

# IRONWOOD ESTATES PLANNED AREA DEVELOPMENT

## STANDARDS AND GUIDELINE REPORT

104<sup>th</sup> Avenue South of Pinnacle Peak Road  
Peoria, Arizona

5.04 Gross Acres  
6 Lots

Prepared and Submitted by:

Empire Residential Communities Fund II, LLC  
6617 N. Scottsdale Road  
Scottsdale, AZ 85250

Zoning Case: Z15-0001  
December 10, 2015

### PLANNING & ZONING

*Planned Area Development Approval*

P/Z Commission Date: 2/4/2016

City Council Approval Date: 3/1/2016

Planner: Melissa Sigmund

Administrative Approval Date: N/A



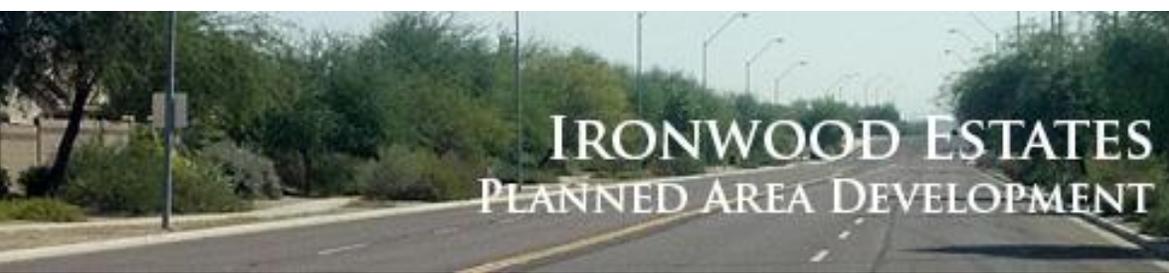
# IRONWOOD ESTATES PLANNED AREA DEVELOPMENT

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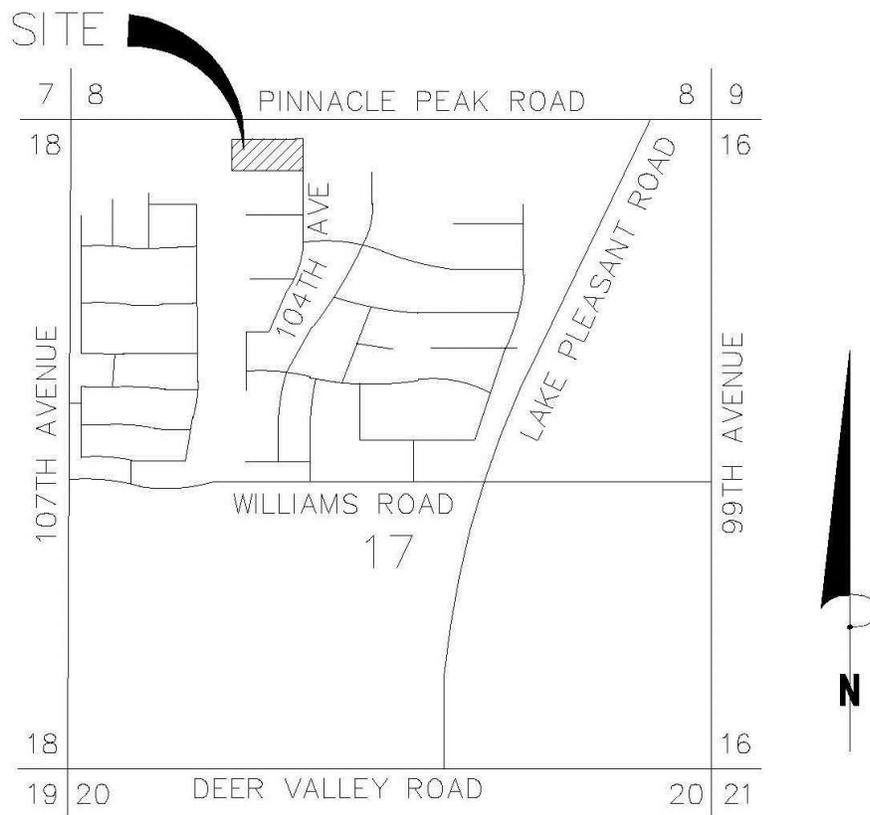


# IRONWOOD ESTATES PLANNED AREA DEVELOPMENT

## I. INTRODUCTION

Ironwood Estates is a 5.04-acre proposed 6-lot subdivision at 104<sup>th</sup> Avenue south of Pinnacle Peak Road. The project will be six semi-custom detached single-family residential lots that are complimentary in both density and proposed product, to the goals of the City of Peoria and will enhance the utilization of land according to the established guidelines in Article 14-33 of the City's zoning ordinance.

Ironwood Estates is owned by Empire Residential Communities Fund, LLC (APN 200-10-030) (refer to the attached *Vicinity Map Exhibit 1* and *Legal Description Exhibit 10*). These lots will be sold and developed individually as semi-custom homes. The proposed architectural style for this subdivision will be compatible and complimentary to the existing subdivisions in the northern developing areas of Peoria and will be developed in accordance to the Preliminary Development Plan (refer to the attached *Preliminary Development Plan Exhibit 3*).



**VICINITY MAP**  
**EXHIBIT 1: VICINITY MAP**



# IRONWOOD ESTATES PLANNED AREA DEVELOPMENT



This request is for a rezone to a Planned Area Development that will closely match to the City's R1-18 single-family residential zoning district to allow for the proposed community.

### Surrounding Site Information

Surrounding the Property to the north are residential homes zoned SR-35, to the east and south are single family residential homes zoned PAD in the Ironwood Phase 4B community. To the west is Community of Grace Lutheran Church zoned R1-18. The proposed project is compatible with these surrounding land uses and zones by providing a suitable development into the proposed PAD, 6-lot subdivision (*refer to the Aerial Map Exhibit 2 below*).



**EXHIBIT 2: AERIAL MAP**



# IRONWOOD ESTATES PLANNED AREA DEVELOPMENT



## II. PAD JUSTIFICATION

As indicated above this site is approximately 5.04 acres. Section 14-33-2(B)(1) of the City of Peoria Zoning Ordinance (“Zoning Ordinance”) requires that the minimum total P.A.D. shall be no less than ten acres unless the applicant can show that the minimum P.A.D. requirements should be waived because the waiver would be in the public interest and that one or more of conditions (a) through (d) exist.

Ironwood Estates will be in the best interest of the public as it will be filling in a vacant and underutilized parcel and it meets (c) of the conditions which states:

*The use of the P.A.D. concept will encourage the use of the otherwise undevelopable property, particularly in the case of small undeveloped parcels surrounded or partially surrounded by developed property.*

## III. CONSISTENCY WITH GENERAL PLAN

The development goal for the Ironwood Estates Rezone is to provide uses and residential densities that are compatible with the long range goals of the City of Peoria’s General Plan.

The General Plan for the site is Residential Estate (0-2 du/acre) (*refer to attached Existing and Proposed Land Use Exhibit 4*). Due to the surrounding SR-35 community to the north and the Ironwood Phase 4B PAD community to the south and east, this site is a suitable development. This project provides stability to the community to the north while enhancing the area with site improvements for large lots and infrastructure improvements. The Project will encourage infill residential development in the heart of Peoria which meets Objective 1.H of the General Plan by encouraging the development or redevelopment of vacant or underutilized infill sites within the City. This type of housing product also encourages owner occupied homes which meets Objective 1.B of the General Plan of the Housing Element.

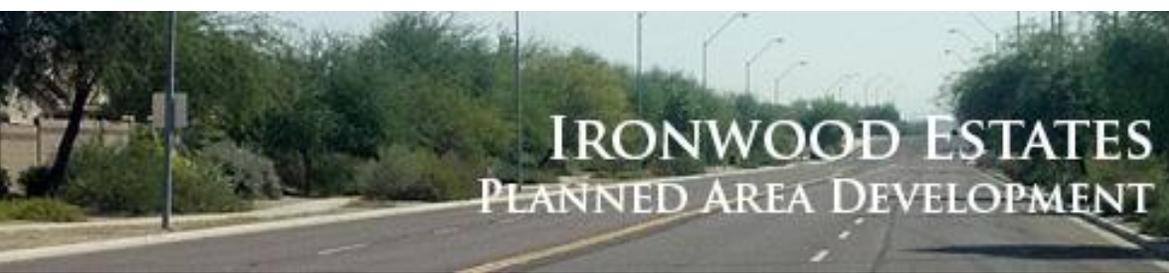
### Rezone Request

Currently the property is vacant land zoned Agricultural (AG) within the City of Peoria. This Project proposes rezoning the property from the AG to PAD. This change fits with the existing surrounding developed parcels (*refer to the attached Existing Zoning Map Exhibit 5 and Proposed Zoning Map Exhibit 6*).

## IV. GENERAL SITE INFORMATION AND EXISTING CONDITIONS

The existing topography is undeveloped and sparsely covered with shrubs. Along the southern and eastern boundary is a residential subdivision called Ironwood. This subdivision has been designed to accommodate runoff generated thereon and is not anticipated to affect the project site. 104<sup>th</sup> Avenue is currently only half improved and will be fully improved with the development of this project. Along the western boundary is an existing church. This church is located downhill of the project site and will not affect the project.

Along the northern boundary are existing residential homes and undeveloped land. The existing residential homes retain stormwater runoff generated thereon within on-lot retention basins. The undeveloped land slopes to the west, away from the project site.



### **Project Design**

Ironwood Estates is designed with six lots allowing for large square footage homes. The large lots provide a variety of design and development options to the residents as they design and upgrade their homes. The project has been designed with a cul-de-sac to mirror the cul-de-sac to the south. We have met with the active and outspoken neighbor to the north and have their communication of support attached in Exhibit 12. In addition all the lots will be restricted to one story homes.

Ironwood Estates will be designed to promote the desirability of the residential development by adopting the following design criteria:

- The lots will be developed as semi-custom lots; allowing individual house plan designs that will meet the City of Peoria's design criteria including but not limited to desert themed exterior colors, use of exterior stone and complimentary hardscape.
- Roof lines will be required to vary from homes on adjacent lots and directly across the street from each other.
- Enhanced landscape entry feature and wall designs are provided as Exhibit 11.
- The lots will be restricted to one-story homes.

