member Virgil stated that he has seen wildfires in Anthem in the past when it used to be desert. Committee Member Virgil expressed concerns with traffic congestion in the event of an emergency evacuation. Committee Member Virgil suggested ADOT add a lane within their freeway right-of-way for emergency use only.

Committee Member Holton expressed concerns with the density of the development, noting that the community values more open space. Committee Member Holton asked who the anticipated tenants of the development would be. **Mr. Baugh** responded that the property was originally zoned commercial, which allows multifamily residential. Mr. Baugh stated that the Taiwan Semiconductor Manufacturing Company (TSMC) facility had spurred development in the surrounding area to provide housing for the workforce of TSMC. Mr. Baugh added that as housing continues to be built in the area, it would eventually warrant the need for an on-ramp and off-ramp that ADOT would need to build. **Committee Member Holton** suggested the development be for seniors in order to reduce traffic concerns.

Committee Member Baden provided copies of proposed modifications and additional stipulations.

Mr. Zambrano displayed the stipulations for the Committee and the applicant to discuss.

Chair Cotton read the modifications and additional stipulations.

Mr. Baugh and the development team clarified the modifications and additional stipulations they could agree to and those they could not.

Modifications and additional stipulations listed for clarity:

6. *The multi-use trail, north-south pedestrian connection, and public sidewalks shall be shaded a minimum of 75%, and all other pedestrian walkways within the development shall be shaded a minimum of 53%, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, or a combination thereof.*
12. *A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.*
 - a. *A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site 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.*
 - b. *A publicly accessible north-south pedestrian connection shall be provided to connect all phases of the development to provide an ultimate*

connection from Circle Mountain Road to Jenny Lin Road and shall comply with Section 1304.H of the Phoenix Zoning Ordinance.

- 40. The development shall be in general conformance with the site plan date stamped February 27, 2025, with specific regard to the inclusion of the below elements, as modified by these stipulations and as approved by the Planning and Development Department.*
- a. A minimum of one public pedestrian connection shall be provided from the site leading to the adjacent trails east or west of the site.*
 - b. Public pedestrian access shall be provided for future development to the east.*
 - c. A minimum of one pedestrian connection shall be provided from the development to the north-south pedestrian connection.*
 - d. The wash along the south perimeter of the development shall remain undisturbed.*
- 41. The development shall be in general conformance with the elevations date stamped February 27, 2025, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.*
- a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.*
 - b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.*
 - c. An architectural theme shall convey a sense of continuity through all phases.*
- 42. A minimum of 10% of surface parking areas, exclusive of perimeter landscape setbacks, shall be landscaped.*
- 43. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, or a combination thereof.*
- 44. The developer shall notify the following individuals/groups by mail a minimum of 15 calendar days prior to any preliminary site plan review meeting/s. The notice shall include the date, time, and location of the meeting.*
- a. Friends of Daisy Mountain Trails, 39506 N. Daisy Mountain Dr. #122-505, Anthem, AZ 85086*
 - b. Dave Wilson, Daisy Mountain Fire and Medical Department, 41018 Daisy Mountain Drive, Anthem, AZ 85086*

MOTION – PHO-3-25--Z-8-22-1:

Committee Member Virgil motioned to recommend approval of PHO-3-25--Z-8-22-1, with modifications and additional stipulations. **Chair Cotton** seconded the motion.

VOTE – PHO-3-25--Z-8-22-1:

2-2; motion to recommend approval of PHO-3-25--Z-8-22-1 with modifications and additional stipulations failed with Committee members Virgil and Cotton in favor and Committee members Baden and Holton opposed.

Discussion:

Committee Member Baden expressed concerns with there being no public pedestrian access to Daisy Mountain to the east along Jenny Lin Road, as shown on the 2004 Maricopa County Trail Master Plan. Committee Member Baden stated that the width of the easement could be reduced if that was the concern. **Mr. Baugh** responded that there could probably be a way to figure out how to fit a five-foot-wide pedestrian pathway along the north side of the property. **Committee Member Baden** agreed.

