



Application

Narrative

Cash Transmittal

Development Standards

# Development Application



**Development Application Type:**  
Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Land Divisions
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	<b>Other</b>
<input type="checkbox"/> Development Agreement (DA)	<b>Wireless Communication Facilities</b>	<input type="checkbox"/> Annexation/De-annexation (AN)
<b>Exceptions to the Zoning Ordinance</b>	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	<b>Signs</b>	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	<b>Other Application Type Not Listed</b>
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

Project Name: \_\_\_\_\_

Property's Address: 2322 & 2340 N Hayden Road

Property's Current Zoning District Designation: \_\_\_\_\_

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.


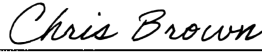
Owner: Scottsdale Church of the Nazarene	Agent/Applicant: Chris Brown
Company:	Company: Residential Pursuits Investments, LLC
Address: 2340 N Hayden Road	Address: 7600 E Doubletree Ranch Rd, #130, Scottsdale, AZ 85258
Phone: 480-662-5835 Fax:	Phone: 602-478-0662 Fax:
E-mail: DHADDER85@GMAIL.COM	E-mail: cbrown@arcadiacapitalLLC.com
Designer:	Engineer:
Company:	Company:
Address:	Address:
Phone: Fax:	Phone: Fax:
E-mail:	E-mail:

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.

**Enhanced Application Review:** I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

**Standard Application Review:** I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

 Owner Signature	 Agent/Applicant Signature
--	---

Official Use Only

Submittal Date: \_\_\_\_\_

Development Application No.: \_\_\_\_\_

## Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov

Development Application

Page 1 of 3

Revision Date: 5/10/2018

18-ZN-2019  
11/7/2019

# Development Application

## Review Methodologies



### Review Methodologies

The City of Scottsdale maintains a business and resident friendly approach to new development and improvements to existing developments. In order to provide for flexibility in the review of Development Applications, and Applications for Permitting, the City of Scottsdale provides two methodologies from which an owner or agent may choose to have the City process the application. The methodologies are:

#### **1. Enhanced Application Review Methodology**

Within the parameters of the Regulatory Bill-of-Rights of the Arizona Revised Statutes, the Enhanced Application Review method is intended to increase the likelihood that the applicant will obtain an earlier favorable written decision or recommendation upon completion of the city's reviews. To accomplish this objective, the Enhanced Application Review allows:

- the applicant and City staff to maintain open and frequent communication (written, electronic, telephone, meeting, etc.) during the application review;
- City staff and the applicant to collaboratively work together regarding an application; and
- City staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

#### **2. Standard Application Review Methodology:**

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with City Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

The City is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the City has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

In addition to the information above, please review the Development Application, and/or the Application for Permitting flow charts. These flow charts provide a step-by-step graphic representation of the application processes for the associated review methodologies.

#### Note:

1. Please see the Current Planning Services and Long Range Planning Services Substantive Policy Statements and Staff Review Timeframes for Development Applications, number III.

## Planning and Development Services

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# Development Application

## Arizona Revised Statutes Notice



### §9-834. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

### Planning and Development Services

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# Request for Site Visits and/or Inspections

## Construction Document Application



This request concerns all property identified in the construction document (plan review) application.

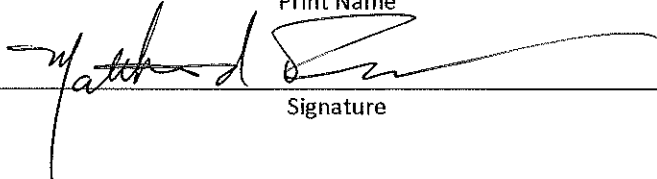
Project Name: \_\_\_\_\_  
Project Address: 2322 & 2340 N Hayden Road, Scottsdale, AZ

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the construction document.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the construction document in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner /Property owner's agent: Matthew A. Rudio  
Print Name  
  
Signature

### City Use Only:

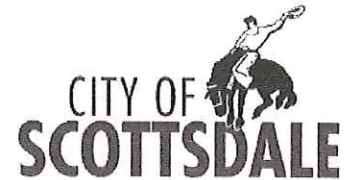
Submittal Date: \_\_\_\_\_ Plan review number: \_\_\_\_\_

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# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 2322 & 2340 N Hayden Road, Scottsdale, AZ 85157
- b. County Tax Assessor's Parcel Number: 131-23-005A / 131-23-008
- c. General Location: North of northwest corner of Hayden and Oak
- d. Parcel Size: .696 & 4.700 = 5.396 acres
- e. Legal Description: (see attached legal description)

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Chris Brown  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date

10/30, 2019  
 \_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_\_

Signature

[Handwritten Signature]  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Planning and Development Services

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# Request To Submit Concurrent Development Applications

## Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input checked="" type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input checked="" type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: Scottsdale Church of the Nazarene

Company: \_\_\_\_\_

Address: 2340 N Hayden Road, Scottsdale, AZ 85257

Phone: 480-662-5835 Fax: \_\_\_\_\_

E-mail: DHADDER85@GMAIL.COM

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): Matthew A. Rudio Title: president/pastor

*Matthew A. Rudio* Signature Date: 9-18-19

<b>Official Use Only:</b>	Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

# Appeals of Dedication, Exactions or Zoning Regulations



## Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decision.

## Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial *nevo* with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk  
3939 Drinkwater Blvd  
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

## Planning and Development Services

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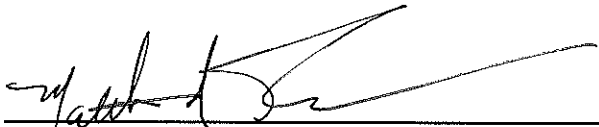
**Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications**

I hereby certify that I am the owner of property located at:

2340 N. Hayden Rd, Scottsdale AZ 85207

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

  
\_\_\_\_\_  
Signature of Property Owner

9-18-19  
Date

# Development Application



Development Application Type: Please check the appropriate box of the Type(s) of Application(s) you are requesting		
<b>Zoning</b>	<b>Development Review</b>	<b>Land Divisions</b>
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
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<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

**Project Name:** \_\_\_\_\_

**Property's Address:** \_\_\_\_\_

**Property's Current Zoning District Designation:** R-5 & R1-7

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<b>Owner:</b>	<b>Agent/Applicant:</b>
<b>Company:</b>	<b>Company:</b>
<b>Address:</b>	<b>Address:</b>
<b>Phone:</b> _____ <b>Fax:</b> _____	<b>Phone:</b> _____ <b>Fax:</b> _____
<b>E-mail:</b>	<b>E-mail:</b>
<b>Designer:</b>	<b>Engineer:</b>
<b>Company:</b>	<b>Company:</b>
<b>Address:</b>	<b>Address:</b>
<b>Phone:</b> _____ <b>Fax:</b> _____	<b>Phone:</b> _____ <b>Fax:</b> _____
<b>E-mail:</b>	<b>E-mail:</b>

**Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).**

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Owner Signature	Agent/Applicant Signature

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## Planning and Development Services

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# Development Application Review Methodologies



## Review Methodologies

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Note:

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## Planning and Development Services

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- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

## Planning and Development Services

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# 2340 North Hayden Rezoning Case Narrative

424-PA-2019

October 29, 2019

Revised June 22, 2020



## Contacts

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### Developer / Applicant

Name: Chris Brown; Arcadia Capital Group

Phone: 602-478-0662

Email: cbrown@arcadiacapitalLLC.com

### Owner(s)

Name: Scottsdale Church of the Nazarene

Phone: 480-949-9494

Email: scottsdalenazarene.com

### Engineer

Name: Jeff Giles, Clouse Engineering

Phone: 602-395-9300

Email: jgiles@clouseaz.com

### Planning Adviser

Name: Donald Hadder, Sr.

Phone: 480-662-5835

Email: dhadder85@gmail.com

# Contents

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History of Site	4
Ownership & Use	4
Development & Zoning Cases	4
Site Context	6
Adjacent Properties & Uses	6
Adjacent Zoning	6
General Context	9
Development Proposal	10
Proposed Zoning	10
Proposed Uses	10
Data	10
Site Plan	14
Circulation	14
Open Space	14
Infrastructure	15
General Plan Review	16
South Scottsdale Community Area Plan Review	24
Sensitive Design Standards Review	27

## History of Site

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### Ownership and Use

The site is part of a square mile that was originally homesteaded by Albert G. Utley from Rhode Island in 1891. Mr. Utley was one of the founding fathers of what is now known as Scottsdale. This area was granted water rights by the Salt River Project in 1916.

The church property was assembled from three parcels by M. L. Mann, PhD and his wife in early 1958 and then transferred to the Arizona District Church of the Nazarene. The Scottsdale Church of the Nazarene was organized in October of 1958 and continues to operate on the same site. At the time of purchase, the site was occupied by a small farmhouse (that was later moved to the West Valley). The property was transferred to the local church in 1971.

The adjacent property to the south that is being combined with the church property for the development plan is the western remnant of a parcel that once extended east to Hayden Road. Over the past 40 years, Salt River Project, which has long owned the substation site to the south, has acquired two portions of the property for expansion of the substation facility (the larger portion purchased in 1989). Although for the most part this site has been vacant, during a period of time in the 1970s a retail plant nursery operated on the original larger parcel. At the time there was another old and small farmhouse roughly in the middle of this parcel.

### Development and Zoning Cases

The first construction on the church site under the church use occurred in the 1959-1960 time period and included what is now the north wing of the church facility. At the time of this construction, the property was under the jurisdiction of Maricopa County. The main sanctuary and restrooms/entry foyer building was completed in 1964. This building was also completed at a time when the property was under the jurisdiction of Maricopa County. Although there were earlier attempts to annex this and surrounding sites into Scottsdale, the property was not annexed into the city until late 1965.

The one, and only, case on record for the church property was case 27-UP-1971, which was approved on November 16, 1971. This case focused on a westward extension from the sanctuary building for classrooms and a fellowship hall.

There have been a number of cases that have been processed on the southern parcel (131-23-005A). The earliest case was 33-Z-1970 which was approved on July 7, 1970. This case changed the zoning on the original parent parcel from R-5 and R1-7 to R-4. The site plan included with this case indicated a total of 16 townhouse units accessed from Hayden Road by a long cul-de-sac. This plan was not built.

The next zoning case was 42-Z-1971 which was approved on August 17, 1971. This case rezoned the parent parcel from R-4 to R-5. No site plan was attached to the case. Shortly thereafter, on September 21, 1971 the City Council approved case 22-UP-1971 for a plant nursery. Based on this case, the existing former farmhouse was to be used as a sales center and the area east of it used as the sales display area. The western portion of the property was used as a plant and equipment storage area. This use was installed on the property and functioned on the property through most of the 1970s.

The next set of cases focused on a development proposal called "Hayden Lofts". The first case for this proposal was 9-BA-2004 (approved August 8, 2004), which was a variance case for building height within 50 feet of an R-1 or R-4 zoned property, minimum side yards and landscape buffers. This case covered only the western (the same as the current parcel) portion of the parent parcel. The site plan included 14 dwelling units in one building accessed by a driveway across what is the SRP portion of the parent parcel and terminating in a cul-de-sac. In the follow-up DRB case (32-DR-2006), which was approved on July 20, 2006, the development name had been changed to "Hayden Array". The site plan was the same as in the 9-BA-2004 case in that the site was accessed by a long drive across the SRP property to the east and the units were to be contained in one building. However, the number of units was reduced to 9 and there was no cul-de-sac at the west end and instead an opening into the Continental Villas driveway. This development was not built and the site remains vacant.

## Site Context

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### Adjacent Properties and Uses

To the west of the proposed development is the Continental Villas neighborhood. This neighborhood has 148 townhomes and orients to the west and the Indian Bend Wash. It has two access routes, one from 77<sup>th</sup> Street and the other from Hayden Road by way of Wilshire Drive. The 4 townhouses closest to the subject site are oriented north/south and there are no windows facing the site. The townhouses in this neighborhood are a combination of single and two-story buildings. There also are drives and landscaped areas separating the townhouses from the subject site. This subdivision was recorded in 1971.

To the north there are two separate conditions. Most of the northern site property line is adjacent to the Colonia Verde condominium neighborhood. There are 7 townhomes (out of a total of 33) in this neighborhood that are adjacent to the subject site, 6 of which have rear yard/patios that face the subject site. All of these townhouse units are two-story structures. This subdivision was recorded on 1979. The smaller parcel along the northern edge of the subject site is a vacant parcel that fronts on to Hayden Road.

Across Hayden Road to the east are a group (3) of relatively small parcels occupied by small office buildings. The uses range from medical to child care along with other miscellaneous office uses. To the south of these is another small condominium subdivision called Casa Amigos. This neighborhood includes 36 dwelling units in 9 single-story buildings.

To the south of the subject site there are two uses. The easternmost use is an SRP substation that also contains a number of cell-tower facilities. Much of the site was beautified with a new wall and landscaping recently, but portions next to the subject site remain open and generally unimproved. The other use along the south side of the subject property is a church. This site has one building with most of the parking to the west of the building and is access from Oak Street.

