

North Black Canyon Crossings

PLANNED UNIT DEVELOPMENT

Land Use and
Development Standards

Case Z-4-11-2

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Public Hearing Draft Submitted:

Final City Council Approval:

A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited to, right-of-way abandonments.

Development Team

PROPERTY OWNER/ DEVELOPER:	Westcor 11411 North Tatum Blvd. Phoenix, AZ 85028 (602) 953-6741 office (602) 953-8361 fax	Amy Malloy Amy.Malloy@westcor.com Rob Bassett rbassett@westcor.com
APPLICANT/ LEGAL REPRESENTATIVE:	Beus Gilbert PLLC 4800 N. Scottsdale Road, Suite 6000 Scottsdale, AZ 85251 (480) 429-3064 office (480) 429-3100 fax	Susan Demmitt sdemmitt@beusgilbert.com Paul E. Gilbert pgilbert@beusgilbert.com
PLANNING/ LANDSCAPE ARCHITECTURE:	LVA Urban Design Studio, LLC 120 S. Ash Avenue Tempe, AZ 85281 (480) 994-0994 office (480) 994-7332 fax	Alan Beaudoin abeaudoin@lvadesign.com Joe Young, Landscape jyoung@lvadesign.com
CIVIL ENGINEER:	HilgartWilson 1661 E. Camelback Road, Suite 275 Phoenix, AZ 85016 (602) 490-0535 office (602) 325-0161 fax	Stephanie Kinsey skinsey@hilgartwilson.com
TRAFFIC ENGINEER:	Kimley – Horn & Associates 7878 N. 16th Street, Suite 300 Phoenix, AZ 85020 (602) 944-5500 office (602) 678-3464 fax	Chuck Wright chuck.wright@kimley-horn.com
SIGN CONSULTANT:	JRC Design 4634 N. 44 th Street Phoenix, AZ 85018 (602) 224-5110 office (602) 224-5102 fax	Jamie Cowgill jcowgill@jrcdesign.com
SIGN CONSULTANT:	Bleier Industries, Ltd. 9650 W. Roosevelt Street Tolleson, AZ 85353 (602) 944-3117 office (602)395-0753 fax	Paul Bleier pbleier@bleierindustries.com
LIGHTING CONSULTANT:	Walker, Bentley & Company, Inc. 4518 N. 12 Street, Suite 201 Phoenix, AZ 85014 (602) 222-9360 office (602) 279-0825 fax	Mark Bentley m.bentley@wbcoinc.com

North Black Canyon Crossings

Planned Unit Development

Land Use and Development Standards

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Executive Summary

The North Black Canyon Crossings Planned Unit Development (“PUD”) establishes the regulatory framework necessary to facilitate the proposed development of a community oriented hospital and medical office campus with high quality jobs as well as a revenue generating auto mall or retail development on eighty acres within the growing North Gateway Village area of the City of Phoenix. (See **Page vii, Regional Context Exhibit.**) The North Black Canyon Crossings PUD compliments the future North Gateway Village Core, located to the southeast, which is planned as an important regional employment center with an intense urban character, including a mix of building heights up to ten stories, and a mix of land uses including employment, retail, and recreational opportunities. The City of Phoenix has invested significant resources in this area and is currently constructing Sonoran Boulevard, a vital regional roadway linkage, from Cave Creek Road to North Valley Parkway. Further, the Arizona Department of Transportation recently completed major improvements to Interstate 17, including the construction of an interchange at Sonoran Boulevard, as well as construction of the initial phases of the Loop 303 freeway including an interim connection to Interstate 17. These regional freeway improvements dynamically increase development opportunities within the North Gateway Village. Development of North Black Canyon Crossings will prompt completion of the Sonoran Boulevard linkage to Interstate 17 and construction of other significant public improvements that will serve as a catalyst for additional economic development opportunities in the area. In particular, development of North Black Canyon Crossings benefits over one hundred acres of adjacent State Trust land to the north and south that is planned for retail, mixed-use and multi-family development. The Regional Context Exhibit, provided on the following page, provides a graphic overview of the North Black Canyon Crossings planning area within the regional context defined within this PUD Executive Summary.

The North Black Canyon Crossings PUD represents the evolution of the Black Canyon Motorplex site, which is zoned C-2 with a Special Permit for auto sales and related uses. Originally zoned in 2006, the Black Canyon Motorplex was intended to develop as an eighty acre regional auto mall that concentrated auto sales and related uses in a campus setting. The 2006 zoning approval was the subject of significant public involvement and resulted in an approval supported by the community, but that also included significant design guidelines and neighborhood compatibility standards. In the time since the 2006 approval, the market conditions and demand for auto uses not only in the North Phoenix area, but nationally, have changed dramatically. An eighty acre auto mall is not viable in today’s economic climate. The development plans for the Black Canyon Motorplex have been reevaluated with the goal of maintaining a downscaled auto mall, and adding new retail uses as well as an “anchor” project that fulfills a community need and adds to the area’s employment base. The proposed hospital and medical office campus fill this need. The medical uses are planned to occupy the easternmost forty acres of the North Black Canyon Crossings site with the auto mall or retail uses generally developing on the balance, adjacent to Interstate 17. The hospital and medical office campus is anticipated to develop in phases with initial construction of a freestanding emergency department facility followed by related medical office development and ultimately a full service hospital as dictated by demand and market forces. The carefully crafted design guidelines and neighborhood compatibility standards for the auto mall or retail uses have been carried forward in the North Black Canyon Crossings PUD.

The North Black Canyon Crossings PUD provides a complimentary mix of high quality employment and important revenue generating retail uses that fulfill needs of both the community and the City of Phoenix. The project capitalizes on the City's investment in the region and will broaden economic development opportunities by acting as a catalyst for additional development in the area.



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PLANNED UNIT DEVELOPMENT

REGIONAL CONTEXT

LEGEND

 PROJECT BOUNDARY

NORTH



NOT TO SCALE

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Date.	01.13.11	Project No.	1037
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A. Purpose and Intent

The North Black Canyon Crossings Planned Unit Development (“PUD”) facilitates development of a regional service oriented development that is planned to include “core” projects such as a hospital and medical campus, auto mall or retail uses on a highly visible site located within a growing area of the City of Phoenix. The primary goals of the PUD are to:

1. Facilitate development of a proposed community hospital and medical campus, and ancillary uses.
2. Preserve existing entitlements for and accommodate development of a regional auto mall and related uses.
3. Expand development options by allowing permitted uses that include many of the C-2 Intermediate Commercial land uses from the City of Phoenix Zoning Ordinance as well as Special Permit uses such as auto dealerships and related uses, and helistops.
4. Create flexible, quality driven development standards and design guidelines that promote the City's goals for the North Black Canyon Corridor.

The PUD will ensure compatibility with surrounding properties; provide for a variety of land uses, services, and employment opportunities in a cohesive environment; promote new jobs; and generate new tax revenues to the City of Phoenix.

The intent of the PUD is to transform the standard provisions of the Zoning Ordinance of the City of Phoenix into a tool that facilitates high quality, context specific development, which addresses the needs of the surrounding community and fulfills the City's goals for the North Black Canyon Corridor.

1. Regulatory Provisions

The PUD has been prepared pursuant to Section 671 of the Zoning Ordinance of City of Phoenix, Arizona (Planned Unit Development) to establish the regulatory framework for the North Black Canyon Crossings development by creating development standards and design guidelines specific to the context of the project site.

The PUD is a stand-alone document comprised of project specific zoning regulations, including permitted uses, performance standards, development standards, building heights and design guidelines. Zoning provisions not specifically regulated by the PUD are governed by the Zoning Ordinance of the City of Phoenix, Arizona. In the event of a conflict between a provision of the PUD and a provision of the Zoning Ordinance of the City of Phoenix, the PUD prevails. The PUD does not modify other City Code provisions or requirements.

The provisions of the PUD apply to all property within the project boundary (see Appendix A, PUD Area Legal Description).

All images and site plans within the PUD are conceptual and intended to be illustrative of the character and quality of development. The images do not convey final design concepts, colors or materials. Specific site plans for individual development projects will be processed in the future through the City of Phoenix site plan review process in accordance with Section 507.

2. Zoning Ordinance Applicability

The intended regulatory applicability of the Zoning Ordinance of the City of Phoenix, Arizona as adopted and periodically amended, is applicable to the North Black Canyon Crossings PUD except as modified by the Development Standards contained within this Planned Unit Development. Specifically, the applicability of Zoning Ordinance Provisions is defined as follows:

- Chapter 1 Purpose and Applicability: All provisions are applicable to this PUD.
- Chapter 2 Rules of Construction and Definitions: The defined terms within Chapter 2 are applicable except as modified by Appendix D.
- Chapter 3 Decision Making and Administrative Bodies: All provisions are applicable to this PUD.
- Chapter 4 Planning Documents: All provisions are applicable to this PUD.
- Chapter 5 Development Review Procedures: All provisions are applicable to this PUD.
- Chapter 6 Zoning Districts: All provisions are replaced and superseded by this PUD.
- Chapter 7 Development Standards of General Applicability: All provisions are applicable except as modified by PUD Subsections G.4, G.8 and G.9.
- Chapter 8 Historic Preservations: All provisions are not applicable to, or superseded by this PUD.
- Chapter 9 Nonconformities: All provisions are applicable to this PUD.
- Chapter 10 Enforcement: All provisions are applicable to this PUD.
- Chapter 11 Severability: All provisions are applicable to this PUD.
- Chapter 12 Downtown Core: All provisions are not applicable to, or superseded by this PUD.
- Appendix A Zoning Fee Schedule: All fees are applicable to this PUD as amended.

B. Development Plan

The North Black Canyon Crossings PUD, as an evolution of the Black Canyon Motorplex development plan, is designed to capitalize on the property's location along two important regional transportation corridors, expand on the City's planning and infrastructure investments in the area, and serve as a project of significance that will act as a catalyst for future economic development opportunities within the North Gateway Village. The North Black Canyon Crossings land use plan is intended to facilitate the proposed development of a community hospital and medical office campus as well as preserve the opportunity for an auto mall and related uses. The North Black Canyon Crossings PUD also expands development options by including many of the C-2 Intermediate Commercial land uses from the City of Phoenix Zoning Ordinance as well as specific Special Permit uses such as auto dealerships and related uses, and helistops as permitted uses. A significant portion of the site will be dedicated to the City of Phoenix for the Sonoran Preserve. The development plan promotes flexibility in uses and design, while providing consistent development regulations to ensure compatibility among development parcels. See **Figure 1, Conceptual Development Plan** for a reference of site land use and circulation.

1. Location and Access

North Black Canyon Crossings is an 84 acre master plan generally bounded by Interstate 17 to the west, Sonoran Boulevard (Dove Valley Road alignment) to the south, the Skunk Creek Wash corridor to the east and vacant land to the north currently owned under State Trust. Access to the site will occur from various locations, including the Interstate 17 frontage road and Sonoran Boulevard. A future connection to North Valley Parkway is planned through the neighboring property to the north.

2. Development Sub-Areas

The property has been divided into three development sub-areas that are created by the planned internal roadway network. Each development sub-area will include perimeter landscape standards using a common design theme, anchored by a central roadway spine with a possible traffic circle in the middle of the development. These unifying elements will establish a cohesive design approach and attractive environment throughout the development, while providing flexibility in land use within each sub-area.

3. Land Use

The North Black Canyon Crossings PUD maintains the auto sales and auto related uses that were approved with the Black Canyon Motorplex project, but also expands development flexibility by adding many of the C-2 Intermediate Commercial land uses as permitted uses, land uses specific to a hospital and medical campus development, and specific Special Permit uses such as auto dealerships and related uses, and helistops. A comprehensive list of permitted uses has been developed that includes permitted uses, permitted accessory uses, and permitted uses subject to certain performance standards. Performance standards are additional conditions upon permitted uses, and are intended to promote compatibility with surrounding properties and adjacent land uses. The North Black Canyon Crossings PUD specifically provides that helistops are a permitted accessory use to a hospital or emergency medical

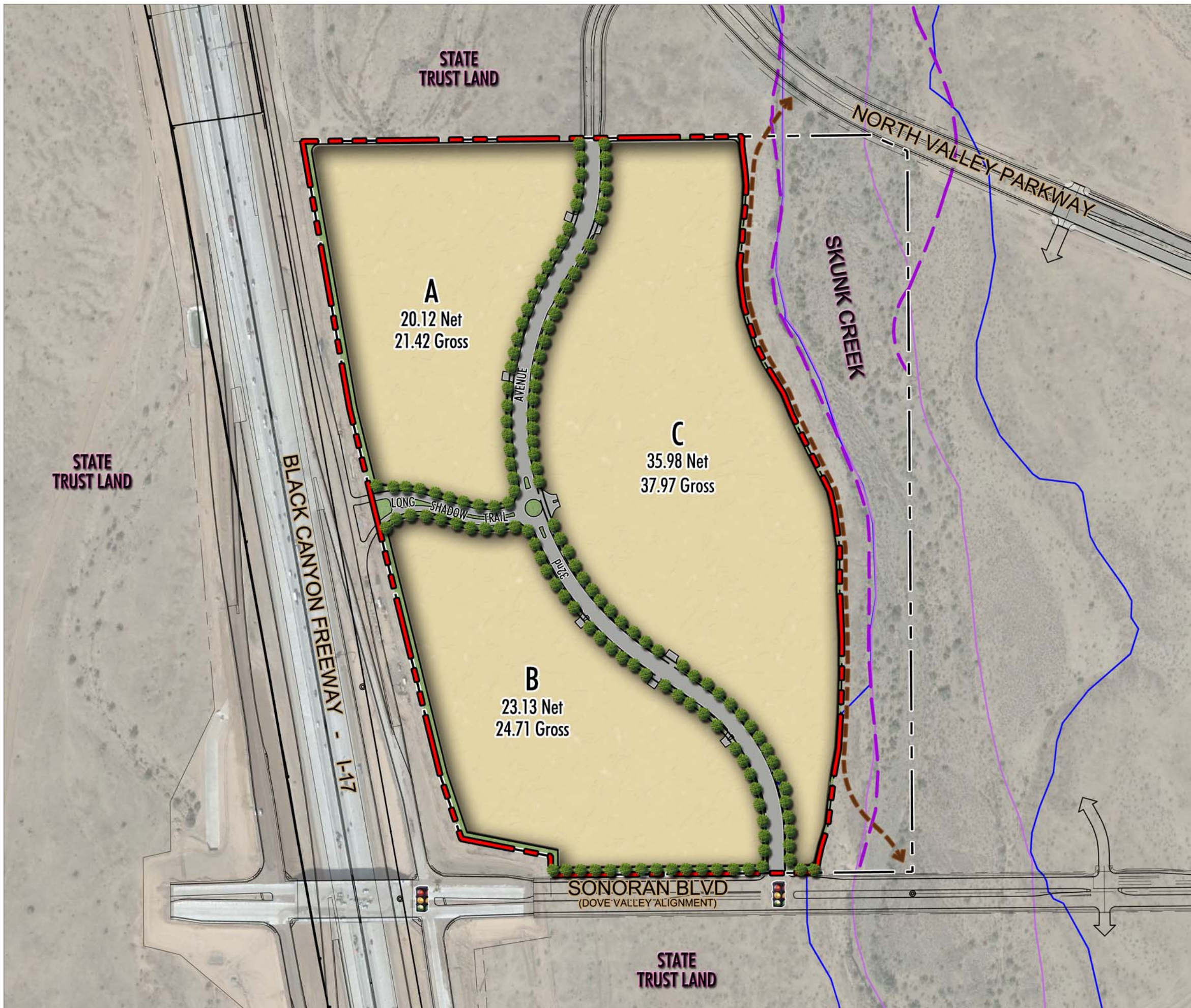
care facility and includes performance standards that govern the location and design of helistops.

The hospital and medical office campus are generally envisioned on the eastern portion of the property adjacent to Skunk Creek Wash, with the auto mall or retail uses on the western half and adjacent to Interstate 17. The PUD, however, does not require strict adherence to this conceptual land use layout and provides flexibility for any of the permitted uses to locate anywhere on the site.

4. Development Standards

In general, the development standards for the C-2 Intermediate Commercial district and the design guidelines within the Zoning Ordinance of the City of Phoenix have been preserved. Strategic changes have been made, however, where appropriate given the proposed development plan and context of the site. In many cases, the standards within the North Black Canyon Crossings PUD are more restrictive than the City's ordinance. Detailed and comprehensive sign standards are included within the PUD to provide certainty to the sign element of the project and foreclose the need for a future comprehensive sign plan. Another important component to the land use plan is the allowable building heights included within the PUD. The location of the North Black Canyon Crossings site adjacent to both Sonoran Boulevard and Interstate 17 supports increased building heights. Further, as indicated by the City of Phoenix General Plan Land Use Map, the periphery of the subject property is surrounded by land uses that are not anticipated to be sensitive to building height. The hospital, in particular, requires the ability to develop a six to eight story building up to one hundred twenty (120) feet. Other permitted uses, such as medical office, professional office, retail, or high density residential, require flexibility for building heights up to 56 feet (approximately four stories).

The North Black Canyon Crossings PUD allows flexibility and creativity in the types of land uses and overall site design, but is carefully constrained by context specific design guidelines and performance standards that address neighborhood compatibility and buffering needs.





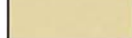
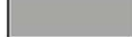
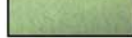






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PLANNED UNIT DEVELOPMENT

FIGURE 1

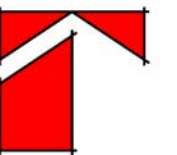
CONCEPTUAL DEVELOPMENT PLAN

LEGEND

-  PUD BOUNDARY
-  PROJECT BOUNDARY
-  DEVELOPMENT AREA
-  ROADWAY
-  LANDSCAPE BUFFER/ STREETSCAPE
-  DEVELOPMENT SUB-AREA
-  PLANNED OR EXISTING TRAFFIC SIGNAL
-  PLANNED 10' WIDE PRIVATE MULTI-USE TRAIL
-  FLOODWAY
-  FLOODPLAIN
-  JURISDICTIONAL DELINEATION

NOT TO SCALE

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C. Site Location and Conditions

1. Site Location and Conditions

The North Black Canyon Crossings PUD is comprised of a single approximately one hundred seven (107) acre parcel located at the northeast corner of Sonoran Boulevard and Interstate 17. Interstate 17 forms the western boundary of the site with Sonoran Boulevard and property owned by the State Trust to the south, Skunk Creek Wash to the east, and property owned by the State Trust to the north. The legal description for the PUD is provided in Appendix A.

Sonoran Boulevard is planned as a major regional transportation corridor that will ultimately provide a connection from Interstate 17 to Cave Creek Road and direct access to the site. The City of Phoenix is currently constructing Sonoran Boulevard to within one-half mile of the North Black Canyon Crossings site. The North Black Canyon Crossings development team is working with the City of Phoenix regarding completion of Sonoran Boulevard, including the connection to Interstate 17. A frontage road is planned along the subject site's western border (between Sonoran Boulevard and Carefree Highway) and will provide additional surface street access to the site. A future connection from the North Black Canyon Crossings site to North Valley Parkway is planned.

Approximately 23 acres of the North Black Canyon Crossings site are located within the Skunk Creek Wash and will be dedicated to the City of Phoenix for the Sonoran Preserve. The remaining approximately 84 acres are available for development. The North Black Canyon Crossings property is currently under single ownership, which provides significant opportunity to master plan a cohesive development that includes common design themes and development standards.

2. Topography and Physical Features

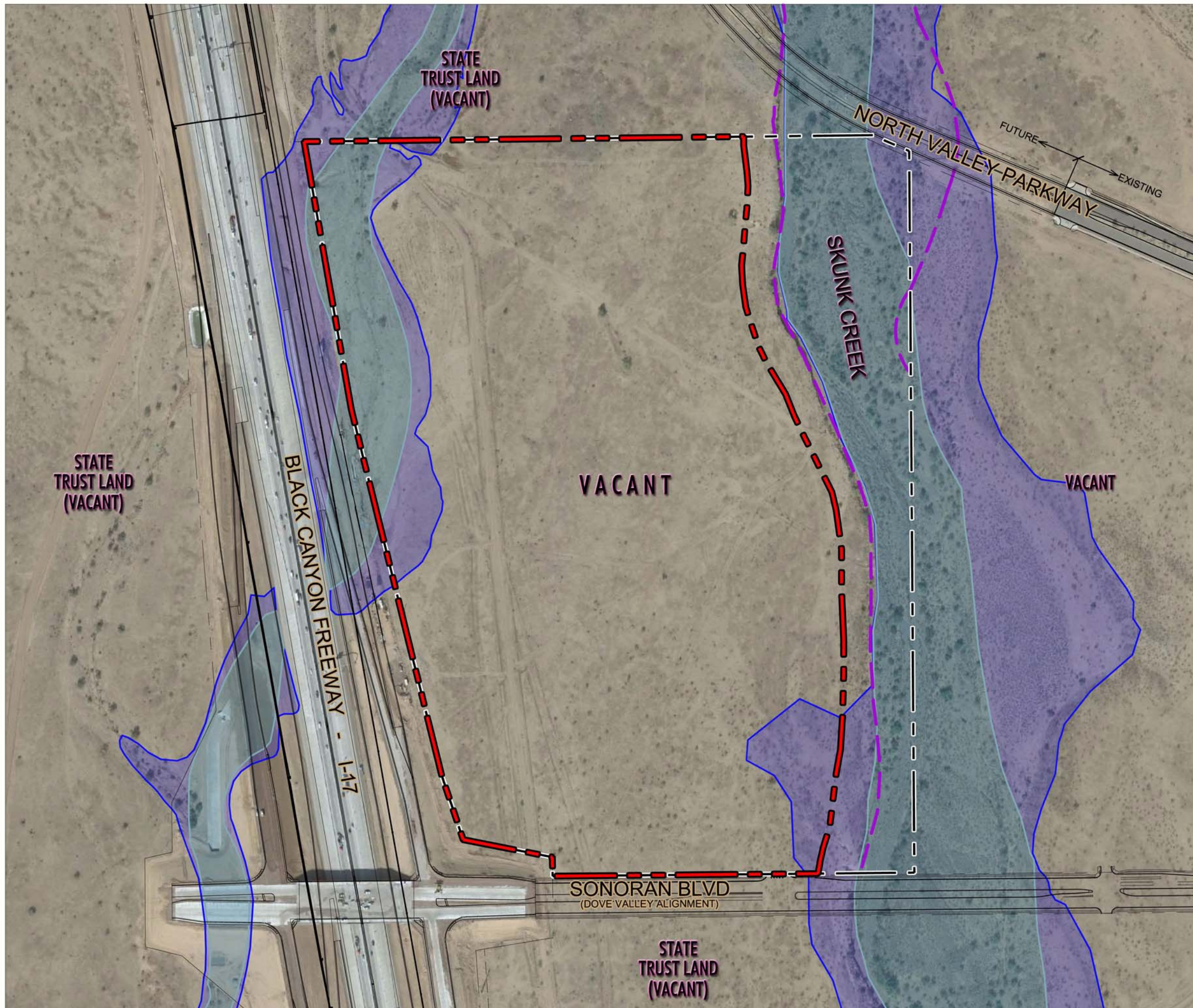
The North Black Canyon Crossings site is relatively flat, undeveloped and vegetated with native desert plants. The property is currently used for agricultural grazing. A portion of the Skunk Creek Wash occupies the easternmost portion of the property and is planned to be dedicated to the City of Phoenix for the Sonoran Preserve. (Refer to **Figure 2, Existing Site Conditions.**)

