

FINAL PLAT

The Town Council approved the preliminary plat for this development on November 16, 2017. There were five conditions of approval:

1. The final plat for “The Villas at Cheney Estates” shall be in substantial compliance with the Preliminary Plat, Sheets 1-3, prepared by CVL Consultants, dated August 31, 2017.

[The final plat is in substantial compliance with the approved preliminary plat]

2. Prior to the final plat of this Property being approved by the Town Council, the appropriate documentation shall be provided to the Town regarding “The Villas at Cheney Estates” subdivision having a 100-year assured water supply.

[The Arizona Department of Water Resources approved the Certificate of Assured Water Supply in May 2019]

3. A final subdivision wall and landscape plan shall be approved with the final plat for “The Villas at Cheney Estates.” This plan shall exclude the areas approved under the Special Use Permit of Ordinance 2016-15 (SUP-16-03) related to the private roadway gates, walls, and other improvements/landscaping depicted on such plan.

[The applicant has submitted a final subdivision wall plan that matches the conceptual wall plan with the preliminary plat. The applicant provided a final landscape plan with the final plat application. This final landscape plan provides the landscaping areas not approved as part of the 2017 private roadway gate Special Use Permit. This is primarily the landscaping along the private street of Ironwood Drive and Tract B. The landscaping plan is in general compliance with the conceptual plans approved with the preliminary plat.]

4. Prior to recordation of the final plat for said subdivision, the applicant shall provide to the Town Attorney a copy of the CC&R’s or other documents for review.

[This condition is a final plat condition, with a voluntary inclusion from the applicant that the CC&R’s will include a provision for no overnight parking on Ironwood Drive, there will be a single trash hauler provider, and that there will be a minimum of a 30-day rental limit for the residential units. The Town Attorney has reviewed draft CC&R’s with these voluntary conditions included.]

5. Within 60 days of approval of the final plat, the applicant shall submit to the Town mylars of the approved plans and an electronic version of these plans in a pdf format for the Town’s permanent record.

[This condition is a final plat condition.]

A final plat follows the standards outlined in Chapter 6, Subdivisions, of the Town Code. If necessary, Article 6-8, Variances and Modifications, of that chapter allows for variations to the subdivision code, along with any necessary conditions of approval. The modifications as part of the proposed plat relate to the turn-around adjoining Lot 1

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as described under Proposed Ironwood Drive and the requirement to waive public utility easements on all sides of each lot. The Town Council acknowledged these modifications with the preliminary plat for this development approved on November 16, 2017.

Scottsdale Road

The property adjoins Scottsdale Road to the east. Scottsdale Road is a major arterial road. This road and the adjoining six-foot high block wall on a two-foot berm are located fully within the City of Scottsdale. No additional right-of-way is required on Scottsdale Road. However, the construction of a southbound deceleration lane will result in the reconstruction of the existing wall and part of the sidewalk along Scottsdale Road onto the subject site by up to four feet for a length not to exceed 70 feet.

Northern Avenue Alignment

The property adjoins the Northern Avenue alignment to the south. This alignment is designated as a local road on Figure 4.1, Motorized Circulation Map, of the Town's General Plan. Several constraints exist in improving this alignment to connect to Golf Drive, including its location within a major wash. The adjoining half-width of right-of-way is 40-feet. A typical local road half-width of right-of-way is 25 feet. No additional right-of-way is required along the subject site. The conditional rezoning of the subject site approved by the Town Council in 2017 included a stipulation that the property owner provide assurances to construct a bicycle and/or pedestrian route within, adjacent to, or nearby the Northern Avenue alignment adjoining the development subject to the following conditions: the assurance shall expire five years after recordation of the final plat, the owner has no obligation to build such a route if the Walk & Bike Plan excludes this route, and the construction of the route adjoining the development will not occur until the Town has installed a similar path from Golf Drive to the western edge of the Property, and the owner of the subject development is not obligated to relocate the utility boxes at the eastern end of the Northern Avenue alignment. With the Walk & Bike Plan not adopted, this stipulation is no longer in effect.

Proposed Ironwood Drive

The Planning Commission approved the private road Conditional Use Permit for Ironwood Drive on October 3, 2017. The Town Council approved the private roadway gates Special Use Permit on November 16, 2017.