### Adjacent Zoning

The zoning for the Continental Villas neighborhood to the west is R-4. The subdivision covers around 29.5 acres. The resulting density is about 5.0 units per acre.

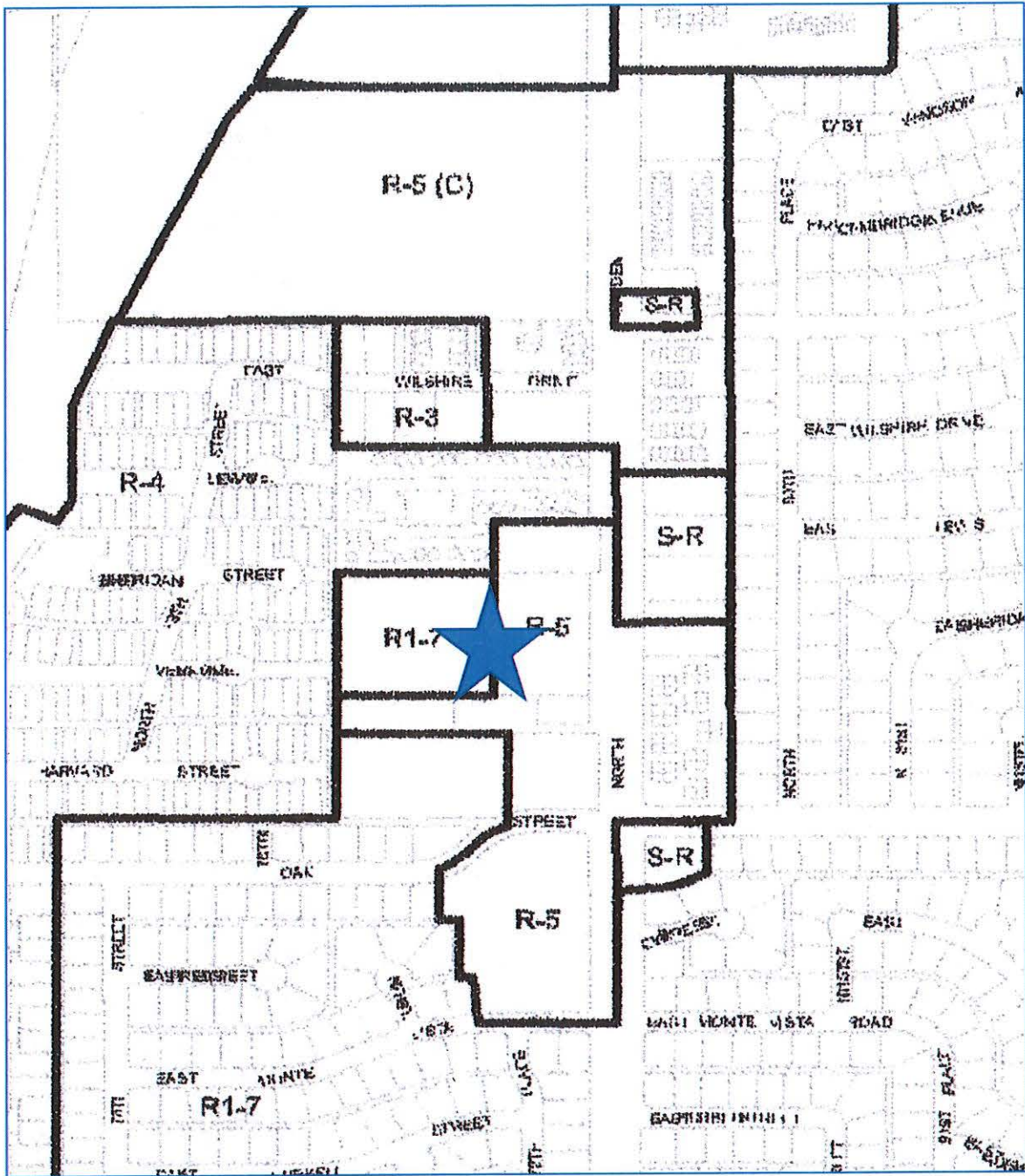
The Colonia Verde neighborhood to the north is also zoned R-4. This subdivision covers around 4.2 acres. The resulting density is about 7.9 units per acre. The vacant parcel north of the subject site is zoned R-5.



The office parcels across Hayden Road to the east are zoned S-R and R-5. They range in size from about 12,200 square feet to about 22,800 square feet. The FAR on these sites ranges from .19 to .26. The Casa Amigos neighborhood is zoned R-5. The resulting density is about 13.4 units per acre.

The SRP substation property to the south is zoned R-5 and the church to the south is zoned RI-7.

The graphic below shows the local zoning context. As this demonstrates, the RI-7 area on the west end of the church property is completely surrounded by either R-4 or R-5 zoning and has no attached connection to any other RI-7 neighborhood. This zoning pattern essentially dates back to the early 1970s with the one exception noted above.



## General Context

As was the case with many suburban areas developed in the 1950s and 1960s, the general pattern of development in the area is for single family lots occupying the central portion of each square mile and for a mix of higher density residential, office and commercial use fronting on the arterial streets that run on the edge of each square mile. This pattern was partly altered by the presence of the Indian Bend Wash greenbelt to the west of the site, which in some cases led to a form of density transfer and slightly more density in the adjacent neighborhoods.

Hayden Road, as a major street corridor, is fronted by a mix of single family, multiple family, office and retail uses from McKellips Road to the south up to Indian School Road to the north.

This site does not and will not share access with any other residential neighborhood. This is true of many residential areas that front on to Hayden Road.

# Development Proposal

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## Proposed Zoning

The proposed zoning for the entire site is R-4 (Townhouse Neighborhoods).

## Proposed Uses

The proposed development plan includes a 26-lot patio home subdivision and a slightly reconfigured church facility.