FIGURE 2

EXISTING SITE CONDITIONS

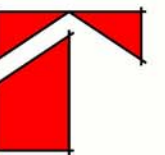
LEGEND

-  PUD BOUNDARY
-  GROSS PROPERTY BOUNDARY
-  FLOODWAY
-  FLOODPLAIN
-  JURISDICTIONAL DELINEATION



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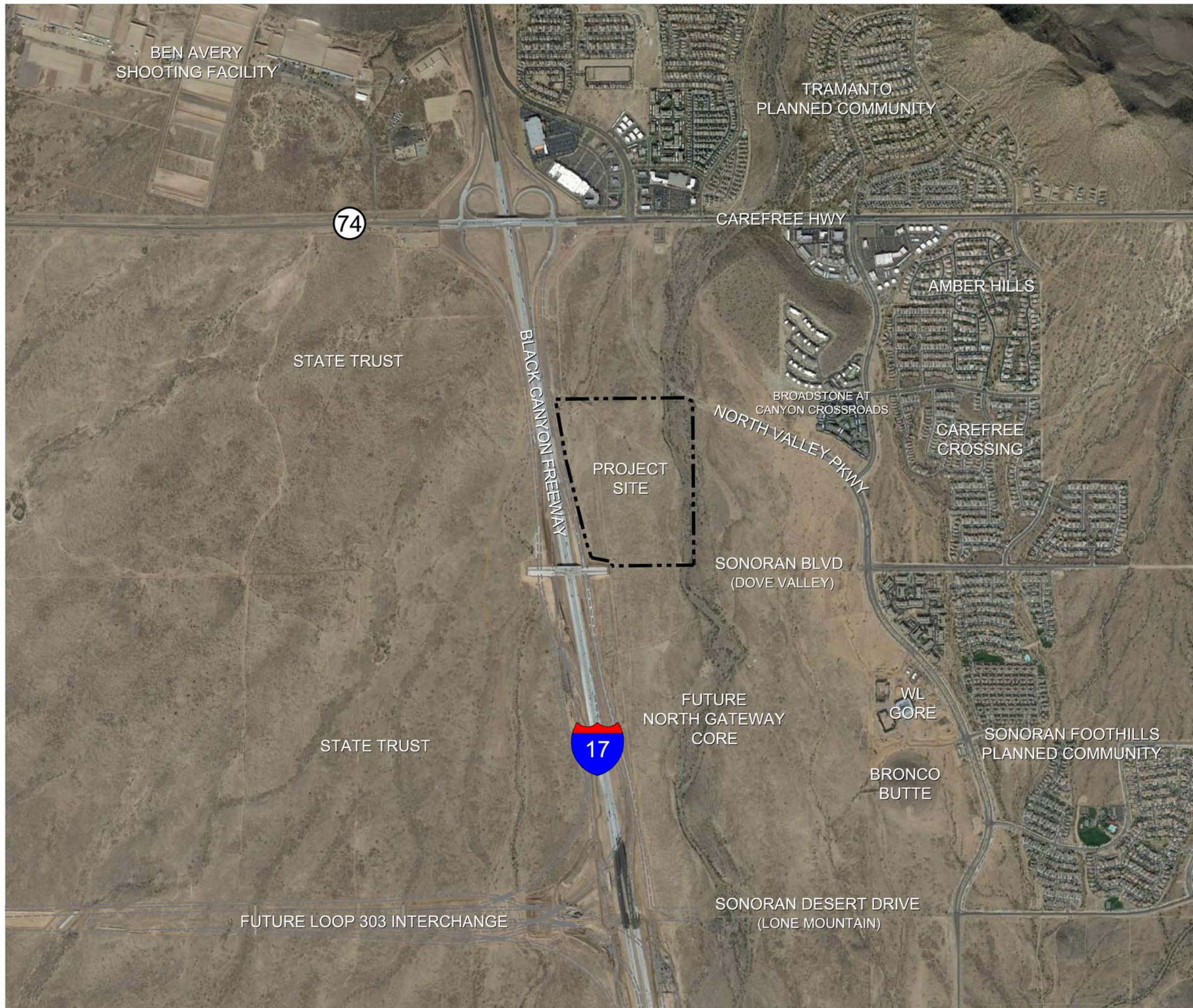
3. Surrounding Context

Neighboring properties in the immediate vicinity of the North Black Canyon Crossings site are generally vacant, although extensive residential development exists within approximately one mile of the site in the communities of Tramonto (to the north) and Sonoran Foothills (to the east). The State Trust owns property to the immediate north and south of the North Black Canyon Crossings site. The State Trust property to the north is approximately 110 acres and zoned for future commercial development. The State Trust property to the south includes approximately 28 acres zoned for commercial or mixed-use development with the remainder planned for acquisition by the City of Phoenix as a future regional park. Skunk Creek Wash, which borders the property to the east, is a significant natural feature that will become part of the City's Sonoran Preserve and include a trail system. The North Gateway Village Core is located to the southeast of the North Black Canyon Crossings site and is generally undeveloped. Construction is nearly complete, however, on the W.L. Gore & Associates medical products facility, which is the first major commercial development project within the Village Core. The project is located at the southwest corner of Sonoran Boulevard and North Valley Parkway. (Refer to **Figure 3, Project Context and Vicinity.**)

Property to the west of Interstate 17 is located outside the City of Phoenix Infrastructure Limit Line, and is currently vacant and unplanned. The nationally renowned Ben Avery Shooting Range operated by the Arizona Game and Fish Department is approximately two miles to the northwest of the site.

Minimal significant commercial services or employment opportunities exist in the immediate area. Retail development including a grocery store anchored shopping center and home improvement store anchored shopping center exists one mile to the north at Carefree Highway and Interstate 17, within the Tramonto community. The next closest commercial services are located either within the community of Anthem, several miles to the north or at Happy Valley Road and Interstate 17, several miles to the south. Auto uses typically cluster and serve a ten mile radius and the North Black Canyon Crossings site is ideally situated for auto mall uses. Professional offices and employment opportunities are almost non-existent in the immediate area, although the nearby North Gateway Village Core is planned as an urban density employment center with building heights up to 190 feet. The closest hospital services are available at the John C. Lincoln Hospital, Deer Valley campus located at Interstate 17 and the 101 Freeway, over eight miles to the south.

The Arizona Department of Transportation has recently completed significant improvements along Interstate 17, including an interchange at Sonoran Boulevard, and is completing the first phase of the Loop 303 freeway that includes an interim connection to Interstate 17. These regional transportation corridor improvements significantly improve access to both the North Black Canyon Crossings site and the North Gateway Village in general.



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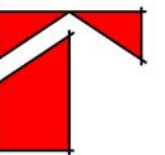
FIGURE 3

PROJECT CONTEXT AND VICINITY

LEGEND

 PROJECT BOUNDARY

NORTH



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Project No. 1037

westcor hilgartwilson
ENGINEERS-PLANNERS-SURVEYORS
Kimley-Horn and Associates, Inc.

LVA urban design studio
land planning • landscape architecture
BEUS GILBERT P.L.L.C.
ATTORNEYS AT LAW

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D. General Plan Conformance

1. A Statement of Conformity

The City of Phoenix General Plan designates the North Black Canyon Crossings property as Mixed Use with underlying land use designations of Commercial, 10-15 du/ac Higher Density, and 5-10 du/ac Traditional Lot. The North Black Canyon Crossings PUD is consistent with the Commercial land use designation and is also consistent with many of the goals and policies outlined in the City of Phoenix General Plan and the North Black Canyon Corridor Plan. (Refer to **Figure 4, Current General Plan Land Use.**)

2. Conformance with General Plan Goals

Growth Element - Strategic View of Growth

Maintain a high quality of life and economically healthy community by providing employment growth and retail opportunities close to residential areas.

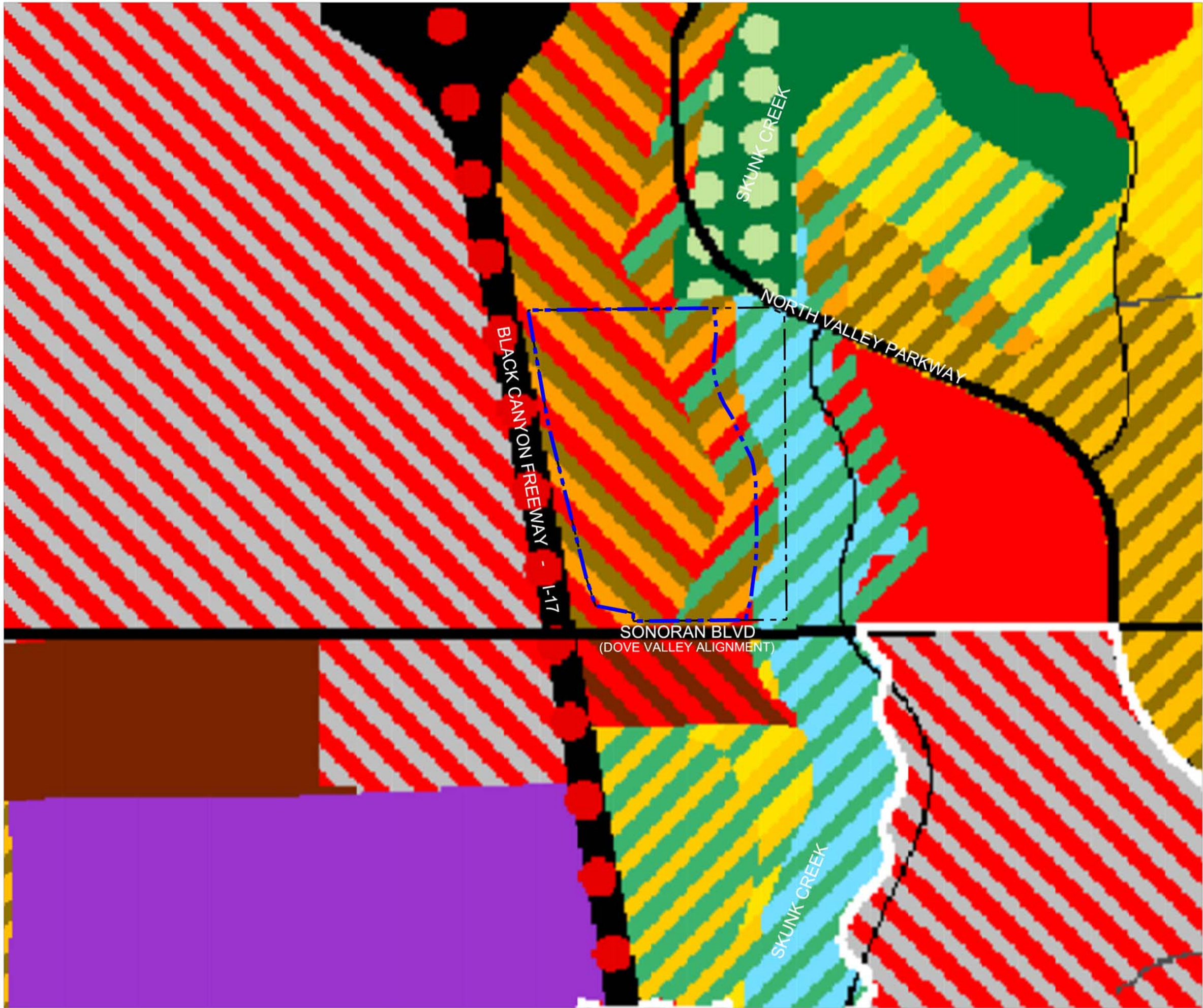
The North Black Canyon Corridor is identified by the City of Phoenix as a targeted employment growth center. The North Black Canyon Crossings PUD is located within the City's defined Infrastructure Limit Line. The project provides employment and service opportunities for the surrounding communities through development of uses such as a hospital, medical offices, auto mall or retail, and results in an increase in the local sales tax base.

Land Use Element - Goal 1 - Urban Form

Growth should be structured into a series of urban villages characterized by the five components of the urban village model: core, neighborhoods, community services areas, regional service areas, and open space.

The North Black Canyon Crossings site is located within the North Gateway Village as defined by the City of Phoenix General Plan. The City of Phoenix General Plan defines five components to the urban village model, which is the foundation of the General Plan. The North Black Canyon Crossings site, which is located just outside the North Gateway Village Core and adjacent to Interstate 17 and Sonoran Boulevard, both major regional transportation corridors, is appropriately located for Regional Service Area land uses. Regional Service Area land uses are defined by the General Plan to include hospitals, auto malls and large retail centers, among other uses. Regional Service Areas may serve residents of multiple villages and be located adjacent to the village core.

An important consideration in locating Regional Service Areas is to "protect neighborhoods from cut-through traffic, parking, and noise and light impacts of regional uses." The North Black Canyon Crossings site is ideally located to provide protection for existing and future neighborhoods. Skunk Creek Wash provides a significant natural buffer for residential neighborhoods to the east that is further enhanced by existing multifamily development on the east side of the wash.



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PLANNED UNIT DEVELOPMENT

FIGURE 4

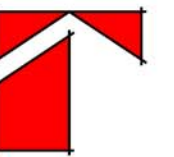
CURRENT GENERAL PLAN LAND USE

LEGEND

- | | |
|---|--|
| 0 to 1 du/acre - Large Lot | Industrial |
| 1 to 2 du/acre - Large Lot | Commerce/Business Park |
| 2 to 3.5 du/acre - Traditional Lot | Public/Quasi-Public |
| 3.5 to 5 du/acre - Traditional Lot | Floodplain |
| 5 to 10 du/acre - Traditional Lot | Undesignated Area |
| 10 to 15 du/acre - Higher Density | PUD Boundary |
| 15+ du/acre - Higher Density | Project Boundary |
| Parks/Open Space - Publicly Owned | |
| Parks/Open Space - Privately Owned | |
| Future Parks/Open Space or 1 du/acre | |
| Mixed Use Agricultural | |
| Nurseries/Flower Gardens w/ alt. 3.5 to 5 du/acre | |
| Commercial | |
| Mixed Use (MU) | Mixed Use (Areas C, D, and NW Area only) |

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Date: 02.17.11

Project No. 1037

ENGINEERS-PLANNERS-SURVEYORS

 land planning • landscape architecture
 120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994
 ATTORNEYS AT LAW

Planned large scale commercial development on property owned by the Arizona State Trust Land to the north, and additional commercial development and a planned regional recreational facility to the south provide additional buffers for residents. Interstate 17 to the west is a significant buffer for property to the west, which is currently outside the City's Infrastructure Limit Line and undeveloped.

Land Use Element - Goal 2 - Employment and Population Balance

Development of each Village's potential should be encouraged by distributing a diversity of employment and housing in a way that achieves a balanced citywide plan and that is consistent with commute travel patterns and the current character of each developed Village.

Development of jobs so that residents can live and work in the same village is a fundamental goal of the urban village model. The North Black Canyon Crossings site combined with the approximately 100 acres of property owned by the Arizona State Trust Land at the southeast corner of Interstate 17 and Carefree Highway are designated on the General Plan as Mixed Use with Commercial as an approved land use designation. Both properties are located within the North Black Canyon employment corridor and appropriate for development with Regional Service Area land uses, which include a variety of retail and employment opportunities. Commercial and employment land uses on these properties will help balance the existing land use mix in the area, which is primarily residential.

The proposed auto dealerships, retail, hospital or medical office uses provide opportunity for significant numbers of high quality, high paying jobs.

Based on generalized employment data, the North Black Canyon Crossings development could generate between 1,000 and 4,500 jobs depending on ultimate land uses and intensity of development. If the site developed as originally planned with 84 acres of auto development, approximately 1,000 jobs would be created. Alternatively, if the site develops at a higher level of density with a mix of professional office (at three to four stories), retail and a 300-bed hospital, approximately 4,500 jobs would be created.

The North Black Canyon Crossings PUD provides the City with employment, needed retail uses in an appropriate location and significant sales tax generation. The uses compliment and provide support for the wide variety of housing planned for the immediate and larger surrounding area.

Land Use Element - Goal 11 - General Plan Land Use Map and Zoning Conformity

Zoning granted subsequent to the adoption of the General Plan or any amendment shall be in conformity with the land use category shown and defined on the General Plan.

The City of Phoenix General Plan designates the subject property as Mixed Use with Commercial as one of the approved land use designations. Development of the North Black Canyon Crossings site under the Planned Unit Development

zoning classification with a hospital and medical campus, auto mall or retail commercial development is in conformance with the General Plan.

Land Use Element - Goal 12 - Village Character

The unique character and image of each village should be retained and enhanced.

The North Black Canyon Crossings property falls within the North Gateway Village. The North Gateway Village characteristics include: undeveloped Sonoran desert, mountains and washes; regional employment center opportunities; scenic corridors and trails; visual linkages to open space; and large, master planned communities. The North Black Canyon Crossings PUD provides opportunity for regional employment and retail services to serve the surrounding master planned communities and also supports the preservation of the Sonoran desert character by preserving and dedicating a large portion of the overall site to the City of Phoenix for the Sonoran Preserve.

3. North Black Canyon Corridor Plan

The North Black Canyon Corridor Plan contains four primary goals:

1. *Promote the North Black Canyon Corridor as a regional employment center through development of a comprehensively planned village core with ancillary planned commercial nodes.*

Development of The North Black Canyon Crossings site as a Regional Service Area is also consistent with the strategy defined in the North Black Canyon Corridor Plan that directs the City to “designate land area for commercial development, to be comprehensively planned and sized to meet surrounding community needs.” The entire area adjacent to Interstate 17 from Happy Valley Road to Carefree Highway is designated within the City of Phoenix General Plan as a future employment corridor. The North Black Canyon Crossings PUD provides opportunity for high quality, high paying regional service area jobs within a targeted employment area.

2. *Achieve a balance between employment and housing.*

The North Black Canyon Crossings PUD provides employment opportunities that compliment the wide variety of housing planned for the immediate and larger surrounding area.

3. *Concentrate growth within a defined corridor.*

The North Black Canyon Crossings PUD provides jobs within a targeted employment area, adjacent to major transportation corridors and within the City's defined Infrastructure Limit Line.

4. *Preserve North Sonoran desert amenities and use these features to define community form and identity by developing an integrated recreation and conservation plan to preserve fragile desert resources and to provide outdoor recreational opportunities.*

The North Black Canyon Crossings PUD is adjacent to the Skunk Creek Wash corridor. In support of the City's efforts to create an integrated recreation and desert conservation amenity in the North Gateway Village, approximately twenty acres of property within Skunk Creek Wash will be dedicated to the City for the Sonoran Preserve.

E. Zoning and Land Use Compatibility

1. Surrounding Zoning and Land Use

The existing zoning on the North Black Canyon Crossings property is C-2 with a Special Permit overlay for auto and auto-related uses and is subject to the North Black Canyon Overlay District. The easternmost portion of the North Black Canyon Crossings property is zoned Flood Hazard District (and is not included in this rezoning application). The site is undeveloped and consists of native vegetation. (Refer to **Figure 5, Existing Zoning.**)

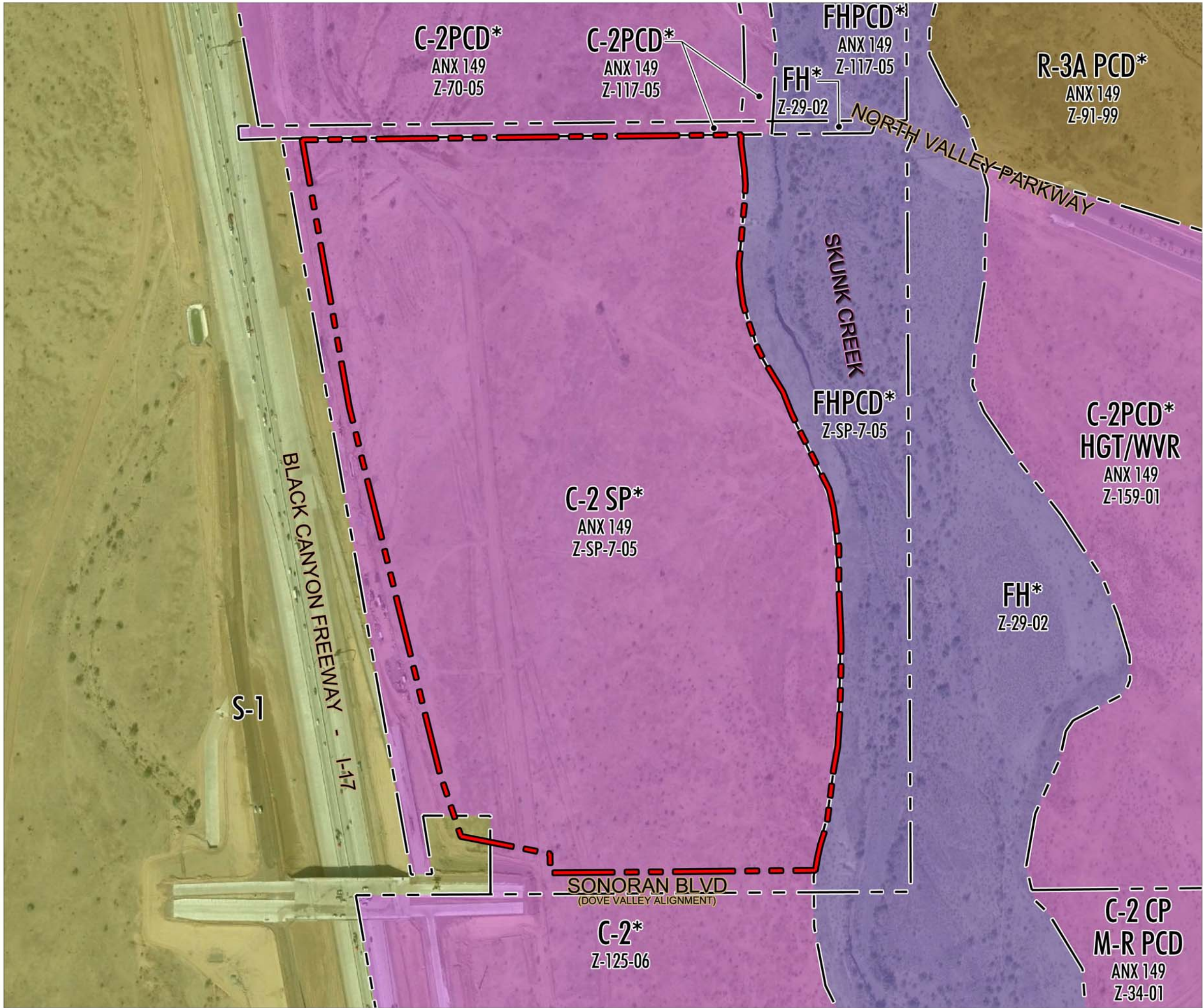
Table 1: Surrounding Zoning

Location	Ownership	General Plan	Zoning	Land Use
North	Arizona State Trust Land	Mixed Use: Commercial, Single Family Residential 5-10, High Density Residential 10-15	C-2 PCD NBCOD Z-70-05 Z-117-05 Z-29-02	Vacant; planned for retail development
South	Arizona State Trust Land	Mixed Use: Commercial and High Density Residential 15+	C-2 NBCOD Z-125-06	Vacant; planned for mixed-use development and future regional park
East	Canyon Crossroads	Open Space, Floodplain and Commercial	FH C-2 PCD NBCOD HGT/WVR Z-159-01 Z-29-02	Vacant; planned for multi-family and commercial / employment with heights up to four stories
West	Arizona Department of Transportation	n/a	n/a	Interstate 17

The North Black Canyon Crossings property and surrounding properties are subject to the North Black Canyon Overlay District, the North Black Canyon Corridor Plan, the North Black Canyon Corridor Commercial Design Booklet, the Sonoran Preserve Edge Treatment Guidelines and the Flood Hazard Erosion Management Overlay District. The North Black Canyon Crossings PUD has been crafted to implement to goals and objectives of these documents.