The proposed roadway complies with the dimensional standards in the Town Code. This includes the right-of-way width and cul-de-sac radius. The exception is the terminus of the small roadway segment adjoining Lot 1 which does not have a cul-de-sac, but meets fire code provisions. Traffic impact is not expected to be significant as described under the 'Traffic' section of this report.

The private roadway is in compliance with the roadway standards for a local road cross-section standard, Option B of the Town's General Plan. The right-of-way is 50 feet in width. The improved paved area will be 26 feet in width, including two-foot wide curbs.

There are two proposed cul-de-sacs. Both cul-de-sacs meet the 45-foot right-of-way and 40-foot radius paved area standards of the Town Code. The western cul-de-sac will have a 55-foot radius to avoid having to construct an emergency access lane. Lot 1 and Lot 2 of the proposed plat access off the entry cul-de-sac separate from Lots 3 through 8. The access to Lots 1 and 2 are via a triangular-shaped right-of-way, with Lot 1 adjoining the entry cul-de-sac. Literal application of Section 6-3-2 of the Town Code requires a cul-de-sac at a dead end street. Although, modification of the subdivision standards is allowable via Article 6-8 of the Town Code, if such modification does not nullify the intent and purpose of the regulation. The 2015 International Fire Code requires that all portions of a building be within 150 feet of a fire apparatus access road, but allows for exceptions when there are less than two single-family homes and when the building is equipped with an automatic fire sprinkler system. Lots 1 and 2 meet this fire code provision.

Except as noted on Lot 1 above, the private roadway itself complies with vehicle turn-around and vehicle stacking. Turn-around and vehicle stacking is addressed in more detail with the approved private roadway access gate Special Use Permit.

Lot Configuration

As drawn, the proposed subdivision meets area requirements as noted below and the final plat is in substantial compliance with the preliminary plat approved by the Town Council.

- Lot Size: The requested 8-lot single-family development has lots that vary between approximately 16,813 square feet to 38,665 square feet. The typical minimum lot size for R-43 Cluster Plan is 20,000 square feet. The smallest cluster plan lot within the Town is within the R-18 Cluster Plan by Special Use Permit of Via Vista at 12,001 square feet and then Cheney Estates at 16,365 square feet. Subtracting the private roadway tract, the proposed plat has a gross density of one home per 1.13 acres. The average lot size is 23,647 square feet. These lots are approximately 3.5 times larger than the average lot size in nearby Scottsdale, approximately 2,000 square feet smaller than the average lot size in all of Cheney Estates, approximately 6,000 square feet larger than the R-18 Cluster Plan lots in Cheney Estates, and slightly less than 50-percent smaller than a one-acre lot.
- Lot width: The R-43 Cluster Plan typically has a minimum lot width of 120 feet. The R-35 Cluster Plan typically has a minimum lot width of 100 feet. All eight lots comply with the minimum lot width of 100 feet as approved by Ordinance 2016-13 that amended Article IX, Cluster Plan District. Each lot encloses a 100-foot diameter circle touching at one point on the 20-foot front yard setback.
- Access: The approved Conditional Use Permit for the private road allows for access to Scottsdale Road.

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- Setbacks: The approved Cluster Plan District text amendment generally uses the R-10 District setbacks of 20 feet in the front, 25 feet in the rear, and 7 feet on the sides. All eight lots comply with the minimum setbacks as proposed by the text amendment. These setbacks also meet the setbacks shown on the approved preliminary plat for this development.

Tracts

The proposed plat includes three tracts. All tracts will be maintained by the homeowner association. Tract A is the private roadway. Tract B is for open space and retention. Tract C, and the rear 41 feet of Lots 1 through 6, are for open space, drainage, and golf course use. Provisions are made for the existing golf course easement. Except for the proposed residential homes adjoining the golf course, there is no anticipated impact to the area of the golf course easement itself.

Utilities

As described with the preliminary plat approval, all new utility lines will be located underground. Each of the proposed lots has the required 8-foot wide public utility easement in the front yard in accordance with Section 6-3-3 of the Town Code. However, most of the proposed lots do not have side or rear public utility easements as described in Section 6-3-3 of the Town Code. It is common not to have utility easements placed around all sides of smaller lots.

The applicant has provided will serve letters from the utility providers for this development. Many of the utilities will require extension of utility lines. The applicant filed for its Certificate of Assured Water Supply in August 2018. The Town Council cannot approve the final plat until this Certificate is issued.

