

ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION

Byron Easton, Planner III, Hearing Officer

Teresa Garcia, Planner I, Assisting

May 21, 2025

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| ITEM NO: 2 | |
| | DISTRICT NO. 1 |
| SUBJECT: | |
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| Application #: | PHO-3-25--Z-8-22-1 (Continued from April 16, 2025) |
| Location: | Southeast corner of I-17 and Jenny Lin Road |
| Zoning: | R-3A |
| Acreage: | 18.37 |
| Request: | <ol style="list-style-type: none">1) Request to modify Stipulation 1 regarding Planned Residential Development option.2) Request to modify Stipulation 6 regarding shading along pedestrian pathways and trails.3) Request to modify Stipulation 11 regarding bicycle infrastructure.4) Request to modify Stipulation 12.c regarding the number of pedestrian connections.5) Request to modify Stipulation 13 regarding indoor noise levels.6) Request to modify Stipulation 14 regarding the development of noise mitigation walls.7) Request to modify Stipulation 15 regarding noise wall setbacks.8) Request to modify Stipulation 16 regarding perimeter wall materials.9) Request to modify Stipulation 19 regarding active recreation amenities.10) Request to modify Stipulation 23 regarding detached sidewalks and landscape strips located between the back of curb and sidewalk.11) Request to modify Stipulation 24 regarding construction of detached sidewalks.12) Request to modify Stipulation 25 regarding street improvements.13) Request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of the project.14) Request to delete Stipulation 28 regarding a minimum right-of-way. |

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| | <ul style="list-style-type: none">15) Request to delete Stipulation 38 regarding a petition to the Street Transportation Department to eliminate required street light infrastructure.16) Request to delete Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023.17) Request to delete Stipulation 43 regarding Phase 1 to be in general conformance with the elevations and design elements date stamped August 29, 2022.18) Request to delete Stipulation 44 regarding the maximum dwelling units for Phase 1.19) Request to delete Stipulation 45 regarding Phase 2 to be in general conformance with the site plan.20) Request to delete Stipulation 46 regarding Phase 2 to be in general conformance with the elevations.21) Request to delete Stipulation 47 regarding the number of lots for Phase 2.22) Request to modify Stipulation 48 regarding the review of the conceptual site plans and elevations for Phase 3.23) Request to modify Stipulation 49 regarding the landscaping of surface parking lots. |
| Applicant: | Hannah Bleam, Withey Morris Baugh, PLC |
| Owner: | Circle Mountain Holdings LLC |
| Representative: | Adam Baugh, Withey Morris Baugh, PLC |

ACTIONS:

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

Village Planning Committee (VPC) Recommendation: The Rio Vista Village Planning Committee heard this request on April 8, 2025 and recommended approval with modifications and additional stipulations by a vote of 3-1.

DISCUSSION:

Adam Baugh, representative of Withey Morris Baugh PLC, gave an overview of the site and the modification requests. He noted most of the modification requests were based on the current phase of the project and the original zoning stipulations were not applicable to the property. He stated the number of units decreased from 568 to 388 units due to the topography of the site, with the middle building having different floor levels: the west side will have 4 stories, and the east side will have 3 stories. He noted the parking arrays and solar panels

would be located on the wash, causing them to reduce the amount of shading for the pedestrian walkways from 75% to 53%,

Mr. Baugh noted the Rio Vista Village Planning Committee (VPC) recommended more detailed language to Stipulations 48.a-d, regarding the pedestrian connections in the development and the wash along the southern property line. He stated the VPC added Stipulation 48.e regarding a minimum 5-foot-wide public pedestrian connection along the northern property line and Stipulation 44 regarding enhanced notification requirements.