Students within Ironwood Estates would attend Zuni Hills Elementary School and Liberty High School. The addition of these 6 lots will have minimal impact on the school district. The Peoria Unified School District was provided a copy of the proposed site plan and they provided a statement indicating they had adequate facilities to accommodate the projected number of new students within the district attendance area that will be generated by this rezoning request (*refer to the attached Certificate of Adequate School Facilities from the Peoria Unified School District Exhibit 7*).

### **V. SURROUNDING LAND USES AND CONDITIONS**

Surrounding the Property to the north are single family residential homes zoned SR-35, to the south and east is Ironwood Phase 4B a single family residential community zoned PAD. To the west is Community of Grace Lutheran Church which is zoned R1-18.

Primary transportation corridors in the area include Lake Pleasant Parkway and 107th Avenue running north-south, and Pinnacle Peak Road, Happy Valley and Williams Roads running east-west. The proposed site access would be off 104<sup>th</sup> Avenue and Pinnacle Peak Road. Regional transportation includes the Agua Fria Freeway (Loop 101) to the east and Loop 303 to the west.

Lake Pleasant Parkway is the major access road to the Lake Pleasant recreational areas. The project will have access to Lake Pleasant Parkway at the Williams Road and Happy Valley Road intersections.

**Schools:** *Zuni Hills Elementary* (K-8) located at 10851 West Williams Road is approximately .7 miles, and *Liberty High School* (9-12), located at 9621 West Speckled Gecko Drive is approximately 2.6 miles.



**Shopping Facilities:** *Albertson's Food and Drug Store* located at 8240 West Deer Valley Road is approximately 4.0 miles south. *Fry's Food and Drug* located at 8375 West Deer Valley Road is approximately 3.9 miles south. *Arrowhead Towne Center Shopping Mall* located at 7700 West Arrowhead Towne Center, Glendale is approximately 7.0 miles south. Walmart and Camino A Lago Marketplace located at 21471 Lake Pleasant Parkway is approximately 1.6 miles to the east. All four corners of Lake Pleasant Parkway and Happy Valley Road (approximately 1.5 miles to the north) have all been developed as community commercial.

**Public Recreation:** *Alta Vista Park* located at 10631 West Williams Road is approximately ½ mile south. *Parkridge Park* located at 9734 West Beardsley Road is approximately 3.2 miles south. *Deer Village Park* located at 21217 N. 88th Lane is approximately 3.6 miles southeast. *The Sunrise Mountain Branch Public Library* is located at 21109 North 98<sup>th</sup> Avenue, approximately 2.4 miles south. *Lake Pleasant Regional Park* - boating, skiing, camping and general lake recreation, located approximately 18 miles north.

Aerial photographs of the project area together with several photographs of the site from different directions depicting the site and area conditions are included herewith (*refer to the attached Context Plan Exhibit 8*).

## VI. PRELIMINARY DEVELOPMENT PLAN

Ironwood Estates is a proposed development with a total gross area of 5.04± acres with six dwelling units (*refer to the attached Preliminary Development Plan Exhibit 3 and the Preliminary Plat Exhibit 9*).

Ironwood Estates will be developed in one phase. The proposed use of the subject site is single-family detached residential. The project is planned for six dwelling units with an overall project density of 1.19 du/ac.

The proposed average lot area within Ironwood Estates shall be 28,938 sq.ft with a minimum lot size of 23,787 sq.ft. The typical lots are maintaining a minimum width of 150 feet. This project will conform to the City of Peoria's staggered setback guidelines.

Access to this project is off 104<sup>th</sup> Avenue as indicated on the Preliminary Plat and the ALTA Survey (*refer to Exhibits 9 and 10 respectively*). All of the lots within the site will be oriented in a north/south direction.

## VII. LAND USE SUMMARY

The Land Use Summary Table reflects the use, the acreage, and the total number of lots. The residential land use as noted within this PAD will closely match the City of Peoria's R1-18 single family residence zoning designation and is in character with the neighboring subdivisions to the south and east.

# IRONWOOD ESTATES PLANNED AREA DEVELOPMENT



TABLE 1  
LAND USE SUMMARY

Gross Acres	Net Acres	Zoning	Min Lot Area, SF	Lots	Min Lot Width	Open Space, AC	Open Space, %
5.04	4.79	PAD	23,787	6	150	.35	7.03

## VIII. PROJECT DEVELOPMENT

Unless otherwise specified herein, all properties within Ironwood Estates shall conform to all City of Peoria governing codes, ordinances and regulations for single-family residential districts. The standards that exceed the R1-18 standards are shown in bold in Table 2 on the next page.

**Table 2: Project Development Standards Summary**

Development Standards	R1-18 Standards	Proposed PAD Standards
Minimum Lot Area	18,000 sf	<b>23,787 sf</b>
Minimum Lot Width	90'	<b>150'</b>
Minimum Lot Depth	100'	<b>145'</b>
Maximum Lot Coverage (Percentage)	35%	35%
Maximum Structure Height	30'	30' - maximum single story
Minimum Front Setback (ft)- Side-entry garage*	10' to living area or side entry garage, 20' to front loaded garage, measured from property line to face of garage	10' to living area or side entry garage, 20' to front loaded garage, measured from property line to face of garage
Minimum Front setback (ft) – Front-facing garage**	20'	20'
Minimum Interior Setback (min/total ft)	5'/15'	5'/15'
Minimum Rear Setback (ft)	15'	15'
Minimum Corner Setback (ft)	10'	10'

**\*Side entry garages shall be prohibited on corner lots;**

**\*\*Where front -facing garages are present, a 10-foot front setback shall apply to the livable portion of the home provided that not more than 60% of the total front-facing elevation occurs at the 10-foot setback.**

**Open Space:** The open space area will be a minimum of 7% which is considered street frontage landscaping. The homeowners association will be responsible for the maintenance of all open space / retention tracts.



**Listing of Permitted, Conditional and Accessory Uses:** Refer to Article 14-5 of the City of Peoria Zoning Ordinance for permitted principal, conditional and accessory uses.

**Lighting:** Lighting within the project shall conform to the applicable section of the Peoria Zoning Ordinance governing exterior lighting.

**Screening, Fencing and Walls:** The standards for fencing and walls shall be as per the Peoria Zoning Ordinance including wall undulation and noise abatement.

**Roadway Standards:** Streets will be developed consistent with City of Peoria street standards. The project will be designed with 4" wide rolled curb on both sides of the street and a 5' sidewalk on one side of the street.

**Parking:** Parking requirements for the project shall conform to the parking standards for single-family residential use as per the Peoria Zoning Ordinance.

**Design Review Standards:** The Ironwood Estates will be developed in accordance with the City of Peoria's Design Review Manual.

## **IX. CONCEPTUAL LANDSCAPE PLAN/ STANDARDS**

The project landscaping will be consistent with the Peoria Zoning Ordinance. The Final Landscape Plan will be submitted to the Planning Division. A Planting Data Sheet is a part of the Conceptual Landscape Plan (*refer to the attached Conceptual Landscape Plan and additional coloring renderings Exhibit 11*).

**Street Frontages-** Landscaping will be provided within the ROW per the City of Peoria's Landscaping requirements. Note: The street frontage landscape area significantly exceeds the minimum required depth.

**Perimeter Walls/Wall Details-** Perimeter walls and wall details will comply with the City of Peoria's design specifications.

**Signage-** Project signage will be processed as a separate application and will be consistent with the Peoria Zoning Ordinance.

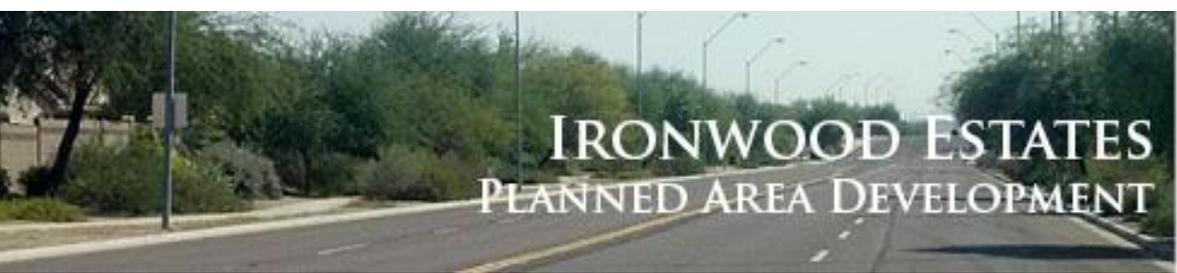
## **X. INFRASTRUCTURE/ UTILITIES**

### **1. Sewer**

Sewer service will be provided by the City of Peoria. An existing 8-inch sanitary sewer line is located in 104<sup>th</sup> Avenue.

### **2. Natural Gas**

Natural gas will be provided by Southwest Gas Corporation. The facilities are located in 104<sup>th</sup> Avenue.



## IRONWOOD ESTATES PLANNED AREA DEVELOPMENT



### **3. Water**

Water service will be provided by the City of Peoria. There is an existing 8-inch water line in 104<sup>th</sup> Avenue, which will be brought to this project to provide services accordingly and looped through the church property to the west via a water line easement to be dedicated prior to final plat approval (*refer to the Easement Letter in Exhibit 13*).

### **4. Telephone**

Century Link Communications will be supplying the telephone services to the area. Facilities exist in 104<sup>th</sup> Avenue and will be brought to this project to provide services accordingly.

### **5. Electric Power**

Electric power will be supplied by Arizona Public Service. The existing facilities are located in 104<sup>th</sup> Avenue.

### **6. Cable Service:**

Cox Communications will be supplying the cable service to the area. Facilities exist at the intersection of 104<sup>th</sup> Avenue.

### **7. Solid Waste:**

Solid Waste disposal will be provided by the City of Peoria.

