PLANNING & ZONING COMMISSION
REGULAR MEETING
NOTICE & AGENDA
THURSDAY, JANUARY 7, 2010
6:30 P.M.
COUNCIL CHAMBERS
8401 W. MONROE ST.

MUNICIPAL OFFICE COMPLEX
8401 W. MONROE STREET
PEORIA, AZ 85345

PLANNING & ZONING COMMISSION:

Veda McFarland, Chair
Marc Melbo, Vice Chair
Bill Louis, Secretary
Greg Loper
Gene Sweeney
Nancy Golden
Leigh Strickman
Anne Wojcik, Alternate

Department Liaison
Glen Van Nimwegen

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.*

CONVENE:

ROLL CALL:

OPENING STATEMENT:

CALL TO SUBMIT SPEAKER REQUEST FORMS:

CONSENT AGENDA

CONSENT AGENDA: All items listed with "C" are considered to be routine or have been previously reviewed by the Planning and Zoning Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

CONSENT – New Business:

1C **DISPOSITION OF ABSENCE:** Discussion and possible action to approve/excuse the absences of Commissioner Gerard, and Alternate Wojcik from the December 17, 2009 meeting.

2C **MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held December 17, 2009.

REGULAR AGENDA

NEW BUSINESS:

3R **PUBLIC HEARING:** RE: Planned Area Development Amendment.

PUBLIC HEARING – Z04-34A.5: [redacted], on behalf of Pulte Home Corporation, is requesting a major amendment to alter the approved residential density, overall lot mix and the access / circulation for a portion of the Tierra del Rio Planned Area Development. The overall density will increase from 2.1 units per acre to 2.2 units per acre, individual subdivisions will have varying lot sizes, and a secondary access will be created to Jomax Road near the Agua Fria River. The portion of the Tierra del Rio development to be amended is generally located at the corner of Jomax Road and 99th Avenue.

Staff Report
Open Public Hearing
Public Comment
Close Public Hearing
Commission Action: Discussion and possible action to recommend approval of a request from [redacted] on behalf of Pulte Home Corporation, for a major amendment to alter the approved residential density, overall lot mix and the access / circulation for a portion of the Tierra del Rio Planned Area Development.

4R **ELECTION OF OFFICERS:** Discussion and possible action to elect officers for 2010 including Chairman, Vice-Chairman, and Secretary.

CALL TO THE PUBLIC: (Non-Agenda Items)

Your comments pertaining to the Planning and Zoning Commission business are welcome. However, if you wish to address the Planning and Zoning Commission, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. Boards and Commissions are not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from Staff:

Reports from the Planning and Zoning Commission:

ADJOURNMENT:

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Board/Commission Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
DECEMBER 17, 2009
DRAFT

A **Regular Meeting** of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe St., Peoria, AZ in open and public session at 6:30 p.m.

Members Present: Chair Veda McFarland, Vice Chair Marc Melbo, Commissioners Bill Louis, Nancy Golden, Greg Loper, and Leigh Strickman.

Members Absent: Commissioner John Gerard and Alternate Anne Wojcik.

Others Present: Ellen Van Riper - Assistant City Attorney, Glen Van Nimwegen - Planning and Community Development Director, Chris Jacques - Planning Manager, Adam Pruett – Senior Planner, and Bev Parcels – Planning Assistant.

Opening Statement: Read by Chris Jacques.

Call for speaker request forms.

Audience: Fourteen

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a "**C**" are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion.

1C **DISPOSITION OF ABSENCE:** Approve the absences of Commissioner Greg Loper and Alternate Anne Wojcik from the December 3, 2009 meeting.

2C **MINUTES:** Approve the minutes of the Regular Meeting held December 3, 2009.

COMMISSION ACTION: Commissioner Louis moved to approve the Consent Agenda items. The motion was seconded by Commissioner Loper and upon vote, carried unanimously.

REGULAR AGENDA

UNIFISHED BUSINESS:

3R **PUBLIC HEARING – GPA08-02:** [redacted] on behalf of Aloravita II, LLC and [redacted] requested a minor amendment to alter the current Peoria General Plan Land Use designation for approximately 78 gross acres from Residential Low Density (2-5 du/ac. target of 3 du/ac) to Mixed-Use. The proposal is generally located east of 83rd Avenue, approximately midway between Happy Valley and Jomax Roads.

STAFF REPORT: Presented by Adam Pruett, Senior Planner

COMMISSION COMMENT: Commission members inquired about the following items:

- The views from Terramar and Westwing subdivisions.
- The density of the residential component.
- The amount of area the mixed-use portion will occupy.
- How many residents attended the neighborhood meetings that were held.
- Whether the proposed Condominiums would be sold or rented.

PUBLIC COMMENT:

[redacted] applicant, responded to Commissioners comments:

- The Developer worked hard to propose a sustainable development with designs similar to surrounding areas.
- The Commercial node was moved away from 83rd Ave. & Jomax Rd. to an interior Commercial area of approximately 14 acres.
- Two neighborhood meetings were held with an attendance of about two dozen residents.
- The proposed Condominiums would be sold not rented.

[redacted] resident, stated that he is in support of the project.

[redacted] resident, stated the following:

- Mixed-use and condos or townhouses are not wanted in their neighborhood.
- Concerned about home values dropping.
- Only wants single family detached homes in the area.
- No one that attended the neighborhood meetings was in favor of the project

[redacted] resident, expressed her opposition:

- Peoria has a chance to change image by making North Peoria a Scottsdale type area and the proposed project is not the right development for the area.
- She was led to believe when she purchased her home that area would remain residential and not have commercial.

[redacted] resident since 1994, voiced his full support and was excited that North Peoria could have a project that would be similar to DC Ranch or Grayhawk in Scottsdale.

COMMISSION ACTION: Commissioner Loper moved to recommend approval of case GPA08-02 as Neighborhood Commercial Mixed-Use. The motion was seconded by Commissioner Louis and upon vote, carried unanimously.

CALL TO THE PUBLIC: (Non-agenda Items): None

REPORT FROM STAFF: Chris Jacques, Planning Manager, announced the name of the new Planning & Zoning Commissioner, Gene Sweeney, and stated that he would be eligible to attend his first meeting on January 7, 2010.

REPORTS FROM THE PLANNING AND ZONING COMMISSION: None

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:19 p.m.

_____ _____

Veda McFarland, Chair Date Signed

REZONING - PAD AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: Z 04-34A.5

DATE: January 7, 2010

AGENDA ITEM: 3R

Applicant: Pulte Home Corporation

Request: A Planned Area Development amendment for approximately 323 acres of the 994 gross acre Tierra del Rio development to permit an increase in total lot count, variation in minimum lot sizes and the inclusion of a secondary access point.

Proposed Development: Tierra del Rio: A previously approved Planned Area Development.

Location: The amendment area is located at the northwest corner of 99th Avenue and Jomax Road.

Site Acreage: Approximately 322.9 of a 994 gross acres total.

Support / Opposition: As of the date of this printing, no support or opposition to this proposal has been received.

Recommendation: Approve, with conditions.

LAND USE BACKGROUND

Table 1: *Existing Land Use, General Plan, Current Zoning.*

	EXISTING LAND USE	GENERAL PLAN	ZONING
Subject Property	**Vacant**	**Residential Low (2-5 du/ac, target of 3 du/ac)**	**Planned Area Development (PAD)**
North	Vacant/Agua Fria River	Park/Open Space and Water	General Agriculture (AG) and Rural-43 (Maricopa County)
South	Single-family residential (Maricopa County)	Residential Low (2-5 du/ac, target of 3 du/ac)	Rural-43 (Maricopa County)
East	99th Ave, then single-family residential (Pleasant Valley)	Residential Low (2-5 du/ac, target of 3 du/ac)	PAD (Z91-01A.5)
West	Agua Fria River	Park/Open Space and Water	PAD (Z04-34) and Rural-43 (Maricopa County)

Project History

1. Tierra del Rio is a 994 acre development that includes 280 acres of dedicated open space and 190 acres of open space within individual residential parcels. Approved land uses include neighborhood and community (retail) commercial, worship and residential. The community is approved for 2,102 dwelling units and is intended to provide a broad mix of housing types from high density multi-family residential to low density single-family detached homes.

2. The project was previously approved by Maricopa County as a Development Master Plan in 2002. In December 2004, the development was annexed into the City of Peoria and assigned a Planned Area Development (PAD) zoning designation. In early 2005, as a major amendment to the initial zoning case, an additional 62 acres was added to the project and the development standards were adjusted to be more comparable to existing City zoning requirements.

3. Since 2005, there have been three minor PAD amendments to the project that addressed the development standards for wall and retaining wall height and maximum driveway width. In addition, the amendments adjusted the regional and local trail locations, and combined the development standards for Parcels 7 and 8 to allow for those parcels to be developed into one cohesive multi-family project.

4. Within the past several years, activity within the overall Tierra del Rio development has been minimal. The multi-family development has been completed on the north side of Happy Valley Road, the internal arterial of Jomax Road and 107th Avenue/Tierra del Rio Boulevard has been completed to 99th Avenue and the Agua Fria River and the site has been graded. Due to the downturn in the housing market, no further construction has occurred within the development.

AMENDMENT DESCRIPTION

Amendment Details

5. The applicant is requesting a major amendment to the approved Tierra del Rio Planned Area Development (PAD) to facilitate three modifications to the development standards and the land use plan. The modifications are as follows:

   A. Modified access – The original access to Parcels 20-23 was limited to a single point of access from 99th Avenue. This layout essentially created a long cul-de-sac with no secondary access. The amendment request includes a modification to the planned circulation plan that will create a second access point from Jomax Road through Parcel 15 (Exhibit C.2).

   B. Revisions to the land plan – The request to the land plan is twofold:

a. The first request is to revise the land use designations and underlying zoning categories for Parcels 21, 22, 27 and 28 to allow for a mix of lot sizes within each individual Parcel (Exhibit D). The zoning for each parcel will change from R1-7 PAD (Parcels 21, 22 and 28) and R1-8 PAD (Parcel 27) to R1-6 PAD (Exhibit F – Table 1).

b. The second request is to modify the minimum lot width requirement within each parcel. Currently, the PAD specifies only one lot width for each Parcel. Contained in the amendment is a proposal for each development parcel to contain a certain percentage or allocation of varying lot widths to allow for a diversity of housing types (Exhibit D). The lot widths will vary from 45-65 feet depending on the development parcel.

C. Increase total unit count – The changes to the land plan through the alteration of minimum lot widths would allow for an increase in the amount of developable lots. Based on conceptual lotting scenarios up to 106 new lots may be created. The total amount of lots for the Tierra del Rio development would increase from 2,102 to 2,208 and the overall density would increase from 2.1 dwelling units per acre (du/ac) to 2.2 du/ac.

DISCUSSION AND ANALYSIS

Tierra de Rio PAD Standards

6. Pursuant to Article 14-33-4D of the Zoning Ordinance, changes to a PAD are considered "minor" or "major." The requested changes include an increase in the total permitted lot count for the development from 2,102 units to 2,208 units. This modification therefore constitutes a "major" amendment and is required to go through the public hearing process (similar to rezoning applications).

7. The modified access is an improvement to the community and will potentially minimize the traffic related impacts throughout residential areas of the development. Also, with the inclusion of a secondary access to Jomax Road, the amount of average daily trips on 99th Avenue will be reduced, lessening the impact on the adjacent residential development of Pleasant Valley. In addition, the revised circulation plan will improve emergency response time for Parcels 20 and 21.

8. The combination of a change in the underlying zoning district to R1-6 PAD and the modification of lot width will better utilize the overall land use and will diversify the neighborhood design. Most new residential subdivision contain one minimum

lot width that correlates with one of the developers housing product. For example, if the lots were 50' wide, the developer will have a certain palette or variety of homes that would fit on that specific lot size. By varying the required minimum lot width, the developer will be able to increase the types of housing "series" that may be placed on a lot and within that specific development parcel.

9. Based on Table 1 contained in Exhibit F, each amended parcel will be R1-6 PAD with a minimum lot width of 45 feet. Table 2A in Exhibit F allocates the exact percentage of each minimum lot width that will be required for each of the development parcels. Using a percentage scenario to meet the varying lot widths allows the developer some measured flexibility when preparing the revised lotting scenario.

10. The overall increase in total density from 2.1 du/ac to 2.2 du/ac is minimal and is still below the target density of 3 du/ac based on the underlying Low Density Land Use designation.

11. The diversity in housing types also corresponds with the intent of the Architectural Form section of the Design Review Manual. Promoting a variation in the available design elements in housing will foster a diverse, attractive and integrative community.

12. The portion of the PAD Standards and Guidelines Report that is altered by this amendment is included under Exhibit F. The revised pages, figures and tables will replace the corresponding item in the existing PAD document. The entire PAD document is available upon request.

13. No other items contained within the original PAD (and subsequent amendments), including the amount of open space, landscape requirements, or encroachment into hillside areas will be impacted by the requested amendment. All conditions of approval that were included with the original rezone case and the subsequent amendments shall remain in effect.

Citizen Participation/Neighborhood Meeting

14. As part of the major PAD amendment process, the applicant is required to hold a neighborhood meeting. The applicant notified property owners within 300 feet of the subject site for the required neighborhood meeting, which was held on August 31, 2009 at the Cross of Glory Lutheran School. One hundred fifty three (153) notices were sent out to property owners and the meeting was attended by approximately 15 people (sign in sheet and minutes are included in Exhibit E). Based on the minutes of the meeting, there were no specific comments that needed to be addressed during the review of the PAD amendment. To date, there has been no opposition stated or received for this request.

Engineering/Economic Development Services Requirements

15. During the course of the review, the Engineering/Economic Development Services Departments met with the applicant to discuss the proposal for the secondary access to Jomax Road through Parcels 15 and 20-22. There was an expressed concern due to the location of the crossing and the proximity to a wash that runs along the north side of Jomax Road, the physical roadbed would be located within a floodplain and considered to be a "wet" crossing. Since this access would likely be used as the primary access for Parcel 20 and possibly Parcel 21, the road will be required to be constructed above the 100 year floodplain (also known as a dry condition). If this connection to Jomax Road cannot be constructed in a dry condition, a secondary dry access road must be established prior to the occupancy of any of the home in Parcels 20-22. Condition #4 below addresses this issue.

Water and Wastewater Facilities

16. Water service to the Tierra del Rio development is provided by Arizona American Water Company. The facilities for the development anticipated up to 2,500 dwelling units. An increase in the total number of dwelling units to 2,208 will be accommodated with the existing facilities.

17. Wastewater services are provided by the City of Peoria. With the reconfiguration of the lots in Parcels 20-22, the main sewer line will be located within the right-of-way instead of the open space easement as previously planned. The master wastewater report indicates that there is additional capacity available to handle the increase in lots due to this amendment.

Fire Requirements

18. The Fire Department has added a specific condition of approval relative to this amendment request. The condition requires any residential project that exceeds 30 residential units and has only one means of ingress/egress to provide either a separate fire apparatus access road or residential fire sprinklers in each home. The Fire Department will be evaluating compliance with this requirement during the platting and permitting stage.

Peoria Unified School District

19. The developer has previously executed a Developer's Assistance Agreement with the Peoria Unified School District. The previous agreement anticipated up to 2,300 dwelling units. This amendment request is capped at 2,208 dwelling units and therefore the existing agreement is still valid.

Public Notice

20. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign meeting the content and size requirements prescribed by the Planning Division. The posting was completed within the prescribed 15-days prior to the Public Hearing. The applicant has provided a photo exhibit and signed affidavit attesting to the posting.

Proposition 207

21. The applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

FINDINGS AND RECOMMENDATION

22. Based on the following findings:

- The proposed changes are consistent with the Peoria Zoning Ordinance pertaining to Planned Area Development Districts; and
- The proposed amendment to the Tierra del Rio PAD encourages a more creative approach in the utilization of land and promotes innovations in the type of residences to be developed on the site; and
- The development character and density is compatible with adjacent residential developments; and
- The proposed amendment is an overall enhancement to the Tierra del Rio development.

It is recommended that the Planning and Zoning Commission take the following actions:

Recommend approval to the City Council for Case Z 04-34A.5, subject to the following conditions:

1. This development shall conform to the Tierra del Rio PAD Standards and Guidelines Report dated August 2009.
2. The approval entered herein shall not negate any of the prior conditions contained or referenced within the original Case Z 04-34 (*Tierra del Rio PAD*) or any successive amendment (A.1-4). Those conditions shall remain in force for the PAD.
3. Within thirty (30) days following City Council approval, the applicant shall submit two (2) revised paper copies and one (1) digital copy of the PAD Standards and Guidelines Report including all exhibits, figures, and tables and removing all strikethrough, underlines and formatting mark-ups.

4. The collector road access to Parcel 20 at Tierra del Rio shall be designed to be a dry (i.e., above the 100 year floodplain) access road at all points. If the Engineering Director, at his sole discretion, determines that this is not reasonable by engineering standards, the Developer may provide a temporary secondary paved access road as an alternative. The temporary secondary paved access road shall be constructed and maintained to provide emergency dry access to Parcels 20-22 until permanent dry access to these parcels is constructed. Design of the temporary secondary access shall be subject to the approval of the Engineering Director. In either case, dry access shall be provided to Parcels 20-22 prior to the occupancy of any homes in these Parcels.

5. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with a separate and approved fire apparatus access roads. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped with an approved automatic sprinkler system, access from two directions shall not be required.

6. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times. This would include water over the access road (wet crossing).

7. Plans for the dry access road crossings shall be submitted to the engineering and fire departments for approval, prior to the issuance of any permits, i.e. grading permits, building permits, etc., for parcels 20 through 22. This stipulation shall be recorded with the final plat.

Attachments:

Exhibit A	Project Narrative
Exhibit B.1	Vicinity Map
Exhibit B.2	Vicinity Map – Project Area
Exhibit C.1	Tierra del Rio Land Plan
Exhibit C.2	Tierra del Rio Circulation Plan
Exhibit D	Conceptual Lot Mix Plan (for reference)
Exhibit E	Citizen Participation Report
Exhibit F	Tierra del Rio PAD Amended Items

Prepared by: Robert Gubser, AICP
Senior Planner

Tierra del Rio

Peoria Case Number Z-04-34A.5
Proposal PAD Amendment Summary
July 29, 2009 – 1st Submittal
November 6, 2009 – 2nd Submittal

Introduction

The Tierra del Rio project is located adjacent to the east bank of the Agua Fria River in northern Peoria, in the vicinity of 99th Avenue and Happy Valley Road. This project was previously approved by Maricopa County as Development Master Plan (DMP) 99-05 in December 2002. In December 2004 the DMP was annexed into Peoria as a Planned Area Development (PAD) Z-04-34.

Tierra del Rio is a 994 acre community that includes 280 acres of dedicated open space, and +/-190 acres of open space within residential parcels. Approved land uses include neighborhood commercial, retail commercial, civic, worship, and residential. The community is approved for 2102 dwelling units and is intended to provide a broad mix of housing types from high density residential/commercial to low density single family detached homes. The community is conveniently located adjacent to the Lake Pleasant Towne Center, providing future residents convenient employment, retail shopping, and dining opportunities. In this sense, Tierra del Rio is a model of sustainable development in northern Peoria.

Pulte Home Corporation is the current owner of Parcels 20-22 and 27-28 (collectively the "Parcels") in the Tierra del Rio community. Note that Pulte is also the current owner of Parcel 23, however, this amendment does not propose any changes for that parcel.

Pulte is proposing certain Amendments to the approved PAD described as follows.

Proposed Amendment

The proposed Amendments are shown in the attached Proposed Land Plan. Under this Amendment, the Proposed Land Plan would replace Figure 4 of the approved PAD (PAD Z 04-34.A.1 – Conceptual Site Plan).