Committee Member Holton stated that the traffic issue should be solved before approving this development. **Mr. Baugh** responded that the traffic study was reviewed and commented on by the City of Phoenix and approved by MCDOT. **Committee Member Holton** asked what improvements the traffic study shows. **Mr. Baugh** responded that it showed two northbound lanes, one southbound lane, and a center lane.

Chair Cotton clarified that a stipulation for a five-foot-wide pedestrian connection along Jenny Lin Road would be added. **Mr. Baugh** agreed.

Committee Member Baden added that the pedestrian connection should be publicly accessible.

MOTION – PHO-3-25--Z-8-22-1:

Committee Member Baden motioned to recommend approval of PHO-3-25--Z-8-22-1, with modifications and additional stipulations. **Committee Member Virgil** seconded the motion.

VOTE – PHO-3-25--Z-8-22-1:

3-1; motion to recommend approval of PHO-3-25--Z-8-22-1 with modifications and additional stipulations passed with Committee members Baden, Virgil and Cotton in favor and Committee member Holton opposed.

Modifications and additional stipulations listed for clarity:

6. *The multi-use trail, north-south pedestrian connection, and public sidewalks shall be shaded a minimum of 75%, and all other pedestrian walkways within the development shall be shaded a minimum of 53%, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, or a combination thereof.*
12. *A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to*

include the following elements, as approved by the Planning and Development Department.

- a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site 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.*
- b. A publicly accessible north-south pedestrian connection shall be provided to connect all phases of the development to provide an ultimate connection from Circle Mountain Road to Jenny Lin Road and shall comply with Section 1304.H of the Phoenix Zoning Ordinance.*
- 40. The development shall be in general conformance with the site plan date stamped February 27, 2025, with specific regard to the inclusion of the below elements, as modified by these stipulations and as approved by the Planning and Development Department.*
 - a. A minimum of one public pedestrian connection shall be provided from the site leading to the adjacent trails east or west of the site.*
 - b. Public pedestrian access shall be provided for future development to the east.*
 - c. A minimum of one pedestrian connection shall be provided from the development to the north-south pedestrian connection.*
 - d. The wash along the south perimeter of the development shall remain undisturbed.*
 - e. A minimum 5-foot-wide public pedestrian connection shall be provided along the north property line within the landscape setback area, as approved by the Planning and Development Department.*
- 41. The development shall be in general conformance with the elevations date stamped February 27, 2025, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.*
 - a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.*
 - b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.*
 - c. An architectural theme shall convey a sense of continuity through all phases.*
- 42. A minimum of 10% of surface parking areas, exclusive of perimeter landscape setbacks, shall be landscaped.*
- 43. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, or a combination thereof.*
- 44. The developer shall notify the following individuals/groups by mail a minimum of 15 calendar days prior to any preliminary site plan review meeting/s. The notice shall include the date, time, and location of the meeting.*

- a. *Friends of Daisy Mountain Trails, 39506 N. Daisy Mountain Dr. #122-505, Anthem, AZ 85086*
- b. *Dave Wilson, Daisy Mountain Fire and Medical Department, 41018 Daisy Mountain Drive, Anthem, AZ 85086*

VPC APPROVED STIPULATIONS:

~~Overall Site~~

1. ~~Each phase of the~~ The development shall utilize the Planned Residential Development (PRD) option.
2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet, as approved by the Planning and Development Department.
3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.
4. 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 drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.
 - b. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.
5. 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.
6. ~~All pedestrian pathways and~~ **THE MULTI-USE trails, NORTH-SOUTH PEDESTRIAN CONNECTION, including AND PUBLIC sidewalks,** shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide ~~A minimum~~ **OF 75%, AND ALL OTHER PEDESTRIAN WALKWAYS WITHIN THE DEVELOPMENT SHALL BE SHADED A MINIMUM OF 53%** shade, ~~calculated at summer solstice at noon as shown on a shading study,~~ as approved by the Planning and Development Department. **SHADE MAY BE ACHIEVED BY STRUCTURES OR BY MINIMUM 2-INCH CALIPER, SINGLE-TRUNK, LARGE CANOPY, DROUGHT-TOLERANT, SHADE TREES, OR A COMBINATION THEREOF.**
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement

treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.
10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.
11. ~~Each phase of the~~ The development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.
 - a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.
 - b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to 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.
12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance,

shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.