**PRELIMINARY DEVELOPMENT PLAN  
EXHIBIT 3**

EXHIBIT 3: PRELIMINARY DEVELOPMENT PLAN

## IRONWOOD ESTATES

104TH AND PINNACLE PEAK ROAD

PEORIA, ARIZONA MARIKOPA COUNTY

PROJECT NUMBER

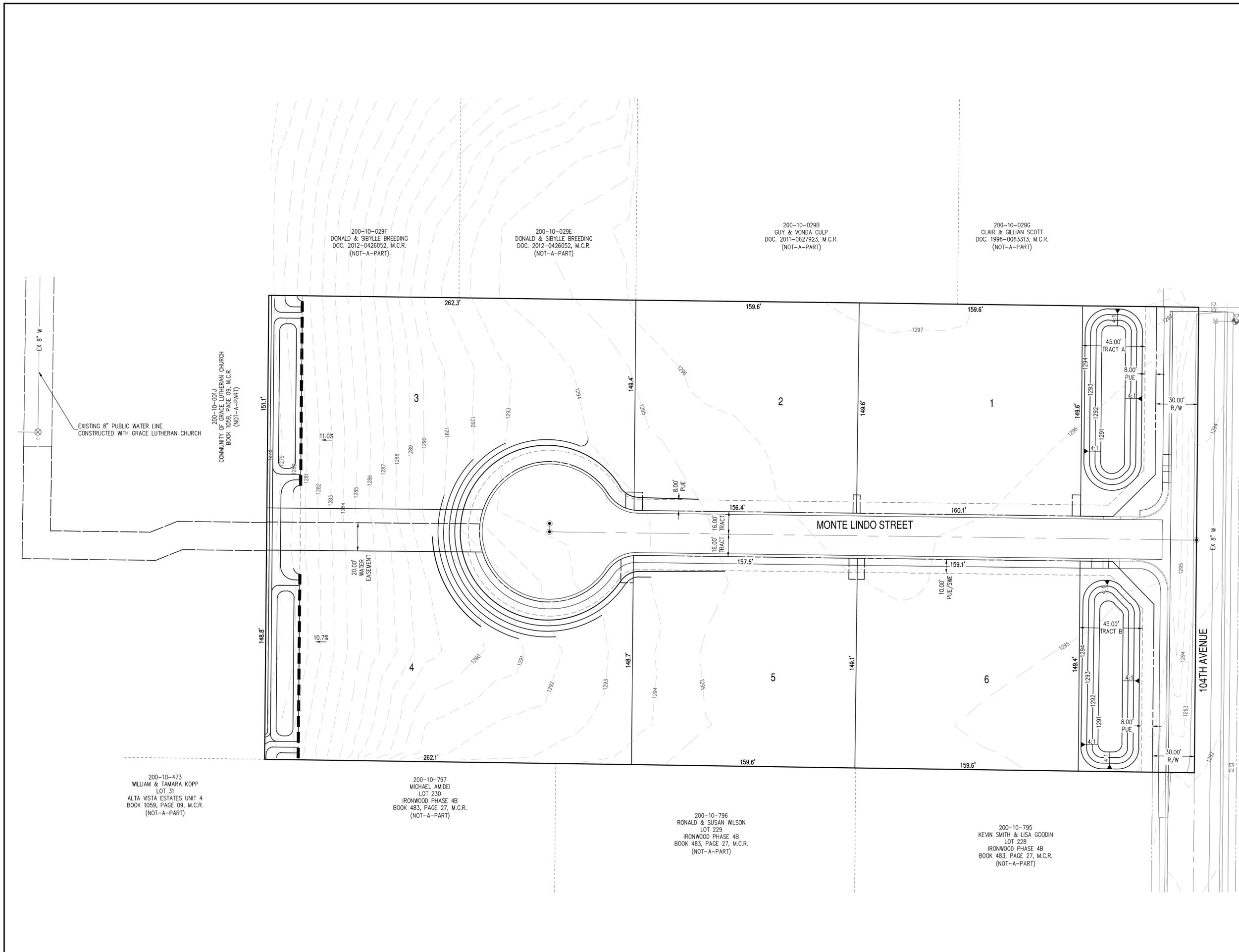
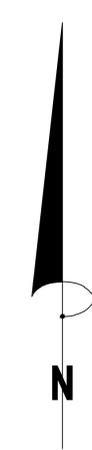
PLAN STATUS

DATE	DESCRIPTION
SF DESIGN	CRS DRAWN SJD CHKD
SCALE	H: N.T.S. V: N.T.S.

JOB No. 050012

DATE : JUNE 2015

1  
SHEET 1 OF 1



200-10-029F  
DONALD & SIBYLLE BREEDING  
DOC. 2012-0426052, M.C.R.  
(NOT-A-PART)

200-10-029E  
DONALD & SIBYLLE BREEDING  
DOC. 2012-0426052, M.C.R.  
(NOT-A-PART)

200-10-029B  
GUY & VONDA CULP  
DOC. 2011-0627923, M.C.R.  
(NOT-A-PART)

200-10-029G  
CLAIR & GILLIAN SCOTT  
DOC. 1996-0063313, M.C.R.  
(NOT-A-PART)

200-10-001J  
COMMUNITY OF GRACE LUTHERAN CHURCH  
BOOK 1059, PAGE 09, M.C.R.  
(NOT-A-PART)

200-10-473  
WILLIAM & TAMARA KOPP  
LOT 31  
ALTA VISTA ESTATES UNIT 4  
BOOK 1059, PAGE 09, M.C.R.  
(NOT-A-PART)

200-10-797  
MICHAEL AMIDEI  
LOT 230  
IRONWOOD PHASE 4B  
BOOK 483, PAGE 27, M.C.R.  
(NOT-A-PART)

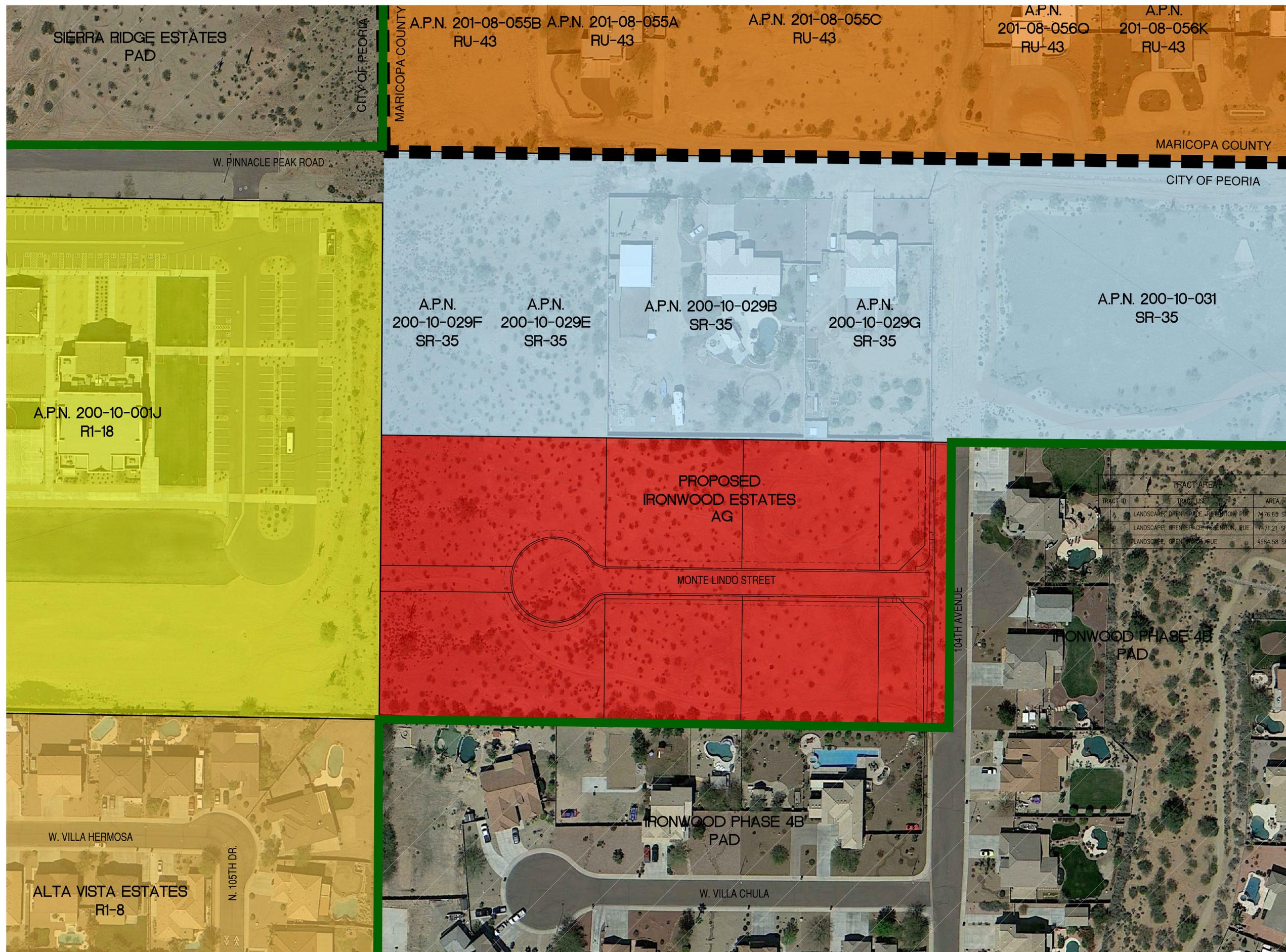
200-10-796  
RONALD & SUSAN WILSON  
LOT 229  
IRONWOOD PHASE 4B  
BOOK 483, PAGE 27, M.C.R.  
(NOT-A-PART)

200-10-795  
KEVIN SMITH & LISA GOODIN  
LOT 228  
IRONWOOD PHASE 4B  
BOOK 483, PAGE 27, M.C.R.  
(NOT-A-PART)

**EXISTING AND PROPOSED LAND USE MAP  
EXHIBIT 4**



**EXISTING ZONING MAP  
EXHIBIT 5**



SIERRA RIDGE ESTATES PAD  
CITY OF PEORIA

W. PINNACLE PEAK ROAD

A.P.N. 200-10-001J  
R1-18

W. VILLA HERMOSA  
N. 105TH DR.  
ALTA VISTA ESTATES  
R1-8

MARICOPA COUNTY  
A.P.N. 201-08-055B RU-43  
A.P.N. 201-08-055A RU-43  
A.P.N. 201-08-055C RU-43  
A.P.N. 201-08-056O RU-43  
A.P.N. 201-08-056K RU-43

MARICOPA COUNTY  
CITY OF PEORIA  
A.P.N. 200-10-029F SR-35  
A.P.N. 200-10-029E SR-35  
A.P.N. 200-10-029B SR-35  
A.P.N. 200-10-029G SR-35  
A.P.N. 200-10-031 SR-35