First, access to parcels 20 through 23 would be modified to provide access to both 99th Avenue and Jomax Road. Providing two access points instead of the current single access point on 99th Avenue serves to provide better circulation for the community, eliminating what was essentially a long cul-du-sac within parcels 20-23. This will reduce the loading on the local streets as residents will have more options to exit and enter the community. It will also distribute the daily trips in and out of the community onto two arterial roadways (Jomax and 99th Avenue), thereby reducing the loading on those streets as well. Finally, this will provide greater access to the homes by Police and Fire departments.

The second part of the Amendment is to revise the land use designations for Parcels 21-22 and 27-28 to allow for a mix of lot sizes in each Parcel as shown in the attached Conceptual Lotting Plan. Attached to this narrative are two revised tables from the PAD; Table 1 – PAD Land Use Summary and Table 2A – PAD Development Standards. These tables have been modified to allow the type of lot mix and densities shown on the attached Conceptual Site Plan.

Exhibit A

Modifications to the tables shaded grey for clarity. On Table 1, the land use criteria have been changed to allow increased density in each of the Parcels by changing the Zoning to R1-6 for all the Parcels. Then on Table 2A, the percentage of lots within a width range is specified to ensure that an overall lot width mix within the Parcels is met at build out of the community. The goal of these changes is to provide greater flexibility and facilitate a more diverse mix of housing product within these parcels while still ensuring the City that the overall density and lot width mix is met.

The PAD as currently approved specifies only one lot size for each Parcel. This limits the number of housing product line or "series" that can be delivered in each Parcel, thereby limiting the diversity of housing products in each subdivision. Each series typically has a minimum of two floorplans each with three different elevations. As shown in the Conceptual Lotting Plan, the proposed changes will allow a mix of lot sizes in each Parcel. For example, in Parcel 27 the approved PAD Land Plan currently only allows 65' wide lots, but on the attached Conceptual Lotting Plan exhibit, Parcel 27 has three different lot sizes: 45', 55' and 65'. If it is assumed that each lot size will have a different series, this would mean that only 6 home elevations would be available in Parcel 27 under the current plan. With the proposed Amendment, this increases to 18 available elevations in that parcel. Having more lot sizes will result in more series being offered in each subdivision and therefore more diverse housing and a greater mix of home elevations.

Under the Proposed Land Plan, the total allowable dwelling units would be increased by 106 units, and the density of the Pulte owned parcels would be increased from 2.3 du/ac to 2.6 du/ac. The overall lot count for the Tierra del Rio PAD would be increased from 2102 to 2208 dwelling units resulting in an overall density increase from 2.1 du/ac to 2.2 du/ac for the PAD. A comparison of the lot mix, parcel density, and PAD density is provided in the attached Table 3 - Lotting Analysis Tables. This slight increase in density will make the Tierra del Rio project more viable for development in the near term by Pulte and therefore provide a revenue stream to the City sooner rather than later. In the current economic climate, even this small increase in density can make a big difference in the development timing of a project.

Description of Impacts

Open Space

The proposed changes will have no impact on 470+/- acres of open space provided in the PAD. The footprint of the Parcels will not change and all parcels dedicated for open space are maintained.

Circulation

The proposed changes will improve the circulation of the PAD. Currently there is a single point of access for Parcels 20-22 to regional roadways. The proposed amendment will provide two points of access for these parcels, thereby reducing the average distance from residential lots to regional roadways and reducing the intensity of trips on both local and arterial roadways. Bicycle, pedestrian, and equestrian circulation will not be impacted by this amendment.

Schools

The executed Developer's Assistance Agreement with Peoria Unified School District No. 11 for Tierra del Rio anticipates up to 2,300 residences for the PAD. As such, the increase in dwelling units requested under this amendment does not require an amendment or revision to this agreement.

Parks & Amenities
The parks and amenities plan for Tierra del Rio is not impacted by this amendment. The four acre park in Parcel 21 is maintained from the existing Conceptual Site Plan and all other dedicated open spaces are also maintained with this amendment.

Police & Fire Protection
The Parcels are served by the City of Peoria Police and Fire departments. The improved circulation plan will provide better response times thereby improving Police and Fire services to the residents of these Parcels. The increase in density is not anticipated to impact Police and Fire services significantly.

Water Facilities
Water facilities are provided to the Parcels by Arizona American Water Company (AAWC). The increase of 106 dwelling units from the approved PAD will not have a significant impact on the water facilities. The ownership group for Tierra del Rio entered into a Master Water Facilities Agreement with AAWC on December 31, 2008 that governs the development of water facilities for the project. This agreement will be amended as needed to accommodate the additional lots. The water facilities designated in the Tierra Del Rio Water Master Plan are anticipated to be capable of serving 2500 dwelling units based on existing well capacity.

Wastewater Facilities
Wastewater services are provided to the Parcels by the City of Peoria. The addition of 106 dwelling units from the approved PAD will not have a significant impact on the size of wastewater mains. The Master Wastewater Report dated January 29, 2005 prepared by CMX indicates there is an additional capacity of 1,582 dwelling units in the regional sewer that runs adjacent to parcels 20-22. This also indicates that the additional 106 lots can be accommodated by the regional systems currently in place or anticipated.

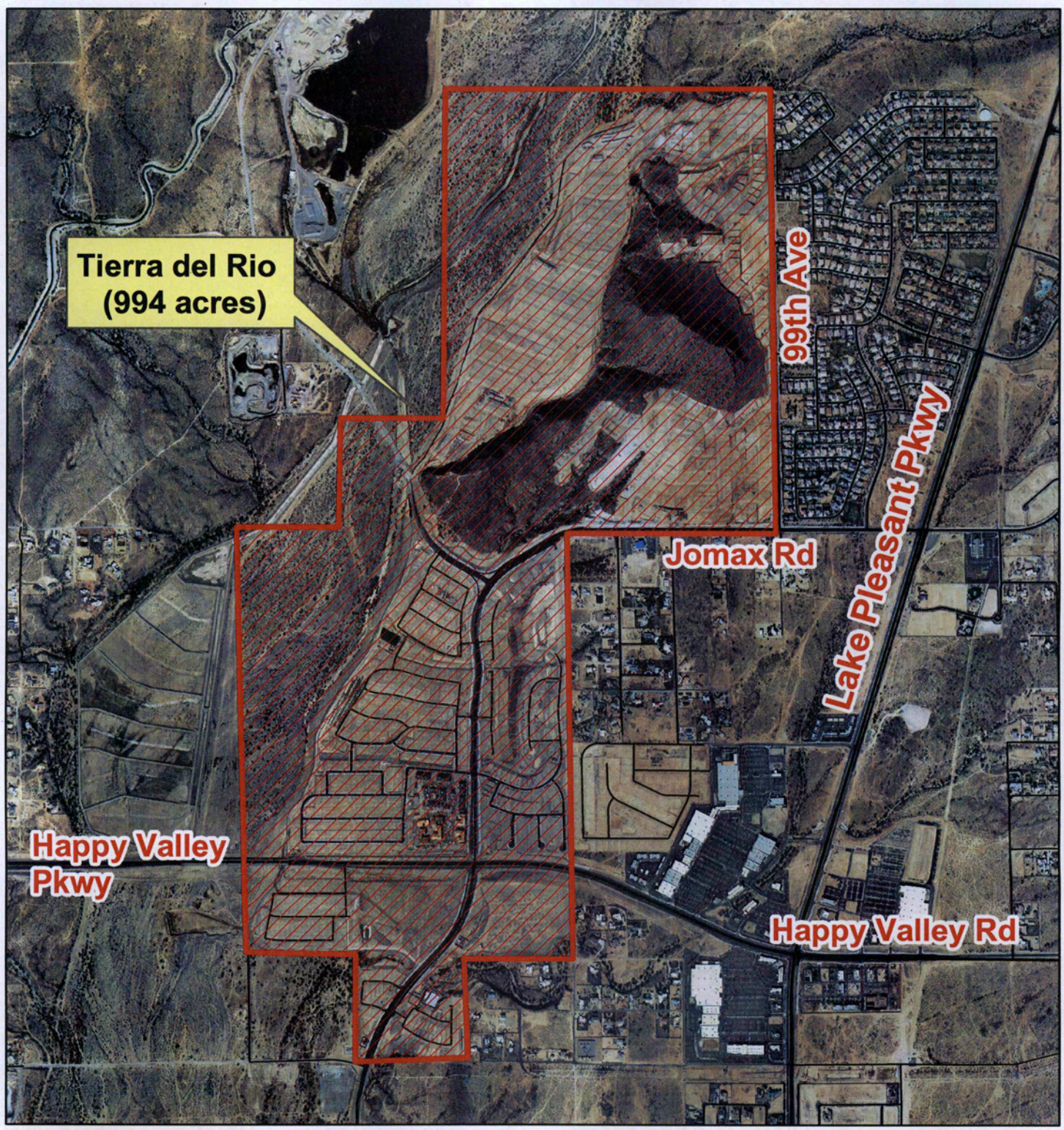
As stated previously, the revised location of the roadway network through Parcels 20-22 will facilitate the installation of regional sewer along the western boundary of the Parcels within the street right-of-way instead of in an open space easement. This is an improvement over the existing PAD as it is much easier to access the sewer in paved roadways versus an open space tract for maintenance purposes. We will coordinate with the City's Utility Department regarding any updates that need to be made to the Wastewater Master Plans regarding this change.

Drainage
The drainage master plan for the community is not impacted by this amendment as the developable areas do not change. Parcel drainage reports will be submitted with each plat in accordance with City standards.

Summary

The proposed Amendment serves to improve the circulation of the Parcels and increase the diversity of housing product in the parcels. This is done by proposing modifications to the PAD Land Use Summary and Development Standards. These changes are not anticipated to have significant impacts on the various elements of the PAD, but they are anticipated to improve the overall development of Tierra del Rio. Pulte respectfully proposes these Amendments to the City for consideration and approval.

Z 04-34A.5: Vicinity Map



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Z 04-34A.5: Tierra del Rio

Request:
Major PAD Amendment for 323 acres of the 994 acre Tierra del Rio development.

Location:
NWC of Jomax Rd and 99th Ave

Exhibit B.1

Z 04-34A.5: Vicinity Map - Project Area

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Z 04-34A.5: Tierra del Rio

Request:
Major PAD Amendment for 323 acres of the 994 acre Tierra del Rio development.

Location:
NWC of Jomax Rd and 99th Ave

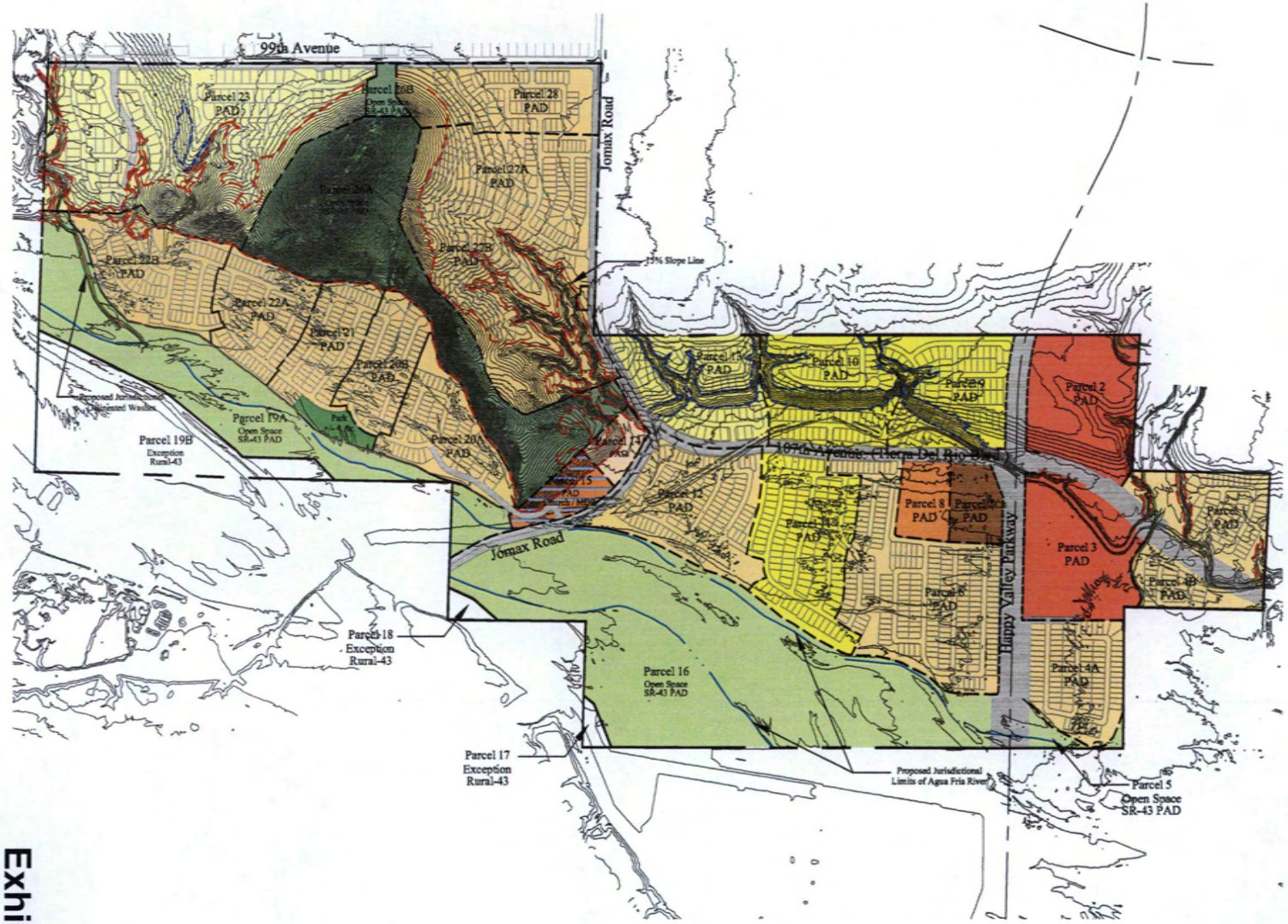
Exhibit B.2

Tierra Del Rio

Peoria, Arizona PAD Amendment

Land Plan

Figure 4A



Legend

- Project Boundary
- Parcel Boundary
- Proposed JD Washes
- Proposed JD Limits of Agua Fria River
- Area above 15% slope line subject to hillside regulations
- Proposed area above 15% slope line not subject to isolation and scarring

Single Family Residential

- PAD (75' min. lot width), Parcels 23, 24, 25
- PAD (65' min. lot width), Parcel 13
- PAD (55' min. lot width), Parcels 9, 10, 11
- PAD (45' min. lot width), Parcels 1, 4A, 4B, 6, 12, 20A, 20B, 21, 22A, 22B, 27A, 27B, 28

Multi-Family Residential

- PAD Medium Density Residential, Parcels 8, 15
- PAD High Density Residential, Parcel 7

Commercial

- PAD Neighborhood Commercial, Parcel 14
- PAD Retail Commercial, Parcels 2, 3

Open Space

- Neighborhood Parks
- Open Space - Mountain
- Open Space - Rivers / Washes

Civic

- Proposed Church Sites (PAD), Parcel 15

north

October 2009

0' 1000' 2000'

Pulte Homes

HADLEY DESIGN GROUP

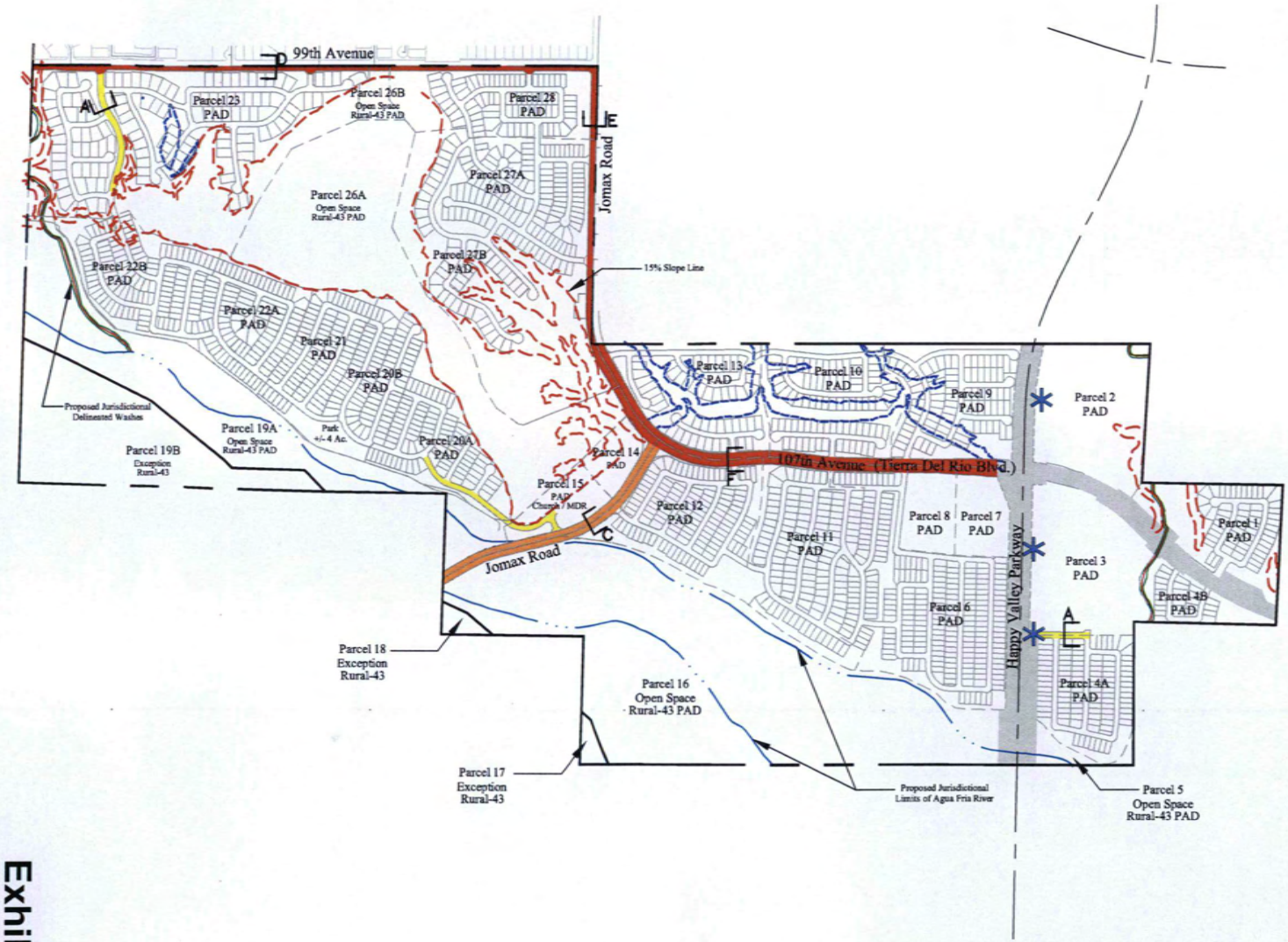
Exhibit C.1

Tierra Del Rio

Peoria, Arizona PAD Amendment

Proposed Circulation Plan

Figure 14



Legend

- Project Boundary
- Parcel Boundary
- Proposed JD Washes
- Proposed JD Limits of Agua Fria River
- Area above 15% slope line subject to hillside regulations
- Proposed area above 15% slope line not subject to hillside regulations due to isolation and scarring
- Major Arterial
- Minor Arterial
- Minor Collector
- A — See Figure 17 for corresponding roadway sections
- * — Potential Access from Happy Valley Parkway, (Determined upon submittal of site plans and traffic impact analysis)

north

June 2009

0' 1000' 2000'

Pulte Homes

HADLEY DESIGN GROUP

Exhibit C.2

Tierra Del Rio

Peoria, Arizona PAD Amendment

Conceptual Lot Mix Plan

Figure 4B

Legend

- 45' x 115'
- 55' x 115'
- 65' x 115'
- 75' x 135'

Note:

The lot mix illustrated may be modified at a later date based on market demand. Notwithstanding the foregoing, the overall density proposed within this PAD Amendment will at no time be exceeded. This plan is conceptual and is intended to demonstrate how product may be distributed based on the proposed Development Standards (Table 2A - PAD Development Standards).

north

October 2009

0' 600' 1200'

Pulte Homes

HADLEY DESIGN GROUP

Exhibit D

Josh E. Hartmann, P.E.
15111 North Pima Road, Suite 100
Scottsdale, Arizona 85260
Office: 480.862.7853
Josh.Hartmann@Pulte.com

September 17, 2009

Mr. Rob Gubser
City of Peoria
9875 North 85th Avenue
Peoria, AZ 85345

Re: Tierra del Rio PAD Amendment – Neighborhood Meeting Report

Dear Mr. Gubser:

As part of Pulte Home Corporation's ("Pulte's") Citizen Participation Plan for the Tierra del Rio PAD Amendment (the "Amendment"), a neighborhood meeting was held on August 31, 2009 at the Cross of Glory Lutheran School located at 10111 West Jomax Road, Peoria, Arizona. Prior to the meeting, Pulte sent out notifications to residents that owned property in the vicinity of the proposed Amendment. An example of the letter is attached as Exhibit A for your reference.