- a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site 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.
 - b. **A PUBLICLY ACCESSIBLE** north-south pedestrian connection shall be provided to connect all phases of the development, ~~including the area between Project II and Project III.~~ **TO PROVIDE AN ULTIMATE CONNECTION FROM CIRCLE MOUNTAIN ROAD TO JENNY LIN ROAD AND SHALL COMPLY WITH SECTION 1304.H OF THE PHOENIX ZONING ORDINANCE.**
 - c. ~~Four ONE pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.~~
 - d. ~~Pedestrian access shall be provided to future development to the east for each phase of development.~~
13. ~~The~~ **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. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.**
14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be A MINIMUM OF 8 FEET OR AS determined through a noise analysis prepared by ~~a registered professional engineer~~ **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 or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot widths), as approved by the Planning and Development Department.

15. Perimeter walls, noise walls, and other walls ADJACENT TO PERIMETER STREETS shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.
16. Perimeter walls, including the noise wall, ALONG THE WEST AND NORTH PERIMETER, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.
17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.
18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.
19. ~~Each phase of the~~ The development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.
20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.
21. 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.
22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.
23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk ALONG PUBLIC STREETS within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along ~~the south side of Jenny Lin Road,~~ the east side of the I-17 frontage road, and the north side of Circle Mountain 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 to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.
- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

25. All right-of-way dedications and street improvements for ~~Circle Mountain Road,~~ the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT. Where possible the County Rural Residential Cross Section shall be utilized for Jenny Lin Road.
26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.
27. ~~A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, planted to the following standards, as approved by the Planning and Development Department.~~
- ~~a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.~~

- ~~b.~~ Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

- ~~28.~~ A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, planted to the following standards, as approved by the Planning and Development Department.

- ~~a.~~ Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on-center or in equivalent groupings.

- ~~b.~~ Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

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

- ~~27.~~ Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.

- ~~28.~~ 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 and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

- ~~29.~~ A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

- ~~30.~~ The developer 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 reviewed and approved by the City prior to recordation.

- ~~31.~~ 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.

32. If Phase I data testing is required, and if, upon review of the results from Phase I
34. 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.
33. In the event archeological materials are encountered during construction, the
35. 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.
34. Prior to preliminary site plan approval, the landowner shall execute a Proposition
36. 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.
35. Prior to the construction of any residences, all existing wells within the
37. development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR).
36. ~~The development shall petition the Street Transportation Department to eliminate~~
38. ~~the requirement for street light infrastructure for the development where possible in an effort to protect dark skies. ALL STREET, SITE, AND BUILDING LIGHTING SHALL BE DARK SKY COMPLIANT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND THE STREET TRANSPORTATION DEPARTMENT.~~
37. Primary construction access shall be from Circle Mountain Road, or the frontage
39. road, and ancillary construction activity and access may occur on Jenny Lin Road during parts of Project III, as approved by the City of Phoenix Planning and Development Department.
38. The developer shall promptly repair any roadway damage that may occur on
40. Jenny Lin Road during construction.
39. The developer shall include disclosure language in future leases requiring all
41. residents of Project III to acknowledge that a portion of Jenny Lin Road is private property, and no trespass is permitted.