Traffic

As provided with the preliminary plat approval, the applicant submitted a traffic statement that indicates the eight proposed single-family homes are expected to generate 76 daily vehicular trips during a typical weekday of which six trips will occur in the morning peak hour and eight trips will occur in the evening peak hour. As zoned, three to four single family homes are permissible. The concurrent application requests would add an additional four to five homes and its associated traffic. The proposed development is expected to have traffic that would be substantially less than some of the uses that have been explored on the subject site such as a boutique resort, medical office, and continuing care retirement facility.

The circumstance with restricting access and not developing the Northern Avenue alignment results in all vehicular traffic accessing Scottsdale Road. This roadway design will result in no or minimal traffic impact to the adjoining properties within Paradise Valley.

Drainage

The preliminary plat application included a hydrology/drainage report. Final detail and design of the drainage will occur with the final plat and/or prior to recordation of said plat.

The property is presently mapped within a major designated flood hazard area, as approximately two-thirds of the site lies within the floodway of Indian Bend Wash. Although in the floodway, the site was graded and raised in elevation sometime between the years of 1997 and 2000 based on aerial information. Development on the site required a letter of flood map revision through the Federal Emergency Management Agency (FEMA). This map revision was approved by FEMA in two stages, a conditional letter which was issued by FEMA in July 2017 and a final letter (LOMR) approved on October 31, 2018 and effective on March 15, 2019.

Fire Protection

The proposed lots will meet all standards related to fire protection as follows and were reviewed during the preliminary plat approval:

- Access: All lots will have direct access onto the public roadway of Scottsdale Road via the proposed private roadway.
- Spacing/Location: No fire hydrants exist within 400 feet around the subject site. Development will result in installation of a fire hydrant in each of the two cul-de-sacs.
- Fire Sprinklers: The new homes and structures that will be constructed as a result of this subdivision will have fire sprinklers in accordance with the Town Fire Code.
- Fire Flow: The applicant has provided a water service impact study. This study indicates the fire flow will comply with the 1,500 gallons per minute at 20 pounds per square inch Town standard when the City of Scottsdale system is open per its arrangement with Berneil Water Company for their service area.

ROADWAY GATE

The Town Council approved the Special Use Permit for the private roadway gates via Ordinance 2016-15 on November 16, 2017. This Special Use Permit becomes effective once Council approves the final plat and the Proposition 207 waiver has been executed. This gate approval included the following characteristics:

- The development will have a private entry roadway cul-de-sac off Scottsdale Road, with two access gates adjoining this entry cul-de-sac. This cul-de-sac will serve as the turn-around in front of the gates. It has a right-of-way radius of 45 feet and a pavement radius of 40 feet in accordance with Town standards.
- Stacking from the gates to the centerline of Scottsdale Road complies with the 150-foot stacking per the Town Special Use Permit Guidelines. The stacking is 179 feet and 223 feet from the gate to the centerline of Scottsdale Road. Approval of the plat will also require construction of a southbound deceleration

lane on Scottsdale Road. The gate approval included acceptance of a traffic statement from a registered engineer that the provided queuing of vehicles on site is sufficient for typical ingress operation.

- The entry cul-de-sac includes two entry gates at approximately 6 feet 6 inches in height, with entry gate columns at 7 feet in height. One gate will provide access to six lots and the other gate will provide access to two lots.
- For secondary access, the turn-around west of the gates has a 55-foot paved radius in lieu of a separate 20-foot wide emergency vehicle access road.
- The walls near the private roadway gates around the entry cul-de-sac were permitted to be 6-foot high walls connecting to the proposed gates within the roadway tract and setback 8 feet from the front property lines on Lots 2 and 3.

SUBDIVISION WALL

The Town Council approved a conceptual perimeter wall plan with the preliminary plat approval on November 16, 2017. Section 2408 of the Town Zoning Ordinance, allows for the review of the location, height, setback, and design of perimeter subdivision walls and/or fences. The attached final subdivision perimeter wall plan matches this approved conceptual plan.

The existing wall along Scottsdale Road is within the City of Scottsdale. This wall is a stucco wall with some decorative tile accents. It is a 6-foot tall wall on a 2-foot tall berm. Due to the proposed southbound deceleration lane, there will be approximately 70 lineal feet of this wall removed north of the existing access point into the site to accommodate the sight vision triangle and reconstruction of the wall and sidewalk up to 4 feet west of the existing right-of-way line. There will also be approximately 30 lineal feet of this wall removed south of the existing access point into the site to accommodate the sight vision triangle.