In addition to refreshments and snacks for the residents, Pulte provided a sign in sheet and question tracking sheet for those who preferred to write their questions rather than ask them in the public setting. The sign in sheet is provided as Exhibit B attached. Eleven residents signed in for the meeting (including a City representative), which seems consistent with the number of attendees. No written questions were received from the attendees.

The format of the meeting was a formal presentation by Pulte representatives Mike Brilz and Josh Hartmann followed by a Question & Answer session. After the Q&A session, the meeting turned to a more open house setting as Pulte representatives remained available to answer any individual questions. Copies of the exhibits presented during the formal presentation are attached as Exhibit C. Pulte took notes of each question asked during the Q&A session and the response given, and that list is provided as Exhibit D.

Generally the responses of the residents to the proposed Amendment were positive, and several residents voiced their support before, during, and after the presentation. The proposed revised connection to Jomax Road from Parcel 20 received the most positive response, and many residents agreed that this is an improvement over the current plan. Not surprisingly, there is a concern among residents about how the development of the property would affect their home values. Although there is no way to give assurance of anything in this market, we believe a quality subdivision can only improve the values of the surrounding area and also encourages commercial businesses such as retail stores, restaurants, and service companies to move to the area, providing an even greater standard of living and overall value to the area. Most attendees agreed with this sentiment, although some were understandably skeptical. With the alternative being a vacant graded lot across from their property for several years until the market returns, many of the attendees wanted to know, "How soon can you start selling!"

Pulte appreciates the City's attendance and support at the neighborhood meeting. We feel that it was a successful event and provided the residents in the area a chance to hear our proposed plan and voice their concerns. We look forward to the next steps in the Amendment process. Please contact me with any questions or concerns you may have at 480-862-7853.

Exhibit E

Sincerely,

PULTE HOME CORPORATION

Josh E. Hartmann, P.E.
Director of Planning & Development

Cc. (via email), Mike Brilz, Pulte Home Corporation
Randy Christman, Pulte Home Corporation

Exhibits

PULTE HOME CORPORATION
Tierra Del Rio – Public Meeting
August 31, 2009 – 5:30pm
Questions and Answers

Q: Where will the entrance to the hiking path be?
A: *Access to the hiking path will be inside the parcels of Tierra Del Rio or from the future planned City regional park to the north of Tierra Del Rio.*

Q: Will parking be allowed on 99th Avenue to access trail?
A: *There will not be access to the trail along 99th Avenue.*

Q: Will there be any change to Jomax Road?
A: *As far as the Tierra Del Rio project, there will not be further changes to Jomax Road. Eventually there will be two additional lanes on the south side, but that will be completed by either the City or future development to the south.*

Q: Will 99th Avenue remain 2 lanes?
A: *At build-out of Tierra Del Rio, 99th Avenue will be 4 lanes plus a center turn lane.*

Q: Will the entrances to the subdivisions along 99th Avenue line up with entrances in Pleasant Valley?
A: *The subdivision entrances do not line up with Pleasant Valley entrances. The intersections are offset.*

Q: Is Parcel 27 the initial phase of development?
A: *Yes, that is currently Pulte's plan.*

Q: How many lots will Parcel 27 have compared to what was previously approved?
A: *Parcel 27 originally allows 154 lots. Pulte's PAD amendment is proposing an allowance of 195 lots. Overall, Pulte is requesting to increase the density from 2102 units to 2208 units.*

Q: What size homes were planned before?
A: *Product was and has not been selected for this project. Previously, parcels 27 and 28 had 55' and 65' wide lots that were going to be built.*

Q: What size homes will be built now?
A: *Product has not been selected for this project. We will be building 45', 55' and 65' lots and provide a blending of the lot sizes in the neighborhoods. Square footage of the houses in parcels 27/28 will be approximately 1,700 to 3,500 s.f. In parcel 23, there will be larger, more expensive homes that will approximately be 2,500 to 4,500 s.f. There are small lot sizes throughout Tierra Del Rio, not just the Pulte parcels.*

Q: How will this affect home values of existing neighbors?

A: *This is unknown at this time. Pulte thinks that it will be better to build the community rather than let it sit idle for another 5 years. If you live in a custom home on an acre lot, the homes Pulte builds will not be an appropriate comparable sale so they will have limited effect on your appraised value. We feel that the quality of Pulte homes and our communities will have an overall positive effect on home values in the vicinity.*

Q: Does Pulte have to get approval from the City to move forward with this plan?
A: *Yes. This meeting is part of that process.*

Q: If we don't like this plan, can we go to the City and let them know?
A: *Yes. The plan has to be approved at both Planning & Zoning and Council meetings, both of which are open to the public. All comments from this meeting will be noted and turned into the City as well.*

Q: Is there a limit to the number of 45' wide lots that Pulte can build?
A: *Yes based on the lot mix and the density limit.*

Q: What is the lot mix of homes in Parcels 27 & 28?
A: *Approximately 50% of the lots can be 45' wide, 35% of the lots can be 55' wide or larger, and the remaining 15% of the lots must be 65' wide or larger. This is further limited by the allowable density and the actual number of lots we can physically fit on the parcel.*

Q: What will be the cost per square foot of home?
A: *Unknown at this time, but approximately $100 per square foot.*

Q: How many more small lots will be allowed?
A: *Approximately 350 45' wide lots are allowable assuming we are physically able to achieve our maximum density. This is about 40% of the overall 855 allowable lots.*

Q: During Phase 1, will Pulte keep the rest of the project fenced off?
A: *Pulte will restrict access to areas that are not being developed to keep off road vehicle use restricted and control dust.*

Q: Does traffic count on 99th Avenue include hospital?
A: *No it does not.*

Tierra del Rio
Planned Area Development
Amended Items

Exhibit F

Tierra del Rio

Planned Area Development (PAD) Amendment

Portions of Section 32 of Township 5 North, Range 1 East and
Portions of Sections 5, 6, 7 and 8 of Township 4 North, Range 1 East.

Narrative Report

Owner of Record:
TDR L. L. C.
7595 East McDonald Drive, Suite 130
Scottsdale, AZ. 85250
Telephone: 480-947-3100

Applicant:
Pulte Home Corporation
16767 North Perimeter Drive, Suite 100
Scottsdale, AZ 85260
Telephone: 480-862-7853

Property Owner
Centex Homes
16767 North Perimeter Drive, Suite 100
Scottsdale, Arizona 85260
Telephone: 480-862-7853

Property Owner
Tierra Seca, Inc
7595 East McDonald Drive, Suite 130
Scottsdale, Arizona 85250
Telephone: 480-947-3100

Property Owner
DTR 24, LLC
17207 North Perimeter Drive, Suite 200
Scottsdale, Arizona 85255
Telephone: 480-563-5247

Property Owner
Pulte Home Corporation
16767 North Perimeter Drive, Suite 100
Scottsdale, AZ 85260
Telephone: 480-862-7853

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Deleted: Phoenix, AZ 85020¶
CMX Project Number: 6859¶

Deleted: 602.567.1900¶
Facsimile: 602.567.1901¶
Contact: Vic Pilar¶
Email CMX Engineering:
vpilar@cmxinc.com

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16767

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MC Number ... [1]

Tierra del Rio

PAD Amendment

Report Table of Contents

Narrative: ***Page Number***

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III. Description of Amendments 9
IV. PAD Amendment Land Use Summary 10
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VII. Project Support/Consistency with the City of Peoria General Plan 18
VIII. Circulation 24
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Tierra del Rio

PAD Amendment

A. *Exhibits / Figures:*

1. Regional Vicinity Map
2. Aerial Photograph [Revised]
3. Topography / Physical Features Map

4a. Land Plan [Revised]

4b. Conceptual Lot Mix Plan

4c. Table 2 – Lotting Analysis Tables

5. Surrounding General Plan Land Uses and Zoning Map

6a. Surrounding Property Ownership Map [Revised]

6b. List of Property Owners [Revised]

7. Existing Community Facilities and Services
8. Conceptual Open Space and Trails Plan
9. Conceptual Landscape Detail [Revised]
10. Conceptual Landscape Detail
11. Proposed Drainage Plan
12. Proposed On-Site Water Facilities Plan
13. Proposed On-Site Wastewater Facilities Plan
14. Proposed Circulation Plan [Revised]
15. Street Cross Sections

15B. Happy Valley Pkwy. Proposed Cross Section

16. Adjacent Residential Buffering (133' buffer, Parcels 10 and 13)
17. Open Space and Agreed Hillside Disturbance
18. Typical Lot Lay Out (18a through 18h)
19. Conceptual Typical Single Family Elevations (19a through 19d)
20. Conceptual Illustration, Typical Multi-Family Elevations
21. Conceptual Illustration, Typical Commercial Elevations

Exhibit A. Landscaping: Retaining Wall terraces

Exhibit B-1 Typical Rear Yard and Side Yard Retaining Wall Landscaping

Exhibit B-2 Tierra Del Rio Plant List

(Exhibits A, B-1, & B-2 are located in Section XVII.)

B. *Appendix:*

A. Figures
B. Stipulations, DMP 99-05; DMP 2004002; Z 2004025
C. Legal Descriptions
D. Will Serve Letters
   a. Letters From Utilities
   b. Letter from School District
   c. Agreement School District
   d. Agreement Fire / Police District
E. Declassification Notice for Happy Valley Parkway
F. SSI Archeological Sites
G. Enhanced Guidelines

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Project Reports and Plans Previously Submitted:

- Master Water Study, submitted by CMX
- Master Wastewater Study, submitted by CMX
- Master Drainage Study, submitted by CMX
- Traffic Impact Analysis, October 2005, submitted by Task Engineering
- Data Recovery Plan for 15 Prehistoric Sites on the Tierra Del Rio Project Surrounding Calderwood Butte, Maricopa County, Arizona", dated February 2004, submitted by Soil Systems Inc.
- Preliminary Drainage Study for Tierra del Rio dated July 22, 2002 and the Agua Fria River CLOMR Report, dated October 2004, submitted to Maricopa County Flood Control by Erie and Associates.
- Context Photos of Damaged Area, submitted by Gallagher and Kennedy.
- Well Spacing Investigation, dated March 2004, by Southwest Ground-water Consultants Inc.
- Hydro geological Study, dated March 2004, by Southwest Ground-water Consultants Inc.

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¶
¶
¶
LANDOWNER . . . . . LEGAL COUNSEL¶
TDR L. L. C. . Gallagher & Kennedy¶
7595 East McDonald Drive, Suite 130 . 2575 E Camelback Road¶
Scottsdale, AZ. 85250 . Phoenix, AZ. 85016 . ¶
Telephone: 480.947.3100 . Telephone: 602.530.8000¶
Facsimile: 480.556.8150 . Fax: 602.520.8500 ¶
Contact: Michael Merriman . Contact: Rodney Jarvis . ¶
¶
APPLICANT¶
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AND
ENGINEERING . CONSULTANT . ¶
CMX, L.L.C. . Erie and Associates¶
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Phoenix, Arizona 85020 . Phoenix, AZ 85016¶
Telephone: 602. 567.1900 . Telephone: 602.954.6399¶
Facsimile: 602. 567.1901 . Facsimile: . ¶
Contact: Mr. Vic Pilar, P.E., Engineering . Contact: Len Erie¶
. Ms. Penny Newton, Planning¶
. . Mr. Ron Hilgart, P.E. Principal¶
¶
¶
TRAFFIC ENGINEERING . MARICOPA COUNTY ¶
Task Engineering Co. Inc. . **Planning Review**¶
5125 N. 16th Street, Suite A-210 . 411 North Central, 3rd Floor¶
Phoenix, AZ. 85016 . Phoenix, AZ. 85004¶
Telephone: . 602.277.4224 . Telephone: 602.506-7310¶
Facsimile: . 602.277.4428 . Facsimile: 602.506-8369¶
Contact: . Mr. Ken Howell. P.E. . Contact: RUPD Zoning, Terri Shepard¶
. CPP, Gerard Silvani¶
. . . DMP Amendment, Matt Holm¶
¶
SIGNS . CITY OF PEORIA ¶
Dynamite Signs . Community Development, Planning¶
29040 N 44th Street . 8401 West Monroe Street¶

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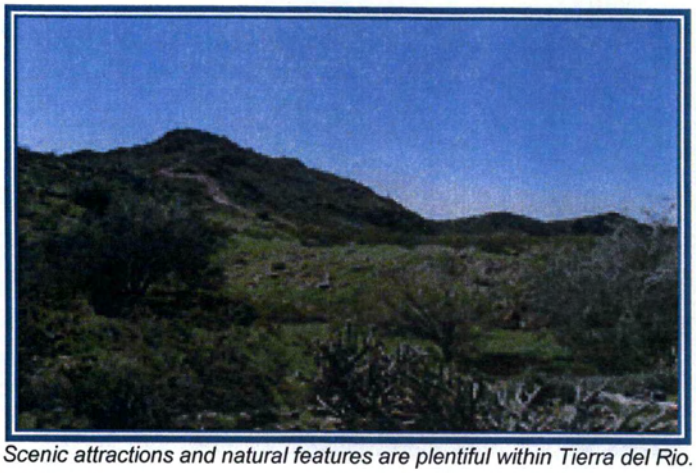

Scenic attractions and natural features are plentiful within Tierra del Rio.

I. Introduction

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The Tierra del Rio project is located adjacent to the eastern bank of the Agua Fria River, in the northwest area of Maricopa County. The Project is bounded by the alignment of Dynamite Road on the north, Hatfield Road on the south, 99th and 103rd Avenue on east and 109th Avenue and the Agua Fria River on the west. A Regional Vicinity Map is provided as **Figure 1**.

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The history of approvals for the Tierra del Rio PAD:

Case Number	Date Submitted	Date Approved
City of Peoria Amendment to #Z-04-34A.5	July 2009	
Minor Amendment to # Z-04-34A.4	April 2006	December 2007
Minor Amendment to # Z-04-34A.3	August 2005	September 26, 2005
City of Peoria Amendment to # Z-04-34-PAD A.2	January 5, 2005	February 1, 2005
City of Peoria Amendment to # Z-04-34-PAD A.1	December, 2004	
City of Peoria # Z-04-34-PAD	December 10, 2004	
Maricopa County BOS, DMP #2004-022 and Zoning # 2004-025		November 3, 2004
Maricopa County Original DMP, #1999-05	June 8, 2000	December 4, 2002

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This Project was previously approved by Maricopa County as Development Master Plan DMP No. 99-05, in December of 2002. In November of 2004, a DMP Amendment, No. 2004-022, was approved by Maricopa County, together with RUPD/CUPD PAD Zoning, No. 2004-25.

On December 10, 2004, an application to the City of Peoria proposed zoning approval of a Planned Area Development (PAD) with "like" zoning, together with annexation into the City of Peoria. The zoning district is that of Planned Area Development (PAD), for

residential parcels and PAD C-1 and C-2 for the commercial parcels. The Calderwood Butte and Agua Fria Riverbed are currently zoned Rural-43 and will remain as Rural 43 with a PAD overlay. The PAD has been approved to include 2,208 dwelling units.

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Please reference the DMP No. 99-05, DMP Amendment No. 2004-022 and RUPD/CUPD PAD zoning No. 2004-25, Conditions of Approval / Stipulations in the Appendix of this report.

Generous open space is a continuing theme in the Tierra del Rio design. Open Space on the PAD Land Use Summary is calculated by adding up the acres in Parcels 5, 16, 19a, 26a and 26b. The sum of these acres is about 280. acres (±) of dedicated open space. These parcels are dedicated to remain as open space in the Tierra del Rio Master Plan. In addition to the acres of open space that are designated by a parcel number, there is open space that is a part of each residential parcel. Residential parcel acreage, on the PAD Land Use Summary, Table 1, is calculated as an entire parcel, including the open space. However, when the open space within the residential parcel is separated from the acres of residential lots, there are approximately 190 net acres (±) of open space within the residential parcels. This open space includes parks, washes, retention basins and so forth. This acreage is a part of the residential parcel, but has been pulled out in order to provide the estimated number of acres within the residential parcels that is open space. These acres are estimated because elements such as retention basin sizes may change with engineering. Therefore, the 190 net acre (±) estimate is subject to change slightly with platting. Identified within the residential acres are two parks. These are found in the open space of Parcels 11, 12 and 21. Again, this acreage is a part of the residential parcel, but has been planned for parks land use. Each park is about 4 acres (±) in size. Added together the open space in the entire Tierra del Rio Master Plan is estimated for conceptual purposes at about 470 net acres (±), which is about 47% of the total 994-gross acre (±) Project.

The Tierra del Rio project is designed as a sustainable community. The design focus for Tierra del Rio is mixed use, with a concentration on residential homes. This focus is in keeping with the DMP and RUPD/CUPD-PAD that was approved by Maricopa County. The design features a diversity of housing types including single family detached, single family attached and multiple family dwelling units. Tierra del Rio offers employment opportunities with commercial development adjacent to the Happy Valley Parkway and 107th Avenue (Tierra del Rio Boulevard).

Please, reference the Land Use Summary in Chapter IV of this report.

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Scenic attractions and natural features are plentiful within Tierra del Rio. The development follows the eastern bank of the Agua Fria River for approximately 12,333 feet. An engineered hard bank will be constructed at the rivers edge to protect the community from the flooding during a major storm event. Adjacent to the hard bank, a multi-use pedestrian and bicycle trail is planned, together with an equestrian trail. These trails will be constructed within a 28-foot minimum width recreation, retention basin and open space buffer. The trails are to be constructed as a part of the Maricopa County Regional Trail System and are also a part of the Peoria Trails Master Plan. The trail design proposes to connect the Maricopa County Agua Fria River trail system to the

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Calderwood Butte trails and open space *(***Figures 8 & 9***)*. Calderwood Butte is located within the northern half of the Tierra del Rio project. This natural feature provides significant open space and spectacular views across the river valley. The trail connections will provide recreational opportunity for the residents of Tierra del Rio, as well the general public from the surrounding communities.