## Data

- Existing Conditions:

Subject	Ordinance Requirement	Data/Information
<b><i>Church Parcel - 131-23-008</i></b>		
R-5 Portion:		
(1) Net Area		72,600 sq ft (city) / 80,850 sq ft (county)
(2) Gross Area		94,050 sq ft (2.159 ac)
(3) Allowed Density	Up to 23 units per gross acre (Section 5.1004.D)	
(4) Allowed Number of Units		49.66 units (2.159 x 23)
(5) Existing Use		Church
(6) Existing Parking Spaces		62 spaces
R1-7 Portion		
(1) Net/Gross Area		123,750 sq ft (2.841 ac)
(2) Allowed Density (per PRD section)	4.200 to 5.000 units per gross acre (Section 6.208)	11.93 to 14.21 units (2.841 x 4.2 & 2.841 x 5.0)

(3) Existing Use		Church
(4) Existing Parking Spaces		30 spaces
<b>Total Parcel</b>		
(1) Net Area		196,350 sq ft (city) / 204,600 sq ft (county)
(2) Gross Area		217,800 sq ft (5.0 ac)
(3) Allowed Units		61.59 to 63.87 units
(4) Existing Parking Spaces		92 spaces
(5) East Setback		30 feet +/- (city)
(6) South Setback		10 feet
(7) West Setback		340 feet
(8) North Setback		175 feet
<b><i>South Parcel -131-23-005A</i></b>		
(1) Zoning		R-5
(2) Net/Gross Area		30,318 sq ft (.696 ac)
(3) Existing Use		Vacant
(4) Allowed Density	Up to 23 units per gross acre (Section 5.1004.D)	
(5) Allowed Units		16.01 units (.696 x 23)
<b><i>Combined Parcels (131-23-008 + 131-23-005A)</i></b>		
(1) Zoning		R-5 & RI-7
(2) Net Area		226,668 sq ft (city) / 234,918 sq ft (county)
(3) Gross Area		248,118 sq ft (5.696 ac)
(4) Allowed Units		77.60 to 79.88 units

■ **Proposed Residential Development:**

Subject	Ordinance Requirement	Data / Information
<b>Portion of Property Not Included in Rezoning Application</b>		
Net Area		16,718 sq ft (.38 ac)



Gross area		22,078 sq ft (.51 ac)
Use		New street and landscaped open space
<b>Portion of the Property Included in Rezoning Proposal</b>		
Net Area		145,982 sq ft (3.35 ac)
Gross Area	Minimum property size = 8,000 sq ft (Section 5.804.A)	145,982 sq ft (3.35 ac)
Proposed Units		26
Density	Maximum density = 8.313 units per gross acre (43,560 / 5,240) (Section 5.804.D)	7.76 units/gross ac
Common Open Space	Minimum = .10 x gross area (Section 5.804.B) (14,598 sq ft)	31,000 sq ft (.71 ac) (19.5%)
Building Height	30 feet (Section 5.804.C)	30 ft
<b>Building Setback</b>		
(1) Adjacent to R-4 and R-5 zoned parcels	10 feet (Section 5.804.E.2)	10 ft
(2) Adjacent to R1-7 parcel	15 feet for one story buildings / 25 feet for 2 story buildings (Section 5.804.E.1)	15 ft
(3) From dedicated street	Minimum: 15 feet / Average: 20 feet (5.804.E.3)	30 ft
(4) From frontage (i.e. Hayden Road)	Maximum of 30% of buildings within 50 of right-of-way shall be more than one story (5.804.E.4)	
Distance Between Buildings	Minimum: 10 feet (Section 5.804.F)	10 ft

■ Revised Church Property:

Subject	Ordinance Requirement	Data / Information
Net Area		64,825 sq ft (1.49 ac) in R-4 7,329 sq ft (.17 ac) in R-5 72,154 sq ft (1.66 ac) Total
Gross Area	Minimum property size = 8,000 sq ft (Section 5.804.A)	81,070 sq ft (1.86 ac) in R-4 9,475 sq ft (.22 ac) in R-5 90,545 sq ft (2.08 ac) Total
Open Space Provided	Minimum = .10 x gross area (Section 5.804.B) in R-4 portion = 8,107 sq ft + Minimum = .22 x net area (Section 5.1004.D) in R-5 portion = (.22 x 7,329) 1,612 sq ft Total = 8,107 + 1,612 = 9,719 sq ft	22,000 sq ft (.50 ac) (24% of total area)
Parking	A. 1 space per 4 seats in sanctuary with fixed seating B. 1 space per 300 sq ft in classroom/meeting areas (Table 9.103.A)	A. 182 seating / 4 = 46 B. 5,400 / 300 = 18 C. 64 spaces
Building Height	30 feet (Section 5.804.C) 75 feet with stepback 2:1 where building is higher than usual requirement (Section 7.102.B)	30 ft
Building Setback		
(1) East	Minimum: 15 feet / Average: 20 feet (5.804.E.3)	30 feet
(2) South	10 feet	10 feet

	(Section 5.804.E.2)	
(3) West	10 feet (Section 5.804.E.2)	25 feet
(4) North	10 feet (Section 5.804.E.2)	155 feet

▪ **Combined Site:**

Subject	Ordinance Requirement	Data / Information
Use		Dwelling Units & Church
Net Area		226,668 sq ft (5.20 ac) (city) / 234,918 sq ft (5.39 ac) (county) / 227,525 sq ft (5.22 ac) (calculated per survey)
Gross Area		249,130 sq ft (5.72 ac)
Residential Units		26
Overall Density		4.55 du/ac
Building Setback		
(1) East		30 ft minimum
(2) South		10 ft minimum
(3) West		10 ft minimum
(4) North		10 ft minimum

**Site Plan**

The site plan for the entire rezoning includes two main components: 26 residential lots fronting an internal local public street and a church. The residential uses will occupy the west portion of the site while the church will occupy the east portion of the site. The residential lots will be new parcels and construction while on the church facility a portion of the existing building will be removed and replaced adjacent to the remainder of the building.

## Circulation

The local street that will serve both uses will intersect Hayden Road at a relocated median break. This neighborhood will not share vehicular access with any existing neighborhood, but may share access with the adjacent proposed small multi-family project to the north. The single-family residential neighborhood will typically generate about 260 trips per day, with a peak-hour rate off around 25-30 trips.

The Church will share access via this new street. Its traffic generation is during off-peak hours during weekdays (typically in the evening) and on Sunday.

In allowing access from the proposed apartment project north of this site, additional south bound 'U'-turns on Hayden Road will be greatly reduced, reducing the complexity of traffic patterns in this portion of Hayden.

By including the southern parcel into this application, at least one additional driveway access to Hayden Road will be eliminated. This would have been a relatively 'blind' access location squeezed between a large power pole and the electrical substation wall.

## Open Space

The residential portion of the site will include 6 areas of common open space: along the Hayden Road frontage, south of the internal road along the church property and in the southwest corner (which will also serve as the primary retention area).

The church portion of the site will provide open space around the perimeter of the building and the perimeter of the new church property.