PROPOSED IRONWOOD ESTATES AG  
MONTE LINDO STREET  
104TH AVENUE  
IRONWOOD PHASE 4B PAD

IRONWOOD PHASE 4B PAD  
W. VILLA CHULA

**LEGEND**

- MARICOPA COUNTY RU-43
- CITY OF PEORIA SR-35
- CITY OF PEORIA PAD
- CITY OF PEORIA AG
- CITY OF PEORIA R1-18
- CITY OF PEORIA R1-8

TRACT AREA

TRACT ID	TRACT USE	AREA
A	LANDSCAPE, OPEN SPACE, RETENTION, RUE	7476.69 SF
B	LANDSCAPE, OPEN SPACE, RETENTION, RUE	7471.21 SF
C	LANDSCAPE, OPEN SPACE, RUE	4584.58 SF

Bowman Consulting Group, Ltd.  
14100 North 83rd Avenue Ste 250  
Peoria, Arizona 85391  
Phone: (480) 629-8830  
www.bowmanconsulting.com  
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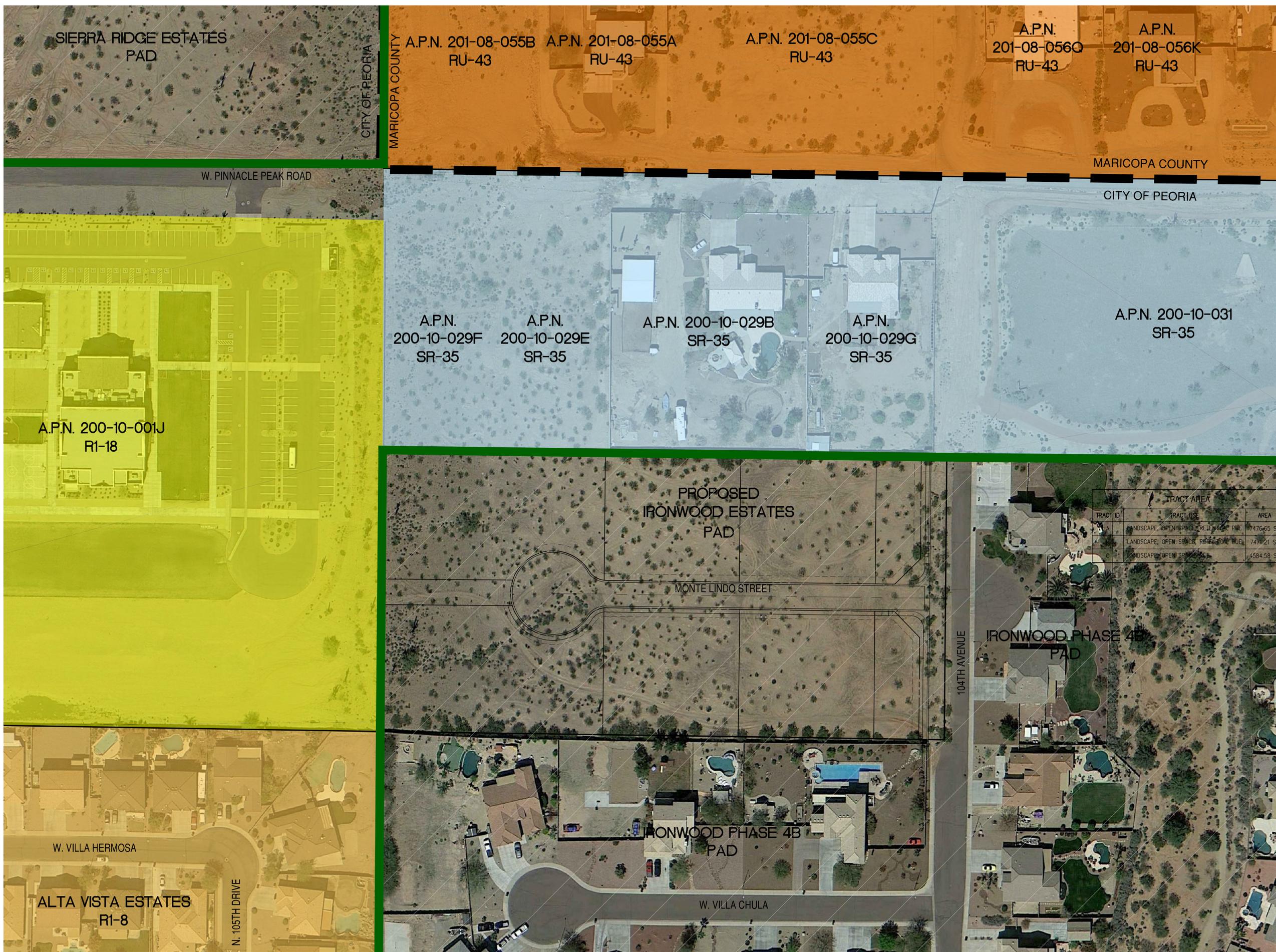
EXHIBIT 5: EXISTING ZONING  
**IRONWOOD ESTATES**  
104TH AND PINNACLE PEAK ROAD  
MARICOPA COUNTY  
PEORIA, ARIZONA

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION
SF DESIGN	CRS DRAWN SJD
SCALE	H: N.T.S. CHKD
	V: N.T.S.
JOB No. 050012	
DATE : JUNE 2015	
1	
SHEET	1 OF 1

**PROPOSED ZONING MAP  
EXHIBIT 6**



**LEGEND**

- MARICOPA COUNTY RU-43
- CITY OF PEORIA SR-35
- CITY OF PEORIA PAD
- CITY OF PEORIA R1-8
- CITY OF PEORIA R1-18

TRACT AREA		
TRACT ID	TRACT USE	AREA
A	LANDSCAPE, OPEN SPACE, RETENTION, PUE	7,476.65 S
A	LANDSCAPE, OPEN SPACE, RETENTION, PUE	7,477.21 S
C	LANDSCAPE, OPEN SPACE, PUE	4,584.58 S

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 Peoria, Arizona 85391  
 Phone: (480) 629-8830  
 www.bowmanconsulting.com  
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EXHIBIT 6: PROPOSED ZONING  
**IRONWOOD ESTATES**  
 104TH AND PINNACLE PEAK ROAD  
 PEORIA, ARIZONA

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION
SF DESIGN	CRS DRAWN SJD CHKD
SCALE	H: N.T.S. V: N.T.S.
JOB No.	050012
DATE	JUNE 2015

**SCHOOL DISTRICT COORDINATION  
EXHIBIT 7**

February 11, 2015

Peoria Unified School District  
Attn: Padric Hall  
6330 West Thunderbird Road  
Glendale, AZ 85306

Dear Mr. Hall:

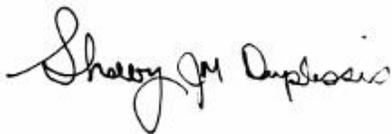
This letter is being sent to you pursuant to the City of Peoria Planning Division School District Notification Policy for General Plan designation and zoning classification changes. Please be advised that we are applying for a zoning change and an amendment to the General Plan that changes the land use designation from Residential Estate (0-2 du/acre) to Residential Low (2-5 du/acre). The zoning designation of the 5.04 acre site from AG to R1-18 will result in 7 lot single family residential homes. The property will currently allow approximately 5 residential units; and our application(s) will result in a total of 7 units.

We have attached a Preliminary Development Plan for Ironwood Estates for your reference. You are requested to respond to the City of Peoria Planning Division at 9875 N. 85<sup>th</sup> Ave, Peoria Arizona 85345, if you have any information you feel is necessary for their review.

Please provide us with a Developer Assistance Agreement between Peoria Unified District and Empire Residential Communities Fund II, LLC along with the signed Adequate School Facilities Form attached.

If you would like to discuss the proposal, I would be happy to answer any questions or hear any concerns that you may have regarding this proposal. I can be reached at **623.299.8981**.

Sincerely,



**ShelbyJM Duplessis, PE, LEED AP**  
**Senior Project Manager**



Certification of Adequate School Facilities  
for  
Residential Rezoning-

City Application Number: \_\_\_\_\_

City Staff Contact: City of Peoria Telephone: 623-773-7700

Property Address: South of Pinnacle Peak Road on 104th Avenue

Property Size: 5.04

Existing Zoning: AG Proposed Zoning: R1-18

Existing Dwelling Unit Potential: Single Family: 5 Multi-Family: \_\_\_\_\_

Proposed# of Dwelling Units: Single Family: 7 Multi-Family: \_\_\_\_\_

Net Increase in Dwelling Units from Existing Zoning:  
Single Family: 7 Multi-Family: \_\_\_\_\_

Affected School District(s): Elementary: Peoria Unified School District  
Middle: Peoria Unified School District  
High School: Peoria Unified School District

Impacted School(s): Elementary: Zuni Hills Elementary  
Middle: Zuni Hills Elementary  
High School: Liberty High School

Applicant/Contact for Rezoning Application: Bowman Consulting Group - Shelby Duplessis

