

**ORDINANCE NO. 18-04**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE TOWN OF FOUNTAIN HILLS OFFICIAL ZONING DISTRICT MAP FOR APPROXIMATELY 322 ACRES LOCATED AT 13300 N. EAGLE RIDGE DRIVE AS SHOWN IN CASE NO. Z2017-12, FROM R1-43 AND MF-PAD TO ADERO CANYON, PHASE II PAD.

**WHEREAS**, the Mayor and Council of the Town of Fountain Hills (the “Town Council”) desires to amend the Town of Fountain Hills Official Zoning District Map (the “Zoning Map”) pursuant to ARIZ. REV. STAT. § 9-462.04, to change the zoning description for eight parcels totaling 322 acres of real property from R1-43 and MF-PAD to ADERO CANYON, PHASE II PAD; and

**WHEREAS**, the Zoning District Map Amendment proposed by this ordinance is consistent with the Fountain Hills General Plan 2010 as amended; and

**WHEREAS**, all due and proper notices of public hearings on the Zoning District Map Amendment held before the Town of Fountain Hills Planning and Zoning Commission and the Town Council were given in the time, form, substance and manner provided by ARIZ. REV. STAT. § 9-462.04; and

**WHEREAS**, public hearings were advertised in the November 22, 2017 and November 29, 2017 editions of the *Fountain Hills Times* pursuant to ARIZ. REV. STAT. § 9-461.06; and

**WHEREAS**, the Planning & Zoning Commission held a public hearing on December 7, 2017 on the Zoning District Map Amendment, after which the Commission recommended approval; and

**WHEREAS**, the Town Council held an additional public hearing regarding the Zoning District Map Amendment on February 6, 2018.

**NOW, THEREFORE, BE IT ORDAINED** BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The 322 acres of real property generally located at 13300 N. EAGLE RIDGE DRIVE as shown in case no. Z2017-12, as more particularly described and depicted on Exhibit A, attached hereto and incorporated herein by reference, is hereby rezoned from R1-43 and MF-PAD to ADERO CANYON, PHASE II PAD, subject to (i) the Town’s adopted codes, requirements, standards and regulations, except as specifically modified in the ADERO CANYON, PHASE II PAD document attached hereto as Exhibit B and incorporated herein by reference and (ii) the time condition set forth in Section 3 below.

SECTION 3. Approval of the ADERO CANYON, PHASE II PAD zoning is conditioned on development of the project commencing within three years of the effective date of this Ordinance.

A. Prior to the expiration of the three-year time condition, the property owner or authorized representative may submit an application for an extension to the Town. A submittal of an application for extension of the three-year time condition does not toll the running of the time condition. Should the three-year time condition expire between the submittal of an application for a time extension and the public hearing on the requested extension, the Adero Canyon, Phase II PAD shall be subject to reversion as set forth below. Upon receipt of a request for extension, the Town's Zoning Administrator shall submit the request to the Town Council for consideration at a public hearing held as set forth below.

B. The Town Council shall, after notices via certified mail to the property owner and authorized representative have been provided at least 15 days prior to the date of the scheduled hearing, hold a public hearing on the extension request. The Town Council may, in its sole discretion, grant an extension of the time condition, subject to the limitation on the number of extensions set forth below. If the public hearing is held after expiration of the time condition, the Town Council may also, at that public hearing, take action to revert the zoning on the property to its prior zoning classification.

C. In the event the project has not commenced within the three-year time period and no request for time extension has been received as provided above, the Zoning Administrator may submit the Adero Canyon Phase II PAD to the Town Council for consideration of reversion, pursuant to the hearing procedure set forth below.

D. The Zoning Administrator shall notify the property owner and authorized representative by certified mail of the Town Council's intention to hold a hearing to determine compliance with the three-year time condition, and to revert the zoning on the property to its former classification if the condition is determined by the Town Council to have not been met. All such notices shall be made at least 15 days prior to the date of the scheduled hearing. The Town Council may, in its sole discretion, either grant an extension of the time condition, subject to the limitation on the number of extensions set forth below, or revert the zoning on the property to its prior zoning classification.

E. The Town Council may grant up to four one-year extensions of the time condition.

F. Following the commencement of the project, the Zoning Administrator shall monitor the project to ensure it continues to completion. Upon the Zoning Administrator's initial determination that the project is not being actively pursued, no further review or approval of any project site plan or plat shall occur until it is determined that good cause exists for delay in the construction of the project. Should the project fail to proceed, a public hearing shall be held by the Town Council to determine the cause of the delay. At the public hearing on the matter, if the Town Council determines that there is not good cause for the delay, it may impose additional conditions on the Adero Canyon Phase II PAD to ensure compliance. If such additional

conditions are not met, the Zoning Administrator may set the matter for public hearing, according to the process set forth in subsection above, on a possible reversion of the Adero Canyon Phase II PAD zoning. If the Town Council determines that good cause exists, it may amend the Adero Canyon Phase II PAD development schedule.

G. For purposes of this Section, the terms “commence,” “commencing” and “commencement” shall mean physical vertical construction activity in accordance with a valid building permit issued by the Town.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

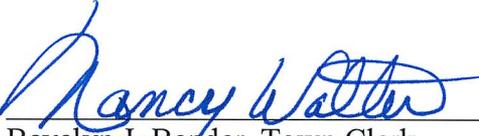
SECTION 5. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Fountain Hills, February 6, 2018.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:

  
Linda M. Kavanagh, Mayor

  
*Acting* ~~Beverly J. Bender~~, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

  
Grady E. Miller, Town Manager

  
Fredda J. Bisman, Town Attorney

EXHIBIT A  
TO  
ORDINANCE No. 18-04  
[Legal Description and Map]  
See following pages.

Exhibit "A"

**PROPERTY DESCRIPTION**

PARCELS 2, 3, 4, 5, 6, 9, 10 AND 10A OF ADERO CANYON, ACCORDING TO THE REPLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 1220 OF MAPS, PAGE 28.

EXCEPT ALL OIL, GASES AND OTHER HYDROCARBON SUBSTANCES, COAL, STONE, METALS, MINERALS, FOSSILS AND FERTILIZERS OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL URANIUM, THORIUM, OR ANY OTHER MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE, IN, OR UNDER THE PROPERTY, AS RESERVED ON DEED RECORDED DECEMBER 30, 1993 AS 93-0921340, OF OFFICIAL RECORDS.

EXCEPT ALL UNDERGROUND WATER IN, UNDER OR FLOWING THROUGH SAID PROPERTY AND WATER RIGHTS APPURTENANT THERETO, AS RESERVED ON DEED RECORDED DECEMBER 30, 1993 AS 93-0921340, OF OFFICIAL RECORDS.

**[TO BE REVISED TO EXCEPT THE VERIZON PARCEL]**

Proposed Plan

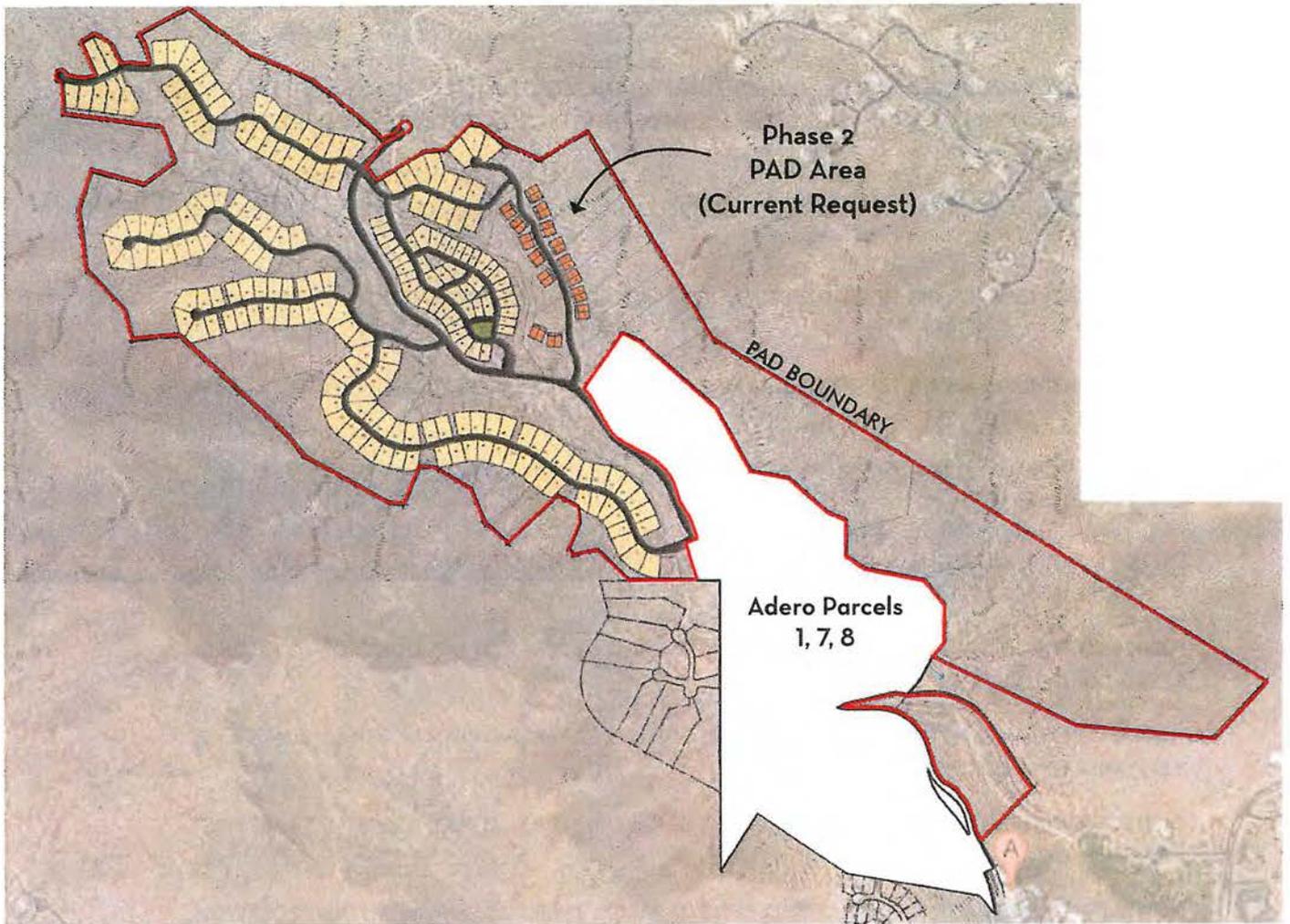
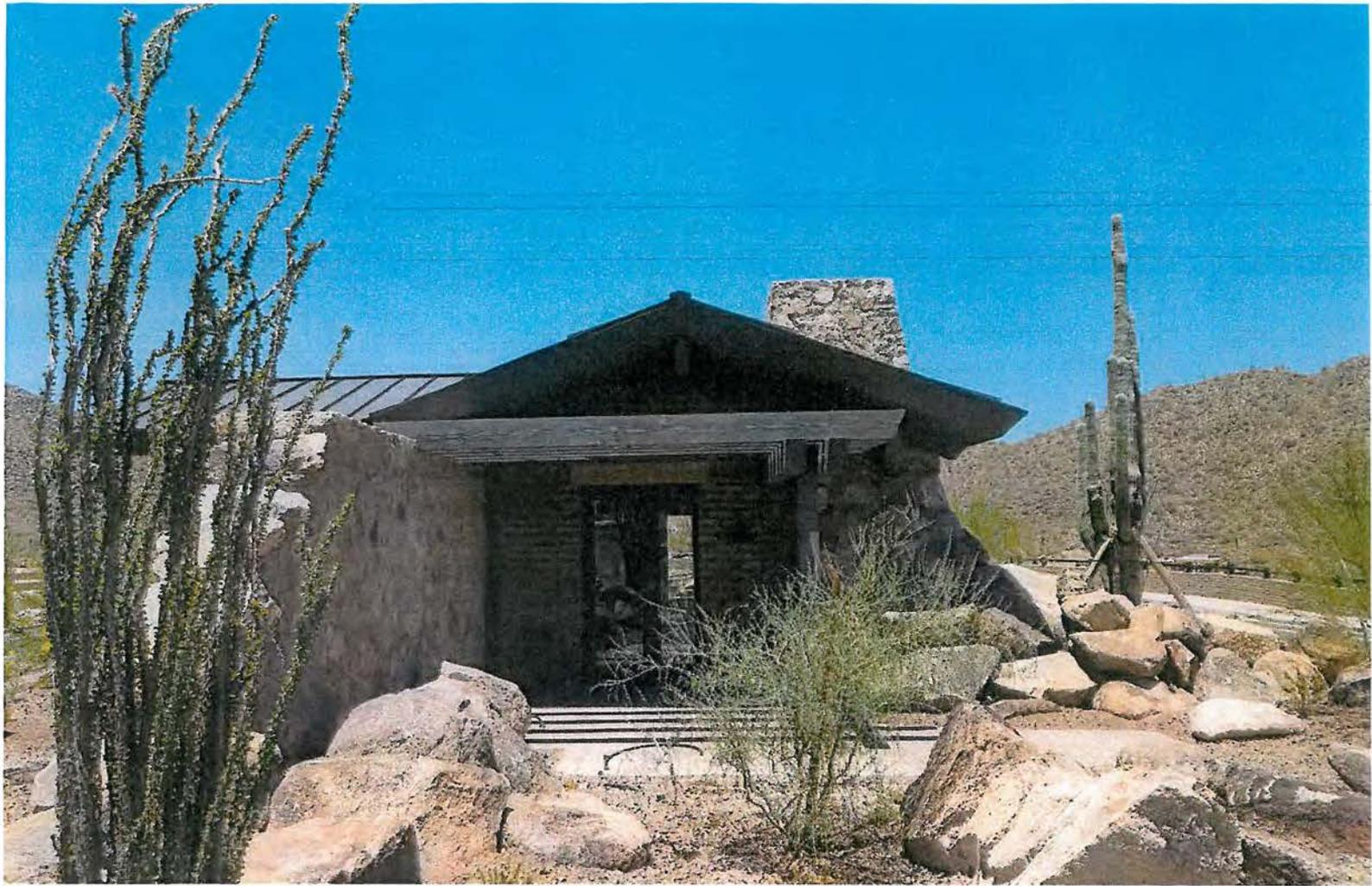


EXHIBIT B  
TO  
ORDINANCE No. 18-04  
[Adero Canyon Phase II PAD]  
See following pages.