## Infrastructure

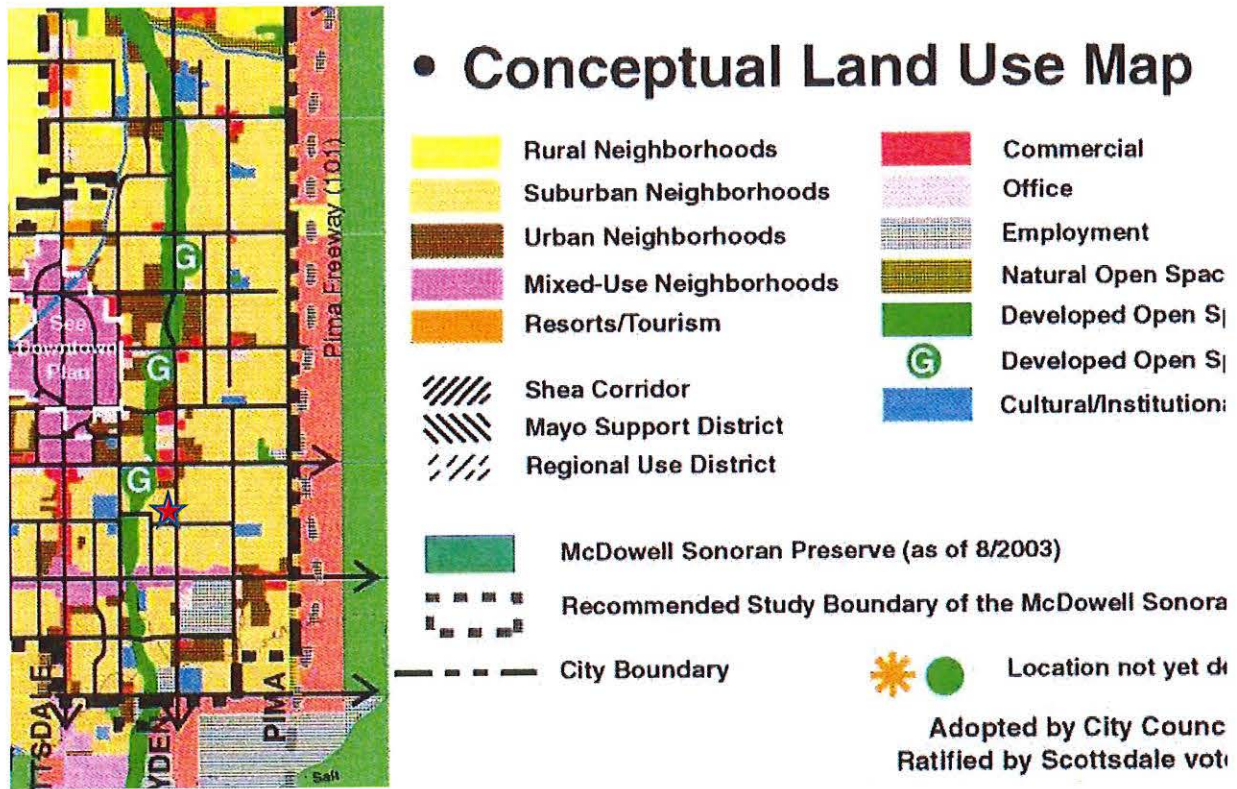
The uses on this site will tie into water and sewer facilities in Hayden Road. The church currently ties into the Hayden Road water line and this will continue. The church uses both on-site septic systems and sewer, which drains into the sewer lines west of the site. The church sewer will shift to a shared line with the new residential units.

The site has minimal land slopes (1% +/-) that drain to the west-southwest. Detention exists and will continue to exist in the new plan through the installation of new basin areas in both portions of the site.

# General Plan Review

## Land Use

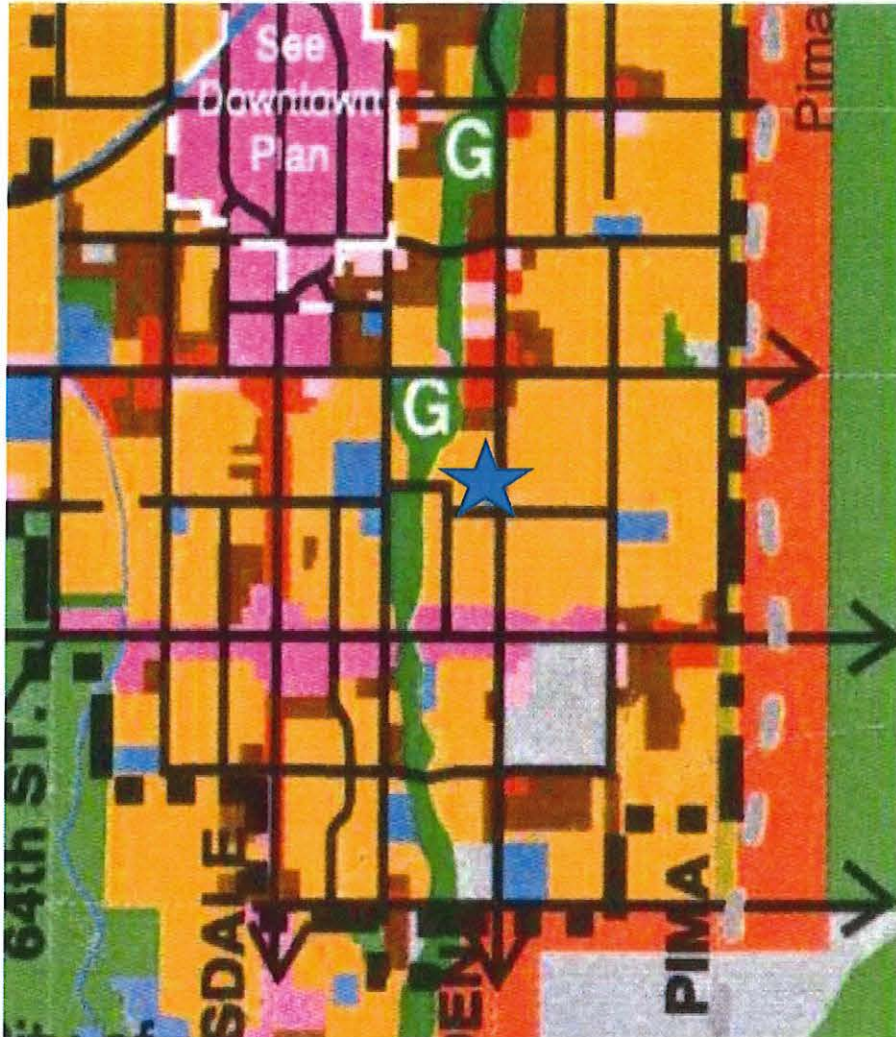
On the current (2001) General Plan Land Use Plan map the site is designated as "Suburban Neighborhoods". This use is described as: "Medium to small-lot single-family neighborhoods or subdivisions. Densities in Suburban Neighborhoods are usually more than one house per acre, but less than eight houses per acre. This category also includes some townhouse and can also be used for small lot single-family homes, such as patio homes. It can be incorporated into neighborhoods near the Downtown area and in or adjacent to other non-residential activity centers. These uses may be used as a transition between less intense residential areas and non-residential areas, such as offices or retail centers. The terrain should be relatively flat, or gently sloping, to accommodate this density."