Please reference the PAD Conceptual Land Use Plan, Figure 4.

With the approval of this Amendment to the PAD request, Tierra del Rio will move forward to submit preliminary plats, final plats and improvement plans. The Tierra del Rio project documents demonstrate that the proposed land uses are consistent with the Maricopa County approved DMP, DMP Amendment, the zoning RUPD/CUPD-PAD, and the annexed Peoria PAD with "like" zoning. Approval by the City of Peoria, of the PAD Amendment to the Tierra del Rio, Planned Area Development, No. Z 04-34, is requested.

II. Legal Description/Location and Accessibility

Tierra del Rio is located in the northwestern region of the City of Peoria. The Tierra del Rio property is bounded by the Dynamite Road alignment on the north, Hatfield Road on the south, 99th Avenue and 103rd Avenue on east and 109th Avenue and the Agua Fria River on the west.

The site is described as: A Portion of Sections 32 of Township 5 North, Range 1 East and Portions of Sections 5, 6, 7 and 8 of Township 4 North, Range 1 East. A copy of the ALTA Survey is provided in the **Appendix** of this report.

The approved DMP states that Tierra del Rio is a 1,041 acre Master Planned Community. Exceptions to the acres, by survey, are parcels 17, 18 and 19b, consisting of 47 acres (±). Therefore the Amended PAD acreage is 994 acres (±). The PAD gross 994 (±) acres includes acres to the centerline of the perimeter streets. Therefore the amended PAD, Parcels 1, 2, 3, 4a, 6, 7 and 9 include Happy Valley Road and 107th Avenue. The ALTA Survey describes 948.5 acres. The ALTA Survey does not include Happy Valley Road or 107th Avenue. The difference in the roadway acres accounts for the difference between the PAD acreage calculations and those of the ALTA Survey.

The site is accessible from the Phoenix metro area via the 101 Freeway to Bell Road, 99th Avenue and the Lake Pleasant Road corridor. Happy Valley Parkway will ultimately provide direct regional access from I-17 to the east and to the Loop 303 to the west.

Please reference Exceptions / Exclusions, Table 1.
Please reference the Regional Vicinity Map, Figure 1.

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III. Description of Amendments (A.5)

Pulte Home Corporation is the current owner of Parcels 20-22 and 27-28 (collectively the "Parcels") in the Tierra del Rio community. Pulte is also the current owner of Parcel 23, however, this amendment does not propose any changes for that parcel. The proposed Amendments are illustrated in Figure 4 of Appendix A. Pulte is proposing certain Amendments to the approved PAD described as follows.

Access to parcels 20 through 23 would be modified to provide access to both 99th Avenue and Jomax Road. Providing two access points instead of the current single access point on 99th Avenue serves to provide better circulation for the community, eliminating what was essentially a long cul-du-sac within parcels 20-23. This will reduce the loading on the local streets as residents will have more options to exit and enter the community. It will also distribute the daily trips in and out of the community onto two arterial roadways (Jomax and 99th Avenue), thereby reducing the loading on those streets as well. Finally, this will provide greater access to the homes by Police and Fire departments. A copy of the updated Traffic Impact Study completed by Task Engineering has been submitted with this Amendment for reference.

The second part of the Amendment is to revise the land use designations for Parcels 21-22 and 27-28 to allow for a mix of lot sizes in each Parcel as shown in the attached Conceptual Lotting Plan. Included with this amendment are two revised tables from the PAD; Table 1 – PAD Land Use Summary and Table 2A – PAD Development Standards. These tables have been modified to allow the type of lot mix and densities shown on the attached Conceptual Site Plan. On Table 1, the land use criteria have been changed to allow increased density in each of the Parcels by changing the Zoning to R1-6 for all the Parcels. Then on Table 2A, the percentage of lots within a width range is specified to ensure that an overall lot width mix within the Parcels is met at build out of the community. The goal of these changes is to provide greater flexibility and facilitate a more diverse mix of housing product within these parcels while still ensuring the City that the overall density and lot width diversity is met.

Under the Proposed Land Plan, the total allowable dwelling units would be increased by 106 units, and the density of the Pulte owned parcels would be increased from 2.4 du/ac to 2.6 du/ac. The overall lot count for the Tierra del Rio PAD would be increased from 2102 to 2208 dwelling units resulting in an overall density increase from 2.1 du/ac to 2.2 du/ac for the PAD. All exhibits and tables within this Amendment have been revised to reflect these changes.

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Deleted: ------ Page Break ------ ¶ **<#>Purpose of Request¶** ¶ The proposed Tierra del Rio project is currently entitled by Maricopa County with a Development Master Plan, DMP No. 99-05, DMP

Deleted: No. 2004-022 and RUPD/CUPD-PAD zoning, No. 2004-025. With application, No. Z 04-34-PAD, to the City of Peoria, the Project will be annexed with "like" zoning, including a Planned Area Development (PAD) for the residential, commercial and open space parcels. PAD "like" zoning standards are on the Development Standards Table in Chapter XVI of this report. The following zoning districts are associated with this amendment request. The PAD is similar to Maricopa County R1-10, R1-8, R1-7, R1-6, R-2 and R-4 and the commercial PAD is proposed to be similar to C-1 and C-2. Rural 43-PAD is requested for the open space in the Calderwood Butte and the Agua Fria River

Deleted: With this PAD Amendment, the Project proposes to add approximately 62 acres (±), to the PAD No. Z 04-34, which currently consists of 932 acres (±). The PAD No Z 04-34 would add acres, including Parcel 25 (36. acres ±), Parcel 26b (3.4 acres ±) and Parcel 28 (22. acres ±). The amended PAD Amended Project acres would total approximately 994 acres (±). Each of the additional parcels is added with Development Standards or zoning standards that are consistent with the PAD "like" zoning standards. The addition of Parcel 25 is requested with R1-10 PAD "like" development, zoning standards, Parcel 26b with R-43 PAD "like" zoning standards and ... [3]

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IV. PAD Amendment Land Use Summary

Table 1. Land Use Summary proposed for Tierra del Rio

Deleted: <#>Parcels 25, 26b and 28, (510 foot (±) wide strip of land) are added, consisting of 62 gross acres (±);¶
<#>Parcels 25, 26b and 28 Development Standards/zoning standards would be consistent with the PAD Z 04-34 "like" Development Standards/zoning standards;¶
<#>The Project would allow 2,102 dwelling units with a density of 2.1 du/ac based on 994 gross acres (±);¶
<#>Calculated designated open space of 323 acres based on 1,041 gross Project acres (±) would be adjusted to 280 acres (±), based on 994 gross Project acres (±). This would revise the City of Peoria Zoning No. Z 04-34, Condition of Approval, letter "g." number "4.";¶
<#>Parcel 23 of the Preliminary Plat and the Amendment to the PAD, Proposed PAD Conceptual Land Use Plan, combines Parcels 23 (17.2 acres) and 24 (40.4 acres) and Parcel 25 (36.1 acres) for a total of 93.7 acres (±);¶
<#>All arterial streets shall have a minimum 8-foot wide landscape tract with the average width being no less than 10-feet wide;¶
<#>Five (5) local streets exceeding 900 feet in length shall be allowed. Traffic calming devices shall be incorporated into the design of the local streets that are greater than 900-feet in length;¶
<#>Perimeter walls along arterial streets shall jog a minimum of 3-feet. No more than three lots in a row are allowed to be in the same jog offset;¶
<#>PAD Amendment to Development Standards, Chapter XVI; for Single Family, Multi-Family and Commercial amend the Retaining Wall Height to 8' (Allow a 8' retaining wall with terracing at a minimum 4' interval) with privacy wall, 10' maximum; ¶
<#>PAD Amendment to Development Standards, Chapter XVI; for Single Family amend the Front Yard (minimum) to 18-feet with front facing garage; a 10-foot front building setback is allowed for a side entry garage or home forward product. The front lot width shall be measured at the 18-foot standard setback in both cases; ¶
<#>PAD Amendment to Development Standards, Chapter XVI; for Commercial amend the Distance between buildings (minimum) to require distance governed by the fire code;¶
<#>The entire Tierra del Rio development is subject to the City's applicable Site Plan and Design Review approval process.¶
<#>The required Enhanced Standard Residential Plan/Lot Design, C requires a 5-foot building stagg ... [5]

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TABLE 1

TIERRA DEL RIO

PAD LAND USE SUMMARY

Parcel No.	Zoning Proposed City of Peoria Planned Area Development (PAD)	Proposed Land Use	Intensity Proposed Lot Width	Proposed Gross Acres Including Interior Streets + 1/2 Perimeter Roads	PAD Projected Du/Ac	PAD Maximum Du/Ac	PAD Concept Plan Units per Projected Du/Ac	Open Space Net (excludes ROW) in Single Family Residential Parcels
1	R1-6, PAD	SLR, SF, detached	45-feet wide	25.9	2.4	2.4	61	9.94
2	C-2, PAD	Commercial, Retail/ Big Box		33.9	Retail/ Big Box	Retail/ Big Box	Retail/ Big Box	
3	C-2, PAD	Commercail, Retail/ Big Box		37.3	Retail/ Big Box	Retail/ Big Box	Retail/ Big Box	
4a	R1-6, PAD	SLR, SF, detached	45-feet wide	25.2	4.4	4.4	111	2.72
4b	R1-6,PAD	SLR, SF, detached	45-feet wide	11.7	2.6	2.6	31	3.75
5	SR 43-PAD	Open Space-River	Open Space	5.0	Open Space	Open Space	Open Space	
6	R1-6, PAD	SLR, SF, detached	45-feet wide	56.2	4.2	4.2	236	9.65
7	RM-1 (R-4), PAD	Multi-Family (MF), attached or detached	MF	12.0	21.5	21.5	258	
8	RM-1 (R-2), PAD	MF or SF, attached or detached	MF or SF	8.9	14.3	14.3	128	
9	R1-7, PAD	SLR, SF, detached	55-feet wide	32.7	2.6	2.6	84	7.33
10	R1-7, PAD	SLR, SF, detached	55-feet wide	30.7	2.6	2.6	81	9.91
11	R1-7, PAD	SLR, SF, detached	55-feet wide	34.2	3.7	3.7	125	5.01
12	R1-6, PAD	SLR, SF, detached	45-feet wide	34.5	3.5	3.5	121	9.13
13	R1-8, PAD	LLR, SF, detached	65-feet wide	31.0	2	1.6	49	12.47
14	C-1, PAD	Neighborhood Commercial		7.1	NRC-Neighborhood Commercial	NRC-Neighborhood Commercial	NRC-Neighborhood Commercial	
15	RM-1 (R-2), -PAD	MF or SF or Church, attached or detached	MF, SF or Church	9.5	7.1	7.1	68	
16	SR 43-PAD	Open Space-River	Open Space	137.6	Open Space	Open Space	Open Space	
19a	SR 43-PAD	Open Space-River	Open Space	59.0	Open Space	Open Space	Open Space	
20	R1-6, PAD	SLR, SF, detached	45-feet wide	40.7	4.0	5.0	163	8.53
21	R1-6, PAD	SLR, SF, detached	45-feet wide	20.8	4.4	5.0	92	6.29
22	R1-6,-PAD	SLR, SF, detached	45-feet wide	47.6	4.2	5.0	198	7.86
23	R1-10, PAD	LLR, SF, detached	75-feet wide	90.5	1.3	2.0	122	47.8
26a	SR 43-PAD	Open Space-Calderwood Butte	Open Space	75.6	Open Space	Open Space	Open Space	
26b	SR 43-PAD	Open Space (Peoria)	Open Space (Peoria)	3.4	Open Space	Open Space	Open Space (Peoria)	
27	R1-6, PAD	SLR, SF, detached	45-feet wide	93.3	2.1	3.0	195	50.26
28	R1-6, PAD	SLR, SF, detached	45-feet wide	30.0	2.8	4.0	85	8.3
Estimated Subtotal. Amendment to the Peoria PAD				**994**	**2.22**		**2,208**	**190.65**
17	Rural 43-PAD	Public Facility/CAP Exception	Public Facility/CAP Exception*	1.9	Public Facility/CAP/Exception	Public Facility/CAP/Exception	Public Facility/CAP/Exception	
18	Rural 43-PAD	Public Facility/CAP Exception	Public Facility/CAP Exception*	2.0	Public Facility/CAP/Exception	Public Facility/CAP/Exception	Public Facility/CAP/Exception	
19b	Rural 43-PAD	Open Space/River Exception	Open Space/River Exception*	43.1	Open Space/River/Exception	Open Space/River/Exception	Open Space/Exception	
				47				
Estimated Overall Tierra del Rio Project Acres from the original Total.				**1,041**	**2.12**		**2,208**	

PAD AMENDMENT ZONING AND LAND USE BREAKDOWN

Parcel Number	Zoning	Land Use	Lot Width	Acres	DU/AC		Dwelling Units	% of PAD Acres by Zoning District
1	R1-6, PAD	SLR, SF, detached	45-feet wide	25.9	2.4	2.4	61	
4-a	R1-6, PAD	SLR, SF, detached	45-feet wide	25.2	4.4	4.4	111	
4-b	R1-6, PAD	SLR, SF, detached	45-feet wide	11.7	2.6	2.6	31	
6	R1-6, PAD	SLR, SF, detached	45-feet wide	56.2	4.2	4.2	236	
12	R1-6, PAD	SLR, SF, detached	45-feet wide	34.5	3.5	3.5	121	
20	R1-6, PAD	SLR, SF, detached	45-feet wide	40.7	4.0	5.0	163.0	
21	R1-6, PAD	SLR, SF, detached	45-feet wide	20.8	4.4	5.0	92.0	
22	R1-6, PAD	SLR, SF, detached	45-feet wide	47.6	4.2	5.0	198.0	
27	R1-6, PAD	SLR, SF, detached	45-feet wide	93.3	2.1	3.0	195.0	
28	R1-6, PAD	SLR, SF, detached	45-feet wide	30.0	2.8	4.0	85.0	
Estimated Subtotal for R1-6. These acres are annexed into Peoria with "Like" Zoning.				**386.0**			**1293**	39%
9	R1-7, PAD	SLR, SF, detached	55-feet wide	32.7	2.6	2.6	84	
10	R1-7, PAD	SLR, SF, detached	55-feet wide	30.7	2.6	2.6	81	
11	R1-7, PAD	SLR, SF, detached	55-feet wide	34.2	3.7	3.7	125	
Estimated Subtotal. These acres are annexed into Peoria with "Like" Zoning.				**97.6**			**290**	10%
13	R1-8, PAD	LLR, SF, detached	65-feet wide	31.0	1.6	1.6	49	
Estimated Subtotal for R1-8. These acres are annexed into Peoria with "Like" Zoning.				**31.0**			**49**	3%
23	R1-10, PAD	LLR, SF, detached	75-feet wide	90.5	1.3	2.0	122	
Estimated Subtotal. These acres are annexed into Peoria with "Like" Zoning.				90.5			122	
Estimated Subtotal for PAD - R1-10.				**90.5**			**122**	9%
8	R-2, PAD	MDR, SF, attached	MF	8.9	14.3	14.3	128	
15	R-2, PAD	MDR or Church	MF or Church	9.5	7.1	7.1	68	
Estimated Subtotal for R-2. These acres are annexed into Peoria with "Like" Zoning.				**18.5**			**196**	2%
7	R-4, PAD	HDR, MF, attached	MF	12.0	21.5	21.5	258	
Estimated Subtotal for R-4. These acres are annexed into Peoria with "Like" Zoning.				**12.0**			**258**	1%
14	C-1, PAD	Neighborhood Commercial		7.1	Neighborhood Commercial	Neighborhood Commercial	Neighborhood Commercial	
Estimated Subtotal for C-1. These acres are annexed into Peoria with "Like" Zoning.				**7.1**				1%
2	C-2, PAD	CRC, Retail/ Big Box		33.9	Retail/ Big Box	Retail/ Big Box	Retail/ Big Box	
3	C-2, PAD	CRC, Retail/ Big Box		37.3	Retail/ Big Box	Retail/ Big Box	Retail/ Big Box	
Estimated Subtotal for C-2. These acres are annexed into Peoria with "Like" Zoning.				**71.3**				7%
5	SR-43 PAD	Open Space	Open Space	5.0	Open Space	Open Space	Open Space	
16	SR 43-PAD	Open Space	Open Space	137.6	Open Space	Open Space	Open Space	
19-a	SR 43-PAD	Open Space	Open Space	59.0	Open Space	Open Space	Open Space	
26-a	SR 43-PAD	Open Space	Open Space	75.6	Open Space	Open Space	Open Space	
Estimated Subtotal for Designated R-43-PAD Open Space. These acres are annexed into Peoria with "Like" Zoning.				277.2				
26-b	SR 43-PAD	Open Space (Peoria)	Open Space (Peoria)	3.4	Open Space	Open Space	Open Space (Peoria)	
Estimated Subtotal. These acres are in the City of Peoria Jurisdiction. These are to be added to the PAD with this Amendment.				3.4				
Estimated Subtotal for PAD - Rural 43 - Open Space.				**280.6**				28%
Estimated Subtotal of Amended PAD Tierra Del Rio Project.				**994.5**	*		**2,208**	
17	Rural-43	Public Facility/CAP/Exception	Public Facility/CAP/Exception	1.9	Public Facility/CAP/Exception	Public Facility/CAP/Exception	Public Facility/CAP/Exception	
18	Rural-43	Public Facility/CAP/Exception	Public Facility/CAP/Exception	2.0	Public Facility/CAP/Exception	Public Facility/CAP/Exception	Public Facility/CAP/Exception	
19-b	Rural 43	Open Space/Exception	Open Space/Exception	43.1	Open Space/Exception	Open Space/Exception	Open Space/Exception	
Estimated Subtotal. These acres are Exceptions to the Survey and not a part of the Project.				**47.0**				
Estimate Total of Former Maricopa County Tierra Del Rio Project, Including Exceptions to Survey.				1041	2.12		2,208	100%

*Parcel Acres calculated to the Centerline of the streets, therefore Parcels 1, 2, 3, 4a, 6, 7 and 9 include 107th Ave. and Happy Valley Parkway, which explains the 46 acre difference between the 948 survey acres and the PAD parcel total 994 acres.

Notes:

Shaded cells indicate a change from Approved PAD

Parcels 24 and 25 were combined with Parcel 23.

Rising 400 feet into the skyline, the Calderwood Butte provides spectacular views.

1. Open Space

The Agua Fria River borders the western edge of Tierra del Rio providing a wide open expanse that allows an unobstructed distant view to the west. Calderwood Butte, located within the northern portion of the property, rises approximately 300 feet on its northern side and approximately 400 feet on its southern side. From the butte a ridgeline, averaging 20 feet in width, extends to the south and west, bisecting the northern portion of the property. Preservation of this butte will allow all residents of Tierra del Rio to enjoy majestic views with attainable hillside trail opportunities.

Both the Calderwood Butte and the Agua Fria River are zoned Rural-43-PAD so that sliver zoning will be avoided in the event that the boundaries of adjacent parcels are moved slightly in platting.