Properties adjacent to the North Black Canyon Crossings site are undeveloped, but planned for commercial and multi-family residential development at intensities similar to that proposed within the North Black Canyon Crossings PUD. The Canyon Crossroads project to the immediate east across Skunk Creek Wash is approved C-2 with a height waiver allowing heights up to four (4) stories throughout the entire site. The State Trust property to the north is approved C-2

and planned to develop with community and regional commercial uses that can capitalize off the Interstate 17 and Carefree Highway interchange. The State Trust Land to the south is also approved C-2 and planned for mixed-use development that may include multi-family residential at heights up to four (4) stories. All properties surrounding the North Black Canyon Crossings site have pledged to preserve the Skunk Creek Wash corridor as a major recreation and conservation amenity that benefits the entire North Gateway Village. The North Black Canyon Crossings PUD proposes land uses and development standards that consistent with adjacent development as well as in harmony with the City's planning framework for the area. (Refer to **Figure 6, Proposed Zoning.**)



WESTCOR

PLANNED UNIT DEVELOPMENT

FIGURE 5

EXISTING ZONING

LEGEND

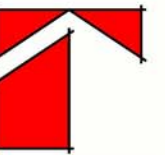
-  PUD BOUNDARY
-  ZONING DISTRICT BOUNDARIES

CITY OF PHOENIX ZONING DESIGNATIONS

-  C-2 - INTERMEDIATE COMMERCIAL
-  FH - FLOOD HAZARD & EROSION MANAGEMENT DISTRICT
-  S-1 - RANCH OR FARM RESIDENCE
-  R-3A - MULTIPLE-FAMILY RESIDENCE

NOT TO SCALE

NORTH



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westcor hilgartwilson
ENGINEERS-PLANNERS-SURVEYORS
Kimley-Horn and Associates, Inc.

LVA urban design studio
land planning • landscape architecture
120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994

BEUS GILBERT P.L.L.C.
ATTORNEYS AT LAW

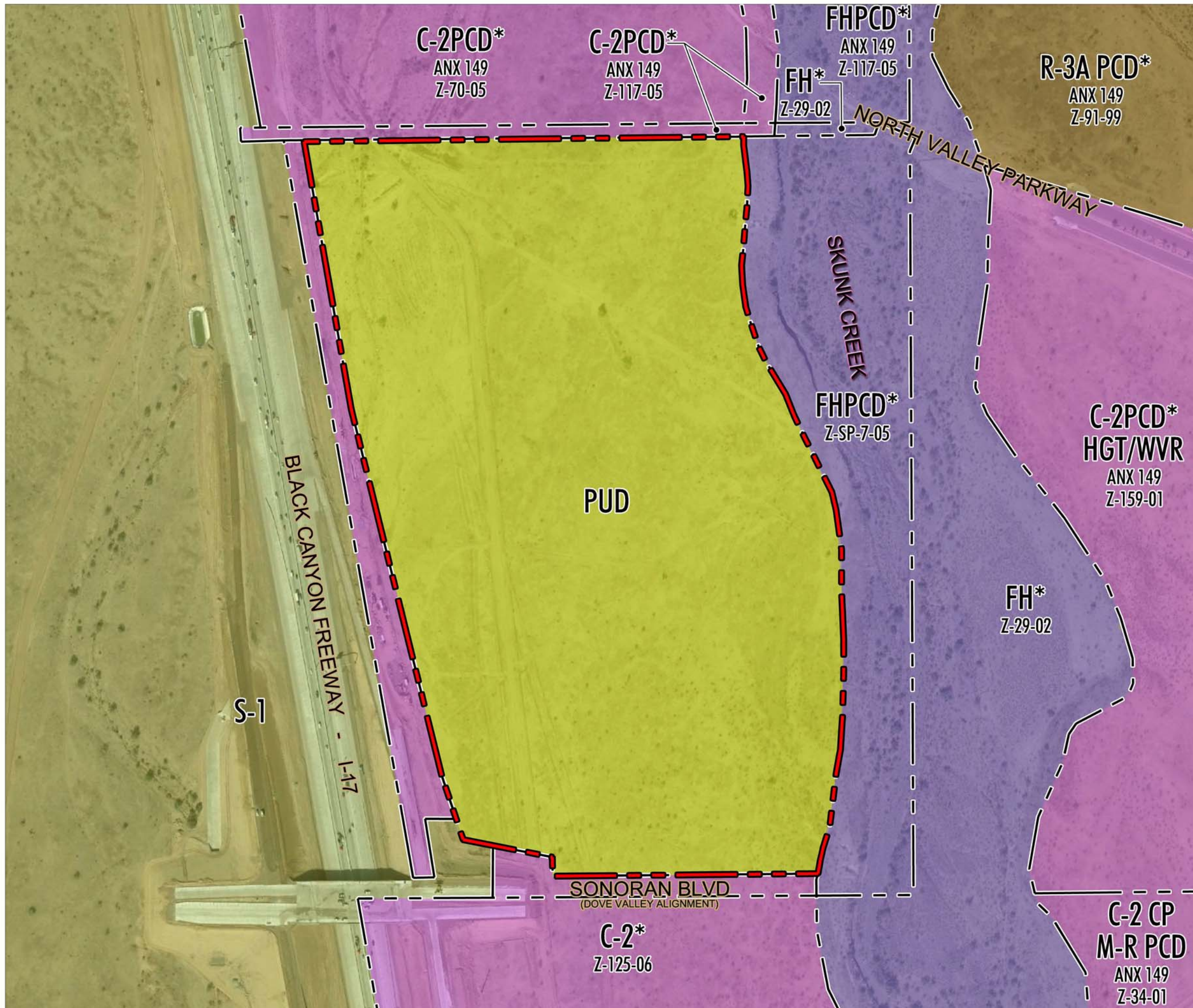


FIGURE 6
 PROPOSED ZONING

- LEGEND**
- PUD BOUNDARY
 - ZONING DISTRICT BOUNDARIES
- CITY OF PHOENIX ZONING DESIGNATIONS**
- PUD - PLANNED UNIT DEVELOPMENT
 - C-2 - INTERMEDIATE COMMERCIAL
 - FH - FLOOD HAZARD & EROSION MANAGEMENT DISTRICT
 - S-1 - RANCH OR FARM RESIDENCE
 - R-3A - MULTIPLE-FAMILY RESIDENCE

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F. Land Uses

The following list of uses (**Table 2: Permitted Use List**) defines permitted principal uses, uses permitted as an accessory use, and uses subject to Performance Standards allowed within the North Black Canyon Crossings PUD. All permitted uses are allowed on any parcel within the PUD subject to applicable Performance Standards and development standards. The master developer or any property owner within the defined limits of the PUD may request an interpretation of analogous use to the defined list below from the City of Phoenix Zoning Administrator. The Zoning Administrator may administratively approve a use analogous to those listed below. A brief description of the three types of permitted uses is defined below.

1. Permitted Principal Uses

Uses specifically permitted or analogous to those specifically permitted as determined by the City of Phoenix Zoning Administrator.

2. Permitted Accessory Uses

Uses specifically permitted as an accessory to a permitted principal use. Permitted accessory uses are only allowed as an accessory to a permitted principal use and may not be developed as a stand alone use. Permitted accessory uses that are allowed as accessory to any permitted principal use are located in the "Accessory" land use group within Table 2. Permitted accessory uses that are only allowed as accessory to a specific permitted principal use are enumerated directly beneath the permitted principal use.

3. Permitted Uses Subject to Performance Standards

Uses specifically permitted subject to Performance Standards as set forth in **Section G** of this PUD. Performance Standards are specific for each individual use as defined within this section of the PUD. Some uses subject to performance standards may also require a Use Permit which is processed in accordance with the provisions of Section 307 of the City of Phoenix Zoning Ordinance (as amended). See the PUD Performance Standards, Section G for the application of this entitlement provision.

Table 2: Permitted Use List

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
ACCESSORY USES			
1. Automated Teller Machine		■	
2. Farmer's Market		■	
3. Outdoor Display of Merchandise		■	■
4. Outdoor Garden Center, Permanent		■	■
5. Outdoor Retail and Food Sales <i>accessory to general retail uses only</i>		■	■

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
6. Parking Lot or Structure, Commercial		■	
7. Parking Lot or Structure, Customer		■	
8. Parking Lot or Structure, Private		■	
9. Parking Lot or Structure, Public		■	
10. Promotional Events		■	■
11. Propane Retail Sales <i>accessory to general retail uses only</i>		■	■
AGRICULTURAL, RANCHING			
1. Agricultural Grazing	■		
AUTOMOBILE & RELATED USES			
1. Automobile Glass Service and Repair	■		
2. Automobile Parts and Supplies, Retail and Wholesale	■		
3. Automobile Retail Sales, New & Used, Leasing and Rental <i>with the following accessory uses:</i>			■
a. Automobile General Repair, Body Shops and/or Painting		■	■
b. Automobile Inventory Storage Lot		■	■
c. Compressed Natural Gas (CNG) Retail Sales		■	■
4. Automobile Seat Covers and Trim Shop	■		
5. Automobile Service Station <i>with the following accessory use:</i>	■		
a. Compressed Natural Gas (CNG) Retail Sales		■	■
b. Propane Retail Sales		■	■
6. Boats, Retail Sales			■
7. Car Wash	■		
8. Motorcycles, Repairing and Sales			■
9. Tractors, Retail Sales, Display	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
10. Travel Trailer, Camper and Recreational Vehicle Sales			■
COMMERCIAL RETAIL / SERVICES			
6. Antique Shop, Retail and Wholesale	■		
7. Architects' Supplies	■		
8. Army and Navy Goods, Retail Sales, New	■		
9. Art Gallery, Commercial Sales	■		
10. Artist Supplies, Retail	■		
11. Awnings, Custom Fabrication and Sales	■		
12. Baby Shops	■		
13. Bakers and Baked Goods, Retail Sales	■		
14. Banks and Trust Companies <i>with the following accessory use:</i>	■		
a. Bank Vault Storage		■	
15. Barbers	■		
16. Barbers' Supplies, Retail and Wholesale	■		
17. Bathroom Accessories, Display and Retail Sales Only	■		
18. Beauty Shop <i>with the following accessory use:</i>	■		
b. Massage Therapy		■	
19. Beauty Shop Equipment, Retail Sales	■		
20. Bicycles, New and Used, Retail Sales and Repairs	■		
21. Bird Sales, Retail	■		
22. Blueprinting	■		
23. Bonding Companies	■		
24. Booksellers and Rentals, except adult bookstores	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
25. Braces, Orthopedic, Sales Retail	■		
26. Brushes, Retail Sales	■		
27. Building Materials, Retail Sales Only	■		
28. Burglar Alarm Equipment Sales and Service	■		
29. Business Machines, Distribution and Retail Sales, Repair and Service, Storage and Wholesale	■		
30. Butchers Shops (no slaughtering)	■		
31. Camera Shops	■		
32. Candy Shops, Retail	■		
33. Canvas Goods Sales, Retail	■		
34. Caterers	■		
35. Cigar Stores	■		
36. Cigarette Service	■		
37. Cigars Manufacturing, Custom Hand Rolled	■		
38. Cigars, Wholesale and Storage	■		
39. Clothing, Retail Sales	■		
40. Coffee, Wholesale and Storage, No Roasting	■		
41. Coin Dealers	■		
42. Collection Agencies	■		
43. Confectioneries, Retail Sales	■		
44. Contractors Equipment and Supplies, Retail Sales	■		
45. Convenience Market	■		
46. Conveyors, Retail Sales	■		
47. Crockery Sales, Retail	■		
48. Curio Shops	■		
49. Dairies, Retail Sales of Products	■		
50. Delivery Service Office	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
51. Department Stores	■		
52. Desks, Sales, Retail	■		
53. Detective Agencies	■		
54. Draperies, Manufacturing	■		
55. Diaper Supply Service	■		
56. Draperies, Sales	■		
57. Drawing Materials, Retail Sales and Wholesale	■		
58. Dressmakers, Custom	■		
59. Drive-Up Facilities for Permitted Uses, Freestanding or Kiosk			■
60. Driving Schools, Auto	■		
61. Drugs, Retail Sales	■		
62. Dry Cleaners	■		
63. Dry Goods, Retail, Wholesale and Storage	■		
64. Electric Equipment, Retail Sales and Repair	■		
65. Electrical Appliances, Retail Sales and Service	■		
66. Employment Agencies, not Including Day Labor Hiring and Transportation Centers	■		
67. Engravers	■		
68. Fire Protection Equipment and Supplies, Retail Sales and Service	■		
69. Fish Markets, Retail Sales	■		
70. Floor Coverings, Retail and Wholesale	■		
71. Florists, Retail Sales	■		
72. Furniture, Display and Sales, Retail	■		
73. Furs, Retail Sales and Repairing	■		
74. Garage Equipment, Retail Sales	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
75. Gas Appliances, Retail Sales and Service	■		
76. Gas Regulating Equipment, Sales and Service	■		
77. Gift Shops	■		
78. Glass Shops, Custom	■		
79. Groceries, Retail Sales <i>with the following accessory use:</i>	■		
a. Outdoor Sales of Food Items		■	■
80. Guns, Retail Sales and/or Repairs			■
81. Gymnasiums, Private or Commercial	■		
82. Hardware, Retail Sales (New)	■		
83. Health Club, Fitness Center	■		
84. Health Food Products, Retail Sales	■		
85. Heating and Ventilating Sales, Retail	■		
86. Hemstitching	■		
87. Hobby Goods Stores	■		
88. Hotel	■		
89. House Furnishings, Retail Sales	■		
90. Household Moving Center	■		
91. Ice Cream Shops	■		
92. Ice, Package, Sales	■		
93. Imported Goods, Retail Sales	■		
94. Indexing Systems and Supplies, Retail Sales	■		
95. Indian Goods, Retail Sales	■		
96. Interior Decorators, Display, Retail Sales and Fabrication, Custom	■		
97. Jewelers, Manufacturing and Wholesale	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
98. Jewelers, Retail Sales and Repairs	■		
99. Lawn Furniture, Retail Sales	■		
100. Leather Goods: Repairing, Sales, Custom or Handicraft Manufacturing	■		
101. Linen Supply Laundry Service	■		
102. Linens, Retail Sales	■		
103. Linoleum Sales, Retail	■		
104. Liquor, Package Retail Sales			■
105. Liquor, Storage and Wholesale	■		
106. Lithographers	■		
107. Locksmiths' Repair Shops	■		
108. Machinery Dealers, Retail Sales and Showrooms	■		
109. Machinery Rental	■		
110. Magazines, Retail Sales, except adult bookstores	■		
111. Merchandise Brokers Office and Display	■		
112. Messenger Service	■		
113. Milliners, Custom and Retail Sales	■		
114. Mimeographing and Multigraphing, Commercial	■		
115. Mirrors, Resilvering; Custom Work	■		
116. Monuments, Retail Sales and Display	■		
117. Motion Picture Equipment, Retail Sales and Display	■		
118. Music Studios	■		
119. Musical Instruments, Retail Sales New and Used <i>with the following accessory use:</i>	■		
a. Musical Instruments, Rental and Repair		■	
120. Needlework	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
121. News Dealers	■		
122. Notions, Retail Sales	■		
123. Novelties, Retail & Wholesale	■		
124. Nut Shop	■		
125. Office Furniture Equipment and Supplies, Retail Sales and Showroom	■		
126. Optical Goods, Manufacturing and Sales	■		
127. Paint and Varnish, Retail Sales	■		
128. Painting Equipment and Supplies, Retail Sales	■		
129. Pet Care Facility			■
130. Pet Day Care Facility, Indoor Only			■
131. Pet Day Care Facility, With Outdoor Accessory Uses			■
132. Pet Grooming	■		
133. Pet Shops, Retail Sales Only	■		
134. Pharmacy	■		
135. Phonograph Records, Sales, Retail	■		
136. Photo-Engraving Company	■		
137. Photographers, Commercial Studios	■		
138. Photographic Developing and Printing	■		
139. Photographic Equipment and Supplies, Retail Sales	■		
140. Physical Therapy Equipment, Retail and Wholesale	■		
141. Picture Framing, Custom	■		
142. Plant Nurseries, Indoor	■		
143. Plant Nurseries, Outdoor			■
144. Plastic and Plastic Products, Retail and Wholesale	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
145. Playground Equipment Sales	■		
146. Plumbing Fixtures and Supplies, Display and Retail Sales	■		
147. Poster Illustration, Studio	■		
148. Pottery and Ceramics, Retail Sales & Wholesale	■		
149. Precision Instruments, Custom Repair	■		
150. Printers	■		
151. Public Storage Garages	■		
152. Publicity Service	■		
153. Pumps, Retail Sales and Display	■		
154. Radio and Television, Retail Sales and Service	■		
155. Radio Repair Shop	■		
156. Range and Stoves, Retail Sales and Service	■		
157. Refrigerators, Retail Sales and Service	■		
158. Restaurant Equipment, Supplies and Retail Sales	■		
159. Restaurants	■		
160. Restaurants, Bars and Cocktail Lounges <i>(as defined in Appendix D)</i>			■
161. Restaurants, with Drive Through Facilities			■
162. Riding Equipment Sales	■		
163. Rug Sales	■		
164. Saddlery Shops, Custom, Handmade	■		
165. Safes, Repairing and Sales	■		
166. Second Hand/Used Merchandise, Sales	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
167. Sewing Machines, Commercial and Industrial Type, Retail Sales and Repairing	■		
168. Sewing Machines, Household Sales and Service	■		
169. Shoe Repairing	■		
170. Sound Systems and Equipment Sales	■		
171. Sound Systems, Rentals and Repairs	■		
172. Sporting Goods, Retail Sales & Wholesale	■		
173. Stamp Dealers	■		
174. Stationers, Retail Sales	■		
175. Surplus Stores	■		
176. Tailors, Custom	■		
177. Tanning Salon <i>with the following accessory use:</i>	■		
c. massage therapy if performed by a licensed massage therapist			
178. Tapestries	■		
179. Tea Room	■		
180. Tents and Awnings, Retail Sales	■		
181. Tire Repairing Equipment and Supplies	■		
182. Towels, Supply Service	■		
183. Toys, Retail Sales	■		
184. Upholsterers, Custom, Retail Sales and Supplies	■		
185. Vacuum Cleaners, Retail Sales	■		
186. Variety Stores, Retail	■		
187. Veterinarians' Supplies, Retail and Wholesale	■		
188. Veterinary Hospitals			■
189. Wall Paper, Sales and Display	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
190. Washing Machines, Retail Sales and Display, Custom Repairing	■		
191. Watches, Sales and Repairing	■		
192. Water Softening Equipment, Service and Repairs	■		
193. Weaving, Handicraft, Custom	■		
194. Window Cleaners' Service	■		
195. Window Display Installations, Studio and Shops	■		
196. Wines, Storage and Wholesale	■		
EDUCATIONAL / RELIGIOUS / ASSEMBLY			
1. Assembly Halls and Auditoriums	■		
2. Christian Science Reading Rooms	■		
3. Exhibition Hall	■		
4. Libraries, Private, Rental	■		
5. Lunch Rooms	■		
6. Preschool	■		
7. School for Mentally or Physically Handicapped	■		
8. School, Commercial: Barber, Beauty, Business, Commercial, Correspondence, Data Processing, Dancing, Gymnastics, Health, Insurance, Martial Arts, Modeling, Private, Real Estate, and Stenographic	■		
9. School, Special or Training Institution not offering curriculum of general instruction comparable to public schools <i>(as defined in Appendix D)</i>	■		
10. Teaching of Fine Arts	■		
MEDICAL & HEALTH			
1. Adult Health Day Care <i>(as defined in Appendix D)</i>	■		
2. Ambulance Service Office	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
3. Artificial Limbs, Braces, Sales	■		
4. Clinic, Medical or Dental Offices <i>(as defined in Appendix D)</i>	■		
5. Emergency Medical Care Facility (24 Hour Service) <i>with the following accessory uses: (as defined in Appendix D)</i>	■		
a. Helistop		■	
b. Mobile Diagnostic Unit		■	
6. Health and Support Services	■		
7. Hospice	■		
8. Hospital <i>with the following accessory uses:</i>	■		
a. Blood Banks and Blood Plasma Centers		■	
b. Helistop		■	
c. Mobile Diagnostic Unit		■	
d. Recreational Vehicle Parking and Service Hook-Up		■	
9. Hospital Service Organizations	■		
10. Medical Supplies, Retail Sales and Rentals	■		
11. Nursing Home			■
12. Orthopedic Appliances, Manufacturing and Sales	■		
13. Outpatient Treatment Facility	■		
14. Surgical Supplies, Retail Sales & Wholesale	■		
OFFICE			
1. Adjusters, Insurance	■		
2. Assayers (See "Laboratory")	■		
3. Auctioneer's Office (only)	■		
4. Biomedical and Medical Research Office and/or Laboratory	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
5. Brokerage House	■		
6. Burglar Alarm Watching Service	■		
7. Charitable institutions, Offices Only.			■
8. Contractors' Office with Inside Storage of Materials Only	■		
9. Dental Laboratories	■		
10. Electric Light and Power Company Offices	■		
11. Express Companies, Offices Only	■		
12. Finance Companies and Loan Offices	■		
13. Freight Traffic Service Offices	■		
14. Gas Companies' Offices	■		
15. Labor Unions, Offices	■		
16. Laboratories, Clinical and Dental	■		
17. Laboratories, Testing and Research	■		
18. Market, Stock and Bond	■		
19. Motor Freight Co., Offices Only	■		
20. News Service	■		
21. Newspaper Advertising Sales Office	■		
22. Office Service: Stenographic Service, Letter Preparation, Addressing and Mailing, Duplicating, Multigraphing, Machine Tabulation, Research and Statistical	■		
23. Offices with Conference, Reception or Health/Recreation Facilities			■
24. Offices, General, Administrative, Professional and Medical	■		
25. Publishers' Offices	■		
26. Radio and Television Broadcasting Stations	■		
27. Radio and Television Studios	■		

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
28. Satellite Earth Station			■
29. Theatrical Agencies	■		
30. Travel Bureau	■		
31. Veterinary Offices			■
PUBLIC / QUASI-PUBLIC			
1. Civic Uses <i>(as defined in Appendix D)</i>	■		
2. Public Utility Service Yards			■
3. Wireless Communication Facility			■
RECREATIONAL / ENTERTAINMENT			
1. Bingo	■		
2. Bowling Alleys	■		
3. Entertainment Bureaus	■		
4. Family Game Center	■		
5. Miniature Golf	■		
6. Pool and Billiard Halls	■		
7. Recreation and Social Clubs <i>(as defined in Appendix D)</i>	■		
8. Skating Rinks, Indoor	■		
9. Swimming Pool Commercial, Outdoor	■		
10. Theaters	■		
RESIDENTIAL			
1. Assisted Living Facility <i>(as defined in Appendix D)</i>	■		
2. Hotel Condominium <i>(as defined in Appendix D)</i>	■		
3. Independent Living <i>(as defined in Appendix D)</i>	■		
4. Personal Care Home	■		
5. Residential, Multi-Family <i>(as defined in Appendix D)</i>			■