The proposed use is consistent with the description of the use category and the existing uses surrounding it. It is also with the original and base land use planning for the area as indicated in the 1967 General Plan Land Use map.

The following graphic is a blow-up of the currently applicable General Plan Land Use Plan map:

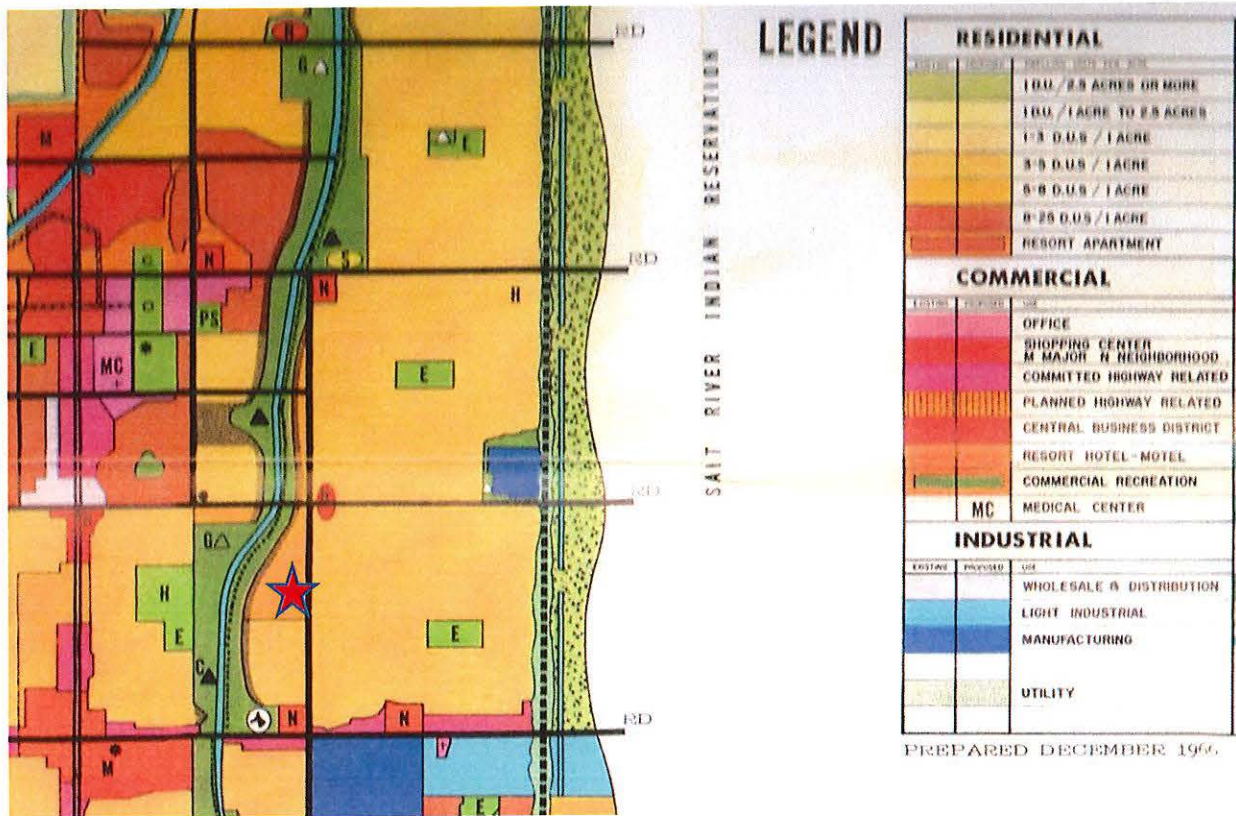




(Site depicted as blue star in center of graphic.)

As noted on the image above, the site is essentially surrounded by Suburban Neighborhood designations on the Land Use Plan (the orange-beige colored areas). This does not necessarily correspond with the underlying zoning, as is the case with the subject property. Properties to the north on the west side of Hayden as well as all of the frontage along the east side of Hayden are not consistent with the Suburban Neighborhoods land use designation. This is due to the zoning for these areas being established by Maricopa County before the City of Scottsdale annexed this area in 1965. The County zoning designations are generally consistent with the land use plan prepared by Maricopa County in 1961 and were not always directly carried forth when the City established its own General Plan in 1967.





(Site depicted as a red star on the 1967 General Plan)

The land use category that was first applied to this site (1967 General Plan) was "5-8 D.U.s / 1 acre". This has underlain all subsequent land use plans that relate to this site. This was the basis for the R-4 uses to the north and west of the site. The other non-RI-7 zoning on, adjacent to and near this site relate to actions taken by Maricopa County prior to this area being annexed by Scottsdale in 1965.

The current land use plan designation of Suburban Neighborhoods describes the land uses within the category as including: "Medium to small-lot single-family neighborhoods or subdivisions. Densities in Suburban Neighborhoods are usually more than one house per acre, but less than eight house per acre." Historically this designation has been translated in term of zoning districts as RI-18, RI-10, RI-10, RI-7, RI-5, R-2, R-4 and even at times R-4R. This designation was created for the 2001 General Plan and was a combination of what had been for many years two designations: 2-4 units per acre and 4-8 units per acre.

When these designations were first established in the mid-1970s the maximum density for the R-4 district was 8.0 units per acre. When all the residential zoning districts were adjusted in the mid-1980s to accommodate the impact of requiring fire sprinklers, these districts were adjust upward, and the maximum density of the R-4 district was adjusted to 8.31 units per gross acre. Even though this might be technically above the 8 units per acre figure, at the time the zoning districts were adjusted the decision

was made to maintain the historical and tradition applications of the district to the Land Use Plan designations and therefore the R-4 has remained consistent with this designation. Currently there are over 30 sites with R-4 and R-4R zoning that are included in the Suburban Neighborhoods designation. Furthermore, in this application, the proposed density is below 8.0 units per acre and is consistent with the housing types described for this designation, being small-lot single family units on individual lots.