Generous natural open space is a priority among the design objectives proposed for Tierra del Rio. Open Space include Parcels 5, 16, 19a, 26a and 26b totaling 281 gross acres (+/-) as shown on Table 1.. In addition to the acres of open space that are designated by a parcel number, there is open space that is a part of each residential parcel. Residential parcel acreage, on the PAD Land Use Summary, Table 1, is calculated as an entire parcel, including the open space. However, when the open space within the residential parcel is separated from the acres of residential lots, there are approximately 190 (±) net acres of open space within the residential parcels. This open space includes washes, retention basins and so forth. This acreage is a part of the residential parcel, but has been pulled out in order to provide the estimated number of acres within the residential parcels that is open space. These acres are estimated because elements such as retention basin sizes may change with engineering. Therefore, the 190 acre estimate is subject to change and should not be considered guaranteed, even though it is not anticipated that it will change substantially with platting. Within the residential acres are two parks that are found in the open space of

Deleted: offers views of the hill. The butte

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Deleted: . The sum of these acres is about 323 (±) acres of dedicated open space. These parcels are dedicated to remain as open space in the Tierra del Rio Master Plan. However, as Parcel 19b is an exception to the survey, with the PAD Amendment, the acres within 19b are no longer calculated as a part of the Project and therefore are not calculated as a part of the Project open space. As shown on Table 1, the PAD Amendment, Land Use Summary, with the PAD Amendment the designated open space has been adjusted to 280 gross acres (±).¶
¶

Parcels 11, 12 and 21. Again, this acreage is a part of the residential parcel, but has been planned for parks. There are about 4 acres in each park. Added together the open space in the amended PAD is estimated for conceptual purposes at about 470 (±) acres or 47 % of the gross 994 (±) acres.

The Calderwood Butte and Agua Fria River open spaces are enriched and made accessible by the proposed trail systems throughout the project. The Agua Fria River, Maricopa County Regional Trail System Plan and the Peoria Trails Master Plan amenities have been provided for within an approximate 28-foot minimum width by 12,333 foot long strip of land adjacent to the Agua Fria River. The Trail Plans embrace multiple uses and varied recreational experiences within the Agua Fria River corridor. Among the recreational activities proposed are hiking, bicycling, equestrian riding and wildlife viewing. Tierra del Rio will provide an impressive network of open space trails for all levels of activity, from a stroll through the neighborhood to a mountain hike. These trails will link the internal land uses of the Tierra del Rio community and provide an alternative means of intra-community circulation. Access to Maricopa County Regional Trail System and the multi-use and equestrian trails along the Agua Fria River and to the Calderwood Butte are provided as an integral part of this development. Local trails within the project are proposed for pedestrian and bicycle connectivity for the residents of Tierra del Rio to access the regional trail system. All parts of the trail system within the development shall be designated as public, as approved by the City of Peoria.

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For flood control and protection purposes a hard bank will be constructed along the western edge of the Project adjacent to the Agua Fria River. The 28-foot minimum width open space buffer between the river and the residential lots has been provided in the Tierra del Rio Proposed Land Use Plan. This area will serve as a location for the Maricopa County Regional Trail and will also serve the project as a location for storm water retention basins.

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The common river and butte areas are defined as their own parcel, as shown on the Tierra del Rio PAD Land Use Plan (**Figure 4**). `

In order to salvage the protected plant species, a Landscape Inventory and Salvage Plan was completed in 2005 and trees and other plants have been salvaged and maintained in a nursery on-site. Plants and trees are being sold to others at this time to prevent further plant loss.

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Please reference the Tierra del Rio -PAD Conceptual Site Plan, Figure 4.
Please reference the Conceptual Open Space and Trail Plan, Figure 8.
Please reference the Conceptual Landscape Detail, Figure 9.
Please reference the Street Cross Sections for ROW landscape concepts, Figure 15.

2. Residential

To reference the Development Standards see Section XIV of this report.

The PAD Amendment features approximately 635 (±) acres or 64% out of 994 acres in residential land use. There are two residential land use categories proposed for Tierra del Rio. These include, Single Family Residential and Multiple Family Residential (attached and detached). The PAD Amendment allows 2,208 dwelling units with a density of 2.2 du/ac.

A buffer, 133 feet wide, featuring 2.2 dwelling units per acre (du/ac), was stipulated under the Tierra del Rio DMP 99-05 (Stipulation No. ee). This buffer is to be maintained at the eastern edge of the site within Parcels 10 and 13. This buffer is measured from the eastern boundary of the Project to the interior boundary of the residential lots within Tierra del Rio. The buffer has been maintained by the Master Plan in Parcels 10 and 13, at a minimum width of 133 feet wide. As illustrated in **Figure 16,** the Master Plan shows approximately 8.3 acres are encompassed within the buffer. The Plan shows a density of 1.2 du/ac for this area. The maximum density allowed is 2.2 du/ac. The PAD is well within the required density for the buffer area.

2a. Single Family

The PAD Amendment includes single family PAD zoning. The multi-family Parcels 8 and 15 may be utilized as single family residential as well.

Within the single family category, the residential densities will transition from higher intensity along Happy Valley Parkway to lower densities moving north toward the Dynamite Boulevard alignment. The proposed single family zoning district is Planned Area Development. To achieve the flexibility needed for this community, the Tierra del Rio project has received approval from the City of Peoria for modifications to the residential zoning district standards as shown on the Development Standards Tables, Section XIV of this report.

Please reference the Comparison Chart, in Section XIV of this report.

2b. Multiple Family Residential

PAD zoning for Parcels 8 and 15 may feature attached or detached housing products. PAD for Parcel 7 is proposed for multiple family uses. Potential product types may include court home, town home, patio home or z-lots for these parcels. As an alternative, Parcel 15 is also a prime location for a possible church site. Parcel 15 is located northwest of the Jomax Road and 107th Avenue (Tierra del Rio Boulevard) intersection. Parcel 7 and 8 are located at the northwest corner of the Happy Valley Parkway and 107th Avenue (Tierra del Rio Boulevard). The request for zoning for

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Parcel 7, 8 and 15 is that of Multi-Family, PAD.. The Development Standards in Section XIV of this report summarize the proposed amended standards to the Tierra del Rio PAD zoning districts.

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3. Commercial

Commercial land use dominates Parcels 2, 3 and 14. Approximately 78 (±) acres or 8% of the land within the Project are designated for commercial use. This commercial land use will encourage retail employment opportunities within the proposed development. Three parcels are proposed for commercial land use for the Tierra del Rio community. Two of these are located south of Happy Valley Parkway and 107th Avenue (Tierra del Rio Boulevard) (Parcels 2 and 3) and the third is located north of the 107th Avenue (Tierra del Rio Boulevard) and Jomax Road intersection (Parcel 14). Parcels 2 and 3 are designated as Commercial Retail Centers (CRC) that will serve communities surrounding and including Tierra del Rio. The land uses may include commercial services such as a grocery store, pharmacy, and restaurants, fueling station, big box retail and other retail land uses. For Parcel 2 and 3, the zoning is PAD commercial uses, uses as provided in the use table in Section XIII.B. The zoning district allows big box development uses. These uses might be described as similar to a Costco, Sam's Club or Home Depot.

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Parcel 14 is proposed as C-1, a Neighborhood Retail Center (NRC). This land use may include neighborhood grocery store, drug store, restaurant, and/or other retail land uses. Parcel 14 zoning is PAD C-1.

Please reference the Comparison Chart, in Section XIV of this report.

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Please reference the PAD Conceptual Land Use Plan, Figure 4.

Please reference that Land Use Summary, Table 1, Chapter IV.

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V. Surrounding Properties

1. Adjacent Developments

The area surrounding Tierra del Rio has historically been rural in nature with scattered home sites, agricultural uses and desert. Recently however, several master plan developments, such as Pleasant Valley Estates, Sonoran Mountain Ranch, Stetson Hills, Vistancia and White Peak Ranch have been approved and are under construction in the general vicinity. Although development can be found in close proximity to the proposed Tierra del Rio site, most of the land immediately adjacent, within 300 feet of the Project, remains as Maricopa County Rural-43. Tierra del Rio proposes similar residential densities as those found in the other master planned communities in the area. In addition, Tierra del Rio will provide retail commercial support that will benefit the local residents and surrounding developments.

Please reference Surrounding Land Uses and Zoning, Figure 5.
Please reference Surrounding Property Owners, Figure 6a and 6b.
Please reference the Regional Vicinity Map, for surrounding development, Figure 1.

2. Sand and Gravel Operations

Sand and gravel operations are common within the Agua Fria River channel. A sand and gravel operation is located one and a one-half miles south of Tierra del Rio. The associated truck traffic will access Happy Valley Parkway via 107th Avenue (Tierra del Rio Boulevard). **Figure 3** of this report identifies this sand and gravel extraction location.

Deleted: Currently, major improvements are nearing completion on this portion of 107th Avenue (Tierra del Rio Boulevard), including re-alignment and paving.

Please reference the Topography and Physical Features Map, Figure 3.

3. Archaeology

A Data Recovery Plan has been completed and submitted for review to the State Historic Preservation Office by Soil Systems Inc. (SSI). This Plan is titled, "A Data Recovery Plan for 15 Prehistoric Sites on the Tierra Del Rio Project Surrounding Calderwood Butte, Maricopa County, Arizona" and is dated February 2004. Sites are identified in the SSI Plan. A copy of the map and site numbers, are in the **Appendix G** of this report. The findings of further analysis will be sent to the Arizona State Historic Preservation Office (ASHPO) for review. Federal permits that may be required or any archaeological mitigation completed will meet the Secretary of Interior's standards and will be subject to the provisions of Section 106 of the National Historic Preservation Act.

4. Recharge Facilities

A recharge facility for the Central Arizona Project (CAP) is located within close proximity to Tierra del Rio, at the extreme western boundary of the site, on the opposite bank of the river from the Tierra del Rio residential development. When in use, this recharge facility appears to be a large body of water. The CAP recharge facility attracts waterfowl and other wildlife. This water feature enhances the river preservation element of Tierra del Rio.

Please reference the Topography and Physical Features Map, Figure 3.

5. Luke Air Force Base

Tierra del Rio is more than eleven miles from the Luke Air Force Base runway and is well outside of the 65-LDN noise contours (1988 J.L.U.S.). Therefore, the landing and take off exercises for Luke Air Force Base do not significantly impact the Tierra del Rio project. According to the definition stated in the Arizona State Statute, the project is not in the vicinity of a military airport.

The Arizona State Statute No 28-8461, 11a provides the applicable definition:

"territory in vicinity of a military airport" is defined as any property located in the following zone: "In counties that have a population of one million two hundred thousand or more persons, according to the most recent United States decennial census, the zone is ten miles to the north, south and west and four miles to the east parallel from the center of the of the main runway of the military airport."

VI. Project Benefits to the Community

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Tierra del Rio presents numerous community benefits, including a mix of housing product types, proximity of housing to commercial centers, provisions for active recreational open space areas and extensive trail systems with links to regional and equestrian trails. The surrounding community will benefit from the natural open space preservation and the completion of regional trail links. Preservation of the Calderwood Butte provides views of the hillside and specifically maintains valuable open space. These preservation amenities will help to maintain and raise property values in the area.

The Tierra del Rio commercial sites will provide retail employment opportunities for the existing and future homeowners in the area. The larger retail commercial parcels are located adjacent to the Happy Valley Parkway. This will allow all of the surrounding communities and homeowners to benefit from the commercial enterprises in this location. This location will be a place of nearby retail employment and a convenient place to shop. Development of the Tierra del Rio project will benefit surrounding communities by creating a link between the Happy Valley Parkway and 99th Avenue, via 107th Avenue (Tierra del Rio Boulevard) and by extending Jomax Road from 107th Avenue (Tierra del Rio Boulevard) west to the Agua Fria River. Completion of this master plan will provide access and further extension of the urban infrastructure into areas that are currently undeveloped.

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VII. Project Support/Consistency with the City of Peoria General Plan

1. Socioeconomic Trend Support

Tierra del Rio will be a family oriented development providing recreational, shopping and retail employment opportunities for the residents. Commercial development within the Project will encourage other businesses and services to locate to this region, which will potentially increase other employment opportunities in the area.

The northwestern region of the Phoenix metropolitan area is quickly developing with similar densities and land uses. This is demonstrated by several other planned and existing developments near Tierra del Rio, including, Terramar, Sonoran Mountain Ranch, West Wing Mountain, Vistancia, Stetson Hills, White Peak Ranch and others. Development of similar master planned communities in the area provides physical evidence that Tierra del Rio conforms to the urban fabric of Maricopa County.

2. City of Peoria General Plan Support

Land Use

Goal A: "Provide a balance of land uses that will preserve and enhance neighborhoods, promote economic development, encourage redevelopment at appropriate locations and protect environmentally sensitive areas."

Objective A-1: "Manage and control development to facilitate orderly growth and an efficient urban form."

Consistent with Policy A-1a, Tierra del Rio is within the City of Peoria General Plan boundaries and is on the edge of the current City annexation boundary as well. Annexation is a natural outcome with City infrastructure close by.

Consistent with Policy A-1c, Tierra del Rio is a Master Planned Community with an appropriate mix of land uses.

Consistent with Policy A-1d, Tierra del Rio will provide development and infrastructure that are compatible with the City of Peoria standards.

Residential Communities

Objective A-2: "Provide a diversity of housing types to meet the needs of persons of all income levels and ages."

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Objective A-3: "Create high quality residential environments that provides a safe and convenient vehicular circulation, open space and recreational opportunities, access to public schools and services and protection from incompatible land uses."

Consistent with Policy A-2a, Tierra del Rio provides a mix of residential development to accommodate future housing needs.

Consistent with Policy A-3b, Tierra del Rio has direct access to arterial streets, such as 107th Avenue (Tierra Del Rio Boulevard) and Happy Valley Road, and the residents of Tierra del Rio will not need to traverse through existing lower density residential areas.

Consistent with Policy A-3d, Tierra del Rio provides extensive open space in Calderwood Butte and the Aqua Fria River. In addition, open space is provided within the residential parcels, which includes parks, wash corridors and trail connections throughout the Project.

Objective A-5: "Locate multi-family residential development in suitable areas in which they will not adversely impact lower density development."

Policy A-5a, states that the City shall support the development of alternative forms of housing such as attached and detached townhouses and condominiums in appropriate locations. Tierra del Rio, provides locations for multiple family housing adjacent to major roads (Parcels 7 and 8) and open space (Parcel 15).

Consistent with Policy A-5c, Tierra del Rio, Parcel 15, offers multiple family land use adjacent to the Agua Fria River open space.

Employment Related Development

Objective A-6: "Develop appropriate commercial, Business Park, industrial and mixed-use employment centers within large-scale residential master planned areas."

Consistent with Policy A-6a, Tierra del Rio provides adequate and proximate commercial land use within Parcels 2, 3 and 14.

Circulation Element

Goal B: "Provide for a multi-modal Transportation System that will serve the Community and Region in a safe, efficient, cost effective and aesthetic manner while minimizing adverse impacts to neighborhoods, businesses and the natural environment."

Objective B-3: "Develop neighborhood street patterns and circulation systems which preserve neighborhood integrity and serve local traffic and discourage non-local or through traffic."

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Consistent with Policy B-3c, Tierra del Rio, provides residential neighborhoods that have convenient access to arterial streets.

Objective B-5: "Develop a comprehensive, coordinated and continuous on and off-street bicycle and multi-use pedestrian transportation system."

Consistent with Policy B-5b, Tierra del Rio provides bike facilities in street cross sections as well as in multi-use trails. Tierra del Rio also provides access to the regional trail system along the Agua Fria River in this new development in order to promote bicycle and pedestrian use.

Economic Development Element

Goal C: "Create employment opportunities for Peoria residents."

Objective C-1 "Enhance Peoria's viability as a place for businesses to locate."

In keeping with Policy C-1a, Tierra del Rio's commercial parcels are located where there is ample opportunity and where incremental expansion of infrastructure is possible.

Growth Area Element

Goal F: "Promote efficient development areas, which support a variety of land use types, conserve natural resources, reduce automobile dependency and exhibit a logical extension of infrastructure and service capacities."

Objective F-3 "Preserve and acquire open space and other natural resources in growth areas to foster community image and enhance the quality of life."

Consistent with Policy F-3b, Tierra del Rio preserves and enhances public open spaces in areas proximate to the residential communities and employment centers. The Calderwood Butte and Agua Fria River are preserved and enhanced with trail amenities. Both the butte and the river are in close proximity to the residential neighborhoods and the commercial parcels.

Housing Element

Goal H: "Provide for sufficient availability and a variety of opportunities for safe, decent and affordable housing with cohesive neighborhoods to meet the needs of present and future residents of Peoria."

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Objective H-1 "Promote quality residential development through diversity in housing type."

Consistent with Policy H-1d, Tierra del Rio will increase the housing supply while promoting diversity and neighborhood vitality. The housing types will be both single family attached and detached and multiple family residential communities are planned as well.

Public Services and Facilities Element

Goal K: "Coordinate future utility infrastructure."

Objective K-1: "Coordinate with federal and county governmental entities in the planning and implementation of appropriate storm water improvements that minimize flood hazards and are aesthetically pleasing."

Consistent with Policy K-1b, Tierra del Rio jointly utilizes the retention basin facilities in the Project for both flood control and recreational activities.

Recreation and Open Space Element

Goal M: "Create a balanced, accessible and integrated system of open spaces and recreational opportunities to serve the current and future residents and visitors of the City of Peoria."

Objective M-1: "Provide a meaningful network of natural and developed open space areas."

Consistent with Policy M-1c, Tierria del Rio provides more than 10 acres of open space per 1,000 people. In designated open space alone, the Project provides about 280 acres of open space. With 2,102 dwelling units planned for the Project and assuming a population of 2.5 persons per dwelling unit, the population of the Project would be about 5,255 persons. Fifty two (52) acres of open space would serve the Project need for 10 acres per 1,000 persons. The Project provides more than five (5) times the desired amount of open space.

Objective M-2: "Manage and preserve open space to optimize its use and protection."

Consistent with Policy M-2e, Tierra del Rio has preserved a significant natural area in the hillsides of Calderwood Butte and a floodplain area in the Agua Fria riverbed. The Project has enhanced the washes within the Project, the bank of the river and the butte with a connected system of trails.

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3. Surrounding Development Support

Surrounding projects support the proposed plans for Tierra del Rio in that they are similar in their proposed densities and plans of development. Noted below are the Master Planned Communities Sonoran Mountain Ranch, Stetson Hills and Vistancia.

Sonoran Mountain Ranch featured lot widths on the proposed plans at 50 feet wide. The total square feet for these lots was proposed at 5,500 square feet per lot using R1-6 PAD zoning. Lot widths for R1-7 are 60 feet wide and for R1-8 are 70 feet wide. These are similar to requests for rezoning modifications seen with the Tierra del Rio proposed Master Planned Community.

- *Sonoran Mountain Ranch* is northeast of the Tierra del Rio project. Sonoran Mountain Ranch is in the City of Peoria planning boundaries at the southwest corner of 67th Avenue and the northern Happy Valley Parkway. It is a Master Planned Community of approximately 710 acres, featuring 1,701 single family residential lots, 308 multiple family units and 17.9 acres of commercial uses. The approved overall residential density for Sonoran Mountain Ranch project is 2.93 du/ac. The zoning for the project includes R1-6 PAD with lots approved at 50' x 110' (5,500 square feet); R1-7-PAD with lots approved at 60' x 120' (7,200 square feet); R1-8 PAD with lots approved at 70' x 120' (8,400 square feet) and R1-10-PAD with lots approved at 90' x 130' (11,700 square feet).

The approval of the Stetson Hills plan allowed for smaller lots, conceding extensive hillside open space of 518 acres for the site, with an R1-6-RUPD-PAD zoning district. This is similar in character to that of Tierra del Rio.

- *Stetson Hills* is east of the Tierra del Rio project. Stetson Hills is a 1,321-acre Master Planned Community within the City of Phoenix planning boundaries. The approved PCD allows 2.34 du/ac and 3,096 dwelling units. The project includes 657 acres of single family residential, 131 acres of multiple family residential, 15 acres of neighborhood park and hillside open space of 518.2 acres.