A D E R O  
C A N Y O N

PHASE II  
PAD Application  
PARCELS 2, 3, 4, 5, 6, 9, 10 & 10A

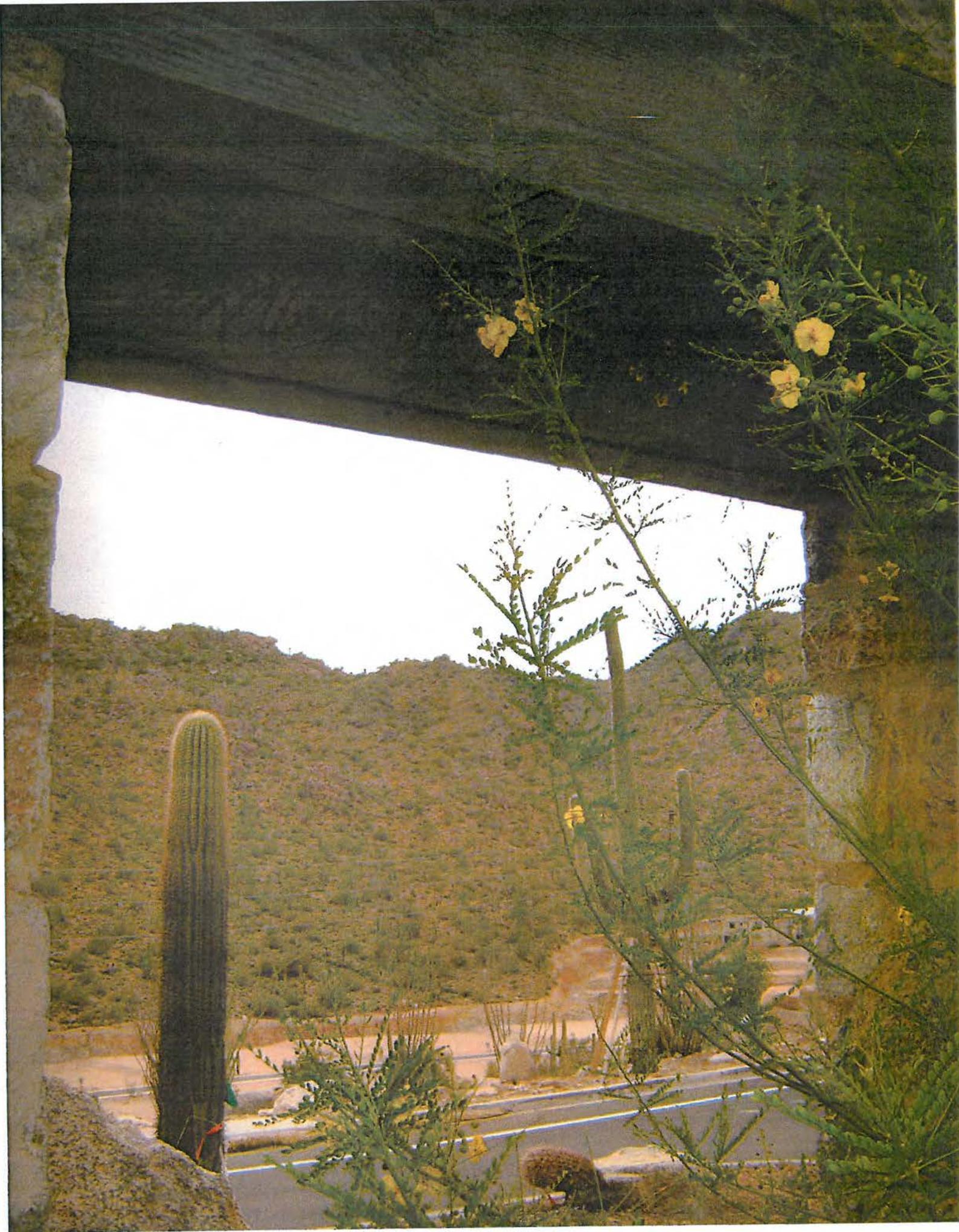
August 28, 2017  
2ND SUBMISSION: October 18, 2017



Town of Fountain Hills, Arizona

**Toll Brothers**  
America's Luxury Home Builder®

  
**SWABACK PARTNERS** pllc  
Architecture • Planning • Interior Design



**Applicant**

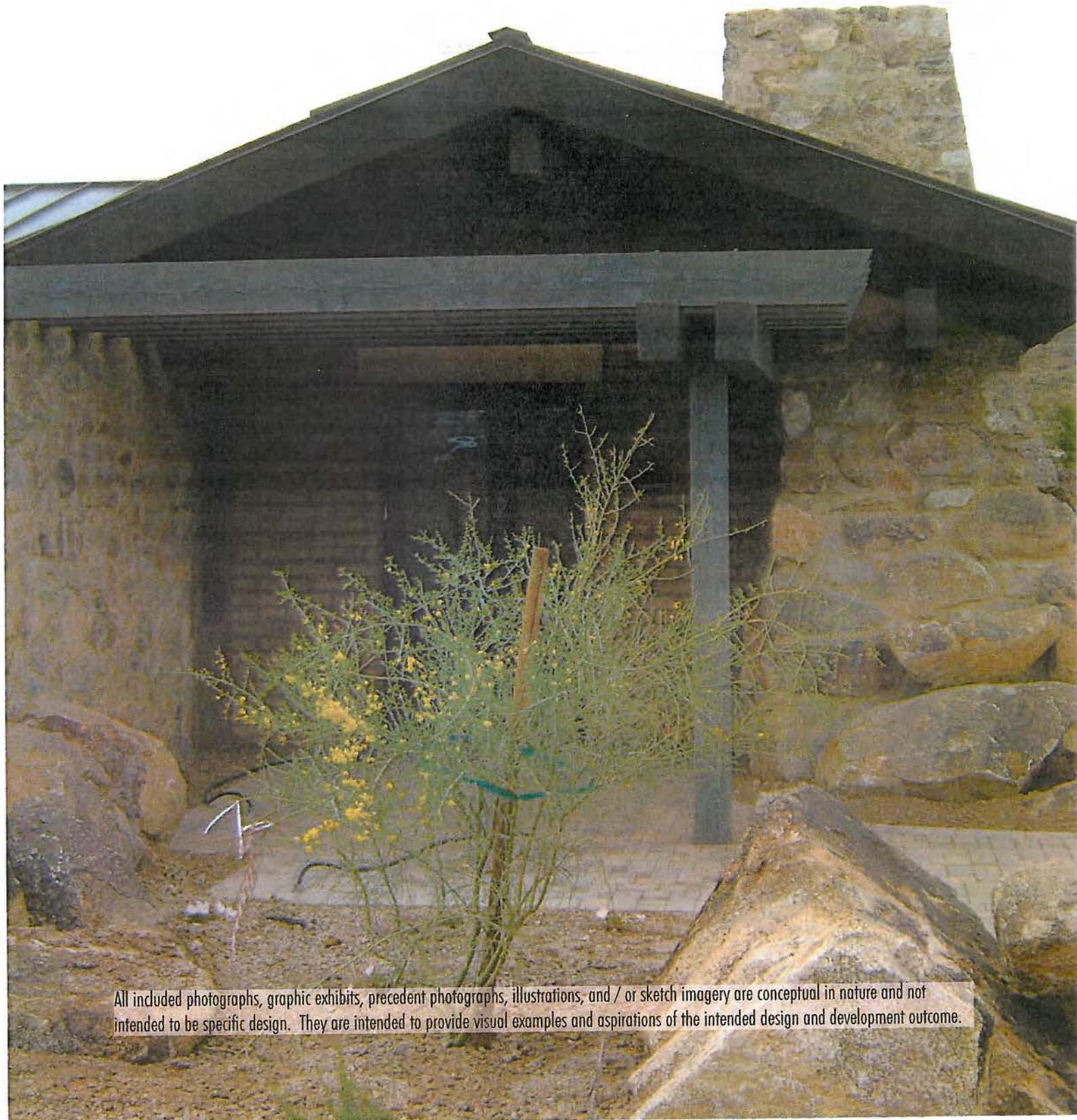
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Toll Brothers Inc. (on behalf of Adero Canyon II, LLC)  
8767 E. Via de Ventura  
Suite #390  
Scottsdale, AZ 85258  
T: 480-951-0782  
Contact: Mr. Jeff Nielsen, Director of Land Acquisitions

**Team**

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- Berry Riddell LLC (Land Use Attorney)  
6750 E. Camelback Rd. Suite #100, Scottsdale, AZ 85251  
T: 480-682-3902  
F: 480-385-2757  
Contact: Ms. Wendy R. Riddell, Esq.
  
- Swaback Partners (Planning and Design)  
7550 East McDonald Drive, Scottsdale, AZ 85250  
T: 480.367.2100  
F: 480.367.2101  
Contact: Mr. Jeffrey Denzak, Partner
  
- Sustainability Engineering Group, LLC (Civil Engineering)  
8280 E. Gelding Dr. Suite 101, Scottsdale, AZ 85260  
T: 480.588.7226  
Contact: Ali Fakih



All included photographs, graphic exhibits, precedent photographs, illustrations, and / or sketch imagery are conceptual in nature and not intended to be specific design. They are intended to provide visual examples and aspirations of the intended design and development outcome.

<b>1.</b>	<b>Introduction</b>	<b>p 7</b>
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<b>4.</b>	<b>Positive Impact on Fountain Hills</b>	<b>p 80</b>
	<ul style="list-style-type: none"> <li>a. Population and Schools</li> <li>b. Traffic and Streets</li> <li>c. Public Utilities</li> <li>d. Trails &amp; Trailhead Access</li> <li>e. Fire and Life Safety</li> <li>f. Economic Impact</li> </ul>	
<b>5.</b>	<b>Compatibility with the General Plan</b>	<b>p 82</b>
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# 1. INTRODUCTION

## a. The Applicant

Toll Brothers has entered into an agreement with Adero Canyon II, LLC (the current property owner) to purchase the remaining undeveloped lands within Adero Canyon. This agreement is contingent on all associated approvals and Town agreements necessary to allow Toll Brothers to secure new entitlements based on the following refined development plan for the community. As such, Adero Canyon II, LLC, has legally granted Toll Brothers the authority to submit this Planned Area Development (PAD) as well as the associated documentation.

Based on the above parameters, Toll Brothers is the identified "Applicant" of this PAD document. Toll Brothers, a publically traded company on the New York Stock Exchange (NYSE), is a national industry leader in building high-end luxury oriented master plan communities. This award winning Fortune 500 company is well known for embracing a dedicated commitment to quality, customer service and design excellence. For the past three years in a row, Toll Brothers has been ranked the #1 home builder worldwide on the Fortune Magazine "World's Most Admired Companies" list.

Toll Brothers has developed numerous successful and award winning communities throughout the Phoenix Valley over the past two decades proven to be attractive to families. Lead by Bob Flaherty, Division President, Toll's core focus has been in North Scottsdale and the northeast valley and has resulted in several celebrated communities such as Windgate Ranch, Saguaro Estates and most recently Talon Ranch. Toll Brothers is very familiar with Adero Canyon. Over the past three years, Toll Brothers has contracted with Adero Canyon II, LLC on the purchase of two key parcels within Adero Canyon (Parcels 1 and 7). These two neighborhood enclaves (Hawkeye and Stoneview) are currently being developed by Toll Brothers, including several active home sales. The initial development effort has been very successful. Toll Brothers' model home at Stoneview- "The Sullivan" (a new residence designed specifically for the Adero project) was recently awarded the Home of the Year Award by the Pacific Coast Builders Conference for planning, home design and construction excellence. "The Parker", Toll's second model at Adero was also awarded a Grand Award. The winners were selected from over 600 entries worldwide.

"This Home of the Year should be applauded and serve as a standard for all as an example of not compromising design and showing what's possible in housing today."

PCBC Design Jury, July 2017

Toll Brothers looks to expand on this success with the proposed refined development strategy for Adero Canyon.