### Land Use Policies:

Policy Number	Policy Language	Response
3	Encourage the transition of land uses from more intense regional and citywide activity area to less intense activity areas within local neighborhoods.	<i>The proposed rezoning and development plan provide uses comparable of even less intense than adjacent uses and provide for a transition from the major electrical substation to the south.</i>
4	Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.	<i>The proposed plan provides for a housing type (patio homes) that is not the same as adjacent uses nor as in other nearby residential redevelopment proposals. This would also provide for an increase in lands subject to property taxes that support public service functions in the area.</i>
5	Develop land use patterns that are compatible with and support a variety of mobility opportunities/choices and service provisions.	<i>The site is within a couple hundred feet of stops for both the metro bus system and local trolley system. Future residents would also be near local bicycle routes as well as the Indian Bend Wash path system.</i>
6	Promote land use patterns that conserve resources, such as land, clean air, water, energy, and serve all people, within the community.	<i>By being an infill project, this proposal will occupy what have been either vacant or under-utilized properties for many years. The site is near existing and emerging employment centers along both McDowell Road as well as Old Town Scottsdale. This site will tie into existing infrastructure and particulate emissions will be reduced.</i>
7	Sensitively integrate land uses into the surrounding physical and natural	<i>The proposed use is comparable in density to its neighbors to the north and west. It</i>

	environments, the neighborhood setting, and the neighborhood itself.	<i>will provide comparable or greater landscaping along Hayden Road as well as provide internal open spaces. Since the adjacent subdivisions are internally oriented, there is no opportunity to further integrate with them. The perimeter and internal setbacks of this site will match or exceed those required on the adjacent townhouse subdivisions since it will share the same zoning district.</i>
8	Encourage land uses that create a sense of community among those who work, live and play within local neighborhoods.	<i>The proposed development will provide opportunities for the existing church and its new neighbors to share functions and will create an identity that is distinctive for the area.</i>

## Character

The site is within the "Suburban" Character Type per the Character Types Map of the 2001 General Plan. It is also located within the "South Scottsdale Character Area Plan", which will be reviewed below. The following is a review of the applicable policies of this element:

### Character and Design Element Policies

Policy Number	Policy Language	Response
4	Encourage "streetscapes" for major roadways that promote the city's visual quality and character, and blend into the character of the surrounding area.	<i>The site fronts Hayden Road and falls within the "Suburban" streetscape type. There will be substantial landscaped open space setbacks along this major frontage. The landscape materials will be compatible with those along this stretch of frontage. The challenge will be that the major 68kV power line along this frontage causes limitations in the location and types of trees that are acceptable.</i>

6.	Recognize the value and visual significance that landscaping has upon the character of the community and maintain standards that result in substantial, mature landscaping that reinforces the character of the city.	<i>There will be landscaped open spaces along both the perimeter and internal streets as well as internal to the project. Along with the church, this landscaping will serve as a buffer to the nearby substation facility, which has limited area of open space.</i>
7.	Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the city.	<i>The on-site lighting will comply with the city's lighting control standards and also will follow the I.E.S. standards for a suburban context.</i>

## Circulation

The site will have access to Hayden Road, which is a six-lane major arterial. An existing median break will continue to provide accessibility to and from the property. The site is also near routes for both regional and local transit services. Most of the properties fronting Hayden Road from Oak to Thomas Road rely on direct access to Hayden.

### Community Mobility Policies:

Policy Number	Policy Language	Response
6	Optimize the mobility of people, goods, and information for the expected build-out of the city.	<i>As a redevelopment project surrounded by existing development, this project will tie into existing mobility systems that have been planned and built to accommodate the proposed use.</i>
8	Emphasize live, work and play land use relationships to optimize the use of citywide systems and reduce the strain on regional and local/neighborhood systems.	<i>The proposed development site is within walking and cycling proximity of transit corridors as well as the Indian Bend Wash greenbelt. It is also near major employment and service centers along McDowell Road and Old Town Scottsdale. These all should help reduce the number and distance of automobile-based trips to and from the site.</i>

II	Provide opportunities for building "community" through neighborhood mobility.	<i>The mix of uses included in the development proposal will achieve a sense of identity and community and provide for opportunities for both uses to relate to each other. This will reduce the sense that the new neighborhood will be cut-off from the larger community around it.</i>
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## Open Space

The proposed development plan includes a variety of open spaces including streetscapes, common open spaces, buffered open spaces and multi-use open spaces. There are no specific open space areas or corridors on the open spaces plans that affect this site.

## Neighborhoods

### ▪ *Community Involvement*

Policy Number	Policy Language	<i>Response</i>
I	Seek early and ongoing involvement in project/policy-making discussions.	<i>The applicant has followed the city's standards in notifying and meeting with nearby property owners regarding the proposed project.</i>

### ▪ *Housing*

Policy Number	Policy Language	<i>Response</i>
2	Seek a variety of housing options that blend with the character of the surrounding community.	<i>The proposed housing would on the one hand use the same zoning yet on the other hand introduce a different housing type. Instead</i>

		<i>of attached rowhouses as are in the neighborhoods to the north and west, this project will incorporate a small-lot detached single-family type of housing. The densities will be comparable to the neighboring subdivisions.</i>
3	Seek a variety of housing options that meet the socioeconomic needs of people who live and work here.	<i>The proposed housing would accommodate a slightly different lifestyle from the neighbors, yet still be compatible. The homes would be privately owned. This is a different housing product than that being proposed in nearby sites and would add variety to the local housing mix.</i>
4	Encourage housing development that provides for "live, work, and play" relationships as a way to reduce traffic congestion, encourage economic expansion and increase quality of life for our residents.	<i>This project is truly an infill one that would provide housing options in close proximity to the existing and emerging economic centers of activity in Old Town and along the McDowell Corridor. It is proximate to schools and the Indian Bend Wash greenbelt which would be key assets to its future residents.</i>

■ **Neighborhoods**

Policy Number	Policy Language	Response
1	Enhance and protect diverse neighborhoods so they are safe and well maintained.	<i>The proposed projects would provide a relatively unique housing product in the general neighborhood context and would provide a quality use to a site that has been under-utilized for many years.</i>
3	Sustain the long-term economic well-being of the city and its citizens through redevelopment and neighborhood preservation and revitalization efforts.	<i>This is a redevelopment project that will support the local neighborhood context and provide a greater mix in the local population for local businesses and employers.</i>
4	Preserve and enhance the unique sense of neighborhood found in diverse areas	<i>The proposed development should enhance the livability of its neighbors and increase</i>



	of Scottsdale through neighborhood conservation.	<i>the aesthetics of the area. It is consistent with the long-term land use policies for the site and as such helps to provide continuity.</i>