Address: 14100 N. 83rd Avenue, Suite 250, Tempe, AZ 85381

Telephone: 623.299.8981 Fax: 602.800.5103

Email: sduplessis@bowmanconsulting.com

Sent for Certification to: \_\_\_\_\_

Referred Date: 2/5/15

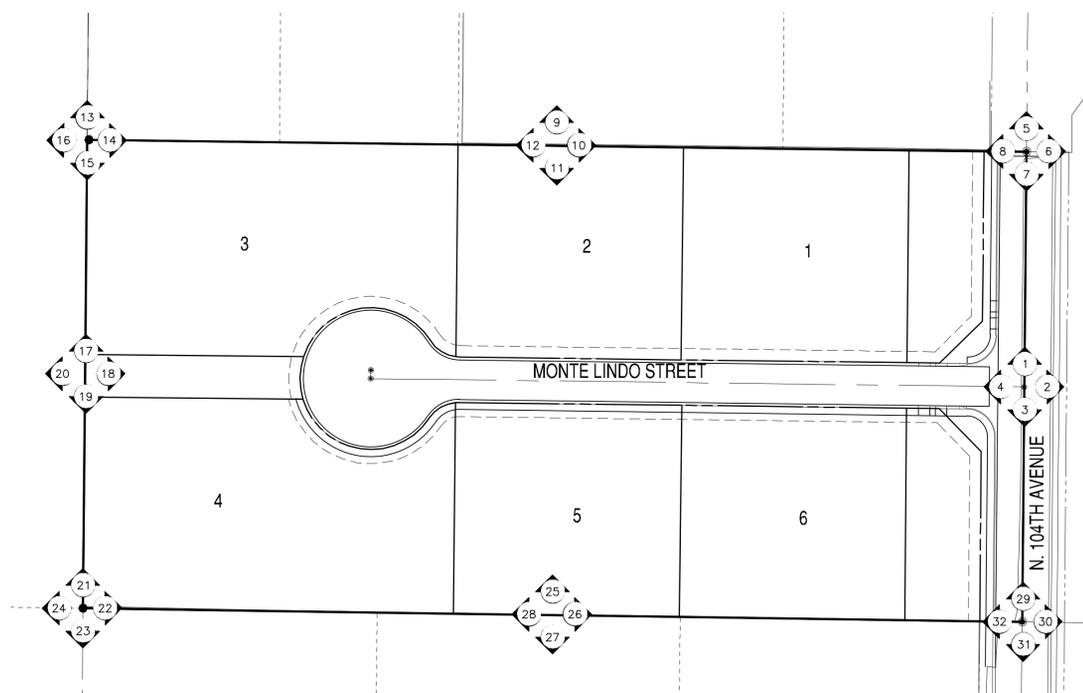
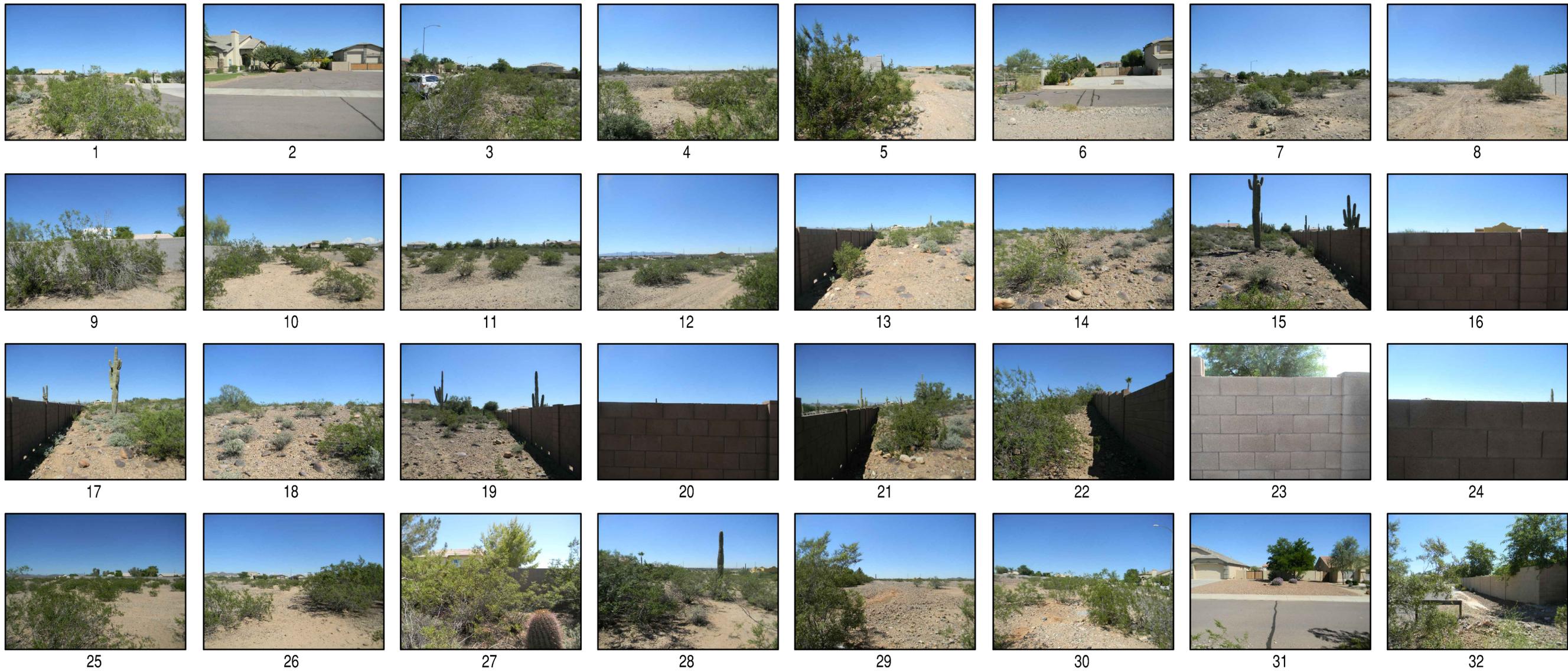
Response Deadline: 2/12/15

If no response is received by this date, it will be assumed that there are adequate school facilities for the proposed rezoning.

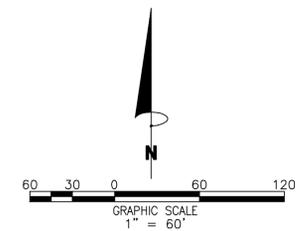
Response Date: \_\_\_\_\_



**CONTEXT PLAN AND SITE PHOTOS  
EXHIBIT 8**



1 PHOTO NUMBER AND VIEW ORIENTATION



**Bowman**  
CONSULTING

Bowman Consulting Group, Ltd.  
14100 North 83rd Avenue Ste 250  
Peoria, Arizona 85381  
Phone: (480) 609-8830  
www.bowmanconsulting.com  
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EXHIBIT 8: CONTEXT PLAN AND SITE PHOTOS  
**IRONWOOD ESTATES**  
104TH AVENUE AND PINNACLE PEAK ROAD  
PEORIA, ARIZONA  
MARICOPA COUNTY

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION
KE	CRS
DESIGN	DRAWN
SCALE	H: 1" = 60'
	V: 1" = 60'
JOB No.	050012-01-001
DATE	JUNE 2015

1  
SHEET 1 OF 1

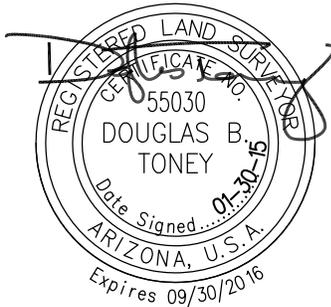
**PRELIMINARY PLAT  
EXHIBIT 9**





**A.L.T.A. SURVEY AND LEGAL DESCRIPTION  
EXHIBIT 10**

January 30, 2015  
PROJECT # 050012-01-001



**EXHIBIT 'A'**

**LEGAL DESCRIPTION  
IRONWOOD ESTATES**

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP FOUR (4) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTH QUARTER CORNER OF SAID SECTION 17, BEING AN ALUMINUM CAP FLUSH STAMPED RLS 24513, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 17, BEING A MARICOPA COUNTY BRASS CAP IN HAND HOLE STAMPED RLS 37497, BEARS NORTH 89 DEGREES 07 MINUTES 15 SECONDS WEST, A DISTANCE OF 2658.38 FEET;

**THENCE** NORTH 89 DEGREES 07 MINUTES 15 SECONDS WEST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 664.60 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17;

**THENCE** SOUTH 00 DEGREES 31 MINUTES 59 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 331.15 FEET TO A CITY OF PEORIA BRASS CAP FLUSH AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, SAID POINT BEING THE **POINT OF BEGINNING**;

**THENCE** CONTINUING SOUTH 00 DEGREES 31 MINUTES 59 SECONDS WEST, ALONG THE EAST LINE OF THE SAID SOUTH HALF, A DISTANCE OF 331.10 FEET TO A CITY OF PEORIA BRASS CAP FLUSH AT THE SOUTHEAST CORNER THEREOF;

**THENCE** NORTH 89 DEGREES 10 MINUTES 03 SECONDS WEST, ALONG THE SOUTH LINE OF THE SAID SOUTH HALF, A DISTANCE OF 664.38 FEET TO A NAIL WITH TAG RLS 32788 IN THE TOP OF A BLOCK WALL AT THE SOUTHWEST CORNER THEREOF;

**THENCE** NORTH 00 DEGREES 30 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF THE SAID SOUTH HALF, A DISTANCE OF 662.80 FEET TO THE NORTHWEST CORNER THEREOF;

**THENCE** SOUTH 89 DEGREES 16 MINUTES 09 SECONDS EAST, ALONG THE NORTH LINE OF THE SAID SOUTH HALF, A DISTANCE OF 664.48 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 219,601 SQUARE FEET OR 5.0413 ACRES, MORE OR LESS.