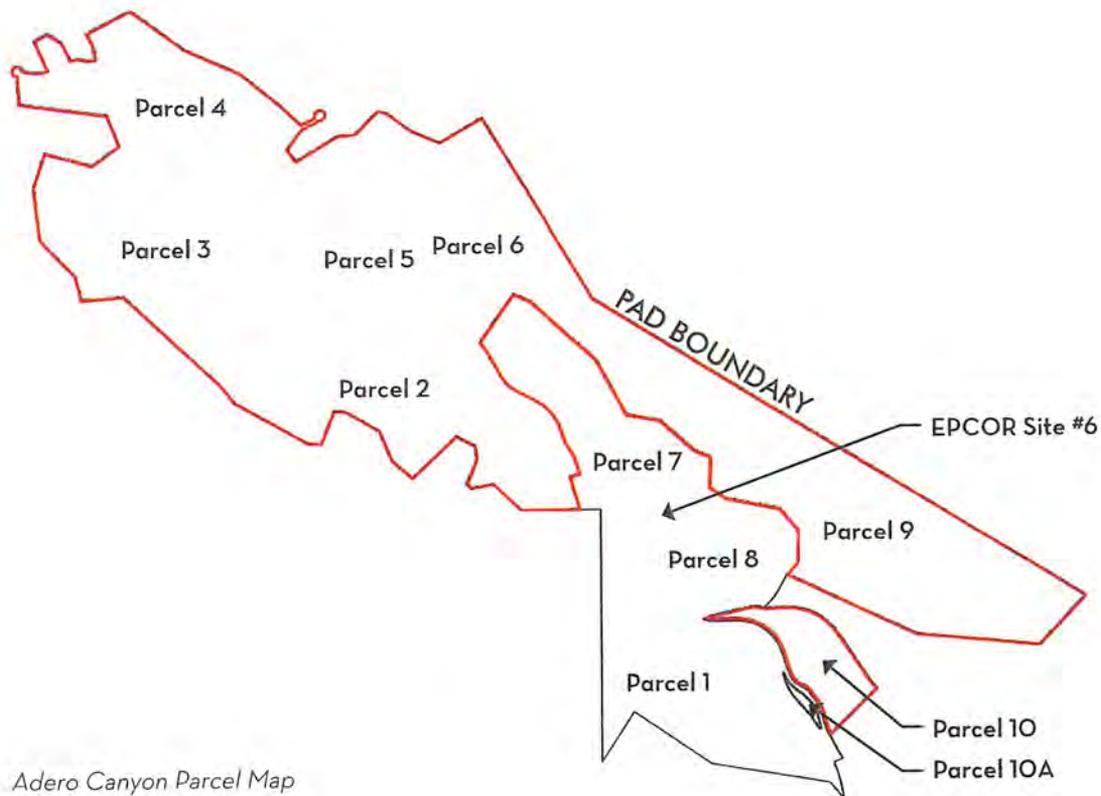
## b. Adero Canyon

Adero Canyon (formerly referred to as Eagle Ridge North) is a 432 acre box canyon adjacent to the McDowell Mountains with exceptional views of the southwest valley.

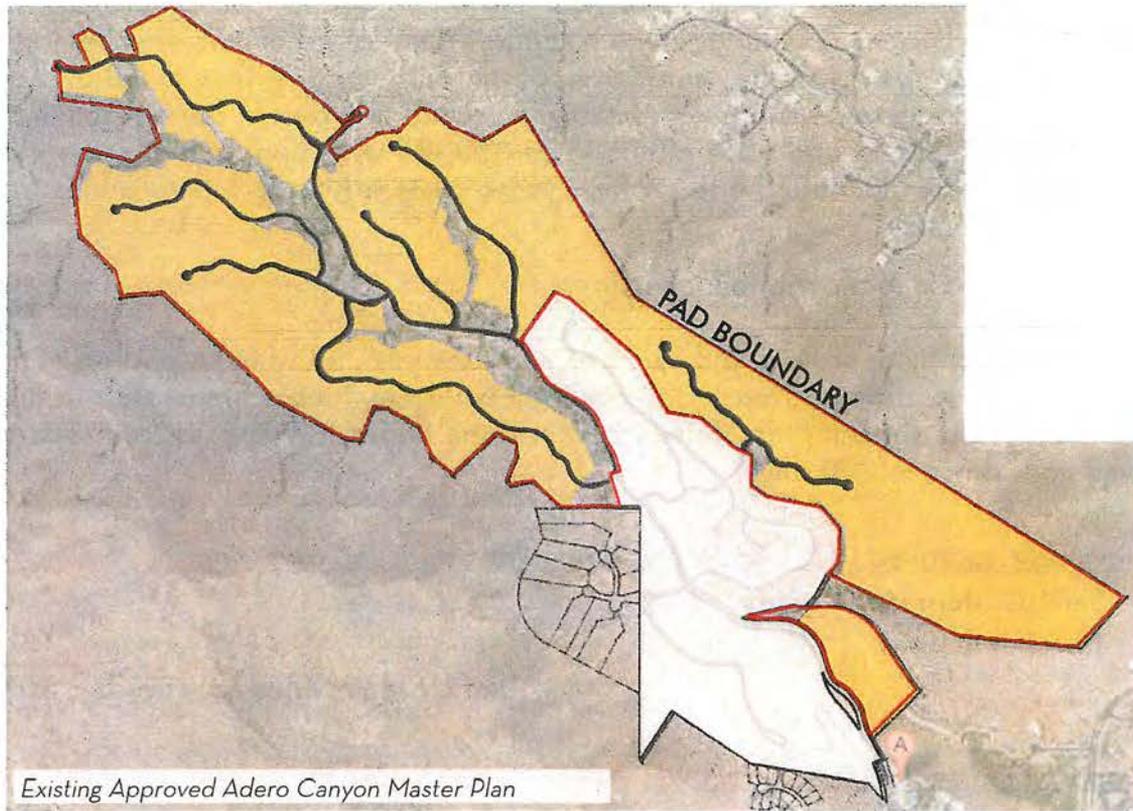
In 2014, MCO Properties coordinated with the Town of Fountain Hills and submitted a redevelopment plan, that was approved by the Town and became the basis for the recently completed initial phase of site improvements on the property as well as the first three neighborhood enclaves currently being built-out (two Toll Brothers neighborhoods and a Camelot Homes neighborhood of single family attached homes).

Over the past three years, the elite custom home buyers continued to evade the housing market. National housing trends continue to show that the market for large custom estates has dwindled and concurrently, new home buyers are looking for smaller homes, homes with less maintenance and lock and leave housing options. These trends also align with what's been occurring in the Phoenix Valley.

Based on Toll Brothers' national experience, particular knowledge of Phoenix housing trends and their current commitment to Adero Canyon, Toll believes that the proposed development plan will position Adero Canyon for significant success over the coming years and become an important brand asset for all of Fountain Hills.



*Adero Canyon Parcel Map*



### c. Proposed Planned Area Development

The proposed PAD encompasses 325 acres, or 75% of the total Adero Canyon property area. The accompanying exhibits (Proposed Zoning exhibit on page 11) visually show the extent of the proposed amendment area. The majority of the "core" area of the property (in white) is not part of the PAD and represents those areas that have been recently improved and part of current Toll Brothers and Camelot Homes development and sales efforts. The PAD will again refine the residential product mix within the boundaries identified and go from large custom hillside lots to a mixture of more traditional housing products.

Specifically, this request is to amend the following:

1. Go from a currently approved unit count of 238 down to 235 units. A portion of these units are shifting to the northwest area of the property where buildable areas are more conducive (the total unit count, for both the Phase I PAD and the Phase II PAD goes from 343 previously approved units down to 340 units).

Previously Approved PAD and Master Plan allowed for the following:

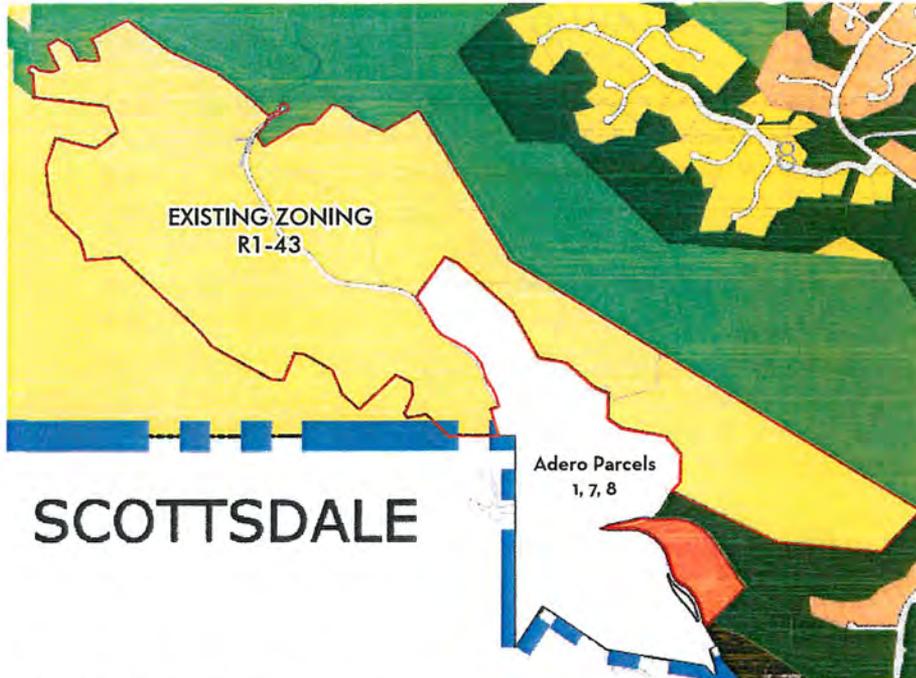
Semi-Custom Home units:	61
Townhome units:	44
<b>Total Units Previous Approved:</b>	<b>105</b>

Proposed Phase II PAD is as follows:

Semi-Custom Home Units:	205
Townhome Units	30
<b>Total Units Requested:</b>	<b>235</b>

2. Remove all the proposed custom lots up along the ridges (in the most difficult hillside terrain) and place the majority of that land area within an open space category to remain natural desert- totaling 167 acres, almost 51% of the PAD area (40% of the total development area) would go from privately held land to preserved open space.

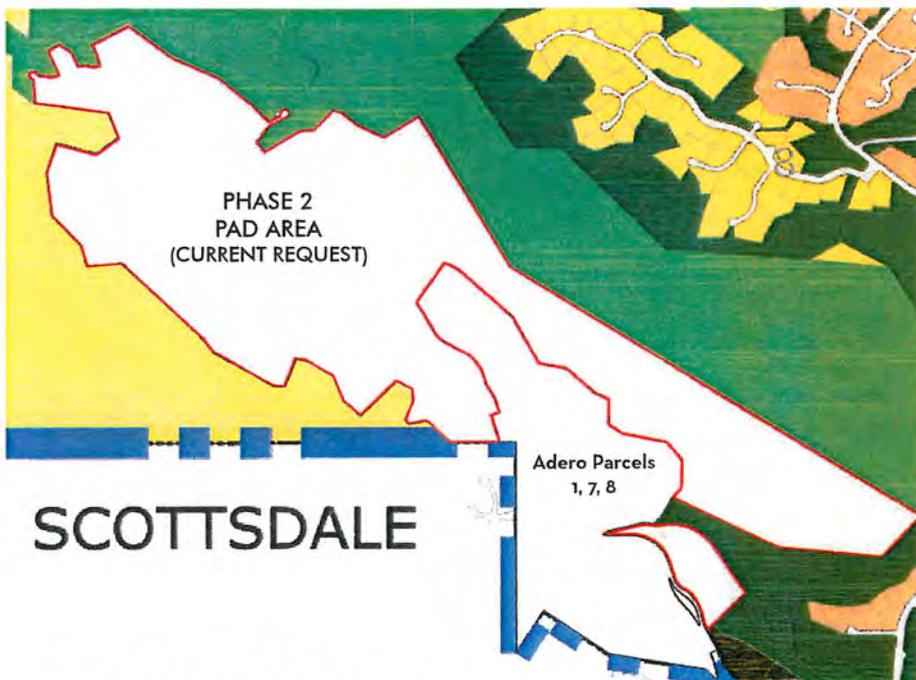
3. Reconfigure and reclassify residential land uses (including the semi-custom designation and the townhome designation approved with the previous PAD) to better fit within the physical context of the land as well as better align with home buyer preferences and market conditions.



The accompanying exhibits illustrate the difference in zoning relative to the current and proposed conditions. The key changes to zoning go from R1-43 to OSR (Open Space Recreation) and to the proposed Semi-Custom lot designation and the Townhome designation per this document. The other significant zoning change goes from Multi-family to OSR.

In addition to the PAD, the applicant will be submitting concurrently a proposed Major General Plan Amendment based on coinciding proposed refinements to the Town's General Plan. All these applications and associated submittals will include careful coordination with the Town's Attorney relative to updates to the associated Development Agreement (under separate cover).

EXISTING ZONING



### Fountain Hills - General Plan 2010

#### Existing Zoning

Single-Family Residential Districts	
[Light Yellow]	R-190 / 1 du per 190,000 sq ft
[Yellow]	R1-43 / 1 du per 43,060 sq ft
[Light Orange]	R1-35 / 1 du per 35,000 sq ft
[Orange]	R1-18 / 1 du per 18,000 sq ft
[Dark Orange]	R1-10 / 1 du per 10,000 sq ft
[Red-Orange]	R1-8 / 1 du per 8,000 sq ft
[Red]	R1-6 / 1 du per 6,000 sq ft
Multi-Family Residential Districts	
[Light Brown]	M-1 / 1 du per 5,445 sq ft
[Brown]	M-2 / 1 du per 4,356 sq ft
[Dark Brown]	M-3 / 1 du per 3,630 sq ft
[Dark Brown]	R-2 / 1 du per 4,000 sq ft
[Dark Brown]	R-3 / 1 du per 3,000 sq ft
[Dark Brown]	R-4 / 1 du per 2,000 sq ft
[Dark Brown]	R-5 / 1 du per 1,740 sq ft
Commercial Districts	
[Blue]	C-O / Commercial Office
[Light Blue]	C-C / Common Commercial
[Light Blue]	C-1 / Neighborhood Commercial
[Light Blue]	C-2 / Intermediate Commercial
[Light Blue]	C-3 / General Commercial
Employment Districts	
[Light Blue]	IND-1 / Planned Industrial
[Light Blue]	IND-2 / Light Industrial
[Light Blue]	TCCD / Town Center
[Light Blue]	L-1 / Very Low Density Lodging
[Light Blue]	L-2 / Low Density Lodging
[Light Blue]	L-3 / Medium Density Lodging
[Light Blue]	UT / Utility
Recreational District	
[Light Green]	OSR / Open Space Recreational
[Light Green]	OSC / Open Space Conservation
[Light Green]	OSP / Open Space Preservation
[Light Green]	Fountain Hills
[Light Green]	Jurisdictional Boundaries
[Light Green]	Arterial ROW
[Light Green]	State Highway

PROPOSED ZONING

The resulting plan puts in place a **"Conservation Community"**, a strategy to **group development areas more closely together** and, at the same time, dedicate a substantial amount of perimeter property area (which in the case of Adero Canyon had been previously planned for private ownership and development) to **protected open space which allows for the use as part of community trails and connectivity**.