## South Scottsdale Character Area Plan

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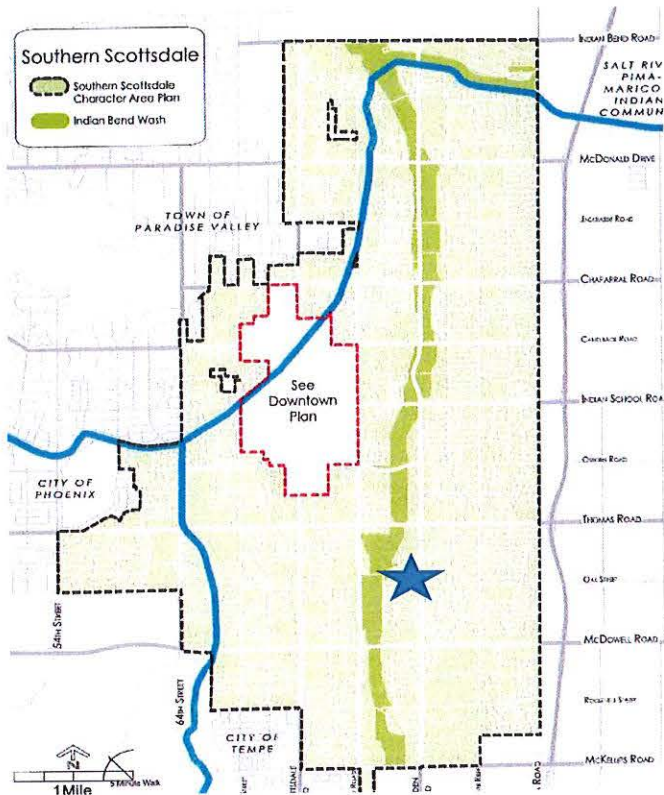
### Values

The proposed development addresses two of the Values included in the Southern Scottsdale Community Area Plan Vision Statement:

- Reinvestment in residential and commercial properties – *This proposal would re-use lands that have had nominal use in the past and infuse new and sustainable use on these lands.*
- Diversity of housing choice – *This proposal includes a housing type that is different than the adjacent uses and also differs from many of the recent and nearby residential development proposals which have predominantly been multi-family.*

The following graphic places the subject site within the overall Southern Scottsdale Character Area Plan, being located in the south-central portion of the area:





## Land Use

The proposed land uses address the following goals of the Southern Scottsdale Community Area Plan:

Goal Number	Goal Language	Response
LU 1	Promote residential reinvestment and revitalization through regulatory flexibility.	<i>The proposed development uses a common zoning district for the area but applies a product that relates to the district in a different manner, helping to create a type of housing that will be an asset to the area.</i>
LU 3	Promote revitalization, reinvestment and development along southern Scottsdale's corridors.	<i>This proposal includes the consolidation of more than one under used properties to establish a plan that resolves potential access concerns and create a more viable development.</i>

The site is near to several focus areas in the Southern Scottsdale Community Area Plan, including: the “Continental Activity Area” (2,000 feet to the north); the “McDowell Road Regional Corridor” (2,700 feet to the south), the “Pima Regional Center” (3,000 feet to the southeast), the “Skysong Regional Center” (3,200 feet to the southwest) and the “Scottsdale Road Regional Corridor” (4,500 feet to the west). It is in the general area of several points of revitalization focus and would compliment and support the ongoing revitalization of these areas.

The site is also just 500 feet south of an “Area of Revitalization” as depicted on the “Indian Bend Wash Revitalization Areas” plan contained within the Southern Scottsdale Community Area Plan document. This site as well as a couple other properties adjacent to it, share many of the characteristics of the designated area and constitute a small but vital area of revitalization for the area.

### Character

The proposed development addresses a couple of the Character and Design goals contained within the Southern Scottsdale Community Area Plan:

Goal Number	Goal Language	Response
CD 1	New and redeveloped residential housing should respect existing neighborhood character and design.	<i>The proposed residential development will provide a somewhat more open residential environment using similar densities as compared to the adjacent residential uses. The number of stories will be the same as with adjacent neighborhoods and the orientation of the units will be similar. Relatively few adjacent units will actually have direct visibility of the proposed homes.</i>
CD 3	Promote high quality design for new and revitalized mixed-use, commercial and residential development along corridors, within regional centers and activity areas.	<i>The proposed uses will have primarily stuccoed walls, two-stories, small private patios and other similar features to the adjacent neighborhoods. The design of the homes will be of a contemporary nature that meets the desires of the modern marketplace.</i>

## Neighborhoods

The proposed development will respond to the Neighborhood Resources goal (#3) which says: "Strengthen neighborhood identity, unity and health within southern Scottsdale." by providing a housing type that carries the general density and character of the established neighborhoods, by having a church facility where the community can share the open space of the grounds, and by a plan that achieves buffering from a nearby major utility facility.

## Scottsdale Sensitive Design Guidelines

The following is a review of the Scottsdale Sensitive Design Principles and how the proposed development addresses them:

Design Principle	Response
1. The design character of any area should be enhanced and strengthened by new development.	<i>The proposed development will provide enhanced streetscapes, housing units that compliment the local area and convert under used land into a viable and well-maintained site.</i>
2. Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features.	<i>There are no major vistas or natural features on the site.</i>
3. Development should be sensitive to existing topography and landscaping.	<i>The site is virtually flat and featureless with no substantial landscaping materials.</i>
4. Development should protect the character of the Sonoran Desert by preserving and restoring natural habitats and ecological processes.	<i>The site was former farm land (60 to 100 years ago) and there are no natural features to restore.</i>
5. The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and convey its design expectations.	<i>The Hayden Road streetscape will be enhanced in a manner that will reinforce streetscapes along Hayden Road, particularly to the north of the site. Internal streetscapes and common areas will also have enhanced landscaping.</i>
6. Developments should integrate alternate modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community.	<i>The site is well positioned to encourage residents to access local and regional bus systems. It is also proximate to schools, the Indian Bend Wash greenbelt and employment uses that will be available to the future residents. Because of the existing street patterns in the area, the site is limited to access from Hayden Road.</i>
7. Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments.	<i>The internal street will have extensive street side landscaping along the church frontage segment, which will provide shading. Unfortunately, since the adjacent developments have private areas and</i>

	<i>no provision for connections, such will not be available to this site.</i>
8. Buildings should be designed with a logical hierarchy of masses.	<i>The design of the buildings will be subject to DRB review and approval.</i>
9. The design of the built environment should respond to the desert environment.	<i>The orientation of entrances, windows and landscaping will take into consideration local climate factors.</i>
10. Developments should strive to incorporate sustainable and healthy building practices and products.	<i>These decisions will be made through the DRB and final plans processes.</i>
11. Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.	<i>The landscape design will incorporate materials compatible with arid and subtropical climates and where possible existing materials will be relocated.</i>
12. Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.	<i>(see above)</i>
13. The extent and quality of lighting should be integrally designed as part of the built environment.	<i>Outdoor lighting will comply with city standards and be focused on areas that will have pedestrian access.</i>
14. Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.	<i>Due to the uses and zoning of the site, signage will be minimal.</i>