~~*Phase 1 (R-3 Zoned Area)*~~

42. ~~The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.~~

43. ~~The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.~~
- a. ~~Spanish Colonial architectural style~~
 - b. ~~Windows and glass doors with muntins and mullions~~
 - c. ~~Decorative lighting fixtures at building entrances/exits and by garage doors~~
 - d. ~~Covered front porches~~
 - e. ~~Window and door treatment~~
 - f. ~~Decorative doors~~
 - g. ~~Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes~~
44. ~~Phase 1 of the development shall be limited to a maximum of 288 dwelling units.~~

~~Phase 2 (R-2 Zoned Area)~~

45. ~~The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.~~
46. ~~The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.~~
- a. ~~Variety of architectural styles~~
 - b. ~~Windows and glass doors with muntins and mullions~~
 - c. ~~Decorative lighting fixtures at building entrances/exits and by garage doors~~
 - d. ~~Covered front porches and covered rear patios~~
 - e. ~~Garage, window and door treatment~~
 - f. ~~Decorative doors~~
 - g. ~~Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters~~

- ~~h. Gable end treatment with varied materials and colors~~
 - ~~i. Breaking of massing and with varied materials and colors~~
47. ~~Phase 2 of the development shall be limited to a maximum of 172 lots.~~

Phase 3 (R-3A Zoned Area)

40. ~~Conceptual site plans and elevations for Phase 3 shall be reviewed and approved~~
48. ~~by the Planning Hearing Officer through the public hearing process for stipulation~~
~~modification prior to preliminary site plan approval with specific regard to the~~
~~inclusion of the below elements. This is a legislative review for conceptual~~
~~purposes only. Specific development standards and requirements will be~~
~~determined by the Planning Hearing Officer and the Planning and Development~~
~~Department. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE~~
WITH THE SITE PLAN DATE STAMPED FEBRUARY 27, 2025, WITH SPECIFIC
REGARD TO THE INCLUSION OF THE BELOW ELEMENTS, AS MODIFIED BY
THESE STIPULATIONS AND AS APPROVED BY THE PLANNING AND
DEVELOPMENT DEPARTMENT.
- A. A MINIMUM OF ONE PUBLIC PEDESTRIAN CONNECTION SHALL BE PROVIDED FROM THE SITE LEADING TO THE ADJACENT TRAILS EAST OR WEST OF THE SITE.**
 - B. PUBLIC PEDESTRIAN ACCESS SHALL BE PROVIDED FOR FUTURE DEVELOPMENT TO THE EAST.**
 - C. A MINIMUM OF ONE PEDESTRIAN CONNECTION SHALL BE PROVIDED FROM THE DEVELOPMENT TO THE NORTH-SOUTH PEDESTRIAN CONNECTION.**
 - D. THE WASH ALONG THE SOUTH PERIMETER OF THE DEVELOPMENT SHALL REMAIN UNDISTURBED.**
 - E. A MINIMUM 5-FOOT-WIDE PUBLIC PEDESTRIAN CONNECTION SHALL BE PROVIDED ALONG THE NORTH PROPERTY LINE WITHIN THE LANDSCAPE SETBACK AREA.**
41. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED FEBRUARY 27, 2025, WITH SPECIFIC REGARD TO THE FOLLOWING ELEMENTS, AS MODIFIED BY THESE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.
 - b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.
 - c. An architectural theme shall convey a sense of continuity through all phases.
42. A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. ~~The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.~~
- 49.
- 43. A MINIMUM OF 25% OF THE SURFACE PARKING AREAS SHALL BE SHADED, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. SHADE MAY BE ACHIEVED BY STRUCTURES OR BY MINIMUM 2-INCH CALIPER, LARGE CANOPY, DROUGHT-TOLERANT, SHADE TREES, OR A COMBINATION THEREOF.**
- 44. THE DEVELOPER SHALL NOTIFY THE FOLLOWING INDIVIDUALS/GROUPS BY MAIL A MINIMUM OF 15 CALENDAR DAYS PRIOR TO ANY PRELIMINARY SITE PLAN REVIEW MEETING/S. THE NOTICE SHALL INCLUDE THE DATE, TIME, AND LOCATION OF THE MEETING.**
- A. FRIENDS OF DAISY MOUNTAIN TRAILS, 39506 N DAISY MOUNTAIN DR. #122-505, ANTHEM, AZ 85086.**
 - B. DAVE WILSON, DAISY MOUNTAIN FIRE AND MEDICAL DEPARTMENT, 41018 DAISY MOUNTAIN DRIVE, ANTHEM, AZ 85086**

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.