Conservation Communities are a fairly recent trend in the development industry and we think this refined strategy for Adero Canyon aligns very well with the targeted buyer profile who is passionate about living in special environments that include a significant amount of protected open space.

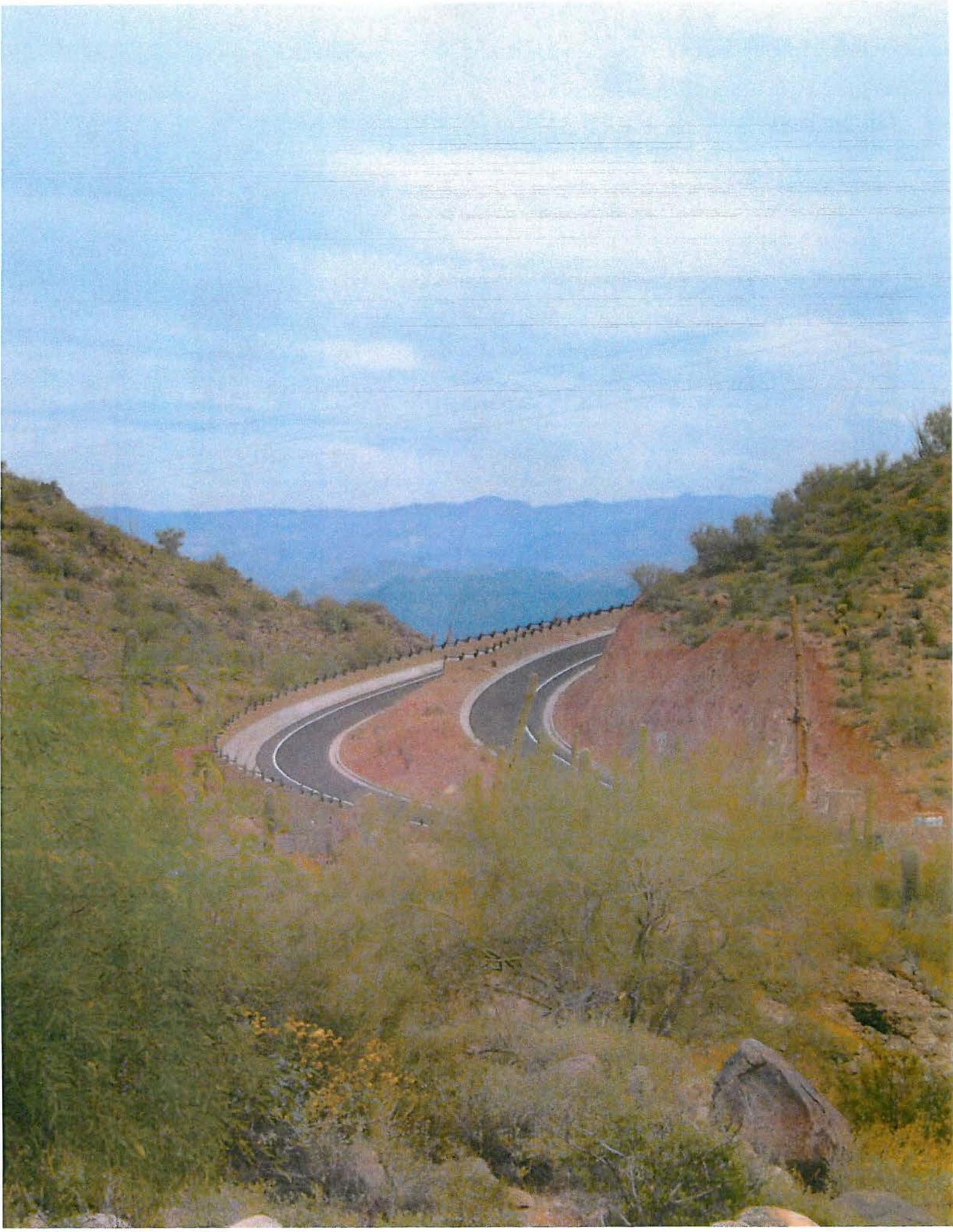
4. Change Adero Parcels 9 and 10 totally to Open Space Recreation.

5. Eagle Ridge Drive is dedicated as a public right of way from the entrance of Adero Canyon to the proposed/ future trailhead at the northern end of the Canyon. Eagle Ridge Drive and the meandering trail (previously approved and established in the 2014 PAD and installed per the most recent site improvements) shall be completed as part of the associated construction in the remaining parcels as required by the Development Agreement.

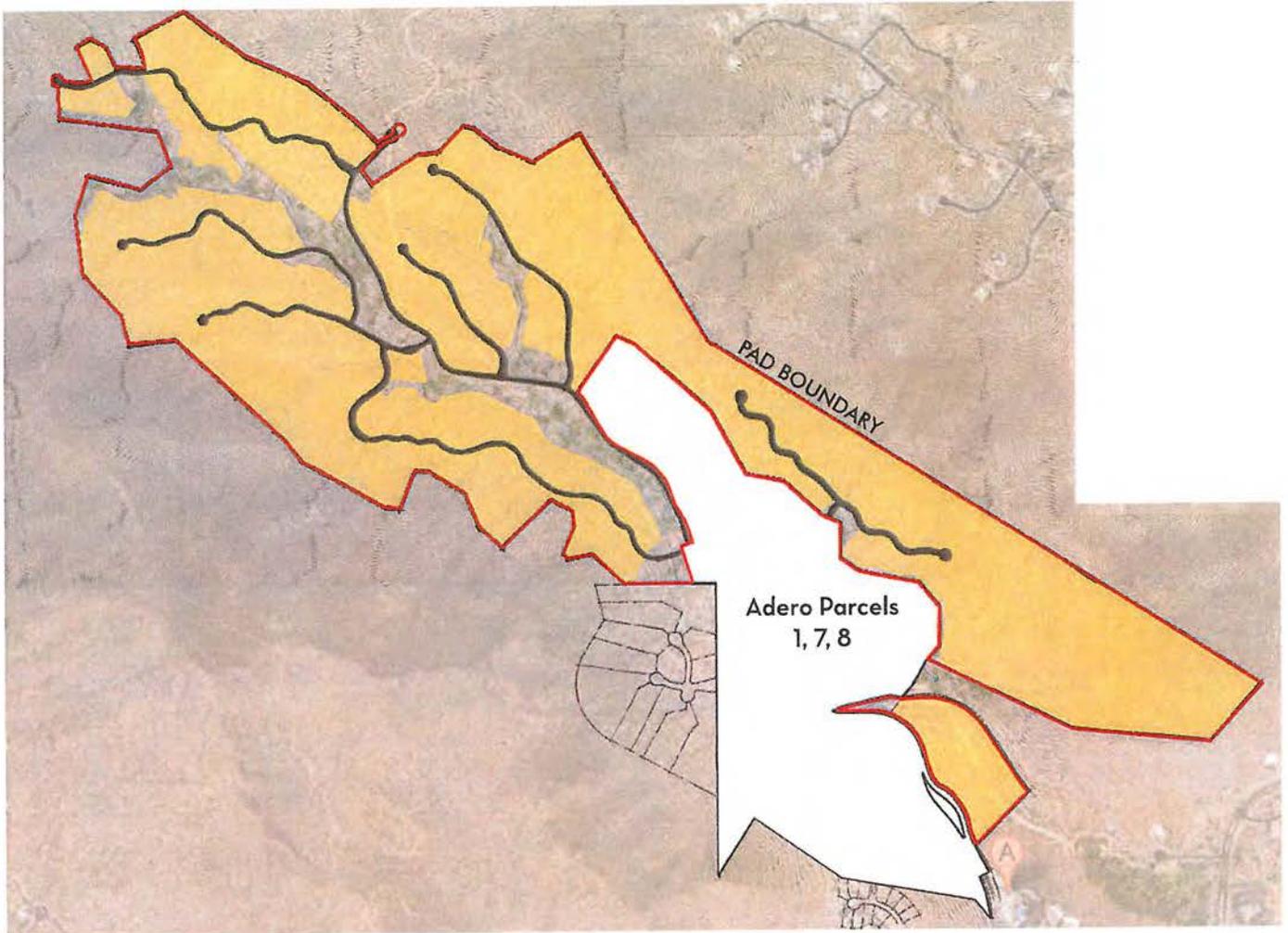
6. New Disturbance Allowances shall be established in the associated Development Agreement based on agreements between the Town and the Applicant. Because the Applicant is committed to removing a substantial amount of land area from private property (approximately 167 acres) and placing it into community oriented open space, the resulting orchestrated development scenario strategically located in more buildable areas will require an additional disturbance allowance. This amount shall be determined, identified and agreed to through the Development Agreement and the preliminary plats.

7. Exceptions to the Fountain Hills Subdivision Ordinance shall be allowed per the plans and exhibits included herein and as permitted by the Development Agreement. In addition, this shall include those allowances approved in the previous PAD with the intent of carving out the same degree/ level of variance moving forward in order to execute future development in the same quality as the most recently completed development. This encompasses cut and fill waivers, on-street parking, roadway curb standards, sidewalks, street signage, retaining wall standards, trail surface treatments. Due to the much steeper topography than in Phase I, cut and fill waivers are anticipated to cover much more extensive areas, with higher maximum cut/fill depths for these lots, with the specifics to be provided at the time of preliminary plat.

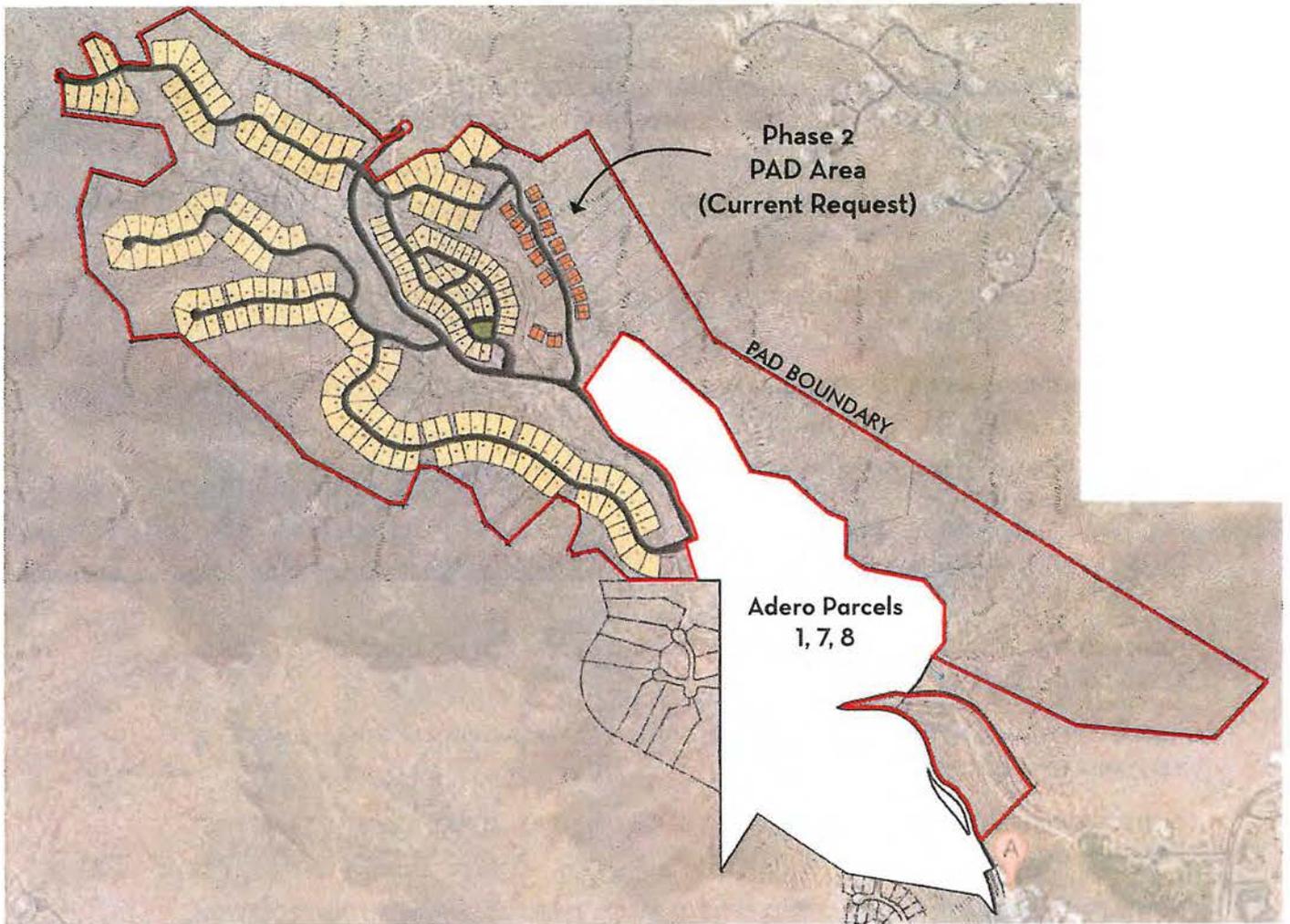
Once the PAD, Major GPA and Development Agreement are secured and approved by Council, The Town Manager shall have the administrative authority with respect to the intent of these documents to grant such exceptions and waivers necessary in his sole discretion to construct the work to the same degree and level of excellence as the current construction.