The proposed wall along the south property line and the Northern Avenue alignment matches the conceptual wall plan. This wall is a 6-foot tall block wall with stucco finish along the south property line of Lots 7 and 8, with no setback. The south wall along Lot 6 will be placed outside the drainage easement and be setback from the Northern Avenue right-of-way. As noted during the preliminary plat process, a linear opaque wall along a right-of-way requires a 20-foot setback. As this is a subdivision wall requiring Town Council approval, the location, height, setback, and design are approved as part of the final plat. Support of the proposed location includes the unlikelihood of Northern Avenue being improved for vehicular travel, that the Northern Avenue alignment is within the Indian Bend Wash, and the circumstance that the plat will have a one-foot wide non-vehicular access easement.

The applicant proposes to construct either an opaque 6-foot tall block wall with stucco finish along the golf course side of the site and/or a combination block wall/view fence or view fence along the golf course side. This wall will be constructed on the edge of the golf course easement. As this proposed wall adjoins the golf course, there are no specific setbacks.

EXTERIOR LIGHTING

Lighting on Individual Lots

Any lighting on the individual lots will be reviewed with the respective building permits for these custom home lots. Such lighting must comply with the current lighting regulations of the Town's Zoning Ordinance in place at the time the lighting is installed.

Landscape Lighting - Safety Lighting

The entryway landscape lighting was approved by Town Council with the approval of the private roadway gate Special Use Permit of Ordinance 2016-15 on November 16, 2017. This approved lighting plan provides four lighting fixtures. The proposed finish is bronze metallic. The lumen count ranges from 30 lumens to 155 lumens per fixture.

Subdivision Sign Lighting

The subdivision sign and its lighting were approved by Town Council on November 16, 2017. This lighting at the entry monument signs complies with Section 2506, Lighting, and Table XXV-1 of the Zoning Ordinance.

HARDSCAPING

The entryway hardscaping was approved by Town Council with the approval of the private roadway gate Special Use Permit of Ordinance 2016-15. The applicant is using a mix of pavers which would be in conformance with the high-quality design values of the Town.

LANDSCAPING

The entryway landscaping in front of the private roadway gates was approved by Town Council with the approval of the private roadway gate Special Use Permit of Ordinance 2016-15 on November 16, 2017. This landscaping complies with the Town Landscape Guidelines.

Landscaping between Scottsdale Road and the existing perimeter wall adjoining Scottsdale Road will remain relatively the same. The land area between the subdivision wall adjoining Scottsdale Road and the land east of it are within the limits of the City of Scottsdale. As described during the prior applications for this project, there will be some landscaping enhancements at the street entrance into the development since portions of the existing wall need to be removed/moved back to accommodate visibility and a deceleration lane. This landscaping generally complies with the Town Landscape Guidelines.

The proposed landscaping within Tract A of this final plat, the private roadway of Ironwood Drive, and Tract B of this final plat, open space/storm water retention, meet the Town's Landscape Guidelines and Section 5-10-7.D of the Town Code. The guidelines suggest a canopy tree at a minimum of 30-foot intervals, with Ironwood trees making up at least 20-percent of the trees. The Guidelines also suggest planting of shrubs at a minimum of 20-foot intervals. The plantings suggested are generally to be native desert or native-adapted. The Town Code provision uses plantings native to the Sonoran Desert, with a minimum of four 15-gallon trees and a minimum of five 1-gallon

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shrubs landscaped an average of 100 lineal feet. The plant species proposed are native desert or native-adapted or drought tolerant. The private road of Ironwood Drive has approximately 775 lineal feet of right-of-way toward the planting calculation. The landscaping between the two entry roadway gates were previously approved with the Special Use Permit for the private roadway gates entry. The remaining lineal footage calculation is approximately 475 lineal feet. This would result in approximately 16 to 19 trees and approximately 24 shrubs. The proposed landscape plan has 19 trees and 189 shrubs. The initial plantings will be larger than the minimum 1-gallon shrub and 15-gallon trees. They propose mostly 5-gallon shrubs and 24-inch to 60-inch box trees.

SUBDIVISION SIGNS

The two entry subdivision signs were approved by Town Council on November 16, 2017.