Land Use Group	Permitted Principal Use	Permitted Accessory Use	Permitted Subject to Performance Standards
6. Residential, Multi-Family Condominium <i>(as defined in Appendix D)</i>			■
7. Residential, Multi-Family Live/Work <i>(as defined in Appendix D)</i>			■
8. Residential, Multi-Family Loft <i>(as defined in Appendix D)</i>			■
TRANSPORTATION			
1. Sightseeing Tours, Garages and Depot	■		

G. Performance and Development Standards

1. Performance Standards

The Uses Subject to Performance Standards as defined in **Section F.2** and listed in **Table 2** identify the proposed uses allowed within the subject PUD requiring additional development or operational standards to minimize the effects to the community from hazards, nuisances and other negative factors; to ensure that land uses are not operated in such a manner as to cause a detrimental impact on adjacent properties or the ambient community environment; and to preserve and enhance the lifestyle of existing and future residents through the protection of the public health, safety and general welfare. The following restrictions shall apply to all applicable properties within this PUD.

a) Automobile Inventory Storage Lot:

Standards:

These provisions apply to dealerships which sell new, new and used, lease or rent vehicles:

- (1) The storage lot shall have access only from a freeway frontage road, arterial, or 32nd Avenue;
- (2) Buildings on the storage lot shall not be located any closer than 100 feet to an existing or zoned single-family residential use;
- (3) The site plan shall identify the number, size and arrangement of all inventory parking spaces on the site;
- (4) All inventory storage shall be screened on all sides by a six foot (6') high solid masonry wall. Gates screening access to the site shall be solid and remain closed when deliveries are not being made. Additional wall height may be permitted at the time of site plan approval;
- (5) Vehicle loading and unloading shall occur on-site.

b) Automobile Retail Sales, New, Used, Leasing and Rental:

Standards:

The following special provisions shall apply:

- (1) Body repair and painting done on the lot shall be confined to a closed building.
- (2) The area used for parking, display, storage or circulation shall be dust-free.
- (3) Lots shall be properly enclosed with a wall, fence, hedge, plantings, or combinations thereof, having a minimum height of ten inches above the grade at which the cars are to be displayed unless a hedge, planting or combinations thereof are approved in lieu of the ten-inch wall and/or the lot is depressed below the elevation of adjacent lots in which case appropriate landscaping may be approved.
- (4) The hours of operation for all automobile related uses including sales and services shall be limited to the hours between 6:00 a.m. and Midnight.
- (5) Dealerships will encourage vehicle deliveries to occur during non-rush hour timeframes.
- (6) On-site temporary events such as carnivals, fairs, and petting zoos are prohibited. Temporary dealership events such as sales events and national campaigns are permitted.
- (7) The installation and use of an outdoor public address or bell system shall be prohibited.
- (8) Vehicular display racks shall not exceed a height of fifteen (15) feet except vehicular display racks within one hundred (100) feet of any property line shall not exceed a height of three (3) feet as approved by the Planning and Development Department.
- (9) Vehicles stored on the top of buildings shall not be visible from a point six (6) feet above grade along any property line as approved by the Planning and Development Department.
- (10) The surface parking areas for customer, display, and employee use, but not including storage areas, shall be landscaped and provided with pedestrian amenities as follows:

Parking Lot Area	
Interior surface area (exclusive of perimeter landscaping and all setbacks)	Minimum 10%
Landscaped planters	At ends of each row of parking and approximately every 110'
Landscaped planters**, single row of parking	Minimum 150 square feet***
Landscaped planters**, double row of parking	Minimum 300 square feet***
Landscaping adjacent to	(1) Minimum 15-foot wide combination sidewalk/ landscaped planter along the walkway as

Parking Lot Area	
pedestrian walkways	approved by Planning and Development Department. Where planters are adjacent to head-in parking, they shall be a minimum 7.5 feet wide. At installation, the landscape palette shall contain a mixed maturity consisting of 60% trees with minimum 2-inch caliper, 40% with minimum 1 inch caliper, or (2) An equivalent shade structure as approved by the Planning and Development Department.
Additional parking lot landscaping*	As needed to meet 10% minimum requirement, additional landscaping to be evenly distributed throughout the entire parking area. Minimum interior dimension of five (5) feet (length and width). Minimum rate of one (1) for every six (6) parking spaces, evenly distributed throughout the entire parking area.
Plant Type	Minimum Planting Size
Trees	Minimum one (1) 2-inch caliper per planter****
Shrubs	Minimum five (5) 5-gallon shrubs per planter

* Twenty (20) feet on center or equivalent groupings.

** Measured from inside face of curb to inside face of curb.

*** Not to exceed the length of a standard City of Phoenix parking stall. Modifications to the square footage may be approved by Development Service Department if the overall intent of the standard is being met.

**** Or as approved by the Planning and Development Department.

c) Automobile General Repair, Body Shops and/or Painting:

Standards:

The following special provisions shall apply:

- (1) The use shall have access limited directly to a freeway frontage road, arterial or 32nd Avenue;
- (2) Buildings shall not be located any closer than 200 feet to an existing or zoned single-family residential use;
- (3) A site plan shall be required which identifies the specific areas designated for all proposed operations, products, materials, equipment, and storage on the site;
- (4) Service bays and parking areas for automobiles needing repair or painting shall be within an enclosed building and located so that they are not visible from adjacent street frontages;
- (5) All operations and storage shall maintain a minimum five-foot (5') landscaped setback along interior lot lines.

- (6) The hours of operation for all automobile related uses including sales and services shall be limited to the hours between 6:00 a.m. and Midnight.

d) Boats, Retail Sale:

The following special provisions shall apply:

- (1) Boat repair and painting done on the lot shall be confined to a closed building.
- (2) The area used for parking, display, storage or circulation shall be dust-free.
- (3) Boat sale lots shall be properly enclosed with a wall, fence, hedge, plantings, or combinations thereof, having a minimum height of three (3) feet above the grade at which the boats are to be displayed unless a hedge, planting or combinations thereof are approved in lieu of the wall and/or the lot is depressed below the elevation of adjacent lots in which case appropriate landscaping may be approved.
- (4) The hours of operation for all automobile related uses including sales and services shall be limited to the hours between 6:00 a.m. and Midnight.

e) Charitable Institutions, Offices Only:

Standards:

- (1) Bingo may be operated as an accessory use on the premises of the institution for no more than two (2) days a week.
- (2) Bingo may be operated on the premises for more than two days a week with a use permit.

f) Compressed Natural Gas (CNG) Retail Sales:

Standards:

The following special standards shall apply:

- (1) Natural gas fueling equipment may be sheltered by an enclosure constructed of non-combustible or limited combustible materials that has at least one side predominantly open and a roof designed for ventilation and dispersal of escaped gas. This facility shall be considered outdoors for Zoning Ordinance purposes. If the fueling equipment is not sheltered by such a structure, the equipment shall be screened with a masonry block wall which is architecturally compatible with the buildings on the site; the wall shall be predominantly open on one side.
- (2) The equipment shall not be located closer than one hundred (100) feet to a residential property line or four hundred (400) feet to a school property line.
- (3) The use shall comply with all pertinent requirements of the Phoenix Fire, Building, and Electrical Codes.
- (4) Signage on shelter wall shall be limited to that required by the Fire Code.
- (5) No container shall exceed a size of three hundred (300) gallons water capacity; no more than six (6) containers shall be included at a CNG facility. The containers shall be mounted horizontally.

g) Drive-Up Facilities for Permitted Uses, Freestanding or Kiosk:

Standards:

- (1) Drive-up or drive-through facilities housing permitted uses are allowed in a free-standing or "kiosk" type service building of no more than two hundred fifty (250) square feet in size. If there are more than two such facilities proposed for any one site, they may be required to be grouped for common access as a condition of approval.

h) Guns, Retail Sales and/or Repairs:

Standards:

Guns, Retail Sales and/or Repairs, subject to the following limitations:

- (1) Commercial loading of small arms ammunition for on-site retail sale shall be permitted as an accessory use upon compliance with the following conditions:
 - a. A maximum of five thousand (5,000) cartridges loaded per day.
 - b. Ammunition loading and component storage activity shall not occupy more than two hundred (200) square feet, or ten (10) percent (10%) of the gross building area, whichever is less.
- (2) Commercial loading of small arms ammunition for on-site retail sale in excess of the standards listed in subsection 1 above shall be permitted subject to the following limitations:
 - a. A maximum of ten thousand (10,000) cartridges loaded per day,
 - b. Ammunition loading and component storage activity shall not occupy more than five hundred (500) square feet, or twenty-five (25) percent (25%) of the gross building area, whichever is less, and
 - c. A use permit shall be obtained subject to the provisions of Section 307.
 1. The quantities, arrangement, distance requirements for the storage of propellant powder, primers, and percussion caps shall be in accordance with the Fire Code.
 2. A permit to load ammunition shall be obtained from the Fire Department.
 3. In addition to applicable requirements listed above, the loading of specialty or custom ammunition shall be subject to obtaining a use permit pursuant to the provisions of Section 307.

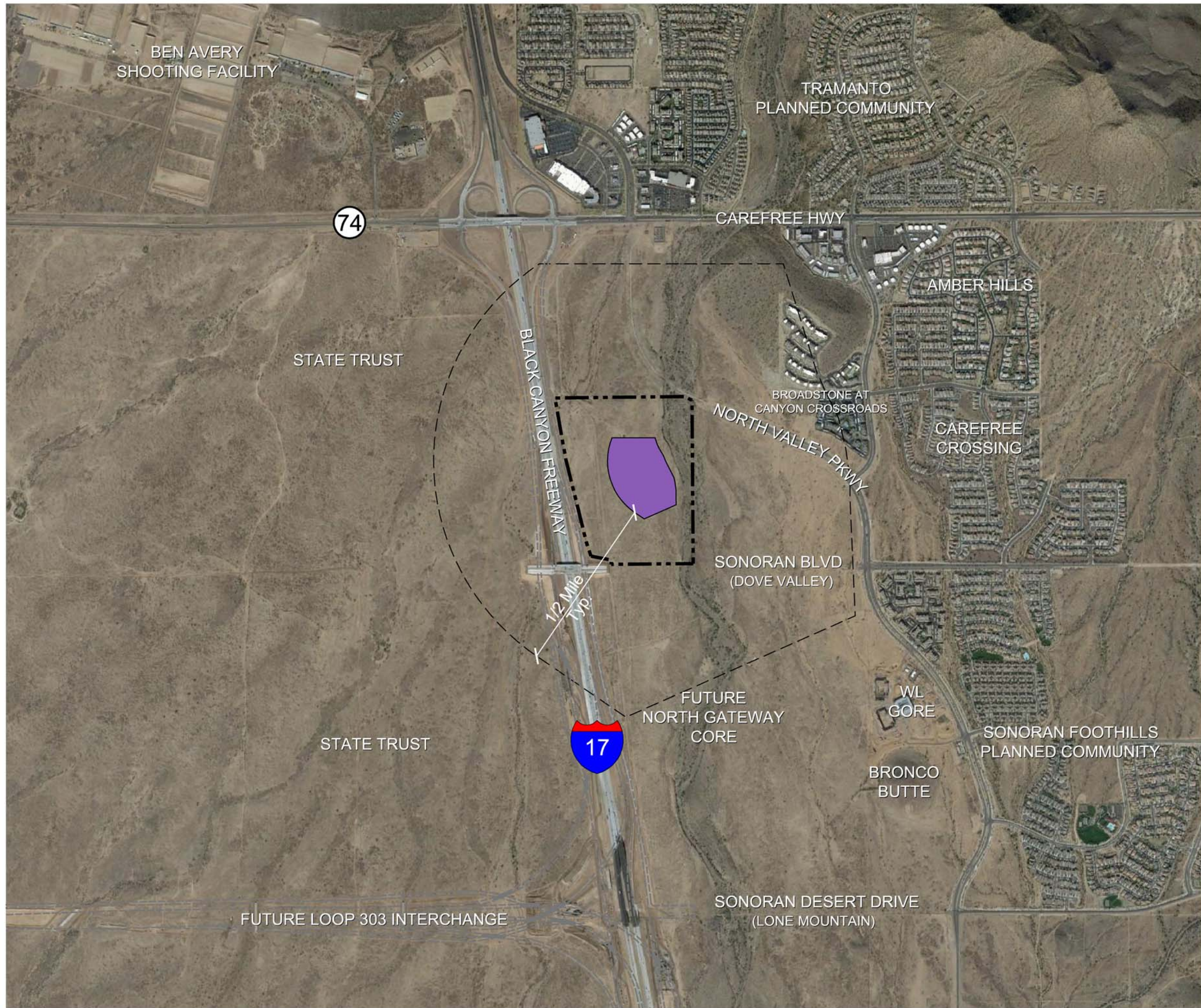
i) Helistop:

Standards:

Helistops, when the use is for a hospital or emergency medical care facility (24 hour service). These regulations are designed to find appropriate locations for helistops which are consistent with safety, noise, and the directions of approach and departure paths resulting in minimum adverse

impact to residential uses, refer to **Figure 7, Helistop Area Exhibit**. Helistops are subject to the following standards:

- (1) Fire protection:
All helistops shall comply with provisions acceptable to the Phoenix Fire Department.
- (2) Site plan requirements:
Development review will be based on analysis of general conformance with FAA advisory circular AC 150/5390-1B, "Heliport Design Guideline," issued August 22, 1977.
- (3) Noise impact:
A helicopter sitting on the touchdown pad of a helistop shall emit a maximum noise level of no greater than ninety dB(A) at the boundaries of the lot or parcel containing the nearest residential use, excluding high-rise residential developments and hotels and motels and multifamily residential. Noise will be measured with an IEC (International Electrotechnical Commission) or ANSI S1.4-1983 (R2006)/S1.4A-1985 (R2006) (American National Standards Institute) Type I sound level meter with A-weighted impulse response.
- (4) Emergency use:
A helistop is restricted to use for emergency transportation only.



WESTCOR

PLANNED UNIT DEVELOPMENT

FIGURE 7

HELISTOP AREA EXHIBIT

LEGEND

-  PROJECT BOUNDARY
-  HELISTOP AREA

NOT TO SCALE



PRELIMINARY - NOT FOR CONSTRUCTION - COPYRIGHT LVA URBAN DESIGN STUDIO, L.L.C.

Date.	01.13.11	Project No.	1037
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	 ENGINEERS-PLANNERS-SURVEYORS	 Kimley-Horn and Associates, Inc.
 land planning • landscape architecture	 BEUS GILBERT PLLC ATTORNEYS AT LAW	
120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994		

j) Liquor, Package Retail Sales:

Standards:

Liquor, Package Retail Sales, subject to the following conditions or limitations:

- (1) Package liquor sales as a primary use or as an accessory use to a convenience market shall require a use permit in accordance with the standards and procedures of Section 307 if the lot or parcel on which the use is conducted is less than three hundred (300) feet from a residential district, including undeveloped residentially zoned property. The use permit shall specifically address noise from the use, including parking lot noise, screening of lighting from vehicle headlights and light standards on site, parking access, and access to adjacent neighborhoods but shall not address issues which are the purview of the Arizona Department of Liquor Licenses and Control, such as the number of liquor licenses in the area. Package liquor sales as an accessory use to other uses shall not require a use permit.
- (2) Drive-through windows for sale of alcohol shall be located at least three hundred (300) feet from a residential district, including undeveloped or residentially developed property, and shall have primary access to 32nd Avenue.
- (3) Retail sales of liquor as an accessory use shall be subject to the following conditions:
 - a. Selling and display space for alcoholic beverages shall be limited to a maximum of twenty percent (20%) of total selling space.
 - b. All displays of alcoholic beverages shall be located a minimum of five (5) feet from the entrance to the primary use.

k) Motorcycles, Repairing and Sales:

Standards:

The following special provisions shall apply:

- (1) Motorcycle repair and painting done on the lot shall be confined to a closed building.
- (2) The area used for parking, display, storage or circulation shall be dust-free.
- (3) Motorcycle sale lots shall be properly enclosed with a wall, fence, hedge, plantings, or combinations thereof, having a minimum height of two (2) feet above the grade at which the motorcycles are to be displayed unless a hedge, planting or combinations thereof are approved in lieu of the wall and/or the lot is depressed below the elevation of adjacent lots in which case appropriate landscaping may be approved.
- (4) Any artificial light used for such lot or area shall be so arranged as to reflect light away from the adjoining premises, lot and/or streets and shall be so located as not to be a nuisance to adjacent property and streets.
- (5) The hours of operation for all automobile related uses including sales and services shall be limited to the hours between 6:00 a.m. and Midnight.

l) Nursing Home:

Standards:

The site shall be subject to the following:

- (1) One hundred square feet of usable outdoor space per bed shall be provided.
- (2) The lot shall have vehicular access from 32nd Avenue, Sonoran Boulevard and/or the Interstate 17 frontage road.

m) Offices with Conference, Reception or Health/Recreation Facilities:

Standards:

In conjunction with office complexes with a gross leasable area of fifty thousand (50,000) square feet or more, a conference and reception center and health/recreation facilities may be established, provided the following requirements are met:

- (1) Access to the site is to be from an arterial street or 32nd Avenue as defined on the street classification map and within the PUD.
- (2) The sale of alcoholic beverages is permitted as an accessory use to a conference and reception center upon compliance with the following conditions:
 - a. The securing of a use permit from the Zoning Administrator or Board of Adjustment.
- (3) Outdoor dining is permitted as an accessory use to a conference and reception center.
- (4) The conference and reception center may not exceed twenty percent (20%) of the total gross leasable area of the office complex.
- (5) A health/recreation facility, which is limited to employees within the office complex, may not exceed ten percent (10%) of the total gross leasable area of the office complex.

n) Outdoor Display of Merchandise:

Standards:

Outdoor display of merchandise is permitted as an accessory use subject to the following:

- (1) A maximum three hundred (300) square feet of display area, can be located anywhere along the building except as noted in 2 below;
- (2) No display or sale is permitted within ten (10) linear feet of either side of the building entrance or exit;
- (3) The depth, measured from the front facade of the building, may not exceed ten (10) feet unless otherwise approved by the Planning and Development Department upon a determination that a greater depth does not interfere with any pedestrian passage;
- (4) Payment for the products displayed must occur indoors;
- (5) Outdoor display or sales shall not be located within any required setbacks or in the parking lot.

o) Outdoor Garden Center, Permanent:

Standards:

- (1) Permanent outdoor sales areas are limited to a maximum of 35,000 gross square feet.

- (2) The Zoning Administrator or Board of Adjustment may issue a use permit in accordance with the provisions of Section 307 to increase the outdoor sales area from 35,000 gross square feet to a maximum area of 50,000 gross square feet when:
 - a. It is demonstrated that the proposed modification is not detrimental to adjacent property or the public welfare in general.
- (3) Products sold outdoors shall be screened by a minimum eight (8) foot high solid masonry wall or screened so as not to be visible from property line or street. Wall shall have a decorative finish that is complimentary to the primary building walls for all required screening.
- (4) Decorative screen material(s) may be used only in garden centers but shall not exceed 50% of the screened area. Decorative screening may include one or more of the following: wire, screen material, landscaping and/or alternative materials, as approved by the Planning and Development Department.
- (5) Chain link fencing is not permitted.

p) Outdoor Sales of Food Items:

Standards:

Outdoor sales of food items shall be permitted as an accessory use to retail grocery sales as follows, with no more than one entity selling such items permitted at any one time:

- (1) Outdoor chili roasting, subject to the following limitations:
 - a. All roasted chilies sold must be consumed off site.
 - b. Sales must be conducted by employees of the retail grocery store.
 - c. Sales area must be located within 20' of the front door and not in the parking lot, or as approved by the Zoning Administrator.
 - d. Sales limited to the hours of 12:00 noon to 8:00 p.m. each day.
 - e. Payment for product must occur indoors.
 - f. Employees preparing the food product shall have a food safety permit.
 - g. Equipment used for food preparation shall be immobile during operation. Plans for the use of equipment that is fueled by gasoline, propane or similar form of fuel must be approved by the Fire Department.
- (2) The preparation of food items outdoors, other than roasted chilies, will be permitted for no more than 3 months per year on any site, subject to the following limitations:
 - a. All food products sold must be consumed off site.
 - b. Sales must be conducted by employees of the retail grocery store.
 - c. Sales area must be located within 20' of the front door and not in the parking lot, or as approved by the Zoning Administrator.
 - d. Sales limited to the hours of 12:00 noon to 8:00 p.m. each day.
 - e. Payment for product must occur indoors.
 - f. Employees preparing the food product shall have a food safety permit.

- g. Equipment used for food preparation shall be immobile during operation. Plans for the use of equipment that is fueled by gasoline, propane or similar form of fuel must be approved by the Fire Department.
- (3) The sale of packaged food items that are not prepared on site shall be permitted for no more than 3 months on any site, subject to the following limitations:
- a. Sales shall be limited to nonprofit organizations or other recognized community entities raising funds for non-personal purposes. No sales by individuals or for personal gain shall be permitted.
 - b. Sales limited to the hours of 8:00 a.m. to 10:00 p.m. each day.
 - c. Sales areas shall be limited to the private walkway areas adjacent to the building and not in the parking lot.
 - d. Sales must be conducted with written permission of grocery store owner or his duly designated representative.

No direct light, sound, smoke or odor caused by any food processed or sold on site shall be broadcast beyond the property boundaries. The outdoor sales operation shall not be visible from any adjacent residential area.

q) Outdoor Retail and Food Sales:

Standards:

Outdoor Retail and Food Sales as an accessory use to a general retailer with a minimum of seventy-five thousand (75,000) square feet of gross business area, including outdoor garden centers, subject to the following limitation:

- (1) The outdoor sales area shall not exceed 500 square feet.
- (2) The outdoor sales area must be enclosed within a perimeter screen wall and/or decorative fence to ensure the proper screening of stock merchandise as approved by the Planning and Development Department. Plant materials are excluded from this requirement and may be displayed without solid screening.

r) Pet Care Facility:

Standards:

Pet Care Facility, subject to the following limitations:

- (1) A use permit shall be obtained in accordance with the standards and procedures of Section 307.
- (2) Shall be constructed so that direct unaccompanied access by animals to outside areas of the buildings is not allowed.
- (3) Animals must be accompanied by a facility employee or pet owner at all times when outside the building. All walks and exercise periods must take place on facility grounds.
- (4) When located adjacent to a residential district, every building and every outdoor animal exercise run shall be set back at least one hundred (100) feet from any lot line abutting such residential district.
- (5) A solid masonry wall or fence seven (7) feet in height shall be constructed along the perimeter of all outdoor runs.