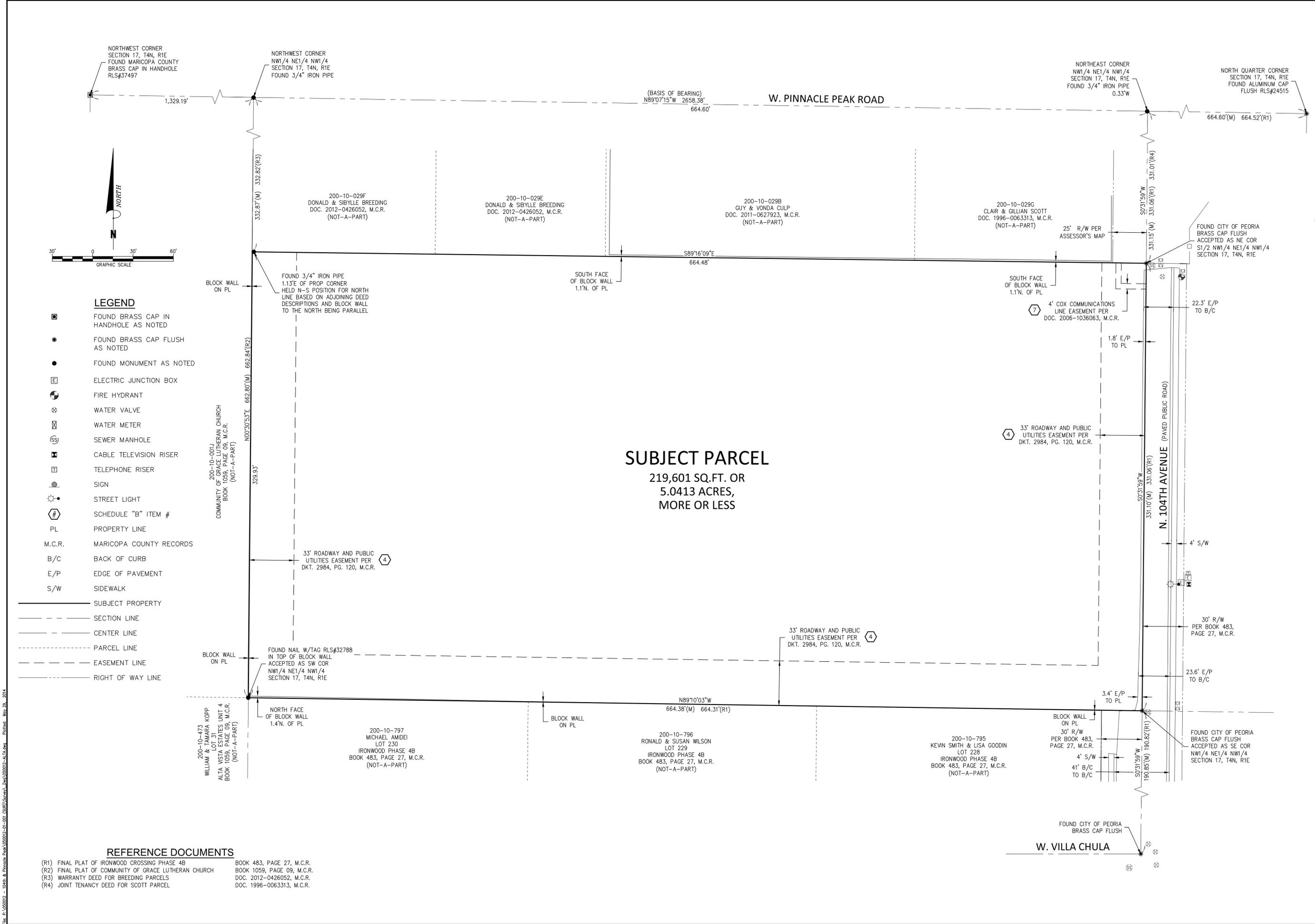


**ALTA/ACSM LAND TITLE SURVEY**  
**104TH & PINNACLE PEAK**  
**PEORIA, ARIZONA**

REVISION	DATE

DATE:	5/29/14
PROJ NO:	050012-01
TASK NUM:	001
DRAWN BY:	AG
CHECKED:	DT
QUALITY:	DT
CLIENT NO:	
SCALE	1" = 30'
	2 OF 2

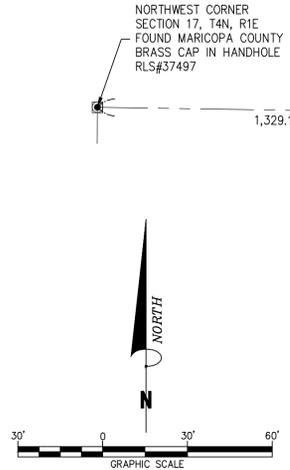
Bowman Consulting Group, Ltd.



**SUBJECT PARCEL**  
219,601 SQ.FT. OR  
5.0413 ACRES,  
MORE OR LESS

- LEGEND**
- FOUND BRASS CAP IN HANDHOLE AS NOTED
  - FOUND BRASS CAP FLUSH AS NOTED
  - FOUND MONUMENT AS NOTED
  - ⊠ ELECTRIC JUNCTION BOX
  - ⊠ FIRE HYDRANT
  - ⊠ WATER VALVE
  - ⊠ WATER METER
  - ⊠ SEWER MANHOLE
  - ⊠ CABLE TELEVISION RISER
  - ⊠ TELEPHONE RISER
  - ⊠ SIGN
  - ⊠ STREET LIGHT
  - ⊠ SCHEDULE "B" ITEM #
  - PL PROPERTY LINE
  - M.C.R. MARICOPA COUNTY RECORDS
  - B/C BACK OF CURB
  - E/P EDGE OF PAVEMENT
  - S/W SIDEWALK
  - SUBJECT PROPERTY
  - SECTION LINE
  - CENTER LINE
  - PARCEL LINE
  - EASEMENT LINE
  - RIGHT OF WAY LINE

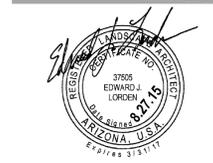
- REFERENCE DOCUMENTS**
- (R1) FINAL PLAT OF IRONWOOD CROSSING PHASE 4B BOOK 483, PAGE 27, M.C.R.
  - (R2) FINAL PLAT OF COMMUNITY OF GRACE LUTHERAN CHURCH BOOK 1059, PAGE 09, M.C.R.
  - (R3) WARRANTY DEED FOR BREEDING PARCELS DOC. 2012-0426052, M.C.R.
  - (R4) JOINT TENANCY DEED FOR SCOTT PARCEL DOC. 1996-0063313, M.C.R.



File: P:\050012 - 104th & Pinnacle Peak\050012-01-001 (BSP)\Survey\Draw\050012-ALTA.dwg Printed: May 29, 2014

**CONCEPTUAL LANDSCAPE PLAN/STANDARDS & WALL DETAILS  
EXHIBIT 11**

PLOTTED: ELORDEN ON 11/25/2015 AT 08:37 AM. THIS DRAWING AND ANY ELECTRONIC MEDIA IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF PINNACLE DESIGN, INC. WHETHER THE PROJECT FOR WHICH THIS DRAWING IS MADE IS EXECUTED OR NOT, THEY ARE NOT TO BE USED BY THE OWNER ON OTHER PROJECTS OR EXTENSIONS OF THIS PROJECT EXCEPT BY WRITTEN AGREEMENT AND/OR APPROPRIATE COMPENSATION TO PINNACLE DESIGN, INC. COPYRIGHT © 2012 PINNACLE DESIGN, INC.



**PLANT LEGEND**

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
<b>TREES</b>			
	PARKINSONIA HYBRID	DESERT MUSEUM	24" BOX
	PROSOPIS CHILENSIS 'THORNLESS'	THORNLESS CHILEAN MESQUITE	15 GAL.
<b>SHRUBS</b>			
	LEUCOPHYLLUM ZYGOPHYLLUM	CIMARRON SAGE	5 GAL.
	EREMOPHILA MACULATA	VALENTINE BUSH	5 GAL.
	RUELLIA BRITTONIANA	BRITISH RUELLIA	5 GAL.
	TECOMA STANS 'SPARKY'	YELLOW BELLS	5 GAL.
<b>ACCENTS</b>			
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL.
	MUHLENBERGIA CAPILLARIS	REGAL MIST	5 GAL.
<b>GROUNDCOVER</b>			
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	1 GAL.
	MELAMPodium LEUCANTHUM	BLACKFOOT DAISY	1 GAL.
	RUELLIA BRITTONIANA 'KATIE'	KATIE RUELLIA	1 GAL.
<b>INERT GROUNDCOVER</b>			
	DECOMPOSED GRANITE	MADISON GOLD	3/4" MINUS 2" DEPTH
	CONCRETE HEADER		6" WIDE

**PRELIMINARY LANDSCAPE NOTES**

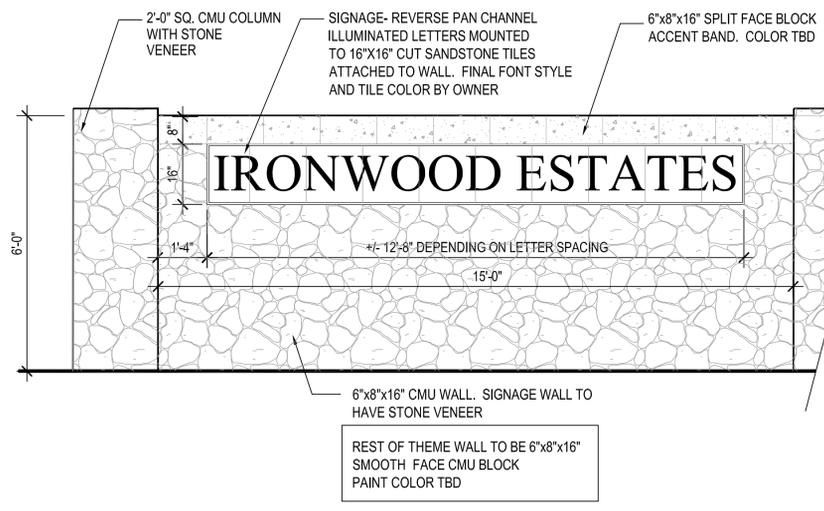
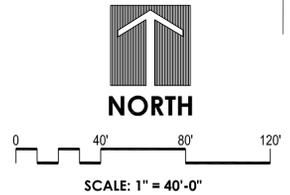
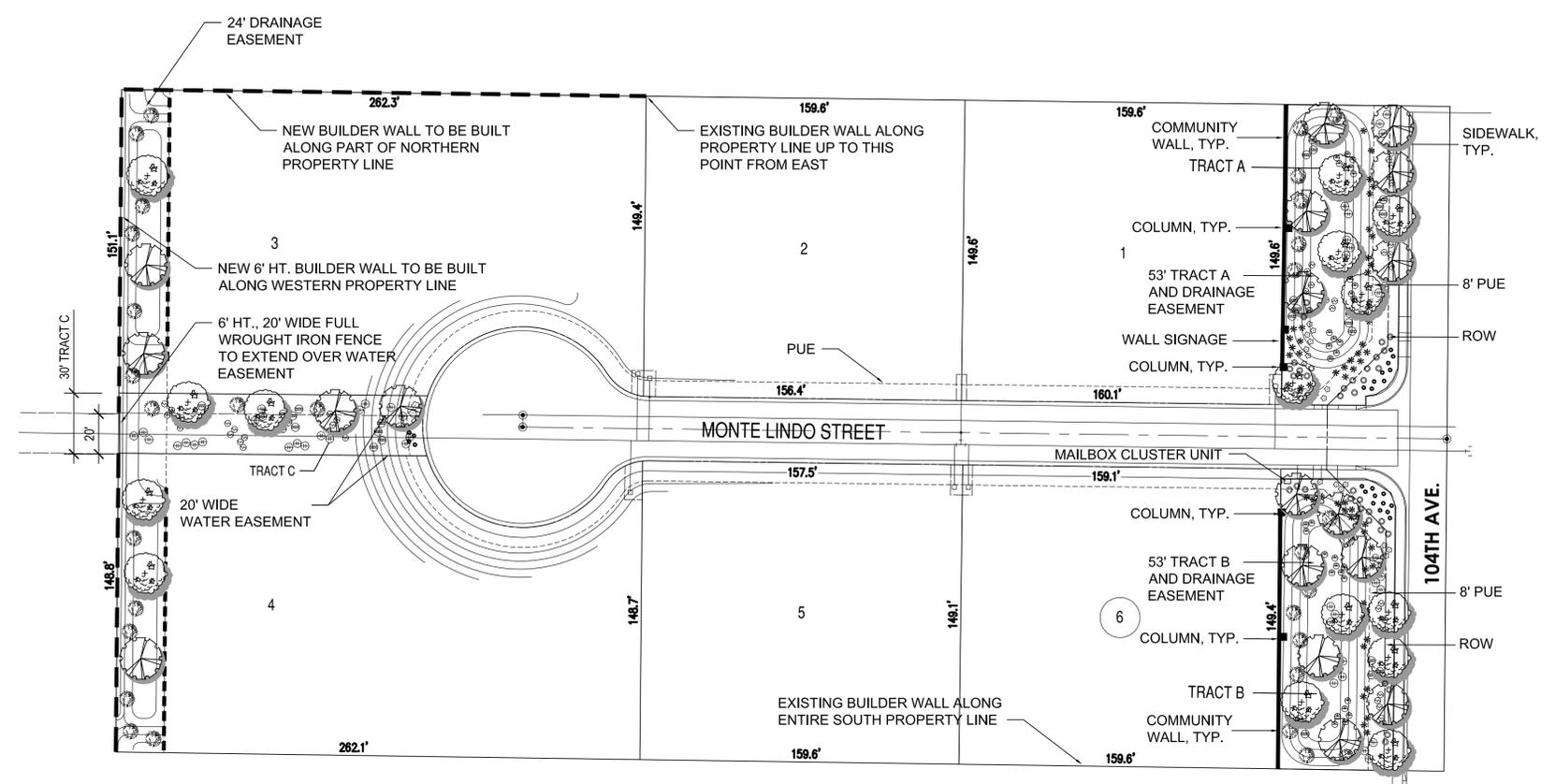
**PLANTING**  
THE SITE WILL BE LANDSCAPED IN ACCORDANCE WITH THE CITY OF PEORIA STANDARDS. ALL TREES AND SHRUBS ARE TO BE STAKED AND PLANTED IN ACCORDANCE WITH THE ARIZONA NURSERY ASSOCIATION PUBLISHED STANDARDS.