Existing Plan



Proposed Plan



## d. Legal Description

### Adero Canyon Phase II PAD Area

#### LEGAL DESCRIPTION

PORTIONS OF LAND LYING WITHIN SECTIONS 7, 8, AND 17, TOWNSHIP 3 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT, A FOUND REBAR BEING THE SOUTHEAST CORNER OF SECTION 7, FROM WHICH THE WEST ONE-QUARTER CORNER OF SECTION 17, BEARS SOUTH 00°07'50" EAST, A DISTANCE OF 2,639.23 FEET;

THENCE ALONG THE SOUTH BOUNDARY LINE OF PARCEL 2 PER FINAL PLAT OF ADERO CANYON RECORDED IN BOOK 1220, PAGE 28 PER MARICOPA COUNTY RECORDS, SOUTH 89°53'25" WEST, A DISTANCE OF 649.62 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 46°02'47" WEST, A DISTANCE OF 305.98 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, SOUTH 79°07'35" WEST, A DISTANCE OF 180.24 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 38°49'47" WEST, A DISTANCE OF 52.63 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 22°00'21" EAST, A DISTANCE OF 208.17 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 06°10'13" WEST, A DISTANCE OF 111.65 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 62°22'57" WEST, A DISTANCE OF 170.42 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, SOUTH 46°19'28" WEST, A DISTANCE OF 489.45 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 48°27'06" WEST, A DISTANCE OF 223.14 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 22°32'07" WEST, A DISTANCE OF 260.92 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 59°25'15" WEST, A DISTANCE OF 306.65 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 85°22'48" WEST, A DISTANCE OF 99.32 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, SOUTH 22°01'23" WEST, A DISTANCE OF 288.02 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 86°09'31" WEST, A DISTANCE OF 113.38 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 60°45'00" WEST, A DISTANCE OF 676.46 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 38°30'00" WEST, A DISTANCE OF 190.00 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY LINE OF PARCEL 2 PER SAID PLAT, NORTH 47°10'00" WEST, A DISTANCE OF 464.33 FEET, TO THE WESTERLY MOST BOUNDARY CORNER OF PARCEL 2, BEING A COMMON CORNER BETWEEN PARCEL 2 & 3 PER SAID PLAT;

THENCE ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, NORTH 47°10'00" WEST, A DISTANCE OF 610.67 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, SOUTH 85°15'00" WEST, A DISTANCE OF 340.00 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, NORTH 15°00'00" WEST, A DISTANCE OF 210.00 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, NORTH 43°40'00" WEST, A DISTANCE OF 410.00 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, NORTH 07°11'39" WEST, A DISTANCE OF 429.43 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, NORTH 18°08'06" EAST, A DISTANCE OF 302.00 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, SOUTH 75°01'55" EAST, A DISTANCE OF 402.66 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 3 PER SAID PLAT, NORTH 53°50'54" EAST, A DISTANCE OF 271.22 FEET, TO THE BOUNDARY CORNER BEING COMMON PARCEL 3 & 4 PER SAID PLAT;

THENCE ALONG THE WESTERLY LINE OF PARCEL 4 PER SAID PLAT, NORTH 22°06'56" WEST, A DISTANCE OF 270.93 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 4 PER SAID PLAT, NORTH 82°23'06" WEST, A DISTANCE OF 718.98 FEET;

THENCE CONTINUING ALONG THE WESTERLY LINE OF PARCEL 4 PER SAID PLAT, NORTH 03°06'15" WEST, A DISTANCE OF 234.93 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS POINT BEARS NORTH 03°06'15" WEST, A DISTANCE OF 40.00 FEET;

THENCE WESTERLY CONTINUING ALONG SAID PARCEL LINE ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 241°26'20" AND LENGTH OF 168.56 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 50.00 FEET;

THENCE CONTINUING ALONG SAID PARCEL LINE ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 49°36'42" AND LENGTH OF 43.29 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 81°16'37" EAST, A DISTANCE OF 74.85 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 180.00 FEET;

THENCE EASTERLY CONTINUING ALONG SAID PARCEL LINE ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 35°02'53" AND A LENGTH OF 110.11 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, NORTH 24°24'05" WEST, A DISTANCE OF 263.43 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, NORTH 60°05'20" EAST, A DISTANCE OF 119.65 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 59°10'00" EAST, A DISTANCE OF 140.64 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 26°05'37" EAST, A DISTANCE OF 157.37 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, NORTH 79°33'28" EAST, A DISTANCE OF 23.39 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 190.00 FEET;

THENCE EASTERLY CONTINUING ALONG SAID PARCEL LINE ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 25°11'04" AND A LENGTH OF 83.52 FEET, TO A REVERSE CURVE WITH A RADIUS OF 180.00 FEET;

THENCE EASTERLY CONTINUING ALONG SAID PARCEL LINE ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 24°23'35" AND A LENGTH OF 76.63 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, NORTH 80°20'58" EAST, A DISTANCE OF 25.25 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, NORTH 09°39'02" WEST, A DISTANCE OF 37.22 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 430.00 FEET;

THENCE NORTHERLY CONTINUING ALONG SAID PARCEL LINE ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 25°05'43" AND A LENGTH OF 188.34 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, NORTH 62°36'57" EAST, A DISTANCE OF 405.10 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 53°45'01" EAST, A DISTANCE OF 542.54 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 66°08'45" EAST, A DISTANCE OF 497.09 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 51°09'44" EAST, A DISTANCE OF 419.71 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 4 PER SAID PLAT, SOUTH 46°40'41" EAST, A DISTANCE OF 227.88 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS SOUTH 34°47'47" EAST, A DISTANCE OF 225.00 FEET, ALSO BEING A POINT ON THE RIGHT OF WAY DEDICATED FOR EAGLE RIDGE DRIVE PER FINAL PLAT OF ADERO CANYON RECORDED IN BOOK 1220, PAGE 28 PER MARICOPA COUNTY RECORDS;

THENCE NORTHERLY ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 02°09'34" AND A LENGTH OF 8.48 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, NORTH 57°21'47" EAST, A DISTANCE OF 69.14 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 40.00 FEET;

THENCE NORTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 35°39'33" AND A LENGTH OF 24.89 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 40.00 FEET;

THENCE NORTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 251°19'05" AND A LENGTH OF 175.45 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 40.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 35°39'33" AND A LENGTH OF 24.89 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 57°21'47" WEST, A DISTANCE OF 69.14 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 175.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 26°45'36" AND A LENGTH OF 81.73 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 625.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 12°01'51" AND A LENGTH OF 131.23 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 325.01 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 02°04'18" AND A LENGTH OF 11.75 FEET, TO A BOUNDARY CORNER OF PARCEL 5 PER SAID PLAT;

THENCE ALONG THE NORTH BOUNDARY LINE OF PARCEL 5 PER SAID PLAT, SOUTH 36°31'11" EAST, A DISTANCE OF 119.21 FEET, TO A POINT BEING A BOUNDARY CORNER COMMON WITH PARCELS 5 & 6 PER SAID PLAT;

THENCE ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, NORTH 58°32'12" EAST, A DISTANCE OF 396.00 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, NORTH 84°44'21" EAST, A DISTANCE OF 146.14 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, NORTH 44°03'01" EAST, A DISTANCE OF 265.40 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, SOUTH 75°45'17" EAST, A DISTANCE OF 73.67 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, SOUTH 52°48'24" EAST, A DISTANCE OF 227.70 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, SOUTH 66°02'43" EAST, A DISTANCE OF 267.88 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, NORTH 59°08'54" EAST, A DISTANCE OF 394.36 FEET;

THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 6 PER SAID PLAT, SOUTH 30°59'00" EAST, A DISTANCE OF 1,736.13 FEET, TO A BOUNDARY CORNER COMMON TO PARCEL 6 AND 9 PER SAID PLAT;

THENCE ALONG THE NORTHERLY BOUNDARY LINE OF PARCEL 9 PER SAID PLAT, SOUTH 58°17'01" EAST, A DISTANCE OF 4,704.22 FEET, TO THE EASTERLY MOST BOUNDARY CORNER OF PARCEL 9;

THENCE CONTINUING ALONG THE BOUNDARY LINE OF PARCEL 9 PER SAID PLAT, SOUTH 43°25'10" WEST, A DISTANCE OF 557.22 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE OF PARCEL 9 PER SAID PLAT, NORTH 84°33'11" WEST, A DISTANCE OF 1,004.50 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE OF PARCEL 9 PER SAID PLAT, NORTH 64°24'58" WEST, A DISTANCE OF 1,155.81 FEET, TO A BOUNDARY CORNER COMMON TO PARCEL 9 AND 8 PER THE SAID PLAT;

THENCE ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 41°49'37" EAST, A DISTANCE OF 128.49 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 01°11'09" EAST, A DISTANCE OF 276.29 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 40°20'05" WEST, A DISTANCE OF 231.03 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 79°03'00" WEST, A DISTANCE OF 440.08 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 55°26'42" WEST, A DISTANCE OF 164.36 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 01°17'20" EAST, A DISTANCE OF 250.46 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 8 AND 9 PER SAID PLAT, NORTH 66°29'43" WEST, A DISTANCE OF 61.85 FEET, TO A BOUNDARY CORNER COMMON TO PARCELS 7, 8 AND 9 PER SAID PLAT;

THENCE ALONG THE BOUNDARY LINE COMMON TO PARCELS 7 AND 9 PER SAID PLAT, NORTH 66°29'43" WEST, A DISTANCE OF 86.29 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 7 AND 9 PER SAID PLAT, NORTH 48°15'21" WEST, A DISTANCE OF 366.99 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 7 AND 9 PER SAID PLAT, NORTH 79°47'41" WEST, A DISTANCE OF 276.70 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 7 AND 9 PER SAID PLAT, NORTH 28°47'22" WEST, A DISTANCE OF 521.43 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 7 AND 9 PER SAID PLAT, NORTH 48°27'16" WEST, A DISTANCE OF 460.67 FEET, TO A BOUNDARY CORNER COMMON TO PARCELS 6, 7 AND 9;

THENCE ALONG THE BOUNDARY LINE COMMON TO PARCELS 6 AND 7 PER SAID PLAT, NORTH 48°27'16" WEST, A DISTANCE OF 262.83 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 6 AND 7 PER SAID PLAT, NORTH 65°21'48" WEST, A DISTANCE OF 136.48 FEET;

THENCE CONTINUING ALONG THE BOUNDARY LINE COMMON TO PARCELS 6 AND 7 PER SAID PLAT, SOUTH 35°05'58" WEST, A DISTANCE OF 480.98 FEET, TO A POINT ON THE NORTHERLY RIGHT OF WAY OF EAGLE RIDGE DRIVE PER SAID PLAT;

THENCE LEAVING SAID NORTHERLY RIGHT OF WAY PER SAID PLAT SOUTH 44°00'33" WEST, A DISTANCE OF 50.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT OF WAY PER SAID PLAT, ALSO TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS SOUTH 44°00'33" WEST, A DISTANCE OF 225.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 16°21'57" AND A LENGTH OF 64.27 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 29°37'30" EAST, A DISTANCE OF 260.09 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 325.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 32°24'09" AND A LENGTH OF 183.80 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 62°01'39" EAST, A DISTANCE OF 187.73 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 375.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 48°52'03" AND A LENGTH OF 319.84 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 325.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 24°57'42" AND A LENGTH OF 141.59 FEET, TO THE BEGINNING OF A REVERSE CURVE WITH A RADIUS OF 275.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 22°24'39" AND A LENGTH OF 107.56 FEET;

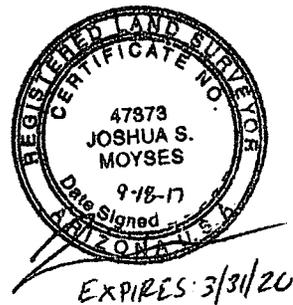
THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 15°42'40" EAST, A DISTANCE OF 139.40 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS 330.00 FEET;

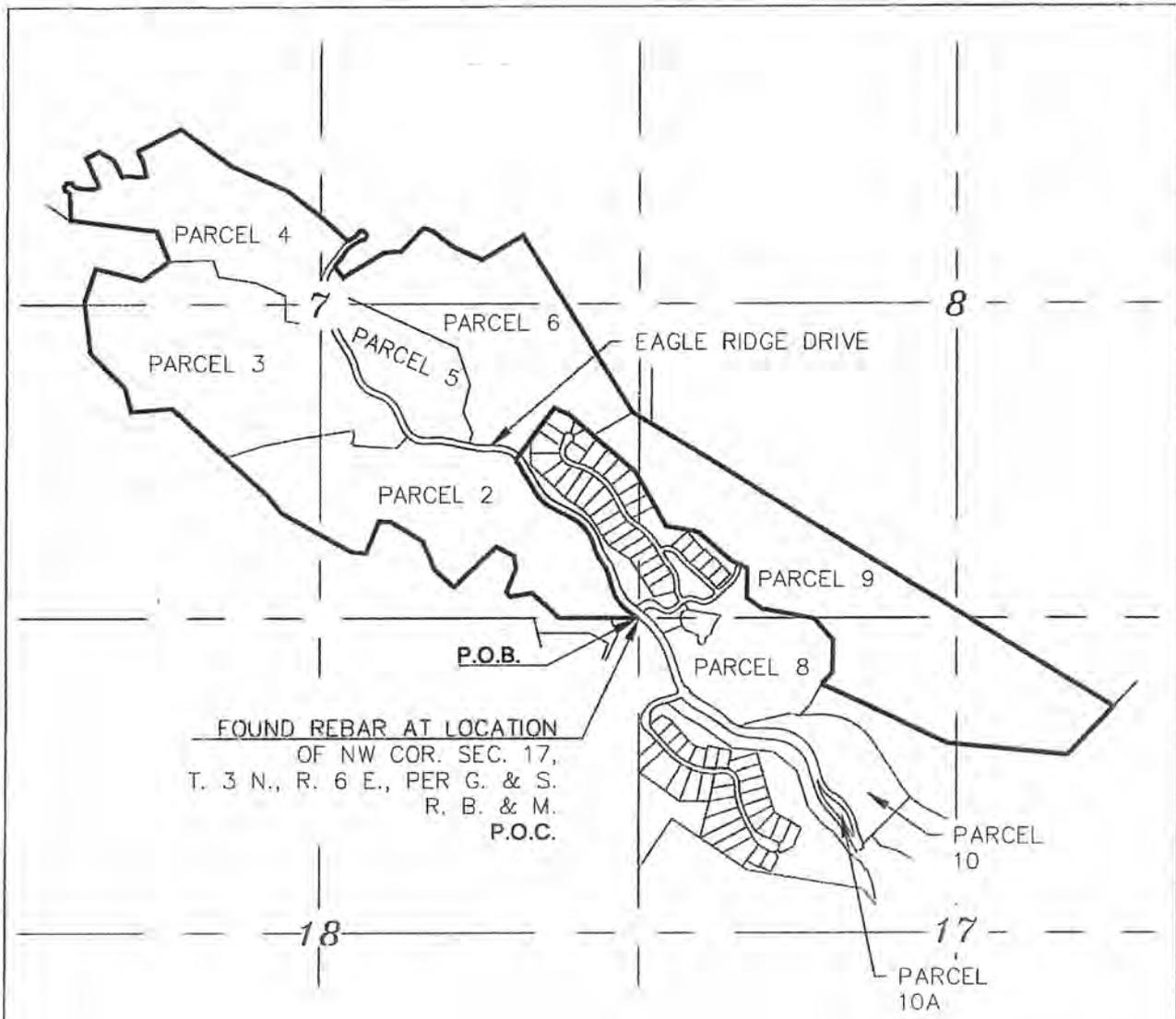
THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 36°23'01" AND A LENGTH OF 209.55 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 52°05'41" EAST, A DISTANCE OF 99.79 FEET, TO THE BEGINNING OF A TANGENT CURVE WITH A RADIUS OF 720.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID RIGHT OF WAY ON A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 01°29'16" AND A LENGTH OF 18.69 FEET, TO THE POINT OF BEGINNING:

SAID PARCEL CONTAINS 13580283 SQUARE FEET OR (311.760) ACRES, MORE OR LESS.