- (6) Solid waste shall be removed from outdoor exercise areas every five (5) hours at a minimum during time periods when these areas are in use.
- (7) The average noise level, measured at the property line, shall not exceed fifty-five DB (one LDN) when measured on an "A-weighted" sound level meter. Noise will be measured with an IEC (International Electrotechnical Commission) or ANSI S1.4-1983 (R2006)/ANSI S1.4A-1985 (R2006) (American National Standards Institute) Type I sound level meter with "A-weighted" impulse response.

s) Pet Day Care Facility, Indoor Only:

Standards:

Pet Day Care Facility, Indoor Only, subject to the following limitation:

- (1) Operation shall be limited to the hours between 6:00 a.m. and 10:00 p.m.
- (2) The average noise level, measured at the property line, shall not exceed fifty-five DB (one LDN) when measured on an "A-weighted" sound level meter. Noise will be measured with an IEC (International Electrotechnical Commission) or ANSI S1.4-1983 (R2006)/ANSI S1.4A-1985 (R2006) (American National Standards Institute) Type I sound level meter with "A-weighted" impulse response.

t) Pet Day Care Facility, With Outdoor Accessory Uses:

Standards:

Pet Day Care Facility, with Outdoor Accessory Uses, subject to the following limitations:

- (1) A use permit shall be obtained in accordance with the standards and procedures of Section 307.
- (2) Shall be constructed so that direct unaccompanied access by animals to outside areas of the buildings is not allowed.
- (3) Animals must be accompanied by a facility employee or pet owner at all times when outside the building. All walks and exercise periods must take place on facility grounds.
- (4) When located adjacent to a residential district, every building and every outdoor animal exercise run shall be set back at least one hundred feet from any lot line abutting such residential district.
- (5) A solid masonry wall or fence seven feet in height shall be constructed along the perimeter of all outdoor runs.
- (6) Solid waste shall be removed from outdoor exercise areas every five hours at a minimum during time periods when these areas are in use.
- (7) The average noise level, measured at the property line, shall not exceed fifty-five DB (one LDN) when measured on an "A-weighted" sound level meter. Noise will be measured with an IEC (International Electrotechnical Commission) or ANSI S1.4-1983 (R2006)/ANSI S1.4A-1985 (R2006) (American National Standards Institute) Type I sound level meter with "A-weighted" impulse response.
- (8) Operation shall be limited to the hours between 6:00 a.m. and 10:00 p.m.
- (9) Some review period of the use permit may be established should a neighborhood protest occur at the use permit hearing.

u) Plant Nurseries, Outdoor:

Standards:

- (1) The outdoor sales area must be enclosed within a perimeter screen wall and/or decorative fence to ensure the proper screening of stock merchandise as approved by the Planning and Development Department. Plant materials are excluded from this requirement and may be displayed without solid screening.

v) Promotional Events:

Standards:

- (1) Promotional events are allowed for all permitted principal uses within **Table 2** pursuant to the regulations within the City of Phoenix Zoning Ordinance and subject to the City's Standard review and approval procedures.
- (2) Promotional events such as carnivals, fairs, and petting zoos shall be prohibited for auto dealerships. Temporary promotional events such as sales events and national campaigns are permitted.

w) Propane Retail Sales as an outside accessory use to automobile service stations:

Standards:

Propane Retail Sales permitted as an accessory use to service stations, subject to the following limitations:

- (1) A use permit shall be obtained in accordance with the standards and which is contiguous to a lot or parcel which is zoned for residential development.
- (2) One container of a size not to exceed one thousand (1,000) gallons water capacity nor be mounted higher than four (4) feet.
- (3) The container shall be installed horizontally.
- (4) The container shall be screened from view of adjacent public rights-of-way with a two-sided, four (4) foot high masonry block wall. The bottom two (2) feet of the wall shall be ventilated in accordance with the Fire Code. The wall shall be architecturally compatible with the buildings on the site.
- (5) The container shall not be located closer than one hundred (100) feet to a residential zoning district boundary line nor four hundred (400) feet to a school property line.
- (6) Compliance with all pertinent requirements of the Phoenix Fire Code, the National Fire Protection Association Standard No. 58 as required by the Fire Department, and other codes and regulations.
- (7) Safety inspections of the containers for which use permits are issued shall be conducted by the supplier semiannually and a copy of the safety review form shall be sent to the City for inclusion in the use permit file and sent to and reviewed by the City of Phoenix Fire Marshal.
- (8) Signage on the container and screen walls shall be limited to that required by the Fire Code.

x) Propane Retail Sales as an outside accessory use to a retail facility:

Standards:

Propane Retail Sales as an outside accessory use to a retail facility, subject to the following limitations:

- (1) Securing a use permit in accordance with the provisions of Section 307 if the rack of propane containers is located less than two hundred (200) feet from a residential district including undeveloped or residentially zoned property, day care facility or school property line. The use permit shall specifically address placement of the racks in order to ensure access is not obstructed.
- (2) Site plan approval is required in accordance with Section 507 of the Zoning Ordinance through the Planning and Development Department for the purpose of assuring continuous pedestrian access to buildings and minimizing view from public streets.
- (3) The public's view of the rack of propane containers shall be minimized with screening devices such as planters, building columns, facade elements or walls as determined through the site plan review process.
- (4) The propane shall be sold only in sealed steel containers with a maximum volume of 20 lbs. (4.8 gallons propane). The containers shall be in racks with an aggregate capacity of not more than 12 containers at each location.
- (5) The rack of containers shall be mounted or anchored to the ground or building, the rack shall not block the view into a store window and in all events may not be more than 41 inches high.
- (6) Each 20 lb. (4.8 gallon propane) container shall be fitted with a propane service valve (Type I) for safety purposes.
- (7) Review by the Fire Department and compliance with all pertinent requirements of the Phoenix Fire Code, the National Fire Protection Association Standard No. 58 as required by the Fire Department, and other codes and regulations.
- (8) Signage shall be limited to product identification on each 20 lb. (4.8 gallon propane) container and to six (6) square feet of identification signs on the storage rack.

y) Public Utility Service Yards:

Public Utility Service Yards subject to the following conditions:

- (1) All outside storage or uses shall be enclosed by a minimum six (6) foot high and maximum ten (10) foot high masonry wall.
- (2) A ten (10) foot wide landscaped area shall be required outside of the wall, with screen plantings maintained to a height of ten (10) feet.
- (3) No lighting fixtures shall exceed fifteen (15) feet in height.

z) Residential, Multifamily; Residential, Multifamily Condominium; Residential, Live/Work; and Residential, Multifamily Loft:

Standards:

- (1) A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:
 - a. The development shall contain a minimum of four hundred (400) dwelling units.

- b. The market shall not exceed one thousand (1,000) square feet in total floor area (display and storage) if the development contains less than eight hundred (800) dwelling units. The market shall not exceed three thousand (3,000) square feet in total floor area (display and storage) if the development contains eight hundred fifty (850) or more dwelling units.
- c. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.

aa) Restaurants, with Drive Through Facilities; Restaurants, Bars and Cocktail Lounges:

Standards:

Restaurants, Bars and Cocktail Lounges, subject to the following conditions or limitations:

- (1) Music or entertainment shall be permitted subject to the following regulations:
 - a. The stage or performance area shall be a maximum of eighty (80) square feet unless a use permit is obtained.
 - b. The average noise level, measured at the property line, shall not exceed 55dB (1 DN) when measured with an IEC (International Electrotechnical Commission) or ANSI S1.4-1983 (R2006)/ANSI S1.4A-1985 (R2006) (American National Standards Institute) Type I sound level meter with "A-weighted" impulse response. An increase not to exceed 5 dB for five continuous seconds or less shall not be deemed a violation of this section.
 - c. Nothing in this section shall be construed to include an adult use.
- (2) Patron dancing shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. The use permit shall specifically address noise from the use, including parking lot noise, screening of lighting from vehicle headlights and light standards on site, parking access, and access to adjacent neighborhoods but shall not address issues which are the purview of the Arizona Department of Liquor Licenses and Control, such as the number of liquor licenses in the area. The dance floor shall close at the time alcohol is no longer served or sold for the evening.
- (3) Outdoor recreation uses, outdoor dining, outdoor alcoholic beverage consumption, and associated lighting shall be permitted as accessory uses only upon securing a use permit in accordance with the provisions of Section 307. The use permit shall specifically address noise from the use, including parking lot noise, screening of lighting from vehicle headlights and light standards on site, parking access, and access to adjacent neighborhoods but shall not address issues which are the purview of the Arizona Department of Liquor Licenses and Control, such as the number of liquor licenses in the area.
- (4) Drive-through facilities as an accessory use, subject to the following conditions:
 - a. Access to the site is to be from a freeway frontage road, an arterial or 32nd Avenue.

- b. Securing a use permit in accordance with the provisions of Section 307 if the lot or parcel on which the use is conducted is less than three hundred (300) feet from a residential district, including undeveloped or residentially developed property. The use permit shall specifically address noise from the use, including parking lot noise, screening of lighting from vehicle headlights and light standards on site, parking access, and access to neighborhoods.
- (5) Entrance to and exit from a restaurant which does not require a use permit shall only be from the side of the restaurant which does not face a contiguous residentially zoned property, including undeveloped or residentially developed parcels, on the same block and side of the street as the restaurant. For the purpose of applying this provision, property separated by a right-of-way of twenty (20) feet or less in width shall be considered contiguous.
- (6) Any bar or cocktail lounge which exceeds five thousand (5,000) square feet in gross floor area and is located on a lot or parcel within three hundred (300) feet of a residential district, including undeveloped or residentially developed property, shall be permitted only upon securing a use permit in accordance with the provisions of Section 307.

bb) Satellite Earth Station:

Standards:

A satellite earth station must adhere to the standards set forth within the City of Phoenix Zoning Ordinance.

cc) Travel Trailer, Camper and Recreational Vehicle Sales:

Standards:

The following special provisions shall apply:

- (1) Travel trailer and camper repair and painting done on the lot shall be confined to a closed building.
- (2) The area used for parking, display, storage or circulation shall be dust-free.
- (3) Travel trailer, camper and recreational vehicle sale lots shall be properly enclosed with a wall, fence, hedge, plantings, or combinations thereof, having a minimum height of three (3) feet above the grade at which the display inventory are to be displayed unless a hedge, planting or combinations thereof are approved in lieu of the wall and/or the lot is depressed below the elevation of adjacent lots in which case appropriate landscaping may be approved.
- (4) Any artificial light used for such lot or area shall be so arranged as to reflect light away from the adjoining premises, lot and/or streets and shall be so located as not to be a nuisance to adjacent property and streets.
- (5) The hours of operation for all automobile related uses including sales and services shall be limited to the hours between 6:00 a.m. and Midnight.

dd) Veterinary Hospitals:

Standards:

- (1) Veterinary hospitals shall be no closer than one hundred (100) feet to any residential district or to any residence, hotel, motel or restaurant in any district and shall have adequate controls to prevent offensive noise and odor.

ee) Veterinary Offices:

Standards:

Veterinary offices subject to the following conditions:

- (1) Veterinary offices shall be so constructed and operated as to prevent objectionable noise and odor outside the walls of the office as approved by the Planning and Development Department.
- (2) Keeping or boarding of animals shall not occupy more than twenty-five percent (25%) of the gross floor of the office.
 - a. There shall be no outdoor kennels or runs.
 - b. There shall be no direct outside exit from any room containing kennels.

ff) Wireless Communication Facility:

Standards:

Wireless communication facilities must adhere to the standards for disguised or concealed facilities as set forth within the City of Phoenix Zoning Ordinance.

2. Development Standards (Yard, Height and Area Requirements)

To protect surrounding neighborhoods and preserve the public welfare, standards are herein established for yard, height and area requirements to provide an appropriate transition between commercial uses and adjoining neighborhoods. In recognition of the goals contained in the General Plan for uses and intensities within core areas, greater heights and intensities are herein encouraged. The standards identified herein pertain to density, building setbacks, landscape setbacks, building separation, building height, lot coverage and common area open space.

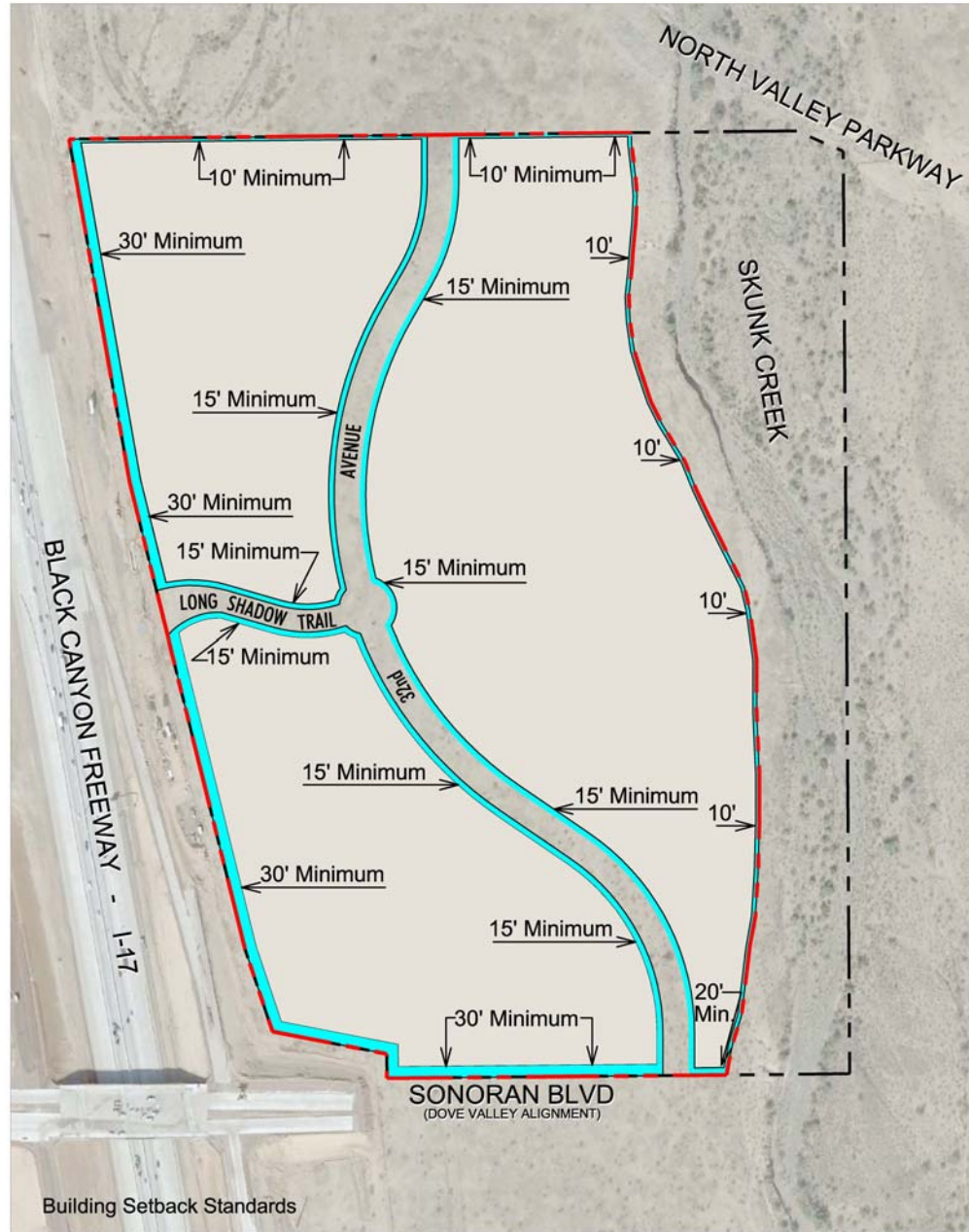
a) Density Standards

Residential development shall be limited to a maximum density of 26 dwelling units per gross acre for any residential on any split or subdivided lot use within the subject PUD. Further, this PUD is limited to a maximum of five hundred twenty (520) dwelling units as may be administered by the Master Developer and approved by the Master Developer and approved by the City of Phoenix through the Development Review process.

b) Building Setbacks

Perimeter property line building setbacks shall be in accordance with **Figure 8, Building Setback Standards** below.

Figure 8: Building Setback Standards

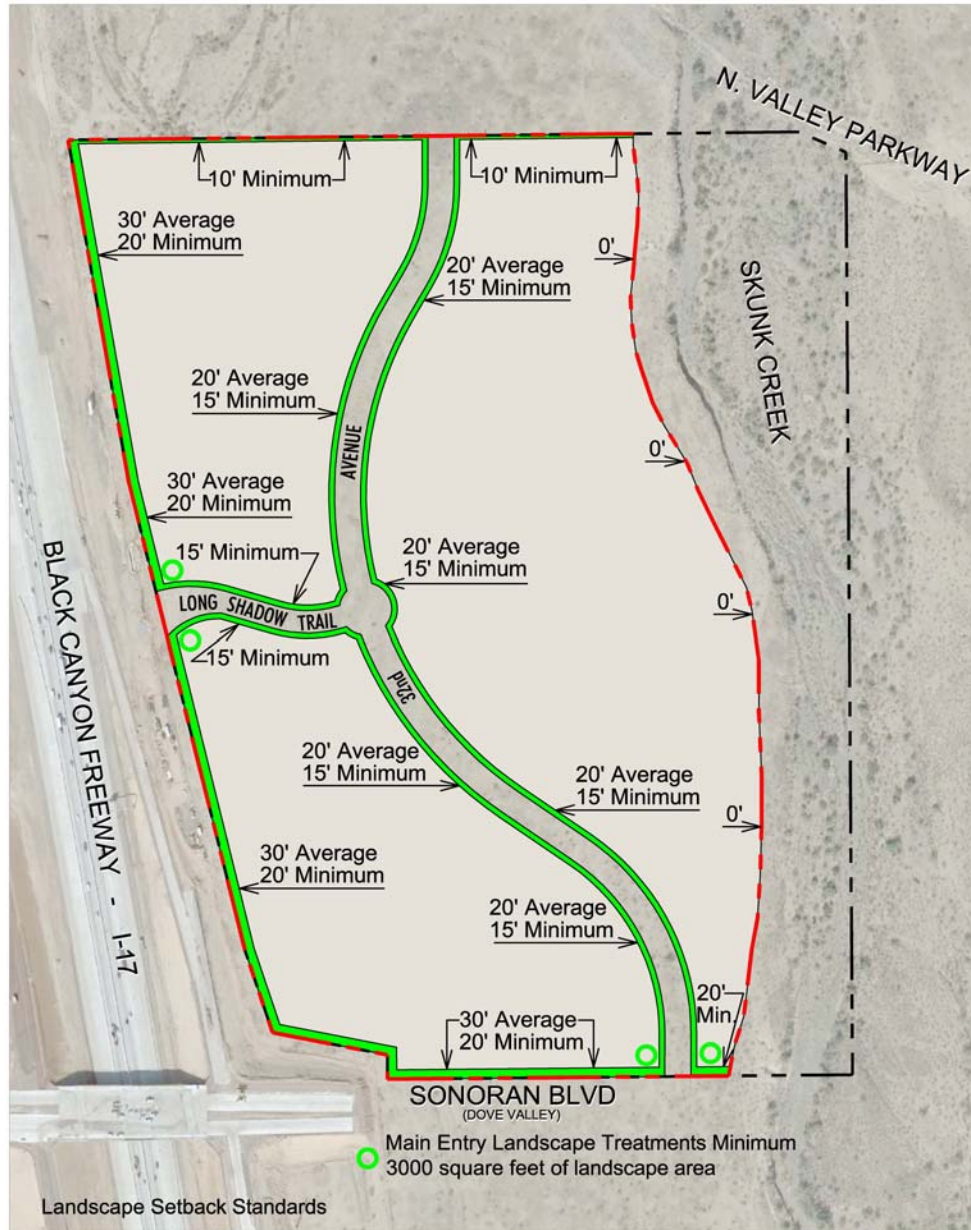


Interior property line building setbacks, affiliated with any future subdivided parcel shall be a minimum of ten (10) feet from a property line established by the Subdivision Plat or Land Split processes.

c) Landscape Setbacks

Perimeter landscape buffers and interior street landscape setbacks shall be in accordance with **Figure 9, Landscape Setback Standards** below.

Figure 9: Landscape Setback Standards



Interior property line landscape setbacks, affiliated with any future subdivided parcel shall be a minimum of five (5) feet from a property line established by the Subdivision Plat or Land Split processes.

d) Building Separation

Building separation shall be regulated by the International Building Code or per City of Phoenix adopted modifications to the Code, as amended.

e) Building Height

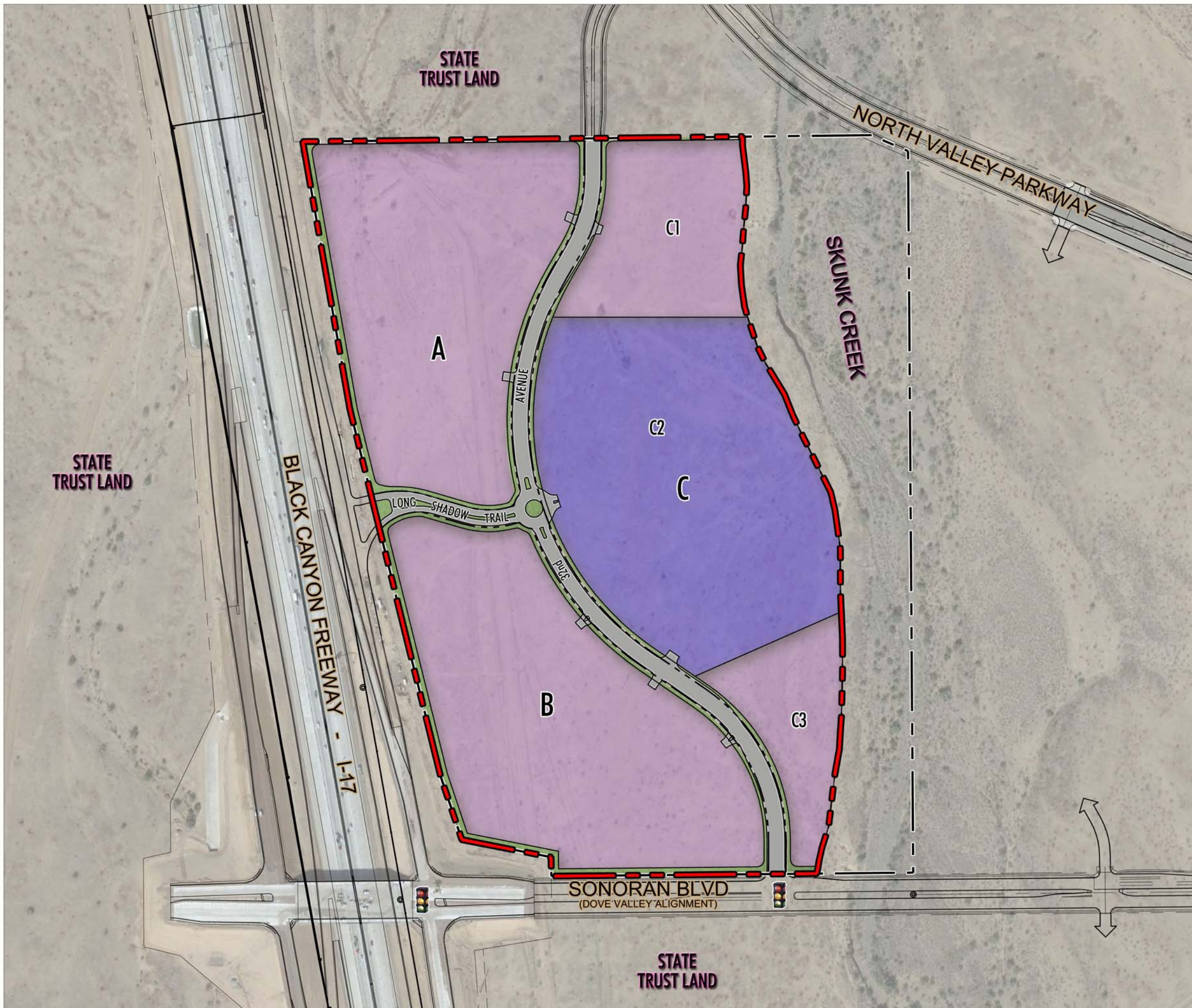
Maximum building heights shall be in accordance with **Figure 10, Building Height Standards**. It is the intent of this provision of the PUD to express the maximum building heights as a measurement of feet and not as an expression of total number of stories. Any setback provision defined within the City of Phoenix Zoning Ordinance is not applicable to development within this PUD. Height standards shall be measured in accordance with the defined term for building height provided within Chapter 2 of the Phoenix Zoning Ordinance.

f) Lot Coverage

The building coverage on any subdivided lot shall not exceed fifty percent (50%) of the net lot area exclusive of the first three (3) feet of building roof overhang, covered parking, open patios and/or covered walkways.

g) Common Area Open Space

Common area open space is required for any residential development. For these uses, a minimum of ten percent (10%) of the net site area shall be devoted to open space use and improvements in accordance with the defined term provided within Appendix D.