Vistancia and White Peak Ranch are the closest new developments to Tierra del Rio. These projects were approved with overall densities of 2.21 and 3.0 du/ac, which is greater than that of Tierra del Rio's 2.22 overall density.

- *Vistancia and White Peak Ranch* projects are northwest of Tierra del Rio. Vistancia and White Peak Ranch cover more than 7,000 acres west of Tierra del Rio and are immediately north of Jomax Road. More than 10,810 single family dwelling units are proposed, together with 6,518 multiple family units. The overall density for Vistancia is 3.0 du/ac and the overall density for White Peak Ranch is 2.21 du/ac. Amenities for the communities include golf courses, parks, schools and community buildings.

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4. Public Participation Support

As part of the Citizen Review Process, a Citizen Participation Plan was prepared for Tierra del Rio. This plan was submitted to Maricopa County under separate cover as a part of the RUPD/CUPD-PAD zoning process with the County. To summarize, the proposed Conceptual Land Use Plan and project information was made available to the public interested in the development of Tierra del Rio by way of direct telephone contact, mailings, sign posting and meetings will be held as necessary.

As part of the Amendment (A.5) an additional Citizen Participation Plan was prepared for Tierra Del Rio. To summarize, an informational mailing was distributed to property owners within 300-feet of Tierra Del Rio. A public neighborhood meeting was held on August 31, 2009 at the Cross of the Glory Lutheran School located at 10111 West Jomax Road, Peoria, Arizona. The format of the meeting was a formal presentation by Pulte representatives with boards illustrating the conceptual land plans presented within the PAD Amendment followed by a Question and Answer session. See Section 3 of this Amendment for a full report on the outcome of the meeting as well as neighbor sign-up sheet and Question and Answer minutes.

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VIII. Circulation

There are multiple layers of circulation within the Tierra del Rio development. The layers range from Urban Minor Arterial to Parkway for vehicular roadways and a Regional Multi-model Bicycle, Pedestrian and Equestrian Trail System that has been planned to satisfy the Trails Master Plans of Maricopa County Transportation and Trails, as well as the City of Peoria Trails Master Plan. Local road links, as well as multi-purpose local hiking and biking trails and road lanes for bike travel are featured within the Tierra del Rio project. Tierra del Rio will provide links to these regional and local circulation systems.

1. Vehicular

A Traffic Impact Study (TIS) for Tierra del Rio by Task Engineering, dated August 8, 2007, was approved by the City on September 14, 2007. The proposed vehicular circulation for Tierra del Rio is depicted on **Figure 14**. Street cross sections proposed for Tierra del Rio roadways are shown in **Figure 15**.

Please reference the Proposed Circulation Plan, Figure 14.
Please reference the Proposed Street Cross Sections, Figure 15.
Please reference the Traffic Impact Study, dated August 8, 2007, which has been submitted under separate cover to the City of Peoria

A *Local Street*, 50-foot wide, is proposed for the roadways that serve as the vehicular links to homes throughout the Tierra del Rio Community.

A minor collector road for access to Parcels 20-22 will be a new access point connecting to Jomax Road. This minor collector road shall be designed to be dry above the adjacent 100 year floodplain.

A 130 foot wide, *Major Arterial Street*, ultimately with six paved lanes, a median and bike lanes, has been constructed for 107th Avenue (Tierra del Rio Boulevard). 107th Avenue (Tierra del Rio Boulevard) has been improved throughout the Project.

For Jomax Road, a 65 foot wide half street has been constructed between the east boundary of Parcel 13 and 99th Avenue.

For Jomax Road, an *Urban Minor Arterial,* 110 foot wide, with bike lanes, has been constructed for the portion of the roadway that is west of 107th Avenue (Tierra del Rio Boulevard) to the hard bank of the river, within the Project boundary. Jomax Road, west of the river hard bank to the property line is proposed as a "wet crossing", minor arterial.

The 99th Avenue cross section will be determined during the Preliminary Plat process.

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For Happy Valley Parkway a major arterial, Maricopa County is proposing a Parkway classification, which will feature a median and either six or eight lanes. Declassification of Happy Valley Parkway from a limited access freeway has been completed. A copy of the Declassification Notice can be found in the **Appendix** of this report. Therefore, greater opportunities for access to the commercial and residential parcels, from Happy Valley Parkway, are now possible. The new ultimate alignment for the Loop 303 is expected to be within the Lone Mountain Road alignment, which is north of the Tierra del Rio boundary. To the west, Loop 303 becomes the Estrella Freeway, running north to south along the western edge of the metropolitan region. These are anticipated to provide regional access to the Tierra del Rio site

2. Bicycle

The Maricopa County Regional Trail System, Multi-Use Pedestrian and Bicycle Path, will be improved adjacent to the Tierra del Rio project within a 28-foot minimum width open space corridor. This 28-foot minimum width open space corridor is adjacent to the eastern hard bank along the Agua Fria River. Trail links will connect the Tierra del Rio community to the County trail along the river.

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Bicycle circulation is provided within the right of way bike lanes, within the regional County multi-use trail and via trail connections throughout the community. Bike lanes are proposed as a part of the street cross sections.

Please reference the Proposed Street Cross Sections, Figure 15.
Please reference the Proposed Conceptual Open Space and Trail Plan for the proposed biking trail and connectivity, Figures 8, 9,and 14.

3. Pedestrian

Sidewalks will be provided along both sides of local, collector and arterial roadways, except in the case of the Minor Collector "B" as described on **Figure 15**, where the minor collector is adjacent to the Calderwood Butte open space. Pedestrian connections are proposed within natural drainage corridors and a hiking trail is proposed within the Calderwood Butte open space (Parcel 26a and b). The Maricopa County Regional Trail System Multi-Use Path will be constructed along the eastern bank of the Agua Fria River within a 28-foot minimum width open space corridor for the length of the site.

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Please reference the Proposed Street Cross Sections for proposed pedestrian sidewalk detail, Figure 15. Please reference the Proposed Conceptual Open Space and Trail Plan for proposed pedestrian hiking and connectivity, Figures 8, 9, and 14.

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4. Equestrian

An equestrian trail, separated from the multi-use trail, is proposed to parallel the eastern bank of the Agua Fria River. This proposed trail is consistent with the Peoria's Trail Master Plan, Maricopa County Regional Trail System and the MAG West Valley Multi-Modal Transportation Corridor Master Plan.

Please reference the Proposed Conceptual Open Space and Trail Plans, Figures 8, 9, and 14.

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IX. Development Phasing

At this conceptual stage in planning the number of phases has not yet been determined. The status of this request is that of entitlement, which features conceptual plans submitted for a PAD Amendment. Separate preliminary plats, final plats and improvement plans will be submitted for each individual parcel. Depending upon economic conditions, the residential parcels will be phased and constructed over a ten-year period. The required infrastructure for the entire development has been or will be constructed as part of the initial project.

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The approximate timing of the development is anticipated to be as follows:

Beginning Fall 2005 – Ending Spring 2016

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The following describes items that have been completed to date project wide.

- Mass grading
- Jomax Road
- 107th Avenue (Tierra Del Rio Blvd)
- Happy Valley Parkway
- Parcels 7 and 8 – Apartment Complex
- Parcels 6 and 9 – utilities and paving
- Regional Sewer Section 1 and 3
- Well Site No. 2.2 and 2.3
- NE Agua Fria Water Plant No. 2
- Lift Station
- Hard Bank Protection for South Parcels

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X. Community Facilities and Services

1. Schools

Tierra del Rio is located in the Peoria Unified School District (PUSD). A Developer Assistance Agreement between PUSD No. 11 and CML Inc (now TDR L. L. C.) specifies that the Developer will make a contribution to enhance education within the PUSD. A copy of the Developer Assistance Agreement can be found in the **Appendix** of this report. School sites are not shown on the Tierra del Rio site plan. The developer has agreed to provide PUSD with adequate consideration, rather than school sites, for this project. A letter from PUSD, No. II, dated June 4, 2002, DMP 99-05, Section "W", states that Tierra del Rio is anticipated to produce between 1,000 to 1,200 elementary students and 400 to 500 high school students. The elementary students are to attend Zuni Hills Elementary School at 107th Avenue (Tierra del Rio Boulevard) and Williams Road. The high school students are to attend Sunrise Mountain High School, which is located at 83rd Avenue and Deer Valley Road. **Figure 7** illustrates the location of existing schools in the proximity of Tierra del Rio.

Please reference the PUSD Developer Assistance Agreement in the Will Serve, Appendix D of this report. Please reference the Peoria School District, June 4, 2002, letter in the Will Serve, Appendix D of this report. Please reference the Existing Community Facilities and Services, Figure 7.

2. Parks and Amenities

Two parks have been provided within the Tierra del Rio Master Plan. Open space within the Calderwood Butte and the Agua Fria River, as well as the open space found in the residential parcels are also featured amenities within the Master Plan.

The West Valley Multi-Modal Transportation Corridor Master Plan establishes plans for trails and recreational amenities south of Tierra del Rio at the intersection where the lower Agua Fria River corridor meets the New River corridor. Trail plans for these two-river corridor connections will provide a regional trail system connection for Tierra del Rio residents. A second regional trail connection for Tierra del Rio is in the upper Agua Fria River. This regional trail system is planned as a part of the Maricopa County Regional Trail System Plan. The two regional trail systems connect the White Tank Mountain Regional Park with Lake Pleasant Regional Park, Cave Creek Recreation Area and Spur Cross Conservation Area. The trail proposed in the Tierra del Rio plan that is adjacent to the hard bank of the Agua Fria River will connect to this regional trail system.

West of Tierra del Rio the White Tank Mountain Regional Park encompasses more that 29,000 acres of land and north of the project, Lake Pleasant Regional Park offers more that 23,000 acres of recreational land. Thunderbird Regional Park is approximately 5

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miles southeast of Tierra del Rio, located near 67th Avenue and Pinnacle Peak Road in Glendale. Thunderbird Regional Park is 1,062 acres in size and provides additional recreational opportunities for mountain bikers, pedestrians and equestrians. The City of Peoria offers twenty-three City Parks, several of which are near Tierra del Rio. These include Apache Park and Alta Vista Park. Various future master planned communities will also provide accessible community or neighborhood park facilities for surrounding communities to enjoy. These will be similar to those being proposed within Tierra del Rio. Recreational open space and links to the regional trail systems are outstanding features of the Tierra del Rio Community plan.

Please reference the Existing Community Facilities and Services, Figure 7.

3. Police and Fire Protection

The City of Peoria will be the Police and Fire Protection service providers for the Tierra del Rio project.

Please reference the Existing Community Facilities and Services, Figure 7.

4. Libraries

The Maricopa County Libraries nearest to Tierra del Rio are in the City of Peoria. These include the Sunrise Mountain Library, located at 2100 North 83rd Avenue and the Main Library, which is located at 8463 West Monroe Street.

Please reference the Existing Community Facilities and Services, Figure 7.

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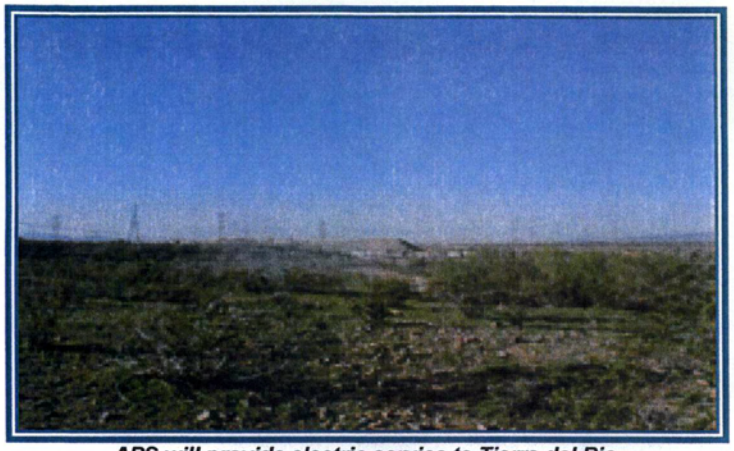

APS will provide electric service to Tierra del Rio.

XI. Public Utilities and Services

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1. Water Facilities

A Master Potable Water Report for Tierra del Rio was prepared by CMX in February of 2004. The Master Water Report has been submitted under separate cover. The Master Water Report is incorporated into this PAD Amendment document by reference. This master report represents a layout of the backbone water infrastructure for the development and is subject to modification through the process of engineering development.

Please reference the Tierra del Rio, Master Water Report, submitted under separate cover, for detail analysis of the potable water facilities. Please reference the Proposed Water Facilities Plan, Figure 12.

Arizona-American Water Company (AAWC) holds the Certificate of Convenience and Necessity (CC&N) for the area of this project, within Maricopa County. AAWC will be providing water service to meet the water demands for Tierra del Rio. Water for the Peoria parcels will be provided by the City of Peoria.

Please reference the AAWC Will Serve Letter, Appendix D.

The Water Master Plan identifies the size and proposed locations for major water distribution infrastructure based upon the AWWC Development Guide for Maricopa County Properties, dated September 2003. This infrastructure includes water mains, pressure reducing valves and storage. The pipes shown in this plan form the pressure distribution system required for transmitting potable water to each parcel within Tierra del Rio from the self contained water system. Based on current agreements with AAWC, ground water wells located within Tierra del Rio will be the source of potable

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water for this development. This potable water system is a stand-alone system that is not intended to be connected to any other future projects in AAWC's service area.

2. Wastewater Facilities

A Master Wastewater Report for Tierra del Rio was prepared by CMX in February of 2004. Copies of the Master Wastewater Report have been submitted under separate cover. The Master Wastewater Report is incorporated into this PAD Amendment document by reference. A revised report will be submitted to the City of Peoria with the revised Preliminary Plat.

Please reference the Tierra del Rio, Master Wastewater Report, submitted under separate cover, for detail analysis of the wastewater systems. Please reference the Proposed Wastewater Facilities Plan, Figure 13, superceded by "Exhibit C" in the "Transportation and Sewage Service Agreement" dated November 16, 2004

Wastewater services are to be provided by the City of Peoria. The City of Peoria sewer treatment plant is the Beardsley Water Reclamation Facility, located at 111th Avenue and Beardsley Road.

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Land use for Tierra del Rio includes high to low-density residential, open space and mixed use commercial. The Master Wastewater Plan identifies the size and proposed locations for all major wastewater collection infrastructure based upon the City of Peoria's Master Wastewater design requirements. Proposed infrastructure includes major sewer lines and connections into existing structures. The developer shall design and construct a sewer connection to eliminate the existing Pleasant Valley lift station at 99th Avenue and Dynamite Road. The developer shall design and construct a gravity connection to the existing sewer located at 109th Avenue and Deer Valley Road. This connection will be a minimum 24" pipe from 109th Avenue and Deer Valley Road to 107th Avenue and Happy Valley Road and shall be continued through the development as an oversized line per Exhibit C of the "Transportation and Sewage Service Agreement," to serve the property north of Tierra Del Rio. The sewer pipes shown in this plan form the backbone collection system required for conveyance of wastewater generated by each parcel within Tierra del Rio. As each parcel or phase within Tierra del Rio is developed, a detailed analysis of the wastewater sewer system will be prepared and submitted for review by the City of Peoria.

3. Dry Utilities

Existing utilities include APS, Southwest Gas Corporation, Qwest, and Cox Communications. These utilities are adjacent to the site, on-site or within a reasonable distance to the site. Will Serve letters are provided in the **Appendix** of this report.

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4. Drainage

A Master Drainage Report has been prepared by CMX, LLC. This study offered detailed descriptions of the proposed drainage system. The Master Drainage Report for Tierra del Rio was submitted under separate cover. The Master Drainage Report is made a part of this PAD Amendment document by reference.

Please reference the Master Drainage Report, submitted under separate cover, for the detail analysis of project drainage. Please reference the Proposed Storm Drainage Patterns, Figure 11.

The site and surrounding areas slope naturally from the northeast to the southwest. Existing drainage patterns show that sporadic residential development exists in proximity to the project area. Tierra del Rio proposes to direct the storm water toward the Agua Fria River. An approximate 100 foot wide buffer adjacent to the hard bank, along the Agua Fria River is proposed. This buffer will contain a proposed hard bank protection, retention basins and trails. As the storm water accumulates during a storm event the basins will individually fill and overflow to the Agua Fria River. Runoff from parcels that are not directly adjacent to the Agua Fria River will discharge to detention basins and will be directed to landscaped drainage corridors that will direct the flow west and southwest. Basins will be located so as not to impact the integrity of the adjacent wash banks.

Streets within Tierra del Rio will be designed such that the 10-year flow is contained below the top of the curb. The 100-year flow, limited to 100 cubic feet per second in the street, will be contained within the street right-of-ways. The finished floor elevations within the project will be designed to be a minimum of one foot above the calculated 100-year high water elevation in the Agua Fria River, or 14-inches above the adjacent top of curb elevation, whichever is greater.

On-site rainfall runoff will be routed to detention basins via in-street flow and, where necessary, storm drain pipe. To allow for flexibility in site design, the Drainage Master Plan does not show the specific locations or sizes of storm drainpipe within the local roadways of Tierra Del Rio at this stage of the planning process. These storm drains will be designed at the time of improvement plan preparation for each of the parcels.

Detention basins discharging directly into the Agua Fria River will be designed with a capacity equivalent to the first-flush volume or the volume necessary to limit the developed conditions discharge to no more than the pre-development discharge produced by the 100-year, 6-hour storm event. The first flush detention basins will be designed for 0.5 inches of runoff in the County (per Flood Control District standards and 1 inch of runoff in the City of Peoria. These facilities will be constructed within open spaces, landscape tracts or other designated areas within the development limits or within the buffer zone, adjacent to the Agua Fria River. Commercial developments and residential developments that do not discharge directly to the Agua Fria River will be designed to meet the required 100-year, 2-hour retention volume as specified in the

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Drainage Design Manual for Maricopa County, Volume I, Hydrology. Each first flush, detention and retention basin will drain within 36 hours. This will be accomplished either through controlled bleed-off, only permitted if water quality standards are met in accordance with AZPDES requirements as modified by the City of Peoria, to adjacent channels and washes or via infiltration through drywells.

Detention basin dewatering, major roadway runoff, and detention basin overflow during storms in excess of the 100-year, 2-hour event, will be conveyed through the Tierra Del Rio landscaped open channels or preserved washes. All storm water facilities north of Jomax Road and west of Calderwood Butte will ultimately discharge into the Agua Fria River via a storm drain outlet during low flow event and an emergency overflow structure during a more significant runoff events.

All development will be in accordance with the drainage and floodplain regulations for Maricopa County, AZPDES as modified by the City of Peoria, and City of Peoria Standards. Prior to any development, the applicant will contact the City of Peoria concerning a Floodplain Use Permit within the 100-year floodplain and they will make appropriate submittals to the Federal Emergency Management Agency for those portions of the development within their jurisdiction.

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XII. Project Justification

1. *What type of development and uses are proposed by the amendment request?*

   Answer: See Sections III, IV, XIV, and XV of this report.

2. *State whether your proposal is consistent with the Land Use Plan and other Goals, policies and objectives of the Peoria General Plan.*

   Answer: See Section VII of this report.

3. *Discuss your proposal's compatibility with the surrounding land use and zoning patterns.*

   Answer: See Section V, and VII (3.) of this report.