**LEGEND**

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- PARCEL LINE
- RE-ZONE LINE
- - - - - SECTION LINE



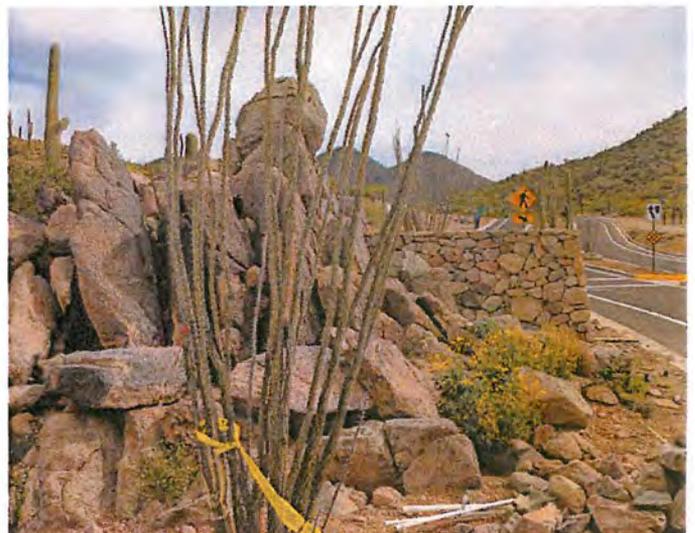
EXPIRES 03/31/20

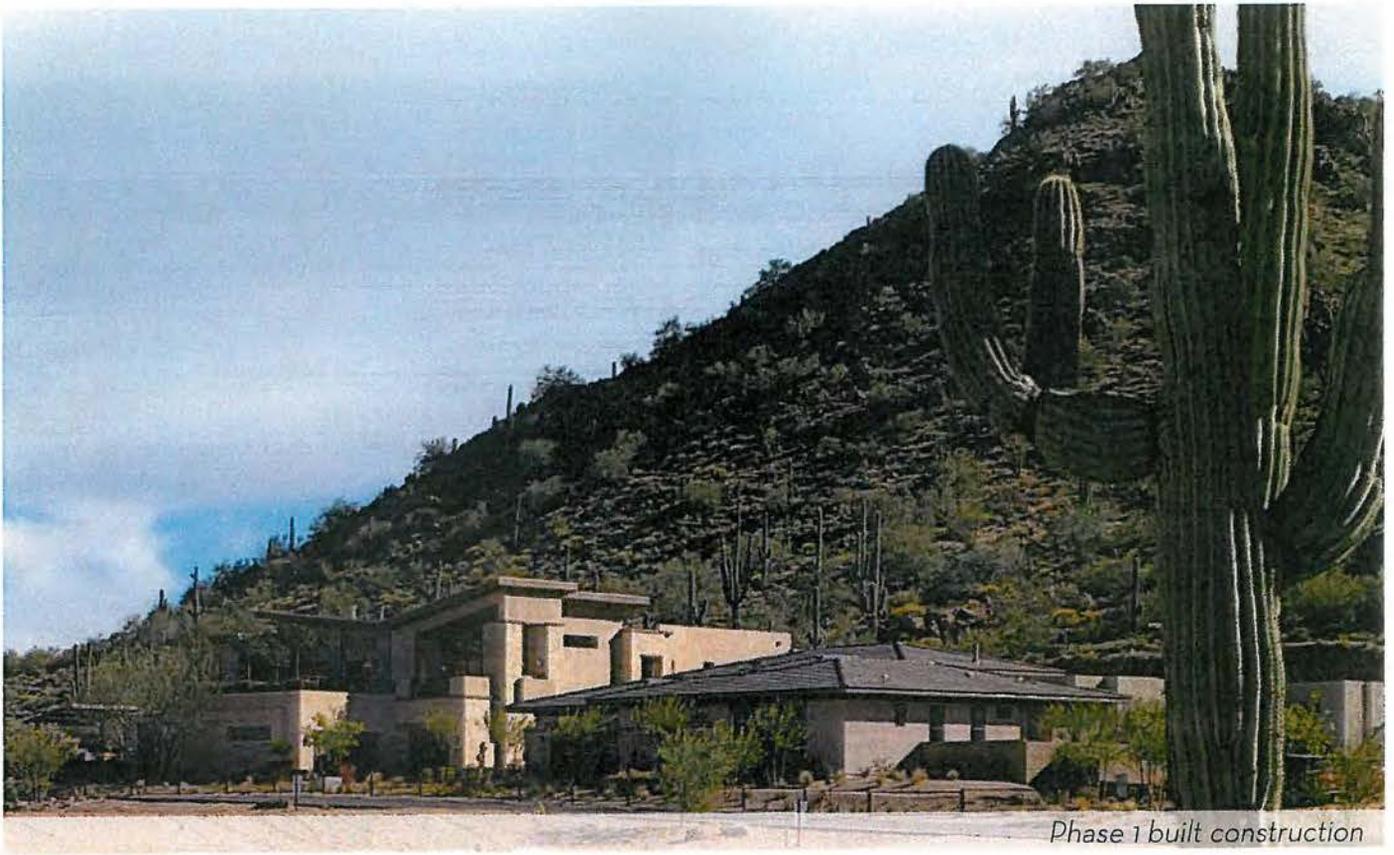
ADERO CANYON II OVERALL EXHIBIT B		STRATEGIC SURVEYING, LLC 1102 W. SOUTHERN AVE. TEMPE, AZ 85282 PHONE: (480) 272-7634	DRAWN	JD
			CHECKED	JSM
			SCALE	NTS
			DATE	9/18/17
			PAGE	8 OF 8

## 2. THE SITE AND CONTEXT

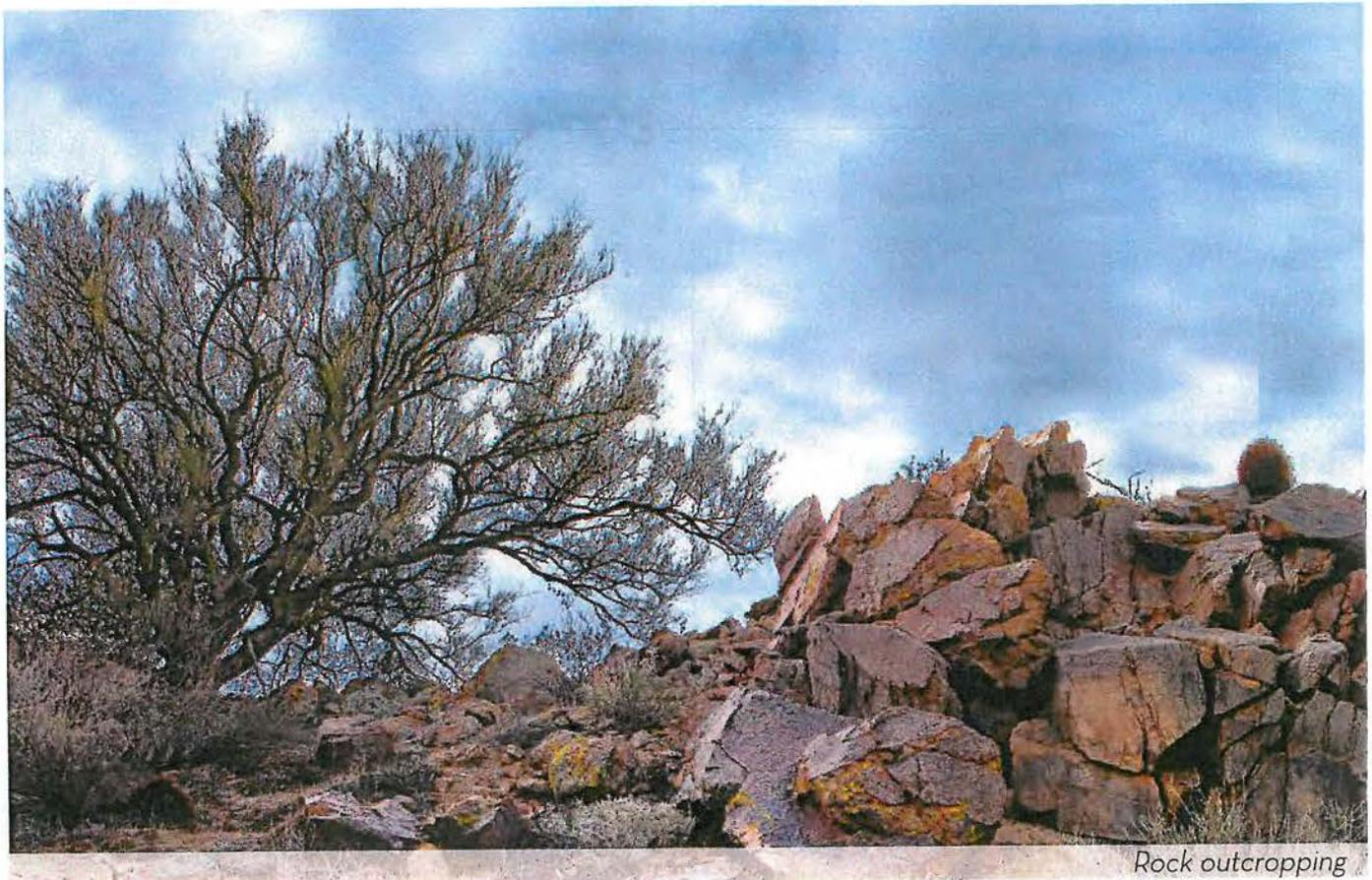
### a. Site Conditions

Adero Canyon is a planned residential master planned community that is currently in the early stages of development with three neighborhoods (and associated infrastructure). The property is set within a secluded box canyon along the northeast side of the McDowell Mountains. The site is located in the northwestern portion of the Town of Fountain Hills. The land is rugged terrain of varying slopes with the most severe topography reaching up the sides of the Canyon and to the ridge lines of the property. There is an abundance of Sonoran desert vegetation now complimented by site and landscape improvements that included significant salvaged materials re-planted as well as revegetated areas based on approved native species plant lists. The property is surrounded by the McDowell Mountain Preserve, Eagles Nest, Copperwynd and the 18 hole SunRidge Canyon Golf Course. Three neighborhood enclaves are currently under development including model home complexes as well as the Ridge House Welcome and Sales Center located near the entrance to the community. Additional nearby residential development includes; HiddenHills, Copperwynd, Eagle Ridge, Crestview and SunRidge Canyon.