WESTCOR

PLANNED UNIT DEVELOPMENT

FIGURE 10 BUILDING HEIGHT STANDARDS

LEGEND

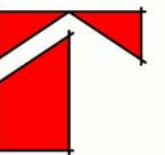
-  PUD BOUNDARY
-  PROJECT BOUNDARY
-  LANDSCAPE SETBACK - NO HEIGHT
-  56 FEET*
-  120 FEET* HOSPITAL USES ONLY.
56 FEET FOR ALL OTHER USES WITHIN THIS AREA.

*AUTOMOBILE USES ARE RESTRICTED TO A MAXIMUM OF THIRTY (30) FEET OF BUILDING HEIGHT.

Note: Refer to Appendix C for height overlay zone descriptions.

NOT TO SCALE

NORTH



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3. Landscape Standards

In accordance with the concepts outlined within the North Black Canyon Crossings Corridor Design Guidelines, the purpose of the Landscape Standards section is to outline the baseline requirements for landscape improvements and establish a common landscape theme for the project as a whole. The intent is to provide a naturalistic appearance native to the Sonoran Desert and visually connect individual parcels and buildings with a distinctive aesthetic that is unique to this PUD and sensitive to the surrounding community.

Responsible design ideals begin with the understanding of regional climatic and resource conditions. As part of the development of this project, an important goal is to create a sustainable and environmentally sensitive landscape design. With the implementation of this goal, this PUD shall reduce the amount of impact on valuable resources while aiding in the efficient operation of the buildings and their systems and utilizing existing mature landscape materials for salvage and revegetation where feasible.

The diverse landscape areas on the site will require varying levels of treatments appropriate to their use and functionality. These shall be defined by the following categories: (see **Figure 11, Landscape Zones**).

- a. Perimeter Landscape Buffer
- b. Gateway and Entry Landscaping
- c. Interior Streetscape
- d. Landscape Adjacent to Buildings
- e. Parking Lot Landscaping
- f. Common Area and Retention Basin Landscape






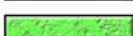




In addition to the described landscape categories, there shall be general landscape requirements and provisions for sustainable design. These shall be described as:

- g. General Landscape Requirements
- h. Landscape Sustainability

The permitted plant species for use within the landscape category zones shall be referenced to Section 654, North Black Canyon Overlay District, Appendix A: "Approved Species List".

FIGURE 11 LANDSCAPE ZONES

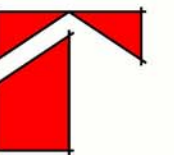
LEGEND

-  PUD BOUNDARY
-  PROJECT BOUNDARY
-  PERIMETER LANDSCAPE BUFFER
-  PRIMARY GATEWAY & ENTRY LANDSCAPING
-  SECONDARY GATEWAY & ENTRY LANDSCAPING
-  INTERIOR STREETSCAPE
-  DEVELOPMENT AREA
-  PARKING LOT LANDSCAPING
-  COMMON AREA & RETENTION BASIN LANDSCAPE
-  LANDSCAPE ADJACENT TO BUILDING



NOT TO SCALE

NORTH



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LVA urban design studio
land planning • landscape architecture

BEUS GILBERT
P.L.L.C.
ATTORNEYS AT LAW

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a) Perimeter Landscape Buffer

The Perimeter Landscape Buffer will set the tone for the development's appearance from the public's vantage point as well as from adjacent properties, and provide a sense of edge in order to define property boundaries. An appropriate mix of canopy trees, groundcovers and shrubs provided between street and sidewalk, and between the sidewalk and parking or building areas, can create an attractive, comfortable pedestrian environment while maintaining the native desert feel desired within the North Black Canyon Overlay District. Existing plant materials deemed appropriate for salvage and revegetation should be utilized primarily around the project perimeter and at primary entry points into the project. Landscaped berms and undulating landforms used in conjunction with vegetation are encouraged to provide both visual interest and screening of parking, maneuvering and utility areas.

The following standards shall apply:

- (1) Landscaping within perimeter landscape buffer areas shall incorporate an appropriate mix of shade trees along all property lines.
- (2) Trees shall be spaced at twenty (20) feet on center average with five (5) shrubs per tree.
- (3) A mix of tree sizes shall be used in this area; Two (2) inch caliper trees fifty percent (50%); three (3) inch caliper trees fifty percent (50%) (in accordance with the Arizona Nurseryman's Association Standards).
- (4) Perimeter Landscape buffer dimensions will vary based on adjacent land use conditions and existing natural features. Refer to **Figure 9, Landscape Setback Standards** for locations of various setbacks.
- (5) Turf shall not be used within any perimeter landscape zones.

b) Gateway and Entry Landscaping

The project includes a primary project "gateway" entry along Sonoran Boulevard, and secondary gateway entry locations along the Interstate 17 frontage road and future connection to North Valley Parkway to access the site. The gateway entrances will be used as the primary access to general circulation routes within the site and will be designed to create an enhanced sense of arrival for the users. Direct access to specific uses within the development and parking areas will be via the internal roadway network. A general hierarchy of these entrance types will be distinguished by overall size, entry monuments and choice of plant material. Landscape treatments shall be comprised of mature specimen trees (2 inch caliper or greater) and dense mass plantings of flowering shrubs, groundcover, and accent cacti plantings.

The following standards shall apply:

- (1) Landscaping within gateway and entry landscape areas shall incorporate an appropriate mix of shade trees.
- (2) Trees quantities shall be determined by meeting average tree spacing for that particular street frontage twenty (20) feet on center average spacing with five (5) shrubs per tree).

- (3) A mix of tree sizes shall be used in this area; one (1) inch caliper trees forty percent (40%); two (2) inch caliper trees sixty percent (60%); in accordance with the Arizona Nurseryman's Association Standards.
- (4) Main Entry Landscape treatments at the Sonoran Boulevard and Interstate 17 frontage Road shall be a minimum of 3000 square feet of landscape area located on both corners of the entry roads.
- (5) Turf shall not be used at Entry or Gateway landscape zones.

c) Interior Streetscape

All roadway corridors within the project boundary are considered under the designation of Interior Streetscape. Public street streetscape shall be developed to provide for a visually appealing "boulevard" type landscape treatment that is easily navigated by vehicles and is pedestrian friendly. Street trees may be planted in clustered arrangements in order to provide sight corridors to signage and building entrances. Where possible, a double row of trees shall be planted to provide added shade for pedestrians where sidewalks are detached. Driveway entrances into parcels shall be treated with enhanced landscape treatments similar to the Entry/Gateway Landscape requirements previously described, but on a smaller scale. Landscape berms and undulating landforms used in conjunction with vegetation are encouraged to provide both visual interest and screening of parking, maneuvering and utility areas.

The following standards shall apply:

- (1) Landscaping along Interior Streetscape areas shall incorporate an appropriate mix of shade trees along all street frontages.
- (2) Trees quantities shall be determined by meeting average tree spacing for that particular street frontage equaling twenty (20) feet on center average spacing with five (5) shrubs per tree.
- (3) A mix of tree sizes shall be used in this area; two (2) inch caliper trees fifty percent (50%); three (3) inch caliper trees fifty percent (50%) (in accordance with the Arizona Nurseryman's Association Standards).

d) Landscape Adjacent to Buildings

Foundation landscape areas shall be incorporated around buildings in order to soften the vertical planes of structures and create comfortable green spaces for pedestrians. Appropriately selected tree species will be important for these areas in order to prevent growth from interfering with structures. An appropriate mix of evergreen and flowering shrubs and groundcover shall be used. Building entrances shall be treated with flowering shrubs, potted accent plants and shade trees where possible. Wide landscape areas around the buildings will allow for the placement of shade trees which in turn will provide sun and heat protection to building facades and windows, contributing to energy efficiency and building sustainability.

The following standards shall apply:

- (1) Building facades within one hundred (100) feet of public right-of-way or adjacent to public entrances to the building shall have a minimum of twenty-five percent (25%) of the exterior wall length treated with

either a minimum five (5) foot wide landscape planter, arcade or equivalent feature.

- (2) A mix of tree sizes shall be used in this area; one (1) inch caliper trees forty percent (40%); two (2) inch caliper trees sixty percent (60%) in accordance with the Arizona Nurseryman's Association Standards.
- (3) Turf may be used in select areas around buildings where it is applied for usable open space or within retention basins for water filtration. Turf should not be used adjacent to buildings, unless it is located near areas where seating is provided. In no cases shall turf be located directly against the building face.

e) Parking Lot Landscaping

It shall be required for all parcels developed within this project to include parking lot landscape treatments that meet or exceed current City of Phoenix requirements for all surface parking lots. Landscape islands shall be dispersed evenly throughout the parking areas to provide sufficient shade cover and be sized accordingly. Landscaping located within parking lots helps in reducing the heat island effect and provides refuge from intense heat and sunlight for the parked vehicles. This landscaping also provides "green" space within the parking fields to break up the expanses of asphalt and concrete. Pedestrians should also have quick access to shaded walkways located throughout the parking areas. These shaded areas increase the user's comfort and provide additional green space that enhances the site's character.

The following standards shall apply:

- (1) Parking islands shall be a minimum of one hundred twenty (120) square feet for single row parking and two hundred forty (240) square feet for double row parking.
- (2) Ten percent (10%) of the total surface parking lot area shall be landscaped.
- (3) Trees selected for parking islands shall be of the same species and selected to provide abundant shade. An accent tree may be considered at main driveway corridors.
- (4) Trees used in parking islands shall be a minimum of two (2) inch caliper in accordance with the Arizona Nurseryman's Association Standards.
- (5) Trees and shrubs shall be included at one (1) tree and five (5) shrubs (five (5) gal) per parking island row.
- (6) Turf shall not be used in parking islands.

f) Common Area and Retention Basin Landscape

Improved open space and retention basin landscape areas shall be incorporated into the site development of the project. These common areas provide opportunities for storm water storage while also adding clustered open space which increases the potential for amenities and activity spaces. It is the intent of this PUD to encourage the development of these spaces to include usable areas, tree lined walkways and seating areas, and interesting arrangements of shrub and groundcover plantings in dense plant massing. In providing these elements, the common areas will promote a pleasant

pedestrian environment, function as an interconnected open-space system for onsite users as well as adjacent land uses and provide visual connections between spaces and uses within the development. The landscape in these areas shall be designed so that the plant material has opportunities to use the storm water runoff to supplement the irrigation system and provide groundwater recharge. Limited use of turf may be used in the bottom of basins where appropriate, otherwise fractured granite rip rap or river rock should be placed in the low water areas to hide unsightly dirt and oils from storm water runoff.

The following standards shall apply:

- (1) Common areas will be owned, managed and maintained by a common association formed to address all common areas and facilities within this PUD.
- (2) Landscaping within common area and retention basin landscape areas shall incorporate an appropriate mix of shade trees. Tree species shall not exceed four (4) varieties within these areas.
- (3) A mix of tree sizes shall be used in this area; one (1) inch caliper trees forty percent (40%); two (2) inch caliper trees sixty percent (60%) in accordance with the Arizona Nurseryman's Association Standards.
- (4) Trees and shrubs shall be included at minimum of one (1) tree and five (5) shrubs per five hundred (500) square feet of landscape area.
- (5) Turf may be used in select locations within common areas and retention basins where it can be justified as a usable space.

g) General Landscape Requirements

The following items shall be incorporated into all spaces of the site that are developed as landscape areas:

- (1) All landscape areas are to be treated with an appropriate top dressing material for dust control and aesthetic treatment. The use of "Desert Cobble" is encouraged to be used at all landscape areas adjacent to roadways, project perimeter and open space areas. Cobble is to be salvaged from site and may be supplemented with similar color and size. Areas within parking lots and adjacent to public spaces near buildings may use decomposed granite top dressing, one-half (½) inch minus, two (2) inch minimum thickness.
- (2) Turf is limited to thirty percent (30%) of the landscape area or ten percent (10%) of the total site area, whichever is less.
- (3) A minimum of fifty percent (50%) of all landscape areas shall be covered with trees, shrubs or groundcover.
- (4) Berms shall not exceed a ratio of four (4): one (1) side slopes.
- (5) Basins shall not exceed a ratio of three (3): one (1) side slopes.
- (6) All landscape areas are to have an automatic irrigation system. Trees, shrubs and groundcover shall be watered by a drip irrigation system and turf areas shall incorporate high efficiency spray heads.

h) Landscape Sustainability

Sustainable landscape and irrigation design practices shall be considered. A minimum of three (3) of the six (6) items described below shall be implemented with the development of each parcel.

- (1) Capture gray water discharge from developments facilities and re-use for landscape irrigation.
- (2) Utilize "Smart" irrigation control systems.
- (3) Utilize efficient drip irrigation technology.
- (4) Locate plant material in or near storm water drainage swales or basins to maximize water benefit for landscape areas.
- (5) Use low water use plant material.
- (6) Provide slope stabilizing plant material where appropriate to limit erosion.

4. Off-Street Parking & Loading Standards

Refer to the Off-Street Parking and Loading Standards Section (702) of the Phoenix Zoning Ordinance for the required parking and loading standards with the following exceptions:

a) Parking Stall Dimensions

Perpendicular parking space dimensions are modified for the following uses:

- (1) Retail: Nine (9) feet wide by eighteen (18) feet deep.
- (2) Medical or Dental Offices and Clinics: eight and one-half (8 ½) feet wide by eighteen (18) feet deep.
- (3) Hospital and Emergency Medical Care Facilities: nine (9) feet wide by eighteen (18) feet deep.

b) Vehicular Drive Isles

Vehicular drive aisle width for a loaded parking isle shall be twenty-four (24) foot circulation drives throughout the PUD area. When a drive isle is not loaded with parking stalls, the minimum width shall be twenty (20) feet.

c) Off-street Loading Spaces

Off-street loading spaces are required for non-residential development based on the following standards:

- (1) Stall dimensions shall be ten (10) feet wide and thirty (30) feet deep.
- (2) One loading stall shall be required for development with gross building area greater than 24,999 square feet and less than one hundred thousand (100,000) square feet.
- (3) One additional loading stall shall be required for each additional one hundred thousand (100,000) square feet of aggregate gross building area or fraction thereof.

5. Shade

All pedestrian walkways shall be shaded (fifty percent (50%) at maturity) by a combination of shade trees building canopies, overhangs, arcades, or other shade method as measured at noon on the Summer Solstice. Surface parking lots will provide a minimum of fifteen percent (15%) shade cover through a combination of shade trees and/or shade canopies.

6. Lighting Standards

To promote safety and continuity in design of the fixtures as well as the color and intensity of light, This PUD shall comply with lighting standards as defined within the Environmental Performance Standards and the Guidelines for Design Review Section of the Phoenix Zoning Ordinance except as modified below.

a) Automobile Dealership Exterior Lighting

Automobile dealership lots will utilize metal halide luminaires, mounted at a height not to exceed twenty-five (25) feet, except that poles installed within thirty (30) feet of the PUD boundary shall not exceed eighteen (18) feet in height. Building mounted luminaires shall not exceed fourteen (14) feet in height. Separate lighting zones shall be established for perimeter and internal areas with automatic controls to reduce lighting levels after close of business. Lighting levels shall be consistent with IESNA (Illuminating Engineering Society of North America) recommended practices for auto dealerships as outlined in publication RP-2, table H1.

b) Automobile Dealership Lighting Review Process

Each phase of development within this PUD shall submit a master lighting plan to be approved by the Planning and Development Department as a part of the Preliminary Site Plan Review Process. The master lighting plan shall include the following:

- (1) Photometric analysis. The photometric analysis shall demonstrate the lighting design will not produce lighting levels that exceed 1-foot candle at the PUD boundary at the close of business. Business hours for Automobile Retail Sales, New and Used, Leasing and Rental are regulated 6:00am to 12:00am.
- (2) A demonstration that all exterior lighting will be fully shielded.
- (3) A demonstration that pole mounted lighting fixtures will not exceed twenty-five (25) feet in height except that pole mounted lighting fixtures within thirty (30) feet of the property line shall not exceed eighteen (18) feet in height.
- (4) A demonstration that all exterior building mounted light fixtures will not exceed fourteen (14) feet in height.
- (5) A plan to demonstrate that adjustable lighting controls shall be provided and organized into functional zones; separate lighting zones for perimeter areas, and internal site areas. Each zone shall have automatic light level and timing controls.

c) Landscape Lighting

The Preliminary Landscape Plan and Landscape Construction documents for each phase of development within this PUD shall promote landscape lighting in accordance with the following:

- (1) Select landscape features, specimen trees and directional signage will be highlighted throughout the project with "up-light" and/or floodlight fixtures.
- (2) Lighting will emphasize the informational and dramatic elements within the landscape (monument signs, groups of trees and shrubs)

and architectural features) rather than uniform, flat lighting of the entire development.

- (3) Special attention will be given to lighting the project entries and building entries.

d) Design Guidelines

The following lighting design guidelines shall supersede design standards provided within Section 507 of the Phoenix Zoning Ordinance. These standards are intended to guide the design of lighting for this PUD.

1.0 Lighting:

- 1.1 All on-site lighting is to be shielded to prevent direct visibility of the light source from adjacent property. (P)
- 1.2 Lighting should be shielded with cut-off fixtures and deflectors to direct light downward. (P)
- 1.3 Between the hours of mid-night and 6:00 a.m., on-site lighting levels should be managed (automated controllers) to result in a maximum of one (1) foot candle at the PUD boundary. (P)
Rationale (lighting guidelines 2 and 3): Lighting should not have an adverse impact on adjacent uses.
- 1.4 Parking lot and security lighting shall not exceed a maximum of fifteen (15) feet in height including lamp, pole, and base within one hundred fifty (150) feet of a residential district. (R)
- 1.5 Parking lot and security lighting should not exceed a maximum of twenty-five (25) feet in height adjacent to nonresidential districts. (P)
Rationale (8.3-8.4): The height of light standards at the perimeter of the site should respect the adjacent property.
- 1.6 Service areas and other screened areas should have proper security lighting.
Rationale: Well lighted areas discourage criminals from loitering and endangering passing pedestrians.
- 1.7 Lighting fixtures and illumination should be of similar design and character as the project's building components. (P)
Rationale: Compatible lighting fixtures and other appurtenances help to reinforce the design theme or a project.
- 1.8 Site lighting should be provided to ensure personal safety at building entrance/exits, and in public assembly and parking areas. (P)
Rationale: Site lighting should provide pedestrians with a sense of security on site.

7. City Administered Design Guidelines

Development within this PUD area will be required to comply with all Design Guidelines listed below as defined within Development Review , Section 507, Tab A of the Phoenix Zoning Ordinance. Guideline sections not listed below shall be considered to be not applicable to development proposals within this PUD. Further, this PUD proposes supplemental design guidelines intended to respond

to the development plan, land uses and community involvement. These standards are listed below and nested with the standard Design Guideline subsections defined by Section 507.

a) Design Review Principles and Guidelines:

Design review principles, and guidelines are listed in Tab A and other sections of Section 507 of the City of Phoenix Zoning Ordinance. The principles reflect desired goals and policies for the City of Phoenix. The guidelines indicate specific implementation standards. Finally, the guidelines consist of requirements, presumptions and considerations which are defined and administered as follows:

(1) Requirements (R). Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. There is no administrative process to overcome a requirement. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature.

(2) Presumptions (P). Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

a. *Overcoming a Presumption.* A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate. The Planning and Development Department may approve an alternative that achieves the intent of the presumption.

Appropriate reasons for overcoming a presumption include:

1. Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;
2. Showing that another design principle is enhanced by not applying the presumption;
3. Demonstrating an alternative method for achieving the intent of the presumption;
4. Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through

their use of materials, colors, building mass and form, and landscaping.

Increases in the cost of development generally will not be an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

- b. *Appeals.* In the event that a presumption is not incorporated or overcome an appeal may be filed by the applicant with the Design Review Committee. Appeals to presumptions (P) shall be heard by the Design Review Committee.

b) Applicability

Section 2.A, Site Design/Development

- 2.A.1: Desert Preservation: All Guidelines shall apply.
- 2.A.2: Grading and Drainage: All Guidelines shall apply.
- 2.A.3: Landscape Architecture: All Guidelines shall apply. In addition, the following shall also apply:
 - a. Landscaping, arcades or overhangs, which provide shaded walkways, and which are located at pedestrian circulation areas or outdoor display/sales areas should be provided. (P)
 - b. Businesses shall incorporate outdoor patio areas, which serve employees and customers, and are dispersed throughout the development and located at visible pedestrian areas.
- 2.A.4: Open Space/Amenities: All Guidelines shall apply.
- 2.A.5: Trails/Paths: All Guidelines shall apply.
- 2.A.6: Parking/Circulation: All Guidelines shall apply. In addition, the following shall also apply:
 - a. The portions of a parking structure visible above grade should be integrated with the form of the site structures. (P)
Rationale: These features will assure efficiency and minimize the visual impact to the surrounding uses.
 - b. Parking decks shall be level and parallel with the site grade. Parking structure ramps which promote the movement of vehicles from one level to the next shall not be loaded with parking stalls unless located central to the core of the parking structure. (R)
Rationale: The parking structure must maintain the appearance of level parking decks to promote design compatibility with the project.
- 2.A.7: Walls/Fencing: All Guidelines shall apply.

Section 2.B, Building Design/Construction

- 2.B.1: Placement/Orientation: All Guidelines shall apply.
- 2.B.2: Height, Bulk and Area: All Guidelines shall apply.
- 2.B.3: Architecture: All Guidelines shall apply. In addition, the following shall also apply:
 - a. Building elevations should provide architectural consistency in building style, wall treatments, lighting and signage. (P)

- b. Primary finishing materials for buildings should consist of natural desert materials or materials which are appropriate for the natural desert context. (P)
- 2.B.4: Articulation: All Guidelines shall apply. In addition, the following shall also apply:
 - a. Buildings should incorporate architectural detailing such as recesses, pop-outs, shade walls, parapets, artistic insets, or pilasters. (P)
- 2.B.5: Colors/Materials: All Guidelines shall apply. In addition, the following shall also apply:
 - a. Buildings and site features should incorporate natural accent materials such as brick, stone or tile. (P)
- 2.B.6: Public Amenities/Environmental Protection: All Guidelines shall apply.
- 2.B.7: Screening: All Guidelines shall apply. In addition, the following shall also apply:
 - a. Accessory uses such as car wash bays, auto service bays, auto body shops or loading bays should be fully enclosed and their openings shall not be visible from a point six feet above grade along Sonoran Boulevard (Dove Valley Road) and the eastern property line as approved by the Planning and Development Department. (P)
 - b. Utility cabinets, enclosures and mechanical equipment or services should be screened from the right-of-way and public trails along Sonoran Boulevard (Dove Valley Road) and the Skunk Creek Paseo along the eastern boundary of the PUD as approved by the Planning and Development Department. (P)

Section 2.D, Specialized Uses

- 2.D.1: Large Scale Commercial: All Guidelines shall apply.
- 2.D.2: Service Stations: All Guidelines shall apply.
- 2.D.3: Communication Towers: All Guidelines shall apply.