Byron Easton, Planning Hearing Officer, recommended approval to Stipulation 1 regarding the Planned Residential Development (PRD) as it was more of a technical correction. He recommended approval to Stipulation 6 regarding shading along pedestrian pathways and trails as it clarified all relevant details relating to shade on the site. He recommended approval of Stipulation 11 regarding bicycle infrastructure as it was not applicable to the site. He recommended approval with a modification to Stipulation 12.c regarding the number of pedestrian connections, indicating it led to the modification of Stipulation 12.b and the deletion of Stipulations 12.c and 12.d. He recommended Stipulation 13 be approved regarding indoor noise levels as a building code compliance review by a certified acoustic consultant will be required prior to final site plan approval. He recommended approval of Stipulations 15 and 16 regarding noise mitigation walls and perimeter wall materials as it provides clarification on the perimeter walls. He recommended approval to Stipulations 19, 23, 24, 25, 27, and 28 as the language was only being modified. He recommended approval with a modification to Stipulation 38 to include new language regarding the street and building lighting. He recommended approval to Stipulations 42, 43, 44, 45, 46, and 47 as they are not applicable to the site. He recommended approval with a modification to Stipulation 48 regarding the review of the conceptual site plans and elevations and replaced it with general conformance language and the additional stipulations recommended by the VPC. He recommended approval with a modification to Stipulation 49 regarding landscaping of surface parking lots and added revised language recommended by the VPC. He added new Stipulation 44 regarding notification requirements as recommended by the VPC.

FINDINGS:

- 1) The request for modification of Stipulation 1 is recommended to be approved. The remaining parcel (South Phase I) that was originally planned as part of phased development is now being developed as a single phased development and now longer needs the language that references phasing.

- 2) The request for the modification of Stipulation 6 is recommended to be approved. This stipulation has been modified to clarify and include all relevant details related to shading the site.
- 3) Request for the modification of Stipulation 11 is recommended to be approved. This stipulation has been modified to remove the area that is not applicable to the site.
- 4) The request to modify Stipulation 12.c regarding the number of pedestrian connections is approved. One connection to the western adjacent trail is sufficient for a singular phase of development. In addition to this request modification to 12.b regarding the north-south pedestrian connection is recommended to be approved. This language was added at the VPC hearing and is intended to ensure a pedestrian connection through the adjacent developments, it is now location specific and shall be enforced as such. The development to the south and to the north will still be stipulated to provide this north-south pedestrian connection from Circle Mountain Road to Jenny Lin Road.
- 5) The request to modify Stipulation 13 regarding indoor noise levels is approved with a modification. The stipulation is recommended to be modified to add more modern language regarding qualified professionals that evaluate decibel day nightlevel (DNL).
- 6) The request to modify Stipulation 14 is approved. The change is necessary to specify wall height and add updated language clarifying the need for an Acoustical Consultant.
- 7) The request to modify Stipulation 15 regarding noise wall setbacks is approved. Interior walls do not need to provide visual interest. The intent of the stipulation is to provide visual interest for residents and visitors from perimeter streets.
- 8) The request to modify Stipulation 16 regarding wall materials is approved with modifications. The original request to add language regarding limiting the architectural treatments of the walls to only corners and end columns was denied but the language specifying the location of the stone treatments was modified.
- 9) The request to modify Stipulation 19 regarding active recreation amenities is recommended to be approved. The request is to remove the language referencing the phasing of the project. Since this is a single phased project, the language can be removed.
- 10) The request to modify Stipulation 23 regarding detached sidewalks and landscape strips located between the back of curb and sidewalk is

recommended to be approved. This additional language will further detail the exact location of the sidewalks and landscape strips.

- 11) The request to modify Stipulation 24 regarding Jenny Lin Road is approved. Jenny Lin Road does not border the site.
- 12) The request to modify Stipulation 25 regarding Jenny Lin Road is approved. Jenny Lin Road does not border the site.
- 13) The request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of Project III and associated landscaping is approved. The stipulation is not applicable to the site.
- 14) The request to modify Stipulation 28 regarding a 60-foot right-of-way dedication along the northern boundary of Project II and associated landscaping is approved. The stipulation is not applicable to the site.
- 15) The request to modify Stipulation 38 regarding a petition to the Street Transportation Department to eliminate required street light infrastructure is recommended to be approved. The Stipulation modification provides additional clarity regarding how the project will meet the dark skies requirements.
- 16) The request to modify Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023 has been approved. This project is not within the original Phase 1, so all mention of Phase 1 is recommended to be deleted.
- 17) The request to delete Stipulation 43 regarding Phase 1 to be in general conformance to the elevations and design elements date stamped August 29, 2022 is approved. This project is not within the original Phase 1, so all mention of Phase 1 is recommended to be deleted.
- 18) The request to delete Stipulation 44 regarding the maximum dwelling units for Phase 1 is recommended to be approved. This project is not within the original Phase 1, so all mention of Phase 1 is recommended to be deleted.
- 19) The request to delete Stipulation 45 regarding Phase 2 to be in general conformance with the site plan is recommended to be approved as it is not applicable to the site.
- 20) The request to delete Stipulation 46 regarding Phase 2 to be in general conformance with the elevations is recommended to be approved as it is not applicable to the site.