*Phase 1 built construction*



*Rock outcropping*

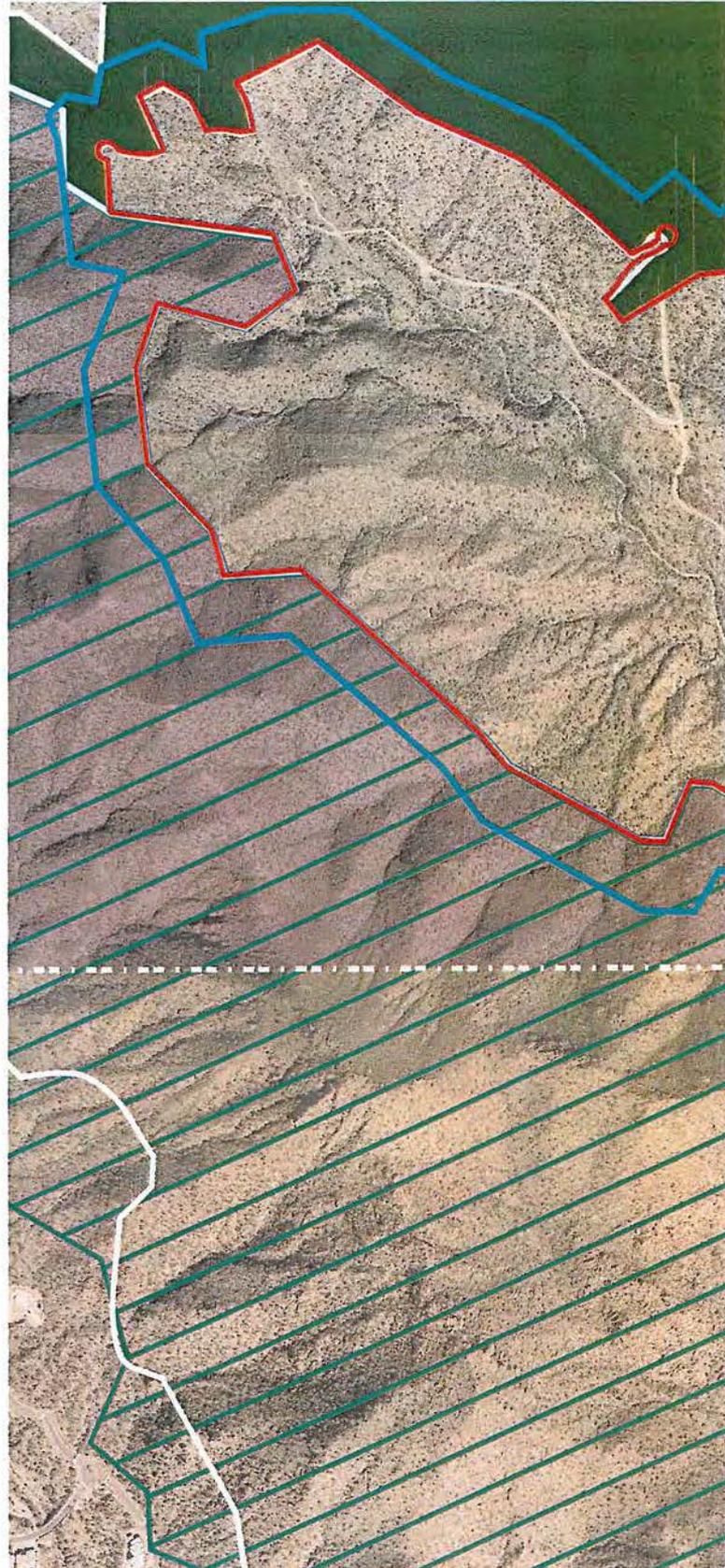
## b. Location Map

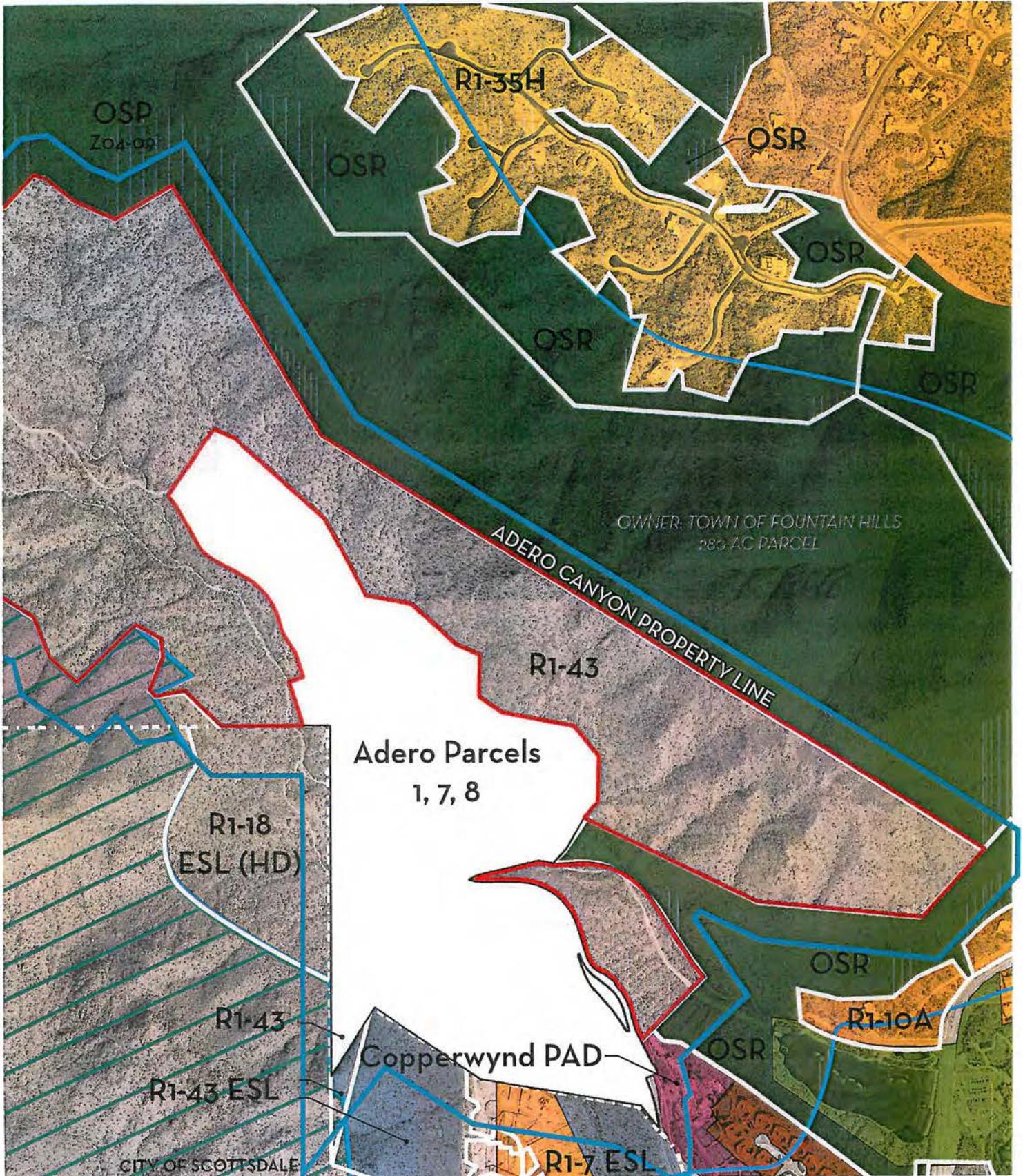
The Location Map shows the highlighted PAD area within the overall context of the Adero Canyon master plan boundaries. The map identifies the surrounding land uses, zoning classifications and circulation patterns within a minimum of a three hundred (300) foot radius of the property measured in all directions from the perimeter of the property lines. In addition to zoning and land use, the accompanying legend identifies, McDowell Sonoran Preserve, City of Scottsdale municipal boundary and color codes for parks, housing, utilities, lodging and open space.

LEGEND	
<b>LANDUSE</b>	
Open Space	Natural O.S.
Lodging	Park / Golf
Multi-Family/Condo High	300' Study Boundary
Scottsdale Owned	McDowell Sonoran Preserve (as of 4/2002)
Utility	Zoning Boundaries
Single Family/Medium	Phase 2 PAD Area (Current Request)
Single Family/Low	Corporation Boundary
Single Family/Very Low	Existing Roads
<b>ZONING</b>	Adero Parcels 1, 7, 8
<u>Town of Fountain Hills:</u>	
R1-43 (Single-Family Residential Zoning District - One (1) Acre/DU)	
R1-35H (Single-Family Residential Hillside Zoning District - 35,000 Sq Ft/DU)	
R1-8 (Single-Family Residential Zoning District - 8,000 Sq Ft/DU)	
R1-6 (Single-Family Residential Zoning District - 6,000 Sq Ft/DU)	
R-5 P.U.D. (Multi-Family Residential Zoning District)	
OSP (Open Space Preservation District)	
OSR (Open Space Recreational District)	
<u>City of Scottsdale:</u>	
R1-43 (Single-Family Residential - 86,000 Sq Ft/DU)	
R1-18 (Single-Family Residential - 18,000 Sq Ft/DU)	
R1-7 (Single-Family Residential - 7,000 Sq Ft/DU)	