SIZES OF TREES AND SHRUBS WILL CORRESPOND WITH REQUIREMENTS SET BY THE CITY OF PEORIA. ALL PLANTING AREAS WILL RECEIVE A 2" DEPTH OF DECOMPOSED GRANITE AND SHALL BE TREATED WITH PRE-EMERGENT HERBICIDE.

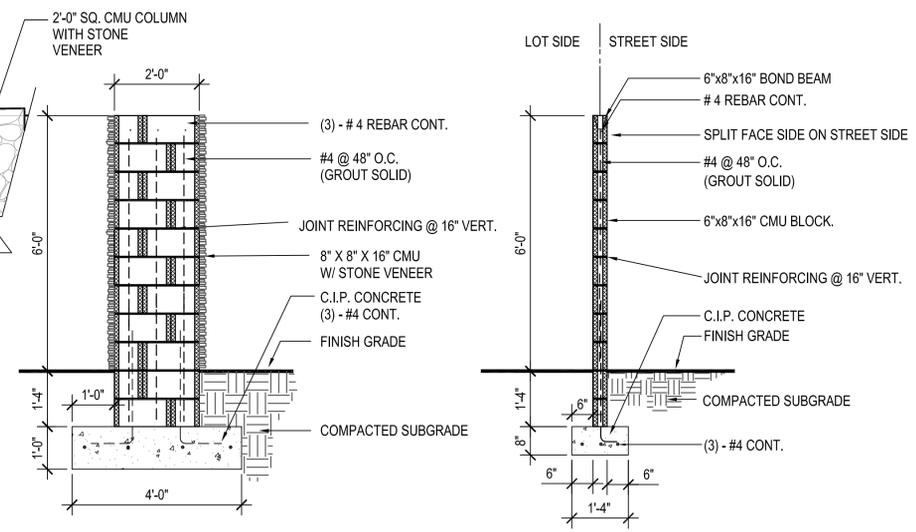
**IRRIGATION**  
THE IRRIGATION SYSTEM WILL CONSIST OF DRIP EMITTERS AND PRESSURE REGULATORS CONNECTED TO AUTOMATIC VALVES AND WILL BE TIED INTO AUTOMATIC CONTROLLERS AS REQUIRED. THE IRRIGATION SYSTEM SHALL PROVIDE 100% COVERAGE.

**SINGLE - FAMILY PRELIMINARY PLANTING DATA SHEET**

	REQUIRED	PROVIDED
<b>A. ON-SITE LANDSCAPE AREAS [14-35-4.A.1]</b>		
1. ADJACENT TO ARTERIAL STREETS (10 FEET)	N/A	N/A
2. ADJACENT TO COLLECTOR STREETS (8 FEET)**	N/A	N/A
3. ADJACENT TO LOCAL STREETS (8 FEET)** (392 L.F.)	3,136 S.F.	3,136 S.F.
<b>**REQUIREMENT APPLIED ALONG LOT SIDE AND REAR FRONTAGE AREAS</b>		
<b>B. REQUIRED DRAINAGE RETENTION / DETENTION AREAS [14-35-4.A.6]</b>		
	11,000 S.F.	11,000 S.F.
<b>C. USEABLE OPEN SPACE AREAS [DESIGN REVIEW MANUAL 20-70-12.C: &gt; 20 LOTS]</b>		
1. LOTS LESS THAN 10,000 SQUARE FEET (9% OF GROSS PROJECT AREA)	N/A	N/A
2. LOTS 10,000 - 18,000 SQUARE FEET (7% OF GROSS PROJECT AREA)	N/A	N/A
3. LOTS GREATER THAN 18,000 SQUARE FEET (5% OF GROSS PROJECT AREA)	10,980 S.F.	13,614 S.F.
<b>PLANT QUANTITIES</b>		
<b>STREET FRONTAGE LANDSCAPE AREAS [14-35-4.A.2]</b>		
D. TREES: 1 PER 25 LIN. FT. OF STREET FRONTAGE (8' OR 10' BUFFER + ROW)	16 TREES	16 TREES
E. SHRUBS: 5 PER 25 LIN. FT. OF STREET FRONTAGE (8' OR 10' BUFFER + ROW)	80 SHRUBS	85 SHRUBS
<b>DRAINAGE RETENTION / DETENTION + USEABLE OPEN SPACE AREAS [14-35-4.A.1]</b>		
F. TREES: 1 PER 1000 SQ. FT.	11 TREES	17 TREES
G. SHRUBS: 5 PER 1000 SQ. FT.	55 SHRUBS	85 SHRUBS
NOTE: USEABLE OPEN SPACE AREAS MAY OCCUPY THE SAME AREAS AS DRAINAGE (I.E. IMPROVED RETENTION BASINS)		
<b>SPECIAL PLANTING REQUIREMENTS (PAD, ZONING, ETC)</b>		
	N/A	N/A
<b>TOTALS</b>		
TOTAL LANDSCAPE AREAS (A + B + C)	14,116 S.F.	16,750 S.F.
TOTAL USEABLE OPEN SPACE PERCENT	5%	5%
TOTAL TREES (D + F)	27 TREES	33 TREES
TOTAL 24" BOX TREES (50% OF TOTAL REQUIRED TREES)	14 TREES	19 TREES
TOTAL SHRUBS (E + G)	135 SHRUBS	170 SHRUBS
<b>GENERAL NOTES</b>		
1. TURF (LAWN) IS LIMITED TO A MAXIMUM OF 20% OF THE SITE AREA.		
2. A DEVELOPMENT MAY SUBSTITUTE A 36" BOX OR LARGER TREE IN PLACE OF A 15 GALLON TREE AT A SUBSTITUTION RATE OF 1.5 TREES FOR EVERY REQUIRED (15) GALLON TREE.		
3. ALL LANDSCAPED AREAS SHALL BE SUPPORTED BY AN AUTOMATIC IRRIGATION SYSTEM WHICH MAY BE SPRAY, FLOOD OR DRIP SYSTEM.		
4. PLANT MATERIALS UTILIZED IN LANDSCAPED AREAS IN THE ROW MUST BE INCLUDED ON THE MOST RECENT EDITION OF THE PHOENIX ACTIVE MANAGEMENT AREA LOW WATER USE/DROUGHT TOLERANT PLANT LIST.		
5. THE PROPERTY OWNER AND/OR LESSEE SHALL BE RESPONSIBLE TO INSTALL/MAINTAIN ALL LANDSCAPING WITHIN THE RIGHT-OF-WAY (LANDSCAPING WITHIN ROW WILL COUNT TOWARDS STREET FRONTAGE BUFFER PLANTING REQUIREMENTS).		
6. A 3 FOOT CLEAR SPACE IS REQUIRED AROUND ALL FIRE SUPPRESSION EQUIPMENT. NO PLANTS SHALL BE INSTALLED THAT WILL ENCR OACH WHEN MATURE.		



**A COMMUNITY SIGNAGE / COMMUNITY WALL ELEVATION**  
SCALE: 1/2" = 1'-0"



**B 6' COLUMN AND WALL SECTION**  
SCALE: 1/2" = 1'-0"

NOTE: THE STREET FRONTAGE LANDSCAPE AREA SIGNIFICANTLY EXCEEDS THE MINIMUM REQUIRED DEPTH AND THIS WILL BE LEVERAGED TOWARD THE JUSTIFICATION OF EXCEEDING TARGET DENSITY AS WELL.