Section 2.E, Specialized Areas

- 2.E.1: Freeway Mitigation: All Guidelines shall apply.
- 2.E.3: Sonoran Edge Treatment: All Guidelines shall apply.

8. Walls and Fences

Along the east PUD boundary bordering the Skunk Creek Wash corridor view fencing shall be allowed. View fencing shall be a maximum of six-foot high, which may have a solid base of no more that two feet above finished grade of the PUD development parcel, with the upper four-foot portion open to allow visibility, such as with wrought iron. Perimeter walls or view fencing shall vary by a minimum of four feet every four-hundred lineal feet to visually reflect a meandering or staggered appearance; or design features should be used to break up the appearance of a long, straight wall or fence. Such design features may include planters, pilasters or dense landscaping adjacent to the wall or fence.

Stone detail of rock, stone veneer, stone work or faux stone shall be incorporated into the design of perimeter walls or fences. Wall or fence colors shall be muted and blend with rather than contrast strongly with the natural surrounding desert environment. Reflective materials should not be used.

Retaining walls which may be required along the east PUD boundary shall be a maximum of six-foot high and shall comply with the regulations applicable to retaining walls as described in Section 703.A.4 of the Phoenix Zoning Ordinance.

9. Sign Standards *RESERVED*

Figure 12: Project Identity Sign Master Plan (RESERVED)

10. Sustainability Guidelines

The “Leadership in Energy and Environmental Design” (LEED) Green Building Rating System is presently a voluntary standard for developing high-performance sustainable buildings. Developers of this PUD property are strongly encouraged to incorporate current LEED standards for New Commercial Construction (LEED-NC) within the project. Key project areas to be reviewed in accordance with a LEED building certification include Water Efficiency, Energy and Atmosphere, Materials and Resources, Indoor Environmental Quality and Design Innovation. A number of cities in the Western United States have adopted local green building guidelines and the trend is expected to continue at a growing rate.

This PUD should be a development that recognizes this trend to formulate design goals and a basis of methodology for building elements and environmental systems.

The subject PUD encourages sustainability principles through the implementation of at least three (3) of the following Design Review Presumptions, or other sustainability principles as approved by the Planning and Development Department.

- a) Building designs should respond to the harsh southwest climate by incorporating materials and design methods suitable for the region (P).
- b) The orientation of buildings should recognize the value of human comfort zones, and surrounding buildings with appropriate landscaping and abundant shading (P).
- c) Orientation of buildings and fenestration design should maximize solar benefits while minimizing the negative impacts of heat gain (P).
- d) Recognizing that sustainability methods are continually improving and evolving over time, incorporate state-of-the-art sustainability methods and products as the project is phased (P).
- e) Incorporate solar collection technologies for providing and storing energy as well as heated water systems for individual buildings (P).
- f) Design to reduce project energy loads by addressing passive design elements (i.e. daylight, natural ventilation, materials solar mass properties) and active design elements (i.e. environmental conditioning methods, radiant heating and cooling, shared building systems) (P).
- g) Design for effective water usage and conservation methods in buildings by using low flow plumbing fixtures using minimal amounts of potable water (P).
- h) Design for effective use of energy efficient appliances and HVAC systems by demonstrating reductions in on-going power consumption (P).
- i) Design for the capture of gray water discharge from buildings for reuse for landscape irrigation (P).
- j) Incorporate “Smart” irrigation control systems into the design and development of the development phase (P).
- k) Use roofing materials that specify a high Solar Reflectance Index for a minimum of 75% of the roof surface area (R).
- l) Use recycled and/or salvaged, non-hazardous, construction and demolition materials. Develop and implement a construction waste management plan to identify the materials to be diverted from disposal and whether the materials will be sorted on-site or comingled. (P)

- m) Use paints and coatings on the interior of the building (i.e., inside of the weatherproofing system and applied on-site) that comply with the following criteria as applicable to the project scope 1:
- (1) Architectural paints and coatings applied to interior walls and ceilings must not exceed the volatile organic compound (VOC) content limits established in Green Seal Standard GS-11, Paints, 1st Edition, May 20, 1993.
 - (2) Anti-corrosive and anti-rust paints applied to interior ferrous metal substrates must not exceed the VOC content limit of 250 g/L established in Green Seal Standard GC-03, Anti-Corrosive Paints, 2nd Edition, January 7, 1997.
 - (3) Clear wood finishes, floor coatings, stains, primers, and shellacs applied to interior elements must not exceed the VOC content limits established in South Coast Air Quality Management District (SCAQMD) Rule 1113, Architectural Coatings, rules in effect on January 1, 2004. (P)

Rationale: Promote sustainable building and site development improvements, facilities and open spaces within the PUD development area.

11. Infrastructure Standards

a) Circulation System

The North Black Canyon Crossings PUD proposes a comprehensive internal street network that is coordinated with the street network as planned by the City of Phoenix for the area. The North Black Canyon Crossings site has significant exposure to regional transportation corridors with Interstate 17 bordering the property to the west and the Sonoran Boulevard arterial street alignment to the south. Sonoran Boulevard is currently unimproved adjacent to the site but is planned as a major arterial roadway. A frontage road is planned along Interstate 17 from Sonoran Boulevard to Carefree Highway. The internal street network is designed with connections to Sonoran Boulevard and the Interstate 17 frontage. A future connection is planned from the North Black Canyon Crossings site to North Valley Parkway.

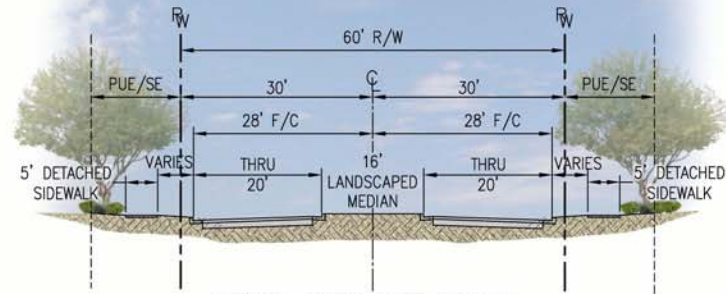
Partial improvements to North Valley Parkway were completed as part of the Sonoran Foothills Planned Community development and terminate east of Skunk Creek at the southeast corner of the project area. A wet crossing of the Skunk Creek Wash is contemplated at both the North Valley Parkway and Sonoran Boulevard crossings.

- (1) Sonoran Boulevard: Sonoran Boulevard is planned as a major arterial road with three travel lanes in each direction and a center raised median. A 75 foot half street is proposed for the north half of Sonoran Boulevard, which includes a twelve foot half median, three travel lanes, an eight foot landscape strip, a five foot wide setback sidewalk, and additional landscape buffer area (See **Figure 13, Street Sections** for a cross section of Sonoran Boulevard).
- (2) Interstate 17 Frontage Road: A 28-foot wide frontage road is planned adjacent to Interstate 17 from Sonoran Boulevard to Carefree Highway, approximately two miles. The frontage road will provide local access to the North Black Canyon Crossings PUD at the Long

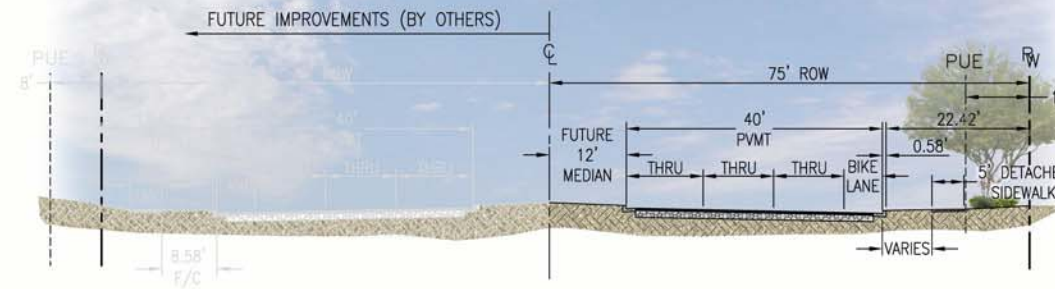
Shadow Trail. (See **Figure 13, Street Sections** for a cross section of Interstate 17 Frontage Road).

- (3) 32nd Avenue and Long Shadow Trail: Two internal roads provide primary circulation within North Black Canyon Crossings. The planned alignment for 32nd Avenue runs north/south providing access from Sonoran Boulevard through the site. Eventually 32nd Avenue will connect to North Valley Parkway through the State Trust property to the north. Long Shadow Trail runs east/west and provides access from the Interstate 17 frontage road into the North Black Canyon Crossings site. 32nd Avenue and Long Shadow Trail are proposed as 3-lane

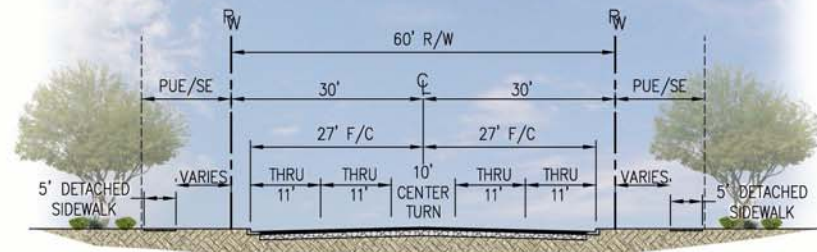
FIGURE 13 STREET SECTIONS



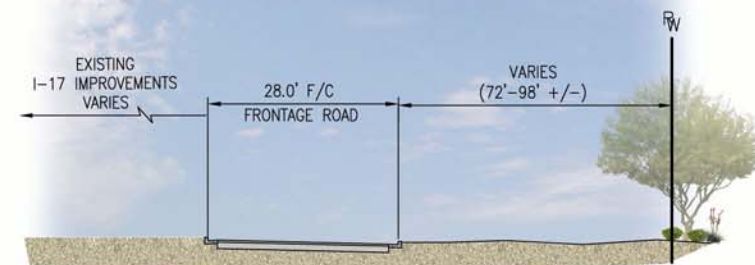
LONG SHADOW TRAIL
FULL STREET IMPROVEMENTS
N.T.S.



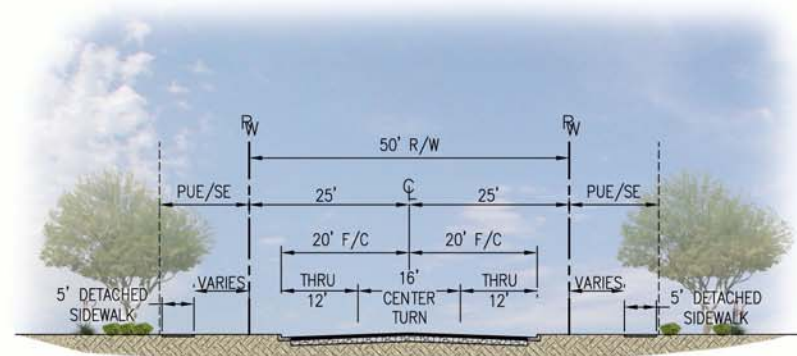
SONORAN BLVD
NORTH HALF STREET IMPROVEMENTS
I-17 TO SKUNK CREEK
(LOOKING WEST)
N.T.S.



32ND AVENUE - 5 LANE OPTION
FULL STREET IMPROVEMENTS
N.T.S.



BLACK CANYON FREEWAY
FUTURE FRONTAGE ROAD IMPROVEMENTS
(LOOKING NORTH)



32ND AVENUE - 3 LANE OPTION
FULL STREET IMPROVEMENTS
N.T.S.

NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION - COPYRIGHT LVA URBAN DESIGN STUDIO, L.L.C.

Date: 01.12.11 Project No. 1037

roads with one travel lane in each direction and a center turn lane or median island. 32nd Avenue and Long Shadow Trail will include a full street right-of-way of 60-feet and detached five foot sidewalks. An optional cross section providing five lanes may also be considered for 32nd Avenue (See **Figure 13, Street Sections** for a cross section of 32nd Avenue and Long Shadow Trail).

- (4) Pedestrian connectivity: Pedestrian connectivity is an important component of the North Black Canyon Crossings PUD. The planned roadway network will couple as an efficient pedestrian system and will provide connections to adjoining properties. Plans for Sonoran Boulevard include a five foot sidewalk separated from the curb by a landscape strip, providing opportunities for shade trees along the sidewalk. The internal 32nd Avenue and Long Shadow Trail roadway segments will include five foot sidewalks setback from the curb, providing opportunities for shade trees on both sides of the sidewalk. Additionally, sidewalk connections will be provided from each of the buildings to the primary sidewalks along the roadways as they are developed, providing a comprehensive and connected sidewalk network throughout the development. A trail is also proposed within the Skunk Creek Wash corridor by the City of Phoenix to provide recreational use along this natural open space.

b) Grading and Drainage

The site is generally vacant desert, contains sparse growth of natural desert vegetation, and slopes to the south and west. Offsite flows approaching the property from the east enter Skunk Creek and are carried south before reaching the proposed PUD planning area. A temporary channel along the north boundary will direct flows from the State Trust parcel to the west to a series of pipe culverts under Interstate 17 in a historic fashion.

The site is located in the North Gateway Village Planning Area. The site will be subject to the North Black Canyon Overlay District Design Guidelines, the Sonoran Preserve Edge Treatment Guidelines and the Flood Hazard and Erosion Management District Guidelines. A portion of the site, east of the development limit line for the Skunk Creek Wash is zoned Flood Hazard and will be conveyed to the City of Phoenix in the future as a contribution to the much larger Sonoran Preserve. A low flow crossing along Sonoran Boulevard at Skunk Creek Wash is proposed as an interim solution to provide transportation connections to the site. This interim condition is anticipated to serve the transportation network until such time as bridges could be constructed with funding from the City of Phoenix Capital Improvement Program or other financing means North Black Canyon Crossings will comply with the current City of Phoenix Storm Water Policies and Standards and the Flood Control District of Maricopa County Guidelines.

Skunk Creek Wash is located along the entire length of project's eastern boundary. Building limits and erosion hazard setbacks were determined by and based on the findings in the Skunk Creek Watercourse Master Plan prepared for the Flood Control District of Maricopa County by JE Fuller in 2001. The assessment also indicates that erosive velocities, widening of the

banks and lateral erosion are likely during floods equal to or greater than the 10 year event. JE Fuller recommends that structural bank stabilization be constructed if development is proposed within the Lateral Migration Erosion Hazard Zone (LMEHZ).

Runoff generated interior to the North Black Canyon Crossings PUD will be managed onsite. Runoff will be routed and retained via surface flow and where necessary via storm drain pipes to any one or combination of surface basins or underground vaults. All finished floor elevations will be established a minimum of one foot above the high adjacent water surface elevations. The proposed development will provide retention for the one hundred year, two hour storm event per the City of Phoenix design standards. Retention for the proposed development will be provided on individual parcels and/or within common retention areas servicing large portions of the development. The common retention areas will be limited to a maximum of three feet of water depth and graded with maximum side slope ratio of 3:1. Retention areas provided on individual parcels may be either by retention basins or underground storage. All retention facilities will be drained within thirty-six hours of a major storm event as required by the City of Phoenix Drainage Design Manual.

c) Water and Sewer Service

- (1) Wastewater Design: The North Black Canyon Crossings development will utilize existing sewer mains to provide sanitary service to the site. Existing sewer facilities in the vicinity of the site include a 24-inch sewer main in North Valley Parkway that extends from Carefree Highway south to Sonoran Boulevard. The 24-inch main in North Valley Parkway currently flows via gravity south and.

Due to the topography and the presence of a significant wash, a gravity sewer system connecting to the existing sewer line is not feasible. Hence, the site will require a wastewater lift station and force main. The lift station will be located in the southeastern portion of the PUD planning area.

The wastewater flows generated will be collected and conveyed to the private lift station. The flows from the proposed onsite lift station will connect via force mains to either an existing manhole located on the 24-inch main in North Valley Parkway north of the site or to a gravity sewer line in Sonoran Boulevard from the site to North Valley Parkway.

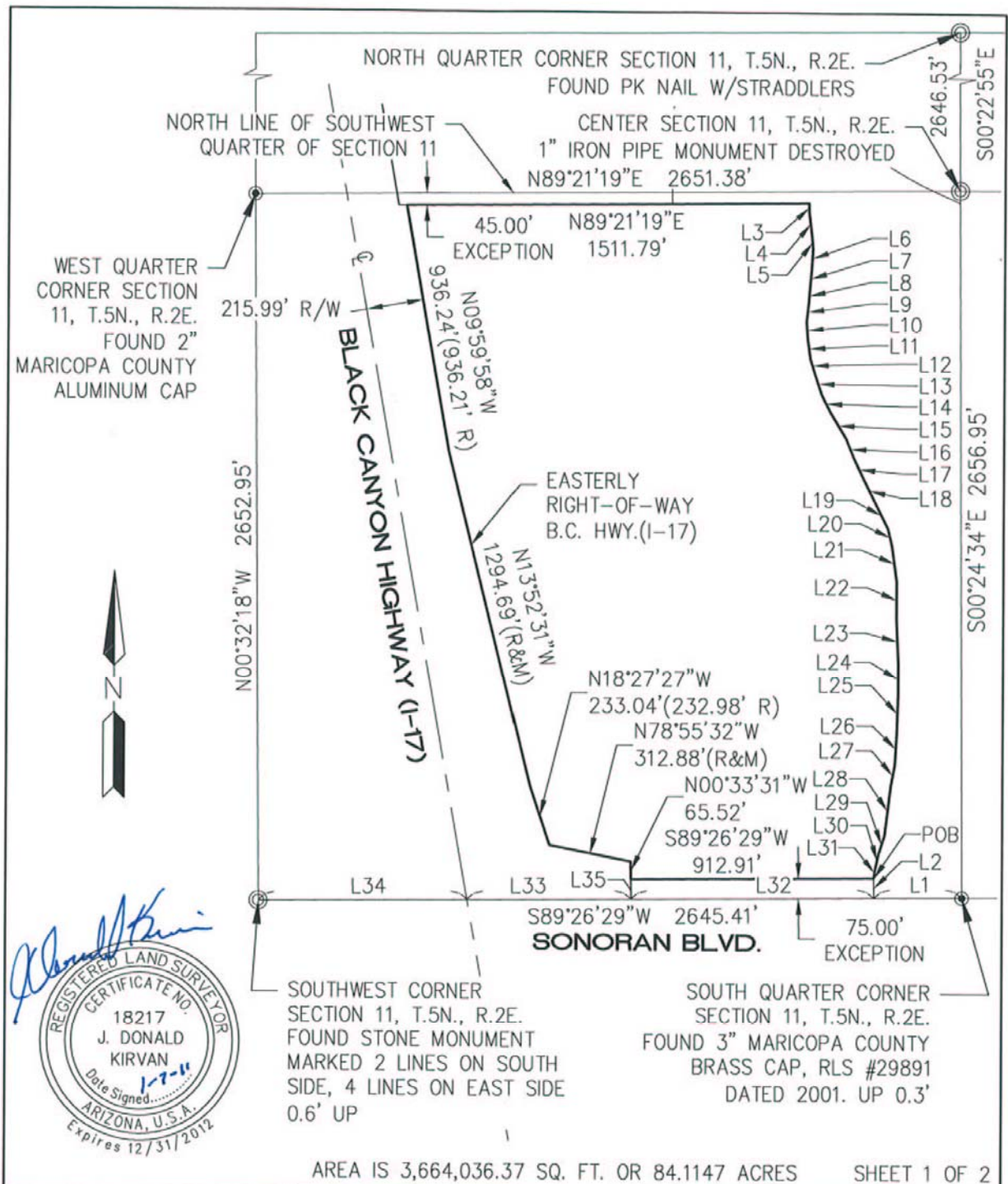
The wastewater flow generated by the planning area will ultimately be discharged to the City of Phoenix North Gateway Lift Station, which is south of the project along the Dixileta Drive alignment and west of North Valley Parkway.

- (2) *Water Design*: The North Black Canyon Crossings development will utilize existing water mains in Carefree Highway and North Valley Parkway to provide a water service connection to the site. North Black Canyon Crossings is located within the City of Phoenix water service area in Pressure Zone 6B. Existing water infrastructure in the vicinity of the site includes a 12-inch waterline on the north side of Carefree Highway. Parallel to the 12-inch waterline is a 78-inch waterline south of Carefree Highway. The Zone 7B Booster Pump Station is located approximately at the intersection of Carefree Highway and 27th Avenue.

A 12-inch waterline is proposed within North Valley Parkway to connect to the existing 12-inch line in Carefree Highway, and extend south along the 32nd Avenue alignment to Sonoran Boulevard. A new 12-inch water line will be installed along Sonoran Boulevard from the North Black Canyon Crossings site to the existing 12-inch line in North Valley Parkway to the east. The proposed Carefree Highway connection will require the crossing of an existing 78-inch transmission main and 69 kV Arizona Public Service lines along Carefree Highway. Water main sizes and fire hydrant spacing will be installed as required by the City of Phoenix Water Services Design Manual.