- 21) The request to delete Stipulation 47 regarding the number of lots for Phase 2 is recommended to be approved as it is not applicable to the site.
- 22) The request to modify Stipulation 48 regarding the review of the conceptual site plans and elevations for Phase 3 is recommended to be approved with a modification to provide more standard conformance language. Additionally, the original stipulation is now recommended to be separated into two new stipulations. The first stipulation (new Stipulation 40), will focus on general conformance to the site plan, date stamped February 27, 2025. The original stipulation has been modified to include the VPC recommended language regarding locations of pedestrian connection points, pedestrian access points, and language related to the wash along the south perimeter line.
- 23) The second stipulation (new Stipulation 41) focuses on general conformance with the elevations date stamped February 27, 2025, with specific regard to several design elements that are included in the new stipulation. These elements focus on architectural embellishments to building facades, building and wall colors and a consistent architectural theme throughout the development.
- 24) The request to modify Stipulation 49 regarding surface parking lot landscaped areas for Phase 3 is recommended to be approved as it is not applicable to the site.

STIPULATIONS:

| Overall Site | |
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| 1. | Each phase of 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. |

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| | 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. |
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| | b. | Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity. |
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| 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. |
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| 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. |
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| 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. |
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| 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. |
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| 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. |
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| 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. |
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| 11. | Each phase of The development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department. |
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| 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. |
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| 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 a 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. |
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| 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. |
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| b. | A PUBLICLY ACCESSIBLE north-south pedestrian connection shall be provided to connect all phases of the development, |

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| | | 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. |
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| | c. | Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site. |
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| | d. | Pedestrian access shall be provided to future development to the east for each phase or development. |
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| 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 ACCOUSTICAL 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. |
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| 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. |
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| 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. |
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| 16. | | Perimeter walls, including the noise wall, ALONG THE WEST AND NORTH PERIMETER, shall incorporate stone veneer, stonework, or |

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| | integral color CMU block, as approved by the Planning and Development Department. |
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| 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. |
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| 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. |
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| 19. | Each phase of 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. |
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| 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. |
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| 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. |
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| 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. |
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| | 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 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 |

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| | 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. |
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| | 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. |
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| 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. |
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| 27. 29. | 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. |
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| 28. 30. | 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. |

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| 29. 34. | A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development. |
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| 30. 32. | 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. |
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| 31. 33. | 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. |
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| 32. 34. | 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. |
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| 33. 35. | 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. |
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| 34. 36. | Prior to preliminary site approval, the landowner shall execute Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record. |
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| 35. 37. | Prior to the construction of any residences, all existing wells within the development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR). |
| | |
| 36. 38. | The development shall petition the Street Transportation Department to eliminate 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. |
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| 37. 39. | Primary construction access shall be from Circle Mountain Road, or the frontage 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. 40. | The developer shall promptly repair any roadway damage that may occur on Jenny Lin Road during construction. |
| 39. 44. | The developer shall include disclosure language in future leases requiring all residents of Project III to acknowledge that a portion of Jenny Lin Road is private property, and no trespass is permitted. |
| <i>Phase 1 (R-3 Zoned Area)</i> | |
| 42. | The developer 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. |
| <i>Phase 2 (R-2 Zoned Area)</i> | |

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| 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. 48. | Conceptual site plans and elevations for Phase 3 shall be reviewed and approved 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 | |

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| | 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. |
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| c. | A MINIMUM OF ONE PEDESTRIAN CONNECTION SHALL BE PROVIDED FROM THE DEVELOPMENT TO THE NORTH-SOUTH PEDESTRIAN CONNECTION. |
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| 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. |
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| 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. |
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| 42. 49. | 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- |

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| | 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. | |
| 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 |

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REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Principal Planner, Hearing Officer
Teresa Garcia, Planner I, Assistant