**SITE DATA**  
GROSS AREA: 219,600 S.F.

**NEIGHBOR SUPPORT COMMUNICATION  
EXHIBIT 12**

**From:** [Shelby Duplessis](#)  
**To:** [Theresa Grewe](#)  
**Subject:** FW: 104th Avenue and Pinnacle Peak Road  
**Date:** Thursday, February 19, 2015 11:08:13 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

This email chain will need to be listed in the transmittal when we submit and included with the submittal

Kind Regards,

**Shelby Duplessis | Senior Project Manager**  
**Bowman Consulting**

14100 N 83<sup>rd</sup> Ave Suite 250, Peoria, AZ 85381  
3010 South Priest Drive, Suite 103, Tempe, AZ 85282  
office: 623.299.8981 | direct: 602.679.4438 | fax: 602.800.5103  
[sduplessis@bowmanconsulting.com](mailto:sduplessis@bowmanconsulting.com) | [bowmanconsulting.com](http://bowmanconsulting.com) |   



— Go Green! Please consider the environment before printing this email.

---

**From:** Karen Gaabucayan [<mailto:karen@TheEmpireGroupLLC.Com>]  
**Sent:** Wednesday, February 18, 2015 5:15 PM  
**To:** Mike Curley; Shelby Duplessis; Rich Zacher  
**Cc:** Ricardo Toris; Kirste Kowalsky; Stephanie Rios  
**Subject:** RE: 104th Avenue and Pinnacle Peak Road

Ok. Thanks Mike. We plan to submit in the next week. Please follow up with Chris and send us an update when ready.

Best,  
Karen

---

**From:** Stephanie Rios [<mailto:srios@ecllaw.com>] **On Behalf Of** Mike Curley  
**Sent:** Wednesday, February 18, 2015 2:37 PM  
**To:** Karen Gaabucayan; Shelby Duplessis; Rich Zacher  
**Cc:** Ricardo Toris; Kirste Kowalsky; Stephanie Rios  
**Subject:** RE: 104th Avenue and Pinnacle Peak Road

Karen,

The below email string is sufficient. You can file.

Sincerely,  
Mike Curley

---

**From:** Karen Gaabucayan [<mailto:karen@TheEmpireGroupLLC.Com>]  
**Sent:** Wednesday, February 18, 2015 2:13 PM  
**To:** Mike Curley; Shelby Duplessis; Rich Zacher  
**Cc:** Ricardo Toris; Kirste Kowalsky; Stephanie Rios

**Subject:** RE: 104th Avenue and Pinnacle Peak Road

MIKE – I thought that Vonda was going to issue a letter of support in exchange for the items listed below. For the purposes of expediting the submittal, we can submit as soon as possible assuming that the email string below is sufficient to secure firm support for the 7-lot plan from Chris Jacques/the City.

Thanks,  
Karen

---

**From:** Stephanie Rios [<mailto:srios@ecllaw.com>] **On Behalf Of** Mike Curley  
**Sent:** Wednesday, February 18, 2015 9:30 AM  
**To:** Karen Gaabucayan  
**Cc:** Ricardo Toris; Kirste Kowalsky; Stephanie Rios  
**Subject:** RE: 104th Avenue and Pinnacle Peak Road

Karen,

Stephanie, of my office, sent you the string of emails confirming our agreement. I met with Chris Jacques a couple weeks ago to inform him of our agreement. I would suggest that before you re-submit the plan to the City that you notify me and I'll follow-up with Chris. When I met with him he didn't give me a firm commitment of support but left the door open. Call me if you want to discuss.

Sincerely,  
Mike Curley

---

**From:** Stephanie Rios  
**Sent:** Wednesday, February 18, 2015 9:17 AM  
**To:** Karen Gaabucayan ([karen@TheEmpireGroupLLC.Com](mailto:karen@TheEmpireGroupLLC.Com))  
**Cc:** Ric Toris; Kirste Kowalsky  
**Subject:** FW: 104th Avenue and Pinnacle Peak Road

Hi Karen, Mike asked me to forward the below to you.

---

**From:** Vonda [<mailto:vondaculp@yahoo.com>]  
**Sent:** Wednesday, February 18, 2015 9:11 AM  
**To:** Mike Curley  
**Subject:** Re: 104th Avenue and Pinnacle Peak Road

Yes, the below looks accurate. I apologize, I didn't know you were waiting on me.

Sent from my iPhone

On Feb 18, 2015, at 8:59 AM, Mike Curley <[mcurley@ecllaw.com](mailto:mcurley@ecllaw.com)> wrote:

Vonda,

I hadn't heard back from you. Just want to make sure the below stipulations constitute an agreement and that you will be supportive of the case if my client agrees with the below.

Sincerely,  
Mike Curley

---

**From:** Stephanie Rios **On Behalf Of** Mike Curley  
**Sent:** Thursday, February 05, 2015 2:29 PM  
**To:** 'Vonda'  
**Cc:** Ricardo Toris; Kirste Kowalsky; Stephanie Rios  
**Subject:** RE: 104th Avenue and Pinnacle Peak Road

Vonda,

You're correct. I will add to the list the following items:

5. Access to the subject subdivision will be from 104<sup>th</sup> Avenue. Additionally, the barrier at the northern end of 104<sup>th</sup> Avenue (where it now terminates) will be reinforced to preclude access to the north.
6. I forgot to add your parents' house into this stipulation but my client has agreed to that so Stipulation #3 will be re-worded to say we will reimburse you for ½ the price of your block wall plus your parents' property to the east based on \$22/linear foot.

Sincerely,  
Mike Curley

---

**From:** Vonda [<mailto:vondaculp@yahoo.com>]  
**Sent:** Tuesday, February 03, 2015 7:08 PM  
**To:** Mike Curley  
**Cc:** Ricardo Toris; Kirste Kowalsky; Stephanie Rios  
**Subject:** Re: 104th Avenue and Pinnacle Peak Road

Hi Mike!!

It's always a pleasure to work with you. I recall while I was on the P&Z Commission the City was exploding with development and the school district had no funds to build new schools. It was quite the historic moment when "you" were able to get the development you represented to kick-in the extra \$\$\$ for each residence built. Geez, so many good things happened "back in the day."

That said, looking at what you outlined...would like clarification on access to the development. This would be through Ironwood as discussed. With this considered we

would like the barrier on 104th reinforced.

Secondly, the cost for 1/2 the existing fencing would include my parents to the east of our home.

Yes, we only agree to one-story homes on all lots. In addition to payment for the additional one foot for the existing setback of the fencing.

We would also favor the lot behind us extending farther to the west...sad we will likely lose our view of the White Tanks, but I guess that is inevitable.

So appreciate you reaching out to us and taking into consideration our concerns!!

Let me know if you need any further clarification.

-Vonda

Sent from my iPhone

On Feb 3, 2015, at 10:03 AM, Mike Curley <[mcurley@ecllaw.com](mailto:mcurley@ecllaw.com)> wrote:

Dear Vonda and Guy,

Thank you again for taking the time to discuss with me the development of the above-referenced property. I appreciate your willingness to discuss this matter with me. You've indicated that the draft email I sent to you on January 8<sup>th</sup>, 2015 accurately reflected our discussions and agreement. In light of that I'm formalizing the points of agreement. They are as follows:

1. The 7 lot subdivision which is attached to this email will be supported by you and Guy.
2. In return for your support we will agree to all homes being single story.
3. We will reimburse you for half the price of the block wall based on a \$22/linear foot.
4. Lastly, you've indicated that yours and your parents' wall is built 1' north of the property line. You've asked my client to consider buying that 1' area for the two proposed lots (Lot 5 and 6). We did not discuss how much per square foot you're expecting but I'll speak to my client about this.

If the above is not accurate, please contact me otherwise I'll begin

moving forward on implementing this agreement. If you have any questions, please feel free to contact me.

Sincerely,  
Mike Curley

---

**From:** Stephanie Rios **On Behalf Of** Mike Curley  
**Sent:** Thursday, January 08, 2015 8:12 AM  
**To:** '[vondaculp@yahoo.com](mailto:vondaculp@yahoo.com)'  
**Cc:** Ric Toris; 'Stephanie Rios'  
**Subject:** 104th Avenue and Pinnacle Peak Road

Dear Vonda,

Thanks for talking to me today. I'm memorializing in draft form what I understand to be our conversation relative to a possible compromise for the 5 acre property to the south of yours and your parents' house. I'm memorializing what I understand to be your terms because if I don't I'll forget it by next week. After you and Guy have reviewed this, please contact me with any changes/modifications that you have and I'll then present it to the client.

The proposal is as follows.

1. The site plan that my client would like to build is the attached 7 lot subdivision.

For you to support the case you've asked my client to do the following.

1. Make all of the homes single story. [If you're okay with just the north 3 lots being single story, let me know.]
2. You've asked my client to reimburse you and your parents for the wall that currently exists to the north of the property. The block wall is an 8" x 8" x 16" wall. My client has given me a price of \$22/linear foot. Please ask Guy whether that figure is accurate.
3. You've indicated that your parents' and your wall is built 1' north of your property line. You asked my client to consider buying that 1' for the two proposed lots (lot 5 and 6). We did not discuss how much per foot you're expecting.

My client would request that if we do reach an agreement that you and your husband indicate your support for the case.

Again, the above is my understanding of our discussions. Please call me if

you have any modifications or additional changes. Thanks again for your  
and Guys' patience in dealing with this matter.

Sincerely,  
Mike Curley

Stephanie Rios  
Legal Assistant to Michael J. Curley  
EARL, CURLEY & LAGARDE, P.C.  
3101 N. Central Avenue, Suite 1000  
Phoenix, AZ 85012  
Telephone: 602-265-0094 | Facsimile: 602-265-2195  
E-mail: [srios@ecllaw.com](mailto:srios@ecllaw.com) | Website: [www.ecllaw.com](http://www.ecllaw.com)

<7 Lot Plan.pdf>

**WATER LINE EASEMENT LETTER  
EXHIBIT 13**



**10561 W Pinnacle Peak Rd  
Peoria, AZ 85383-5730  
[www.BoldRecklessGrace.org](http://www.BoldRecklessGrace.org)**

Date: November 24, 2015  
To: Empire Residential Communities Fund II, LLC  
From: Community of Grace Lutheran Church

Please be advised we are open to the waterline easement as per the attached exhibit. We will finalize the easement with Final Plat for Ironwood Estates.

Sincerely,

Jeff Wright  
Community of Grace Lutheran Church