Appendices

Appendix A: PUD Area Legal Description



J. Donald Kirvan
 REGISTERED LAND SURVEYOR
 CERTIFICATE NO. 18217
 J. DONALD KIRVAN
 Date Signed 1-7-11
 ARIZONA, U.S.A.
 Expires 12/31/2012

PROJ.#:	1072
DATE:	JAN 2011
SCALE:	1"=500'
DRAWN BY:	CB
CHECKED BY:	JDK

BAHA PROPERTY WITHOUT WASH
 I-17 & SONORAN BLVD.
 PHOENIX, ARIZONA

EXHIBIT A

hilgartwilson
 ENGINEERS • PLANNERS • SURVEYORS
 1661 E. CAMELBACK RD., STE. 275
 PHOENIX, AZ 85016
 PH 602.490.0535 FAX 602.325.0161


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LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S89°26'29"W	330.95'
L2	N00°33'31"W	75.00'
L3	S00°00'08"E	29.90'
L4	S06°56'50"E	92.05'
L5	S04°24'36"E	48.14'
L6	S02°51'53"W	73.97'
L7	S05°28'53"W	77.86'
L8	S04°03'55"W	51.88'
L9	S06°00'18"W	70.52'
L10	S03°10'42"E	66.60'
L11	S08°05'46"E	78.34'
L12	S17°09'37"E	50.24'
L13	S18°26'49"E	93.43'
L14	S26°35'26"E	66.04'
L15	S31°16'22"E	121.02'
L16	S21°49'30"E	79.52'
L17	S25°30'21"E	85.93'
L18	S26°34'12"E	90.84'
L19	S26°35'38"E	115.61'
L20	S13°13'04"E	64.52'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L21	S07°55'29"E	134.22'
L22	S00°00'23"E	140.32'
L23	S02°29'11"E	170.04'
L24	S00°02'28"E	117.69'
L25	S01°28'08"W	144.11'
L26	S03°34'04"W	118.36'
L27	S10°20'06"W	82.59'
L28	S06°50'53"W	185.96'
L29	S17°32'30"W	73.61'
L30	S12°43'02"W	50.23'
L31	S09°27'14"W	41.66'
L32	S89°26'29"W	912.91'
L33	S89°26'29"W	615.01'
L34	S89°26'29"W	786.54'
L35	N00°33'31"W	75.00'



SHEET 2 OF 2

PROJ.#:	1072	BAHA PROPERTY WITHOUT WASH I-17 & SONORAN BLVD. PHOENIX, ARIZONA EXHIBIT A	 ENGINEERS • PLANNERS • SURVEYORS 1661 E. CAMELBACK RD., STE. 275 PHOENIX, AZ 85016 PH 602.490.0535 FAX 602.325.0161
DATE:	JAN 2011		
SCALE:	NTS		
DRAWN BY:	CB		
CHECKED BY:	JDK		

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EXHIBIT "A"
NORTH BLACK CANYON BAHA PROPERTY
LEGAL DESCRIPTION

That portion of the Southwest quarter of Section 11, Township 5 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a found 3" Maricopa County brass cap stamped "RLS #29891 DATE 2001, UP 0.3" accepted as the South quarter corner of said Section 11 from which a found stone monument marked "2 line on south side, 4 lines on east side 0.6' up" accepted as the Southwest corner of said Section 11 bearing South 89 degrees 26 minutes 29 seconds West a distance of 2645.41 feet;

Thence along the south line of Southwest quarter of said section 11, South 89 degrees 26 minutes 29 seconds West a distance of 330.95 feet;

Thence North 00 degrees 33 minutes 31 seconds West a distance of 75.00 feet to the **POINT OF BEGINNING**;

Thence South 89 degrees 26 minutes 29 seconds West a distance of 912.91 feet to the easterly right-of-way line of Black Canyon Highway (I-17);

Thence along said easterly line, North 00 degrees 33 minutes 31 seconds West a distance of 65.52 feet;

Thence continuing along said easterly line, North 78 degrees 55 minutes 32 seconds West a distance of 312.88 feet;

Thence continuing along said easterly line, North 18 degrees 27 minutes 27 seconds West a distance of 233.04 feet;

Thence continuing along said easterly line, North 13 degrees 52 minutes 31 seconds West a distance of 1294.69 feet;

Thence continuing along said easterly line, North 09 degrees 59 minutes 58 seconds West a distance of 936.24 feet;

Thence North 89 degrees 21 minutes 19 seconds East a distance of 1511.79 feet;

Thence South 00 degrees 00 minutes 08 seconds East a distance of 29.90 feet;

Thence South 06 degrees 56 minutes 50 seconds East a distance of 92.05 feet;

Thence South 04 degrees 24 minutes 36 seconds East a distance of 48.14 feet;

Thence South 02 degrees 51 minutes 53 seconds West a distance of 73.97 feet;

Thence South 05 degrees 28 minutes 53 seconds West a distance of 77.86 feet;
Thence South 04 degrees 03 minutes 55 seconds West a distance of 51.88 feet;
Thence South 06 degrees 00 minutes 18 seconds West a distance of 70.52 feet;
Thence South 03 degrees 10 minutes 42 seconds East a distance of 66.60 feet;
Thence South 08 degrees 05 minutes 46 seconds East a distance of 78.34 feet;
Thence South 17 degrees 09 minutes 37 seconds East a distance of 50.24 feet;
Thence South 18 degrees 26 minutes 49 seconds East a distance of 93.43 feet;
Thence South 26 degrees 35 minutes 26 seconds East a distance of 66.04 feet;
Thence South 31 degrees 16 minutes 22 seconds East a distance of 121.02 feet;
Thence South 21 degrees 49 minutes 30 seconds East a distance of 79.52 feet;
Thence South 25 degrees 30 minutes 21 seconds East a distance of 85.93 feet;
Thence South 26 degrees 34 minutes 12 seconds East a distance of 90.84 feet;
Thence South 26 degrees 35 minutes 38 seconds East a distance of 115.61 feet;
Thence South 13 degrees 13 minutes 04 seconds East a distance of 64.52 feet;
Thence South 07 degrees 55 minutes 29 seconds East a distance of 134.22 feet;
Thence South 00 degrees 00 minutes 23 seconds East a distance of 140.32 feet;
Thence South 02 degrees 29 minutes 11 seconds East a distance of 170.04 feet;
Thence South 00 degrees 02 minutes 28 seconds East a distance of 117.69 feet;
Thence South 01 degrees 28 minutes 08 seconds West a distance of 144.11 feet;
Thence South 03 degrees 34 minutes 04 seconds West a distance of 118.36 feet;
Thence South 10 degrees 20 minutes 06 seconds West a distance of 82.59 feet;
Thence South 06 degrees 50 minutes 53 seconds West a distance of 185.96 feet;
Thence South 17 degrees 32 minutes 30 seconds West a distance of 73.61 feet;
Thence South 12 degrees 43 minutes 02 seconds West a distance of 50.23 feet;
Thence South 09 degrees 27 minutes 14 seconds West a distance of 41.66 feet to the **POINT OF BEGINNING**;

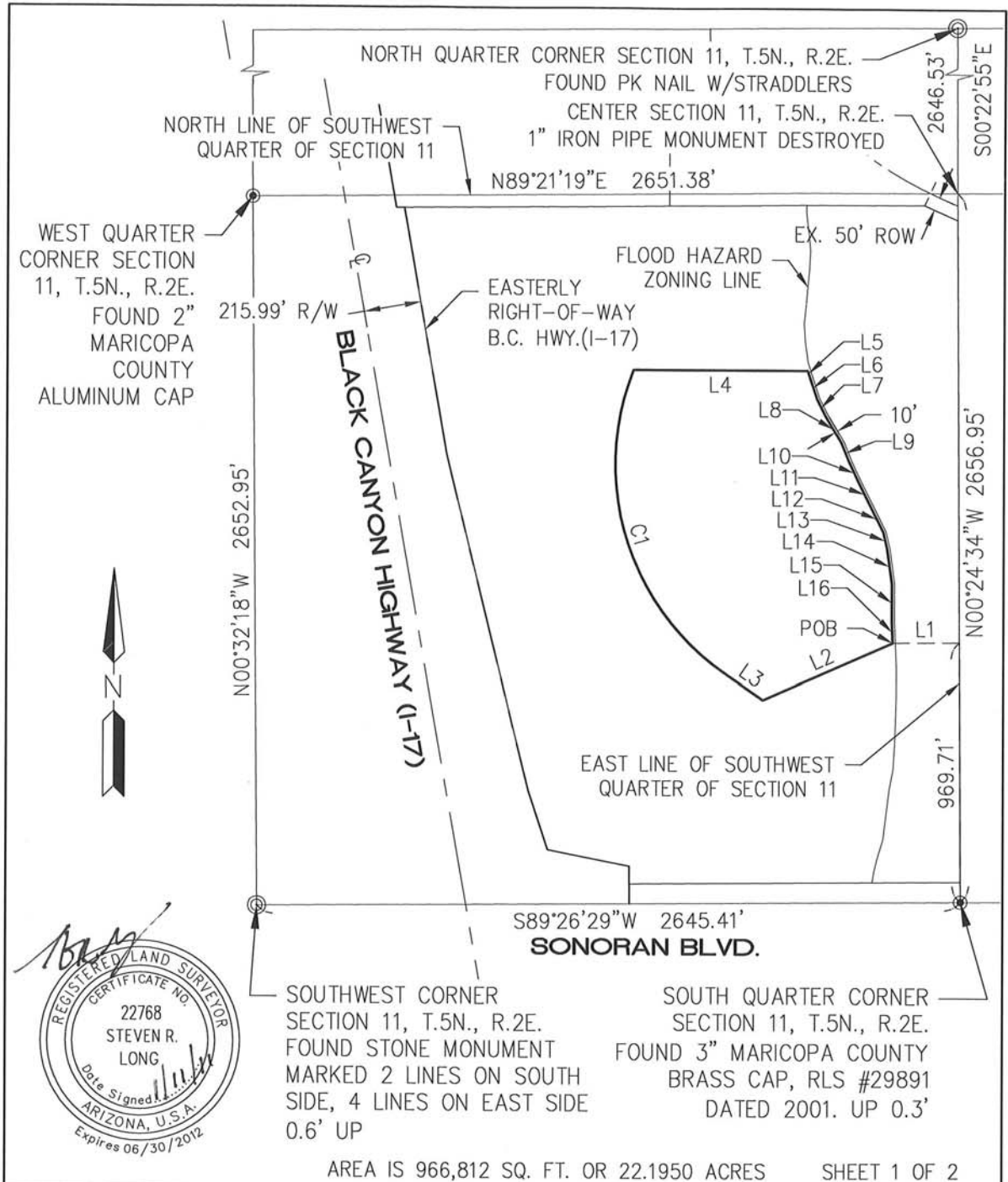
The above described property contains a computed area of 3,664,036 Sq. Ft. (84.1147 acres) more or less.

This description shown hereon is not to be used to violate subdivision regulation of the state, county and/or municipality or any other land division restrictions.

Prepared by: HilgartWilson
1661 East Camelback Road
Suite 275
Phoenix, AZ
Job No. 1072
January 7, 2011



Appendix B: Permitted Helistop Area Legal Description



PROJ.#:	1072	N. BLACK CANYON BAHA HELISTOP I-17 & SONORAN BLVD. PHOENIX, ARIZONA	hilgartwilson ENGINEERS • PLANNERS • SURVEYORS 1661 E. CAMELBACK RD., STE. 275 PHOENIX, AZ 85016 PH 602.490.0535 FAX 602.325.0161
DATE:	JAN 2011		
SCALE:	1"=500'	EXHIBIT A	
DRAWN BY:	CB		
CHECKED BY:	JDK, SRL		

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CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	950.00'	77°17'03"	1281.42'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S89°35'26"W	250.61'
L2	S66°10'07"W	533.31'
L3	N55°36'39"W	173.06'
L4	N90°00'00"E	654.48'
L5	S17°09'37"E	17.94'
L6	S18°26'49"E	94.25'
L7	S26°35'26"E	67.17'
L8	S31°16'22"E	120.60'
L9	S21°49'30"E	79.01'
L10	S25°30'21"E	86.35'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L11	S26°34'12"E	90.94'
L12	S26°35'38"E	114.44'
L13	S13°13'04"E	62.88'
L14	S07°55'29"E	133.07'
L15	S00°00'23"E	139.84'
L16	S02°29'11"E	79.66'



SHEET 2 OF 2

PROJ.#: 1072	N. BLACK CANYON BAHA HELISTOP I-17 & SONORAN BLVD. PHOENIX, ARIZONA	hilgartwilson ENGINEERS • PLANNERS • SURVEYORS 1661 E. CAMELBACK RD., STE. 275 PHOENIX, AZ 85016 PH 602.490.0535 FAX 602.325.0161
DATE: JAN 2011		
SCALE: NTS	EXHIBIT A	
DRAWN BY: CB		
CHECKED BY: JDK, SRL		

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EXHIBIT "A"
NORTH BLACK CANYON BAHA PROPERTY HELISTOP
LEGAL DESCRIPTION

That portion of the Southwest quarter of Section 11, Township 5 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a found 3" Maricopa County brass cap stamped "RLS #29891 DATE 2001, UP 0.3" accepted as the South quarter corner of said Section 11 from which a found stone monument marked "2 lines on south side, 4 lines on east side", 0.6' up and accepted as the Southwest corner of said Section 11 bearing South 89 degrees 26 minutes 29 seconds West a distance of 2645.41 feet;

Thence along the east line of Southwest quarter of said section 11, North 00 degrees 24 minutes 34 seconds West a distance of 969.71 feet;

Thence depart said east line South 89 degrees 35 minutes 26 seconds West a distance of 250.61 feet to the **POINT OF BEGINNING**;

Thence South 66 degrees 10 minutes 07 seconds West a distance of 533.31 feet;

Thence North 55 degrees 36 minutes 39 seconds West a distance of 173.06 feet to the beginning of a tangent curve concave easterly having a radius of 950.00 feet;

Thence northerly along said curve through a central angle of 77 degrees 17 minutes 03 seconds an arc length of 1281.42 feet;

Thence North 90 degrees 00 minutes 00 seconds East a distance of 654.48 feet;

Thence South 17 degrees 09 minutes 37 seconds East a distance of 17.94 feet;

Thence South 18 degrees 26 minutes 49 seconds East a distance of 94.25 feet;

Thence South 26 degrees 35 minutes 26 seconds East a distance of 67.17 feet;

Thence South 31 degrees 16 minutes 22 seconds East a distance of 120.60 feet;

Thence South 21 degrees 49 minutes 30 seconds East a distance of 79.01 feet;

Thence South 25 degrees 30 minutes 21 seconds East a distance of 86.35 feet;

Thence South 26 degrees 34 minutes 12 seconds East a distance of 90.94 feet;

Thence South 26 degrees 35 minutes 38 seconds East a distance of 114.44 feet;

Thence South 13 degrees 13 minutes 04 seconds East a distance of 62.88 feet;

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Page 1 of 2

Thence South 07 degrees 55 minutes 29 seconds East a distance of 133.07 feet;
Thence South 00 degrees 00 minutes 23 seconds East a distance of 139.84 feet;
Thence South 02 degrees 29 minutes 11 seconds East a distance of 79.66 feet to the **POINT OF BEGINNING**;

The above described property contains a computed area of 966,812 Sq. Ft. (22.1950 acres) more or less.

This description shown hereon is not to be used to violate subdivision regulation of the state, county and/or municipality or any other land division restrictions.

Prepared by: HilgartWilson
1661 East Camelback Road
Suite 275
Phoenix, AZ
Job No. 1072
January 11, 2011



Appendix C: Reserved - Height Zone Descriptions

Appendix D: Definitions

Definitions

Adult Health Day Care: A facility that provides planned care supervision and activities, personal care; personal living skills training, preventive, therapeutic and restorative health-related services; meals; and health monitoring during a portion of a continuous twenty-four hour period.

Assisted Living Facility: A residential living facility that is licensed by the Arizona State Department of Health Services, and that provides supervisory care services, personal care services, directed care services, or health related services for persons who do not need continuous nursing services.

Bar/Night Club: A drinking, dancing and entertainment establishment which includes the sale of spirituous liquor to be consumed on the premises, and which may or may not serve food. This use may include a dance floor, a DJ booth or other form of recorded or live music.

Civic Uses: A land use devoted to public or private municipal functions or agencies. Some examples include, but are not limited to, US Postal Service, electrical substation, water or sewer pump or pressure regulation station, a religious institution (church, synagogue or temple), or any other use devoted to municipal or community systems or function.

Clinic, Medical or Dental Offices: A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis.

Common Area Open Space: Land within or related to a development, not individually owned or dedicated for public use, that is designated and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate. Required open space is to be centrally located, be a minimum of 1,000 square feet of level surface area, and maintain a maximum grade of 4:1 at any point including its periphery.

Emergency Medical Care Facility (24 hour): Means a medical facility for the diagnosis and treatment of human patients which may include emergency service, surgery and may include overnight housing of patients.

Hotel Condominium: Individually-owned residential units (attached or detached) which allow someone to own a full-service permanent residence or vacation home. When the owners aren't using the home, they can leverage the marketing and management of the hotel to rent and manage the condominium unit as it would any other hotel room. The individual owner only owns the air space confined within the boundaries of the home and/or designated yard area. All property outside these boundaries is held in an unsubdivided ownership interest by a corporation established at the time of the condominium's creation.

Independent Living: A multi-family housing facility for the elderly living in separate dwellings in which all units, other than those used for the specific purpose of managing and operating the project, is occupied by a household in which all persons, or at least one spouse of a married couple, is 60 years old or older. The community may include common amenities, services and possibly common dining.

Recreation and Social Clubs: An organization devoted to social functions and activities which promote the assembly of members and the general public.

Residential, Multifamily: A building or buildings attached to each other and containing two or more dwelling units. The term multi-family dwelling is intended primarily to apply to such dwelling types as condominiums, apartments, independent living facilities, and buildings where any dwellings have their primary access to a common internal hallway, external corridor and/or common stair or semi-private entrances.

Residential, Multifamily Condominium: A form of owner-occupied housing, whereby the individual owner owns the air space confined within the boundaries of the home and/or designated yard area. All property outside these boundaries is held in an undivided ownership interest by a corporation established at the time of the condominium creation.

Residential, Multifamily Live/Work: A residential unit that is also used for commercial purposes for a time, with minimum of 25 percent of the total building area given to the commercial use within the same structure as the residential component.

Residential Multifamily Loft: a residential unit or series of units, either rental-occupied apartments or owner-occupied condominium units located above lower-level retail or office uses.

Special School or Training Institution: An educational facility, public or private, devoted to the instruction of technical and/or social skills.

Appendix E: Traffic Impact Analysis Executive Summary

January 7, 2011

Mr. Rob Bassett
 Westcor
 11411 N. Tatum Boulevard
 Phoenix, AZ 85028

Re. Baha Property
 Northeast Corner of Dove Valley Road and I-17
 Phoenix, Arizona
 Traffic Engineering Services

Dear Mr. Bassett,

The following letter contains a trip generation comparison for the proposed project located on the northeast corner of Dove Valley Road and Interstate 17 in Phoenix, Arizona.

Black Canyon Auto Complex Trip Generation

The *Black Canyon Auto Complex Traffic Impact Analysis, February 2008*, site consists of auto dealership land uses on approximately 77 acres. The Institute of Transportation Engineers' (ITE) *Trip Generation, 8th Edition*, was used to obtain daily and peak-hour trip generation rates and inbound-outbound percentages, which were then used to estimate the number of daily and peak hour trips that can be attributed to the development. The trip generation characteristics of the *Black Canyon Auto Complex Traffic Impact Analysis, February 2008*, are summarized in Error! Reference source not found..

Table 1: Black Canyon Auto Complex Trip Generation

Parcel	Land Use	ITE Land Use Code	Units	Daily Total	AM Peak			PM Peak		
					In	Out	Total	In	Out	Total
Black Canyon Motorplex										
1	New Car Sales	841	100 Employees	2,114	29	38	67	46	50	96
2	New Car Sales	841	75 Employees	1,586	22	28	50	35	37	72
3	New Car Sales	841	55 Employees	1,163	16	21	37	25	28	53
4	New Car Sales	841	75 Employees	1,586	22	28	50	35	37	72
5	New Car Sales	841	55 Employees	1,163	16	21	37	25	28	53
6	New Car Sales	841	45 Employees	951	13	17	30	21	22	43
7	New Car Sales	841	60 Employees	1,268	18	22	40	28	30	58
8	New Car Sales	841	45 Employees	951	13	17	30	21	22	43
9	New Car Sales	841	65 Employees	1,374	19	25	44	30	32	62
10	New Car Sales	841	85 Employees	1,797	25	32	57	39	43	82
11	New Car Sales	841	40 Employees	846	12	15	27	18	20	38
Black Canyon Motorplex Total Trip Generation				14,799	205	264	469	323	349	672

New Car Sales (ITE 8th Edition)

Daily (ITE 841)	T = 21.14 x (# of Employees)	50% In	50% Out
AM Peak Hour (ITE 841)	T = 0.67 x (# of Employees)	44% In	56% Out
PM Peak Hour (ITE 841)	T = 0.96 x (# of Employees)	48% In	52% Out

The *Black Canyon Auto Complex Traffic Impact Analysis, February 2008*, determined the site was expected to generate 14,799 daily trips, with 469 trips occurring in the AM peak hour and 672 trips occurring in the PM peak hour.

Proposed Development Trip Generation

The proposed development consists of hospital, medical office, and auto dealership land uses on approximately 77 acres. The Institute of Transportation Engineers' (ITE) *Trip Generation, 8th Edition*, was used to obtain daily and peak-hour trip generation rates and inbound-outbound percentages, which were then used to estimate the number of daily and peak hour trips that can be attributed to the proposed development. The trip generation characteristics of the proposed development are summarized in

Table 2: Proposed Development Trip Generation

Land Use	ITE	Quantity	Units	Daily	AM Peak			PM Peak		
	Code			Total	In	Out	Total	In	Out	Total
Hospital	610	320	Beds	4,108	245	100	345	149	265	414
Medical-Dental Office	720	48,000	SF	1,748	87	23	110	40	108	148
Medical-Dental Office	720	45,000	SF	1,625	82	22	104	38	102	140
Medical-Dental Office	720	36,000	SF	1,257	65	18	83	31	84	115
Medical-Dental Office	720	45,000	SF	1,625	82	22	104	38	102	140
New Car Sales	841	213	Employees	2,114	29	38	67	46	50	96
New Car Sales	841	184	Employees	1,586	22	28	50	35	37	72
Total Trip Generation				14,063	612	250	862	377	747	1,124

Hospital (ITE 8th Edition)

Daily (ITE 610)	$T = 7.42 \times (\text{Number of Beds}) + 1733.31$	50% In	50% Out
AM Peak Hour (ITE 610)	$T = 1.33 \times (\text{Number of Beds}) - 80.91$	71% In	29% Out
PM Peak Hour (ITE 610)	$T = 1.36 \times (\text{Number of Beds}) - 21.17$	36% In	64% Out

Medical-Dental Office (ITE 8th Edition)

Daily (ITE 720)	$T = 40.89 \times (\text{1000's of SF}) - 214.97$	50% In	50% Out
AM Peak Hour (ITE 720)*	$T = 2.30 \times (\text{1000's of SF})$	79% In	21% Out
PM Peak Hour (ITE 720)	$\text{Ln}(T) = 0.88 \times \text{Ln}(\text{1000's of SF}) + 1.59$	27% In	73% Out

*Utilized the rate.

New Car Sales (ITE 8th Edition)

Daily (ITE 841)	$T = 21.14 \times (\text{\# of Employees})$	50% In	50% Out
AM Peak Hour (ITE 841)*	$T = 0.67 \times (\text{\# of Employees})$	44% In	56% Out
PM Peak Hour (ITE 841)*	$T = 0.96 \times (\text{\# of Employees})$	48% In	52% Out

*Peak hour of the generator

The proposed development is expected to generate 14,063 daily trips, with 862 trips occurring in the AM peak hour and 1,124 trips occurring in the PM peak hour.

Trip Generation Comparison

The trip generation of the proposed development was compared to the trip generation of the *Black Canyon Auto Complex Traffic Impact Analysis, February 2008*. The results of this comparison are summarized in Error! Reference source not found..

Table 3: Trip Generation Comparison

Site	Daily	AM Peak			PM Peak		
	Total	In	Out	Total	In	Out	Total
Proposed Development (New)	14,063	612	250	862	377	747	1,124
Black Canyon Auto Complex (Old)	14,799	205	264	469	323	349	672
Difference	-736	407	-14	393	54	398	452
% Change	-5.0	198.5	-5.2	83.8	16.7	114.1	67.3

The proposed development is expected to generate 736 fewer daily trips than the previously proposed Black Canyon Auto Complex development. The proposed development is expected to generate 393 more trips than the previously proposed Black Canyon Auto Complex development during the AM peak hour and 452 more trips during the PM peak hour.

Principal Findings

The *Black Canyon Auto Complex Traffic Impact Analysis, February 2008*, recommended that the internal loop road provide one travel lane in each direction with a two-way left-turn lane provided in the median. Based on the anticipated ADT volume decrease between the Black Canyon Auto Complex development and the proposed development, it is anticipated that a three-lane roadway cross-section will remain adequate to accommodate projected traffic volumes. Specific details of intersection geometry will need to be provided when a complete traffic analysis is performed.

The site plan of the proposed development includes an internal roadway and a frontage road connector which will serve as the primary internal roadways to proposed development. The internal roadway is essentially replacing the west side of the proposed loop road in the *Black Canyon Auto Complex Traffic Impact Analysis, February 2008*, with the internal driveway network of the hospital replacing the east side of the previously proposed loop road.

Appendix F: Reserved - Citizen Participation Efforts and Summary

**Appendix G: Reserved – Phoenix City Council Meeting Hearing
Minutes**

Appendix H: Reserved - PUD – Conditions of Zoning Approval