April 16, 2025

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| ITEM NO: 1 | |
| | DISTRICT NO. 1 |
| SUBJECT: | |
| | |
| Application #: | PHO-3-25--Z-8-22-1 |
| Location: | Southeast corner of I-17 and Jenny Lin Road |
| Zoning: | R-3A |
| Acreage: | 18.37 |
| Request: | <ol style="list-style-type: none">1) Request to modify Stipulation 1 regarding Planned Residential Development option.2) Request to modify Stipulation 6 regarding shading along pedestrian pathways and trails.3) Request to modify Stipulation 11 regarding bicycle infrastructure.4) Request to modify Stipulation 12.c regarding the number of pedestrian connections.5) Request to modify Stipulation 13 regarding indoor noise levels.6) Request to modify Stipulation 14 regarding the development of noise mitigation walls.7) Request to modify Stipulation 15 regarding noise wall setbacks.8) Request to modify Stipulation 16 regarding perimeter wall materials.9) Request to modify Stipulation 19 regarding active recreation amenities.10) Request to modify Stipulation 23 regarding detached sidewalks and landscape strips located between the back of curb and sidewalk.11) Request to modify Stipulation 24 regarding construction of detached sidewalks.12) Request to modify Stipulation 25 regarding street improvements.13) Request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of the project.14) Request to delete Stipulation 28 regarding a minimum right-of-way. |

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| | <ul style="list-style-type: none">15) Request to delete Stipulation 38 regarding a petition to the Street Transportation Department to eliminate required street light infrastructure.16) Request to delete Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023.17) Request to delete Stipulation 43 regarding Phase 1 to be in general conformance with the elevations and design elements date stamped August 29, 2022.18) Request to delete Stipulation 44 regarding the maximum dwelling units for Phase 1.19) Request to delete Stipulation 45 regarding Phase 2 to be in general conformance with the site plan.20) Request to delete Stipulation 46 regarding Phase 2 to be in general conformance with the elevations.21) Request to delete Stipulation 47 regarding the number of lots for Phase 2.22) Request to modify Stipulation 48 regarding the review of the conceptual site plans and elevations for Phase 3.23) Request to modify Stipulation 49 regarding the landscaping of surface parking lots. |
| Applicant: | Hannah Bleam, Withey Morris Baugh, PLC |
| Owner: | Circle Mountain Holdings LLC |
| Representative: | Adam Baugh, Withey Morris Baugh, PLC |

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer continued this request to the May 21, 2025 hearing.

Village Planning Committee Recommendation: The Rio Vista Village Planning Committee heard this request on April 8, 2025 and recommended approval with modifications and additional stipulations, by a vote of 3-1.

DISCUSSION:

Adam Stranieri, Planning Hearing Officer, stated staff identified a notification issue as a result of the discussion that occurred at the Rio Vista Village Planning Committee (VPC) meeting. He stated it is not appropriate for the case to move forward at this time, indicating staff reviewed the rezoning case file and located six speaker cards from the June 1, 2023 Planning Commission Hearing that were not included on the applicant's notification list.

Adam Baugh, representative of Withey Morris Baugh PLC, stated the list of those who submitted opposition was consistent with their notification requirements.

Mr. Stranieri presented six speaker cards from the rezoning case that were not a part of the applicant's notification list.

Mr. Baugh asked if the cards were from the original rezoning case or the two previous PHO cases.

Mr. Stranieri confirmed they were from the original rezoning case.

Mr. Baugh stated he was under the impression that all the required letters were mailed. He asked his assistant to confirm the list of names of those in opposition.

Hannah Bleam, representative of Withey Morris Baugh PLC, confirmed the names of Harmony Brown, Tammy Hughes, John Dixon and Brandon Hill.

Mr. Baugh asked Mr. Stranieri if those names were on the speaker cards.

Mr. Stranieri confirmed those names were included in the notification list but were not the individuals on the identified speaker cards. He recommended continuance to the May 21, 2025 PHO hearing due to the notification error.

Eileen Baden, registered speaker, wanted to ensure the additional stipulation mentioned at the Rio Vista VPC regarding a 5-foot path along the north and south side of Jenny Lin Road to protect public access to Daisy Mountain would be added.

Mr. Stranieri continued the case to the May 21, 2025 PHO hearing.

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