4. *Indicate why the current zoning is not appropriate given the surrounding land use, zoning and factors, which have changed since the current zoning was established.*

   Answer: The PAD as currently specifies only one lot size for each Parcel. This limits the number of housing product line or "series" that can be delivered in each Parcel, thereby limiting the diversity of housing products in each subdivision. Each series typically has a minimum of two floorplans each with three different elevations. As shown in the Conceptual Lotting Plan, the proposed changes will allow a mix of lot sizes in each Parcel. For example, in Parcel 27 the approved PAD Land Plan currently only allows 65' wide lots, but on the attached Conceptual Lotting Plan exhibit, Parcel 27 has three different lot sizes: 45', 55' and 65'. If it is assumed that each lot size will have a different series, this would mean that only 6 home elevations would be available in Parcel 27 under the current plan. With the proposed Amendment, this increases to 18 available elevations in that parcel. Having more lot sizes will result in more series being offered in each subdivision and therefore more diverse housing and a greater mix of home elevations.

5. *Describe any proposed unique design considerations, beyond the Zoning Ordinance requirements, which create compatibility between the proposed use and adjoining development.*

   Answer: See Section XIV, Development Standards and XV, Enhanced Design Review Standards in this report.

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6. *Describe unusual physical features or characteristics of the site, which present opportunities or constraints for development.*

Answer: Although these have been made into Project amenities, the 280 acres that make up the Calderwood Butte and the Agua Fria River are also development constraints for the Project. Jurisdictional washes have been avoided and turned into Project amenities, however these also pose constraints to the development of residential units.

7. *Other than the requested rezoning approval, what other approval processes are required to accomplish the development proposal, i.e. variances, site plans, subdivision plats, conditional use permits, comprehensive master plan amendments, State of County licensing or permits, etc?*

Answer: Reviews will include but are not limited to; Master Plans, Preliminary Plat and Final Plat for residential, Site Plan for commercial and multiple-family, associated improvement plans, CLOMR/LOMR, Maricopa County Environmental Services Department (MCESD), Maricopa County Department of Transportation (MCDOT), Arizona Department of Water Resources (ADWR), Certificate of Assured Water Supply, Well Permits, Arizona Pollution Discharge Elimination System (AZPDES).

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XIII. PERMITTED USES

A. RESIDENTIAL PERMITTED USES

1. All Permitted principal uses, permitted conditional uses and accessory uses shall be permitted as set forth in the Peoria Zoning Ordinance for residential uses.

B. COMMERCIAL PERMITTED USES, FOR PARCELS 2 AND 3

1. Banking and financial services;
2. Big box retail; C
3. Cement, gravel and paving material mixing plants; SU
4. Child care facilities;
5. Colleges, technical and trade schools; excluding campuses
6. Copying and printing businesses;
7. Entertainment uses including museums, theaters, cinemas, auditoriums and places of public assembly, excluding adult theater and adult live entertainment;
8. Gas / service stations; C
9. General merchandising, including variety and specialty stores;
10. Hardware stores; C
11. Health clubs;
12. Heavy equipment sales and service; C
13. High-tech industries;
14. Home improvement and home furnishings; C
15. Hospital and veterinary facilities; C for hospitals
16. Hotels and motels;
17. Libraries;
18. Lumber and building materials yards; C
19. Medical and dental offices and clinics (including emergency care);
20. Mortuaries and crematoriums; SU
21. Motion picture production, radio and TV broadcast studios; SU
22. Nurseries, and retail; C
23. Offices and office parks;
24. Personal service businesses, such as but not limited to, beauty shops, barber shops, laundry and dry cleaning establishments and repair services for small appliances, watches, bicycles and similar items;
25. Professional, business, and administrative offices;
26. Public and quasi-public facilities;
27. Radio and television broadcast studios;
28. Recreational facilities; indoor only
29. Restaurants and restaurants with bars; C for restaurants with bars
30. Retail sales including food stores, packaged liquor for off-site consumption-**C,** apparel and accessory stores;
31. Sales/leasing offices and association;
32. Self-storage facilities; C
33. Shopping centers and plaza malls;
34. Sports facilities; C
35. Veterinary offices and (clinical). C

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C. OPEN SPACE

1. All uses permitted in the residential;
2. Conservation, easements and open spaces;
3. Parks and related amenities, such as but not limited to, parking facilities, recreational building or club house, arbors, ramadas, swimming pools, water features, BBQ grills, tables, seating, outdoor entertainment amphitheatre, interpretive educational and wildlife watching nodes, tot lots, play grounds, ball fields and courts;
4. Public uses;
5. Retention basins and drainage facilities;
6. Landscaping;
7. Trails and paths;
8. Washes and water canals.

C = Permitted Conditional Use
SU = Special Use (See Article 14-41)

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XIV. Development Standards

The Amended PAD Development Standards, Tables 2A, B and C, as found in this report under Chapter XIV, shall apply to the Tierra del Rio project as a whole, including all Parcels 1 through 28, as depicted on **Figure 4**, the Proposed PAD Conceptual Land Plan. Setback measurements shall be taken from the **property line** or tract line.

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TABLE 2A

PAD Amendment (A.5) Development Standards	Tierra del Rio Single Family Residential
Parcels 20, 21, 22, 27, 28	
Regulation	**Proposed Zoning District Regulation PAD**
Height (maximum)	30' or two stories
Distance Between Building on Same Lot (minimum)	10'
Front Yard (minimum)	18-feet with front facing garage; a 10-foot front building setback is allowed for a single entry garage or home forward product. The front lot width shall be measured at the 18-foot standard setback in both cases.
Side Yard (minimum)	5'
Street Side Yard (minimum)	10'
Rear Yard (minimum)	15'
Lot Area (minimum)	[purposely deleted from table - Lot Area established by minimum Lot Width and Depth]
Lot Area Per Dwelling Unit (average)	[purposely deleted from table - to be determined by lot mix and lot minimum dimensions]
Lot Width (minimum)	45'
45'-54' wide	50% of combined total units for Parcels 20-22 & 27-28 (maximum)
45'-64' wide	85% of combined total units for Parcels 20-22 & 27-28 (see Note 5)
65'+ wide	15% of combined total units for Parcels 20-22 & 27-28 (minimum)
Lot Depth (minimum)	115'
Lot Coverage (maximum)	[purposely deleted from table - Setbacks shall govern lot coverage]
Driveway Width (maximum)	24' maximum driveway width (not including driveway apron) for 3-car garage product only.
Parking Spaces (minimum)	2
Privacy Wall Height (maximum)	6' maximum. The maximum allowable wall mass is 10' when combined with a retaining wall. Maximum retained height is 8'. Any combination of view fence and privacy wall can be combined with retaining wall if maximum wall mas and wall height requirements maintained. (3)
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) wall mass when combined with a privacy wall. Maximum privacy wall height is 6'. Any combination of view fence and privacy wall can be combined with retaining wall maximum wall mass and wall height requirements are maintained. (3)
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)
Irrigation and Landscape Within Wall Terraces (4)	Terraced walls outside of private parcels or visible from public streets shall be separated by no less than 4-feet and shall be irrigated and landscaped in accordance with note (4) below.

Notes:
Shaded standards indicates modifications from previous Development Standards Tables

(3) Retaining walls in excess of 6' in height and total wall mass in excess of 9' in height would only apply to a few locations within the development, where grade differentials are significant. In no instances would the maximum retaining height of 6' be exceeded where viewed from within a lot. This additional retained height would be applicable to the water facilities sites, the lift station site, or in locations adjacent to the arterial and collector streets, or open space areas where significant grade differentials exist. Refer to Note (4) for terracing requirements.

(4) Where terraced walls are located outside of private parcels, the builder will be responsible for installation of irrigation and landscaping within the terraces.

(5) 45'-54' wide and 55-64' wide lots shall combine for a maximum 85% of the total lot count in Parcels 20-22 & 27-28. Notwithstanding, the foregoing, 45'-54' wide lots shall not exceed a maximum of 50% of the total lot count in Parcels 20-22 & 27-28 as indicated.

TABLE 2A

PAD Amendment Development Standards	Tierra del Rio	Single Family Residential
Parcels 23, 24 and 25		
Regulation	**Proposed Zoning District Regulation PAD**	
Height (maximum)	30' or two stories	
Distance Between Building on Same Lot (minimum)	15'	
Front Yard (minimum)	18-feet with front facing garage; a 10-foot front building setback is allowed for a side entry garage or home forward product. The front lot width shall be measured at the 18-foot standard setback in both cases.	
Side Yard (minimum)	5'	
Street Side Yard (minimum)	10'	
Rear Yard (minimum)	15'	
Lot Area (minimum)	10,000 square feet	
Lot Area Per Dwelling Unit (average)	10,000 square feet	
Lot Width (minimum)	75'	
Lot Coverage (maximum)	42%	
Driveway Width (maximum)	27' maximum driveway width (not including driveway apron) for 3-car garage product only.	
Parking Spaces (minimum)	2	
Privacy Wall Height (maximum)	6' maximum. The maximum allowable wall mass is 10' when combined with a retaining wall. Maximum retained height is 8'. Any combination of view fence and privacy wall can be combined with retaining wall if maximum wall mas and wall height requirements maintained. (3)	
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) wall mass when combined with a privacy wall. Maximum privacy wall height is 6'. Any combination of view fence and privacy wall can be combined with retaining wall maximum wall mass and wall height requirements are maintained. (3)	
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Irrigation and Landscape Within Wall Terraces (4)	Terraced walls shall be separated by no less than 4-feet and shall be irrigated and landscaped in accordance with note (4) below.	
Parcel 13		
Regulation	**Proposed Zoning District Regulation PAD**	
Height (maximum)	30' or two stories	
Distance Between Building on Same Lot (minimum)	15'	
Front Yard (minimum)	18-feet with front facing garage; a 10-foot front building setback is allowed for a side entry garage or home forward product. The front lot width shall be measured at the 18-foot standard setback in both cases.	
Side Yard (minimum)	5'	
Street Side Yard (minimum)	10'	
Rear Yard (minimum)	15'	
Lot Area (minimum)	8,000 square feet (1)	
Lot Area Per Dwelling Unit (average)	8,000 square feet (1)	
Lot Width (minimum)	65' (2)	
Lot Coverage (maximum)	48%	
Driveway Width (maximum)	27' maximum driveway width (not including driveway apron) for 3-car garage product only.	
Parking Spaces (minimum)	2	
Privacy Wall Height (maximum)	6' maximum. The maximum allowable wall mass is 10' when combined with a retaining wall. Maximum retained height is 8'. Any combination of view fence and privacy wall can be combined with retaining wall if maximum wall mas and wall height requirements maintained. (3)	
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) wall mass when combined with a privacy wall. Maximum privacy wall height is 6'. Any combination of view fence and privacy wall can be combined with retaining wall maximum wall mass and wall height requirements are maintained. (3)	
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Irrigation and Landscape Within Wall Terraces (4)	Terraced walls shall be separated by no less than 4-feet and shall be irrigated and landscaped in accordance with note (4) below.	
Parcels 9, 10 and 11		
Regulation	**Proposed Zoning District Regulation PAD**	
Height (maximum)	30' or two stories	
Distance Between Building on Same Lot (minimum)	15'	
Front Yard (minimum)	18-feet with front facing garage; a 10-foot front building setback is allowed for a side entry garage or home forward product. The front lot width shall be measured at the 18-foot standard setback in both cases.	
Side Yard (minimum)	5'	
Street Side Yard (minimum)	10'	
Rear Yard (minimum)	15'	
Lot Area (minimum)	7,000 square feet	
Lot Area Per Dwelling Unit (average)	7,000 square feet	
Lot Width (minimum)	55'	
Lot Coverage (maximum)	48%	
Driveway Width (maximum)	27' maximum driveway width (not including driveway apron) for 3-car garage product only.	
Parking Spaces (minimum)	2	
Privacy Wall Height (maximum)	6' maximum. The maximum allowable wall mass is 10' when combined with a retaining wall. Maximum retained height is 8'. Any combination of view fence and privacy wall can be combined with retaining wall if maximum wall mas and wall height requirements maintained. (3)	
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) wall mass when combined with a privacy wall. Maximum privacy wall height is 6'. Any combination of view fence and privacy wall can be combined with retaining wall maximum wall mass and wall height requirements are maintained. (3)	
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Irrigation and Landscape Within Wall Terraces (4)	Terraced walls shall be separated by no less than 4-feet and shall be irrigated and landscaped in accordance with note (4) below.	
Parcels 1, 4A, 4B, 6 and 12		
Regulation	**Proposed Zoning District Regulation PAD**	
Height (maximum)	30' or two stories	
Distance Between Building on Same Lot (minimum)	10'	
Front Yard (minimum)	18-feet with front facing garage; a 10-foot front building setback is allowed for a side entry garage or home forward product. The front lot width shall be measured at the 18-foot standard setback in both cases.	
Side Yard (minimum)	5'	
Street Side Yard (minimum)	10'	
Rear Yard (minimum)	15'	
Lot Area (minimum)	5,500 square feet	
Lot Area Per Dwelling Unit (average)	6,000 square feet	
Lot Width (minimum)	45'	
Lot Coverage (maximum)	53%	
Driveway Width (maximum)	27' maximum driveway width (not including driveway apron) for 3-car garage product only.	
Parking Spaces (minimum)	2	
Privacy Wall Height (maximum)	6' maximum. The maximum allowable wall mass is 10' when combined with a retaining wall. Maximum retained height is 8'. Any combination of view fence and privacy wall can be combined with retaining wall if maximum wall mas and wall height requirements maintained. (3)	
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) wall mass when combined with a privacy wall. Maximum privacy wall height is 6'. Any combination of view fence and privacy wall can be combined with retaining wall maximum wall mass and wall height requirements are maintained. (3)	
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Irrigation and Landscape Within Wall Terraces (4)	Terraced walls shall be separated by no less than 4-feet and shall be irrigated and landscaped in accordance with note (4) below.	

Notes:
(1) No longer applies.
(2) No longer applies.

(3) Retaining walls in excess of 6' in height and total wall mass in excess of 9' in height would only apply to a few locations within the development, where grade differentials are significant. In no instances would the maximum retaining height of 6' be exceeded where viewed from within a lot. This additional retained height would be applicable to the water facilities sites, the lift station site, or in locations adjacent to the arterial and collector streets, or open space areas where significant grade differentials exist. Refer to Note (4) for terracing requirements.

(4) Where terraced walls are located outside of private parcels, the builder will be responsible for installation of irrigation and landscaping within the terraces.

TABLE 2B

PAD Amendment Development Standards	Tierra del Rio	Multi-Family Residential
Parcels 8 and 15		
Regulation	**Proposed Zoning District Regulation PAD (Attached or Detached Product)**	
Height (maximum)	30' or two stories	
Front Yard (minimum)	8'	
Side Yard (minimum)	0' attached, 3' detached	
Street Side Yard (minimum)	8'	
Rear Yard (minimum)	5'	
Lot Width (minimum)	30'	
Lot Area (minimum)	2,400 square feet	
Parcel 15: As Church Site: Lot Area (maximum)	337,000 square feet	
Lot Area Per Dwelling Unit	4,000 square feet	
Lot Coverage (maximum)	70%	
Parcel 15: As Church Site: Lot Area (maximum)	50%	
Parking Per Dwelling Unit (minimum)	1.2 per Efficiency; 1.5 per 1 Bedroom; 2 per 2 Bedroom	
...Guest Parking	20%	
...Handicapped Spaces	5%	
...Parcel 15, As Church Use, Parking	1 space per 200 square feet of building area	
...Parcel 15, As Church Use, Handicapped Spaces	5%	
Screen or Privacy Wall Height (maximum)	10' (Allow a 6' privacy wall on top of a 4' retaining wall).	
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) when combined with a privacy wall.	
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Parcel 7		
Regulation	**Base Zoning District Regulation PAD (Attached or Detached Product)**	
Height (maximum)	40' or three stories	
Front Yard (minimum)	20'	
Side Yard (minimum)	5'	
Street Side Yard (minimum)	10'	
Rear Yard (minimum)	25'	
Lot Width (minimum)	60'	
Lot Area (minimum)	6,000 square feet	
Lot Area Per Dwelling Unit	2,000 square feet	
Lot Coverage (maximum)	50%	
Parking Per Dwelling Unit (minimum)	2	
...Guest Parking	20%	
...Handicapped Spaces	5%	
Screen or Privacy Wall Height (maximum)	10' (Allow a 6' privacy wall on top of a 4' retaining wall).	
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) when combined with a privacy wall.	
Sign Identifying the Multi-Family Development	24 square feet / 12' high	
Sign Identifying the Main Entry of the Project	Maximum 126 s.f. (6-feet high and 21-feet wide)	
Sign Identifying Each Individual Subdivision	Maximum 126 s.f. (6-feet high and 21-feet wide)	

TABLE 2C

PAD Amendment Development Standards	Tierra del Rio Commercial
Parcels 2 and 3	
Regulation	**Proposed Zoning District Regulation PAD**
Building Height (maximum)	40' or three stories
Building Height Within 40-feet of Residential (maximum)	Height not to exceed the distance from the building to the parcel boundary.
Distance Between Buildings On Same Lot (minimum)	Fire Code
Front Yard (minimum)	10'
Side Yard (minimum)	3'
Side Yard Abutting Residential (minimum)	10'
Street Side; Corner-Side Yard Abutting Residential (minimum)	10'
Rear Yard (minimum)	3'
Rear Yard Abutting Residential (minimum)	25'
Lot Area (including Hillside) (minimum)	6000 square feet
Lot Width (minimum)	60'
Lot Coverage (maximum)	60%
Parking Spaces per Floor Area - Wholesale (minimum)	1 space per 600 square feet of floor area
Parking Spaces per Outside Display Area (minimum)	1 space per 5,000 square feet of outside display area
Loading and Unloading - Commercial (minimum)	1 loading space per 25,000 square feet of floor area
Loading and Unloading - Wholesale (minimum)	1 loading space per 10,000 square feet of floor area
Solid Screen Walls - Abutting and Non-Abutting Residential (maximum)	10' (Allow a 6' privacy wall on top of a 4' retaining wall).
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) when combined with a privacy wall.
Sign Identifying the Commercial Project	300 square feet / 30' high
Parcel 2: FAR per DMP 099-05	.25 FAR / 335,000
Parcel 3: FAR per DMP 099-05	.25 FAR / 350,000
Parcel 14	
Regulation	**Proposed Zoning District Regulation PAD**
Building Height (maximum)	30' or two stories
Building Height Within 30-feet of Residential (maximum)	Height not to exceed the distance from the building to the parcel boundary.
Distance Between Buildings On Same Lot (minimum)	Fire Code
Front Yard (minimum)	10'
Side Yard (minimum)	None required.
Side Yard Abutting Residential (minimum)	10'
Street Side; Corner-Side Yard Abutting Residential (minimum)	10'
Rear Yard (minimum)	None required.
Rear Yard Abutting Residential (minimum)	25'
Lot Area (including Hillside) (minimum)	6000 square feet
Lot Width (minimum)	60'
Lot Coverage (maximum)	60%
Parking Spaces per Floor Area - Commercial (minimum)	1 space per 250 square feet of floor area
Parking Spaces per Outside Display Area (minimum)	1 space per 5,000 square feet of outside display area
Loading and Unloading - Commercial (minimum)	1 loading space per 25,000 square feet of floor area
Solid Screen Walls - Abutting and Non-Abutting Residential (maximum)	10' (Allow a 6' privacy wall on top of a 4' retaining wall).
Retaining Wall Height (maximum)	8' (Allow a 8' retaining wall with terracing at a minimum 4' intervals); 10' (maximum) when combined with a privacy wall.
Sign Identifying the Commercial Project	50 square feet / 24' high
Parcel 14: FAR per DMP 099-05	.2 FAR / 54,885 - This was part of the DMP

XV. Enhanced Design Review Standards

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The lot designs and elevations are provided as illustrations only. These illustrations provided are conceptual representations of a typical development. The illustrations should be considered as conceptual and illustrative only. All development within the PAD is subject to the City's applicable site plan and design review approval processes.

COMMERCIAL

Commercial Development within the PAD shall comply with the City of Peoria Site Plan and Design Review Requirements for Commercial-Non Residential Design with the exception that, where conflicts arise with the Development Standards within this document and/or the agreements, including the Pre-Annexation and the Development Agreement, then the Development Standards and Agreements shall prevail.

SIGNAGE

All signage within the Tierra del Rio PAD shall be subject to the City's sign permit approval process. Subdivision signs shall be a maximum of 126 square feet (6-feet high and 21-feet wide). The sign area is the flat portion of the perimeter wall that is directly behind the letters of the sign.

LIGHTING

All exterior lighting within the Tierra del Rio PAD shall be in conformance with the provisions set forth in the City's Dark Sky Ordinance and the Peoria Zoning Ordinance.

The Enhanced Review Guidelines that are applicable to the Tierra del Rio project are those in effect for the year 2004. These are made a part of this narrative by reference. They include non-residential guidelines, residential guidelines and multiple family residential guidelines. Reference **Appendix G.**

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Tierra del Rio features trails for a leisurely walk, a hillside hike or biking.

XVI. Landscape

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Landscape plans for the Tierra del Rio project are not a part of this submittal. However, the proposed landscaping of the trails and open spaces for Tierra del Rio are illustrated in **Figures 8 and 9.** The Preliminary Plat depicts the trails, and wall designs for the Project on Sheet 28 and 29. The Preliminary Plat is made a part of this PAD by reference. The Conceptual Landscape detail figure shows an 10-foot wide minimum multiple purpose trail and a 4-foot wide minimum equestrian trail. A minimum of 4-foot clear zone should be provided on either side of the equestrian trail. This trail system satisfies the Maricopa County Regional Trail System guidelines. Plantings such as trees and other landscape amenities are proposed surrounding retention basins, while the connections between the retention basins will be provided as natural open space. In addition, street landscaping will be provided. In some locations, the multiple purpose trail will also function as a maintenance access road for the regional sewer line. In these locations, the total width of the multiple purpose trail shall be 16-feet composed of a 6-foot decomposed granite (DG) trail directly adjacent to the 10-foot paved trail. The 6-foot DG trail will be structurally sufficient to meet vehicle loading requirements.

The City of Peoria will maintain the multiple purpose trail, however, the Homeowner's Association will be responsible for maintenance of the landscaping within the trail easement/tract area.

Please reference the Street Cross Sections, Figure 15.
Please reference the Preliminary Plat for sign and wall designs.

Where preservation of an Army Corps of Engineers 404 jurisdictional wash is required, construction within the wash will be avoided, whenever possible. The submitted Tierra del Rio Proposed Conceptual Land Plan does not disturb any of the washes classified

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as 404 jurisdictional, which are solely located within the Agua Fria River corridor. Landscaping for Tierra del Rio is proposed to be drought tolerant and natural to the Arizona environment. The landscaping within the road right of ways shall conform to the City of Peoria standards. The Tierra del Rio development is subject to the City's final landscape approval for all residential developments.

Please reference Conceptual Landscape Detail, Figures 8 and 9.

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XVII. Wall Terracing and Irrigation

Any terraced walls shall be separated by no less than 4-feet. Where terraced walls are located within tract areas, the builder shall be responsible for installation and landscaping within the terraces. Where terraced walls are located within side yards or rear yards of private lots, the builder shall provide sleeving for future construction of irrigation improvements (by the homeowner). Within private property, the homeowner shall be responsible for installation of the irrigation and landscape improvements within 90-days of close of escrow, in accordance with exhibits A, B-1, and B-2.

Please reference exhibits A, B-1, & B-2 in the following pages.

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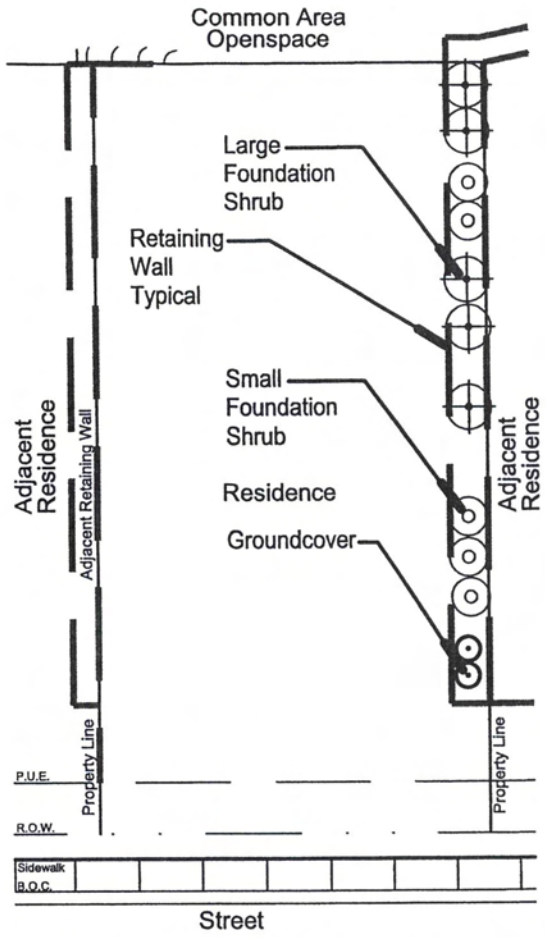
EXHIBIT A

Landscaping: Retaining Wall Terraces

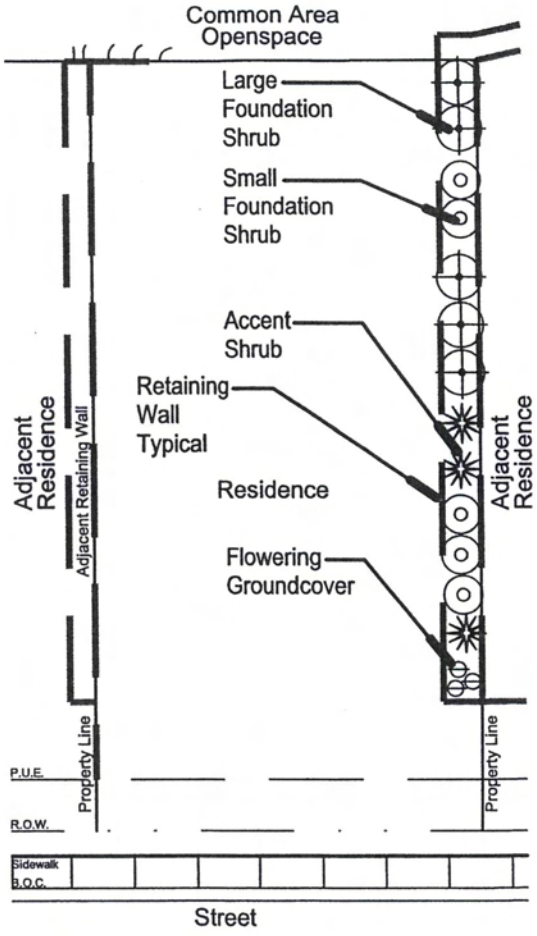
In accordance with applicable City of Peoria ordinance and the terms and conditions of this Section, each Owner shall install, at such Owner's sole cost and expense and within 90 days after becoming the Owner of a Lot, landscaping and irrigation improvements in those certain single and/or multiple retaining wall terraces located within the rear yard or side yard portion of the Owner's Lot. A general depiction of such retaining wall terrace is attached hereto as Exhibit B-1. The landscaping installed by each Owner pursuant to this Section shall consist only of those plants listed on Exhibit B-2 designated as "Tierra Del Rio Plant List" (the **"Approved Plants"**); in no event shall an Owner install those plants designated as "Prohibited Plants" on such list. The landscaping density within each retaining wall terrace shall consist of a minimum of one (1) plant per ten (10) lineal feet and shall not exceed a maximum of one (1) plant per six (6) lineal feet. The irrigation improvements shall consist of a poly drip line no larger than three-quarter inch (3/4") in diameter. Other than the Approved Plants and the irrigation improvements, the Owner shall not install, construct, or place any other improvements of any kind within the retaining wall terraces The landscaping and irrigation improvements shall be installed in accordance with plans approved in writing by the Design Review Committee and in compliance with the Design Review Guidelines and other requirements set forth in any applicable municipal zoning ordinances. Prior to installation of such landscaping, the Owner shall maintain the retaining wall terraces in a weed-free condition. Each Owner shall, at such Owner's sole cost and expense, keep such Owner's landscaping and irrigation improvements in a well-maintained, clean, neat and attractive condition consistent with the terms and conditions of the Declaration.

If the Owner fails to landscape the terraces within the time provided for in this section or fails to maintain the required landscaping once installed, the Association shall have the right, but not the obligation, to enter upon such Owner's lot to install and/or maintain such landscaping improvements as the Association deems appropriate, and the cost of such installation and/or maintenance shall be paid to the Association by the Owner of the Lot, upon demand from the Association. Any amounts payable by an Owner to the Association pursuant to this Section shall be a Benefited Assessment and shall be secured by the Assessment Lien, and the Association may enforce collection of such amounts in the same manner and to the same extent as provided elsewhere in this Declaration for the collection and enforcement of assessments.

This Section shall not apply to Declarant or any Developer Owners, however, this Section shall apply upon commencement of residential occupancy of any Lot containing a Dwelling Unit.



Minimum 1 Shrub per 10 Lin. Ft.



maximum 1 Shrub per 6 Lin. Ft.

(minimum and maximum standard shown)

Typical Sideyard and Rearyard Retaining Wall Landscape Plan

NOTE:

In accordance with Exhibit A, the homeowner shall be responsible for installation of irrigation and landscaping within any wall terraces located in the side yard or rear yard of a private lot. At the time of construction of any terraced walls, the builder shall be responsible for installation of sleeving to accommodate future irrigation improvements (by the homeowner).

CMX PROJ. 6893	TIERRA DEL RIO	7740 N. 16TH ST. STE.100	CMX
DATE: JUNE 2006	107TH AVENUE AND HAPPY VALLEY PARKWAY	PHOENIX, AZ 85020	
SCALE: N.T.S.	PEORIA, ARIZONA	PH (602) 567-1900	
DRAWN BY: CMX	EXHIBIT B-1	FAX (602) 567-1901	
CHECKED BY: CMX		www.cmxinc.com	

U:\6800\6893\Exhibits\12100-Retaining Landscape.dwg 10-05-2006 - 10:35am

EXHIBIT B-2
Tierra del Rio Plant List

CACTI/ ACCENTS

Botanical Name	Common Name
Agave deserti	Desert Agave
Agave parryi v. huachuensis	Parry's Agave
Aloe species	Aloe
Asclepias subulata	Desert Milkweed
Dasylirion species	Desert Spoon
Echinocereus engelmannii	Englemann's Hedgehog
Ferocactus acanthodes	Fire Barrel
Hesperaloe funifera	Coahuilan Herperaloe
Hesperaloe parviflora	Red Hesperaloe
Mammillaria microcarpa	Pincushion Cactus
Opuntia acanthocarpa	Buckhorn Cholla
Opuntia bigelovii	Teaddybear Cholla
Opuntia engelmannii	Englemann's Prickly Pear
Opuntia fulgida	Chainfruit Cholla
Yucca baccata	Banana Yucca
Echinocactus grusenii	Golden Barrel

LARGE SHRUBS

Botanical Name	Common Name
Bougainvillea species	Bougainvillea
Caesalpinia species	Bird of Paradise
Calleandra species	Calleandra
Senna species	Senna
Dodonaea viscosa	Hopbush
Ephedra trifurca	Mormon Tea
Justicia californica	Chuparosa
Larrea tridentata	Creosote Bush
Leucophyllum species	Sage
Simmondsia chinensis	Jojoba
Tagetes lemmoni	Mt. Lemmon Marigold

MEDIUM AND SMALL SHRUBS

Botanical Name	Common Name
Ambrosia ambrosioides	Canyon Ragweed
Ambrosia deltoidea	Bursage
Calliandra species	Calleandra
Senna species	Senna
Chrysactinia mexicana	Damianita
Dalea Species	Dalea
Encelia farinose	Brittlebush

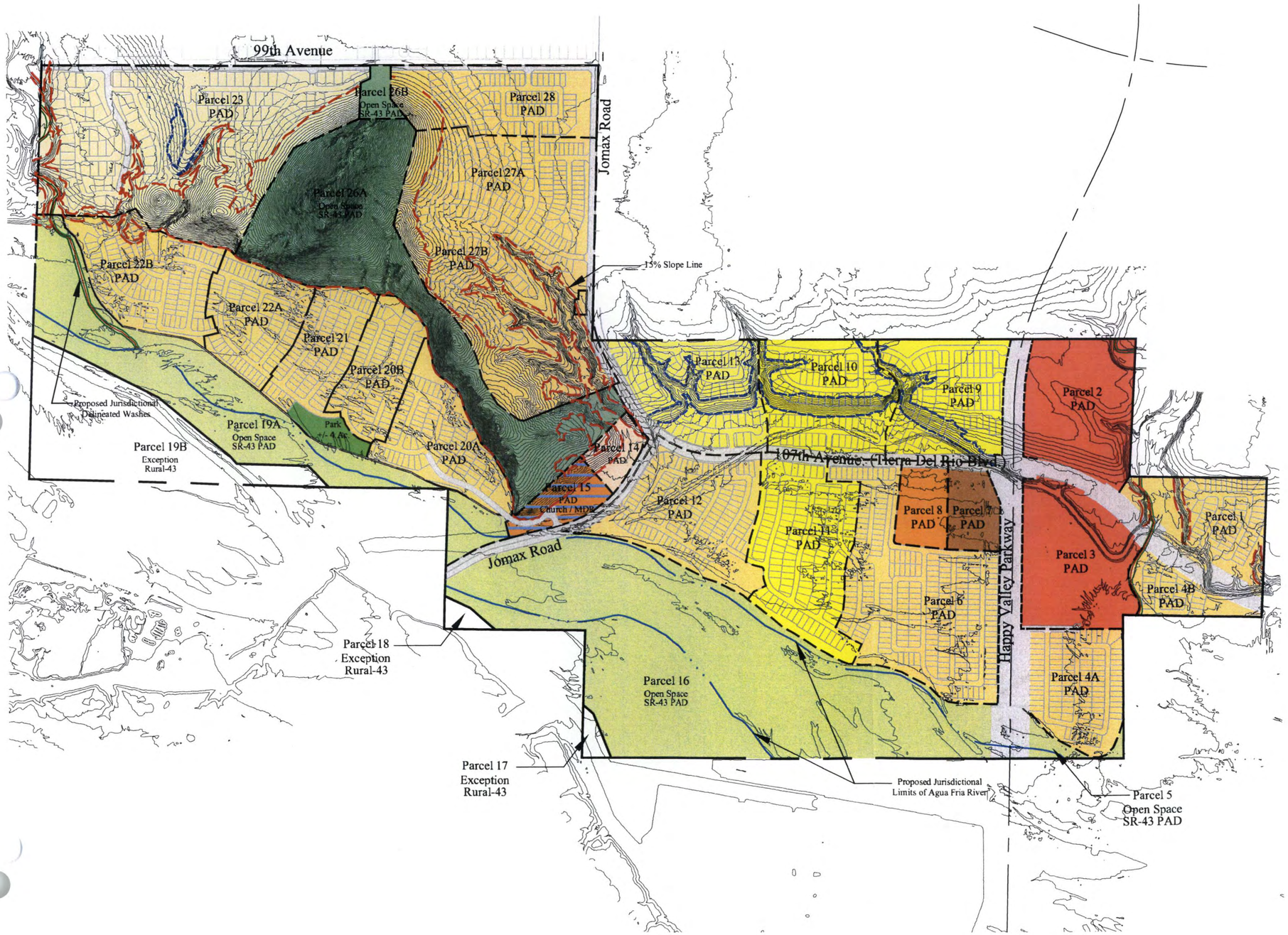
Olive Trees
Oleanders (all varieties)
Fountain Grass
Common Bermuda Grass
Mexican Palo Verde
Desert Broom

Tierra Del Rio

Peoria, Arizona PAD Amendment

Land Plan

Figure 4A



Legend

- Project Boundary
- Parcel Boundary
- Proposed JD Washes
- Proposed JD Limits of Agua Fria River
- Area above 15% slope line subject to hillside regulations
- Proposed area above 15% slope line not subject to hillside regulations due to isolation and scarring

Single Family Residential

- PAD (75' min. lot width), Parcels 23, 24, 25
- PAD (65' min. lot width), Parcel 13
- PAD (55' min. lot width), Parcels 9, 10, 11
- PAD (45' min. lot width), Parcels 1, 4A, 4B, 6, 12, 20A, 20B, 21, 22A, 22B, 27A, 27B, 28

Multi-Family Residential

- PAD Medium Density Residential, Parcels 8, 15
- PAD High Density Residential, Parcel 7

Commercial

- PAD Neighborhood Commercial, Parcel 14
- PAD Retail Commercial, Parcels 2, 3

Open Space

- Neighborhood Parks
- Open Space - Mountain
- Open Space - Rivers / Washes

Civic

- Proposed Church Sites (PAD), Parcel 15

north

October 2009

0' 1000' 2000'

Pulte Homes

HADLEY DESIGN GROUP

Tierra Del Rio

Peoria, Arizona PAD Amendment

Conceptual Lot Mix Plan

Figure 4B

Legend

- 45' x 115'
- 55' x 115'
- 65' x 115'
- 75' x 135'

Note:

The lot mix illustrated may be modified at a later date based on market demand. Notwithstanding the foregoing, the overall density proposed within this PAD Amendment will at no time be exceeded. This plan is conceptual and is intended to demonstrate how product may be distributed based on the proposed Development Standards (Table 2A - PAD Development Standards).

north

October 2009

0' 600' 1200'

Pulte Homes

HADLEY DESIGN GROUP

PULTE - PHOENIX WEST VALLEY DIVISION **EXHIBIT 4C**

Table 3 - Lotting Analysis Tables - Tierra Del Rio PAD Amendment
July 29, 2009 - 1st Submittal
November 6, 2009 - 2nd Submittal

Table A - Parcels 20, 21, 22, 27, 28 lot mix

Lot Size	PAD Land Plan %	Proposed Land Plan %
45x115	30%	50%
55x115	45%	35%
65x115	25%	15%

Table B

Parcel	PAD Gross Acres (1)	Lots per PAD Density (1)	PAD Density (1)	Proposed Gross Acres (2)	Proposed Projected Lots (2)	Proposed Projected Density (2)	Max Density (3)
20	41.2	181	4.4	40.7	163	4.0	5.0
21	30.6	111	3.6	20.8	92	4.4	5.0
22	34.5	106	3.1	47.6	198	4.2	5.0
23	93.7	141	2.0	90.5	122	1.3	2.0
27	100.0	154	1.5	93.3	195	2.1	3.0
28	22.9	56	2.4	30.0	85	2.8	4.0
Overall	**322.9**	**749**	**2.3**	**322.9**	**855**	**2.6**	**2.6**

Table C

		Total Units	Total Acres	DU/AC
PAD		2,102	994	2.1
NEW		2,208	994	2.2
Percent Change		**5%**	**0%**	**5%**

(1) Per PAD Table 1 - PAD Amendment Land Use Summary
(2) Based on Conceptual Site Plan. Conceptual Site Plan does not necessarily represent final lotting per parcel.
(3) Max Density is the maximum density that can be achieved with administrative approval. Anything over Max Density requires a PAD Amendment. Not withstanding the foregoing, the total Max Density of the combined subdivisions will not exceed the Proposed Projected Density.