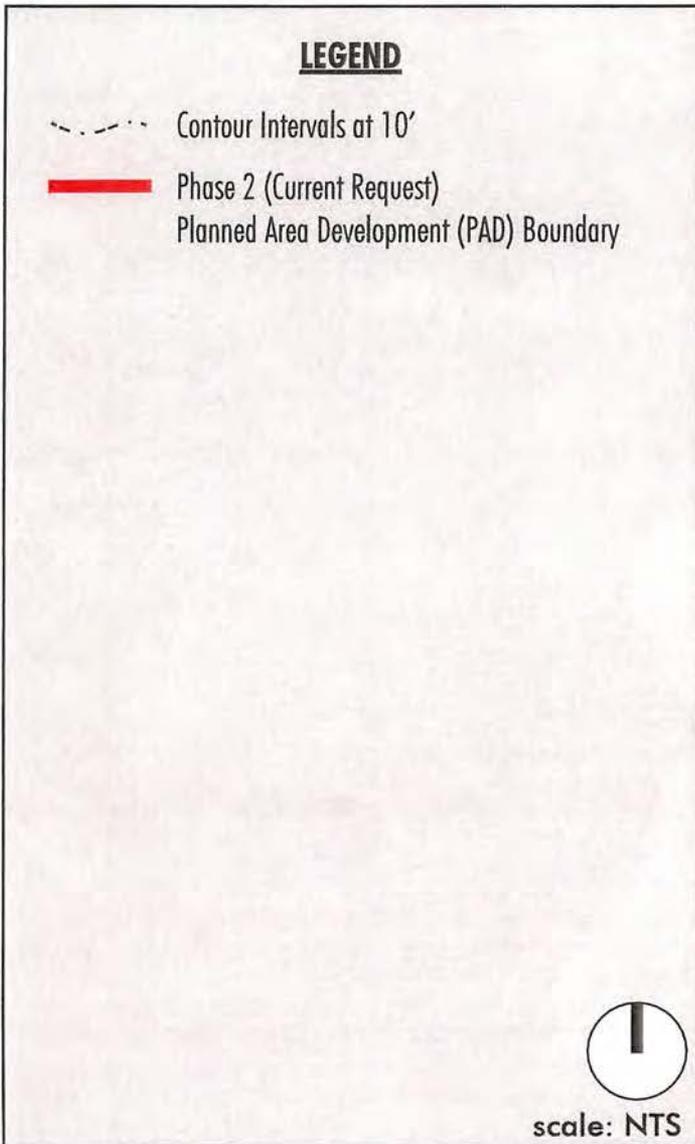
scale: NTS

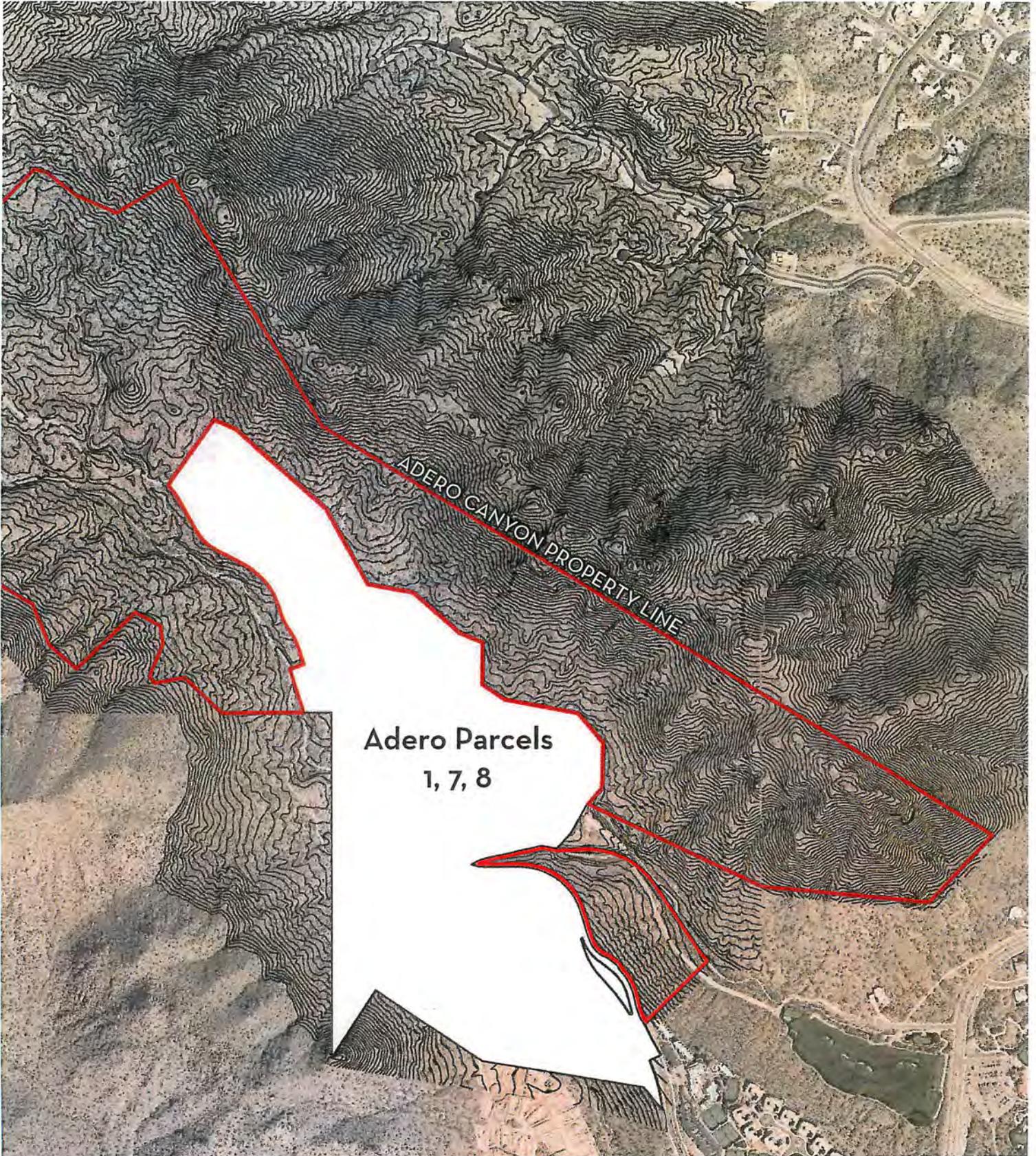




### c. Topography

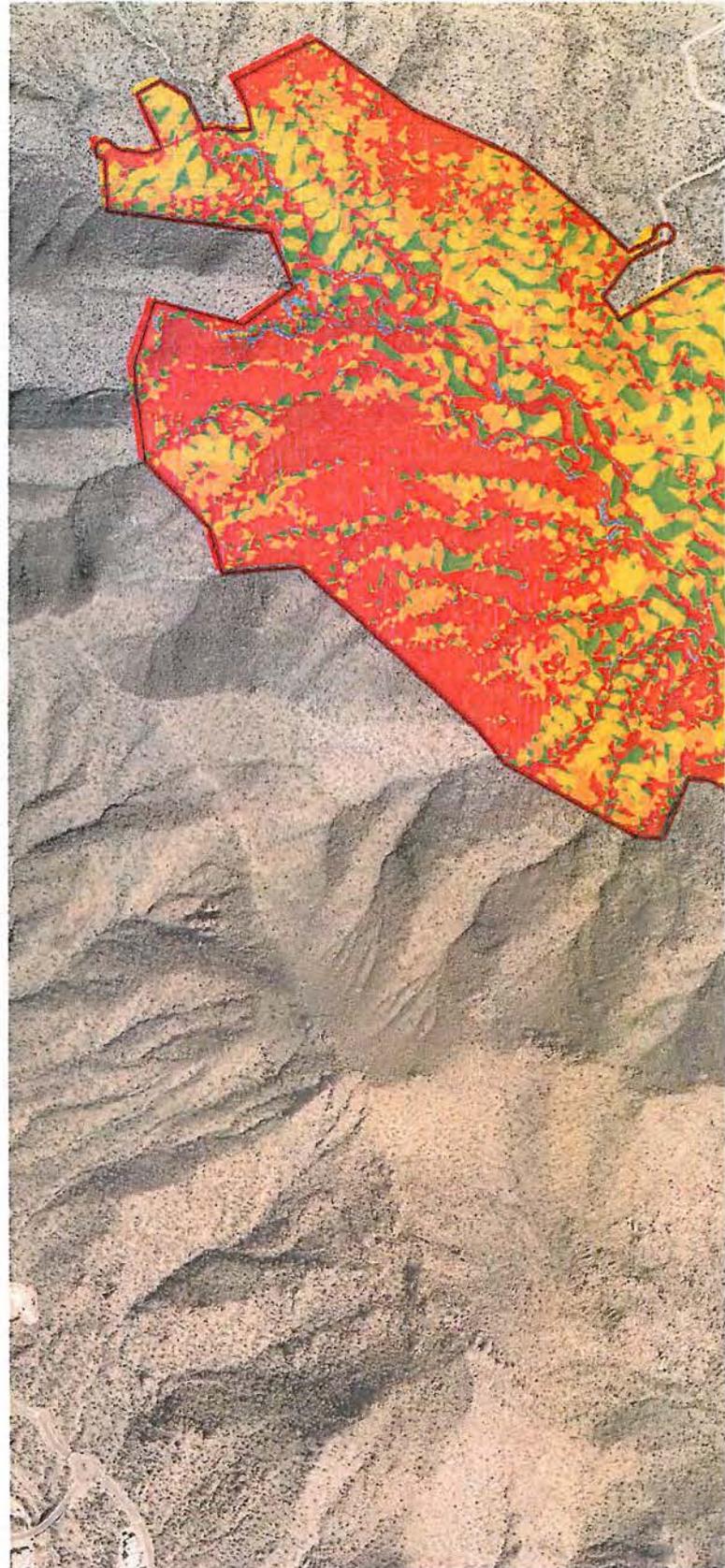
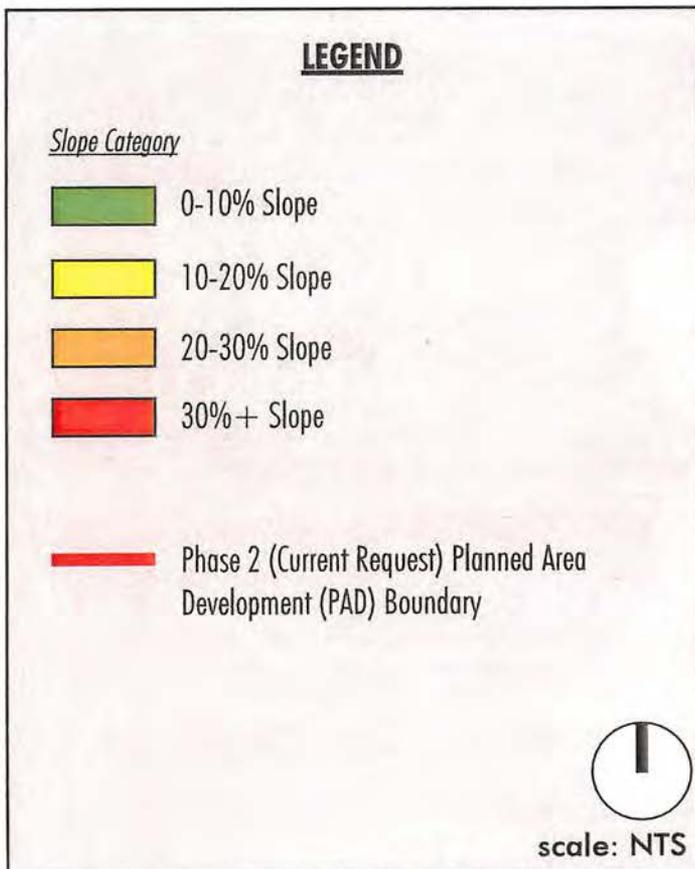
The accompanying exhibit illustrates the contour intervals (black lines) associated with the topography throughout the Adero Canyon property. The closer the contour lines are together, the more steep the slope is. The exhibit also illustrates the property line as well as the extent of the new PAD area.

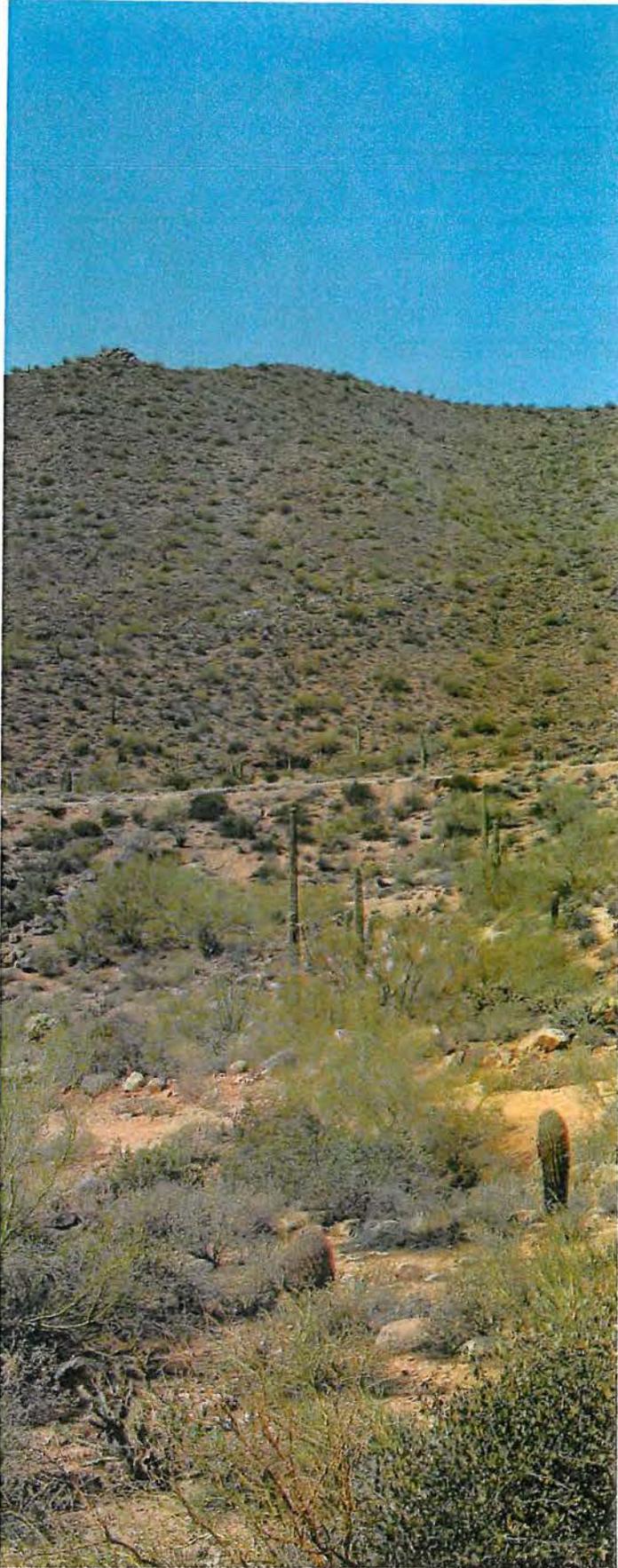




## d. Slope Analysis

The "Conservation Community" development strategy provides a more sensitive approach to limiting impacts and focusing disturbance to the least significant slopes. The accompanying slope analysis identifies the range of slope categories throughout the PAD area. The flattest land areas are in green and yellow and make up a significant portion of the newly proposed development plan. The majority of the orange and red areas (with the most severe slopes) were previously planned for large private custom lots- but in the new development strategy, will be part of the open space framework.



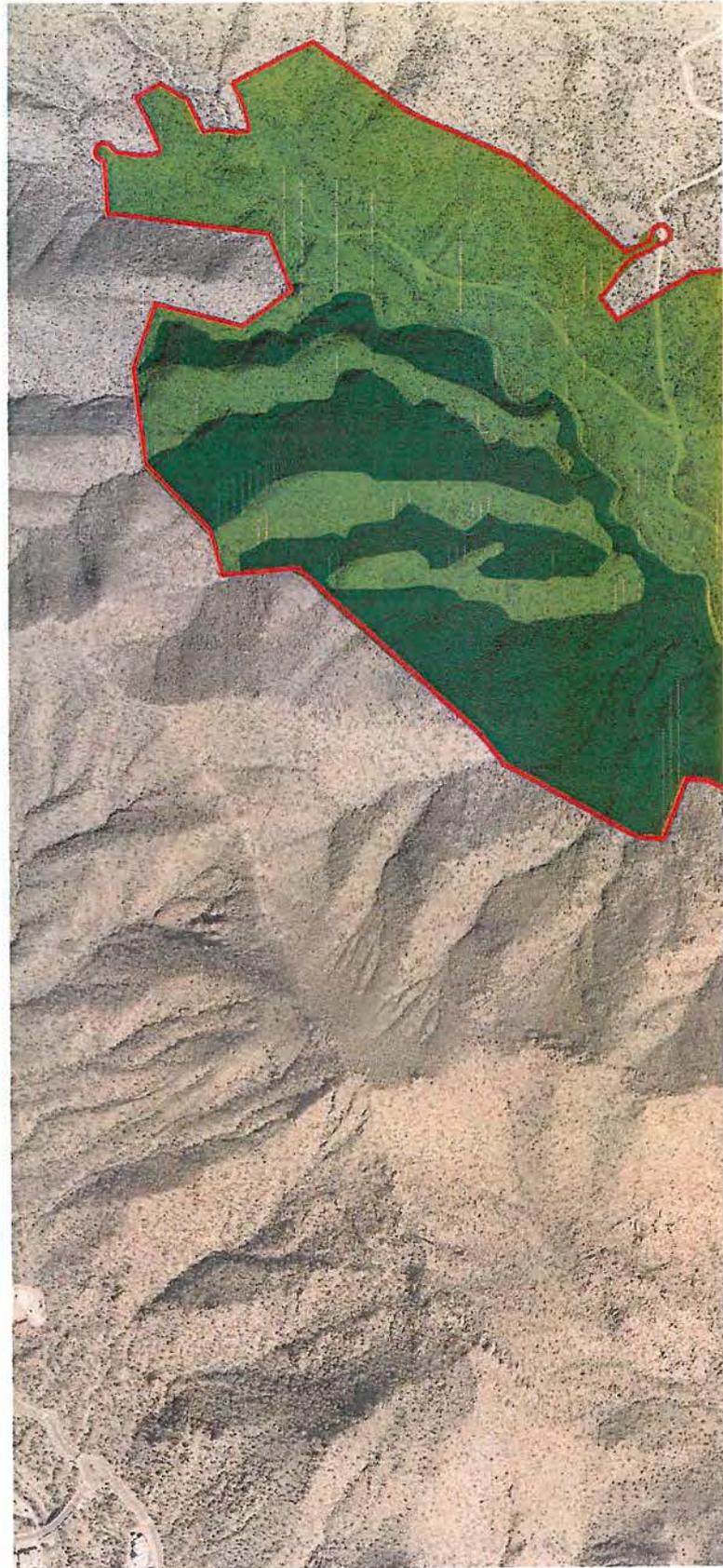


*This image captures the spectrum of slope conditions on the property.*

Second, natural terrain in all slopes are full of small slope anomalies. Swales, rock outcroppings, erosion channels and the like create isolated variances in slopes everywhere. These anomalies are evident on the slope analysis map. These natural anomalies can create isolated areas where development appears to encroach into higher slope areas, where in fact, a portion of overall disturbance quantities in these areas are actually higher-slope anomalies and landform undulations in flatter areas. It is impossible to quantify every anomaly, but it is important to recognize their abundance across the entire property.

### e. Major Vegetative Cover

Per Article 1 of the Subdivision Ordinance, all saguaro cacti over three (3) feet in height as well as significant vegetation and rock outcroppings will be identified. Landscape plans will call for the use of all salvage plants along rights of way, trails and sidewalks, neighborhood entries and common areas as a critical component of the overall project execution. The Applicant has taken great care to identify special site features and incorporate them into the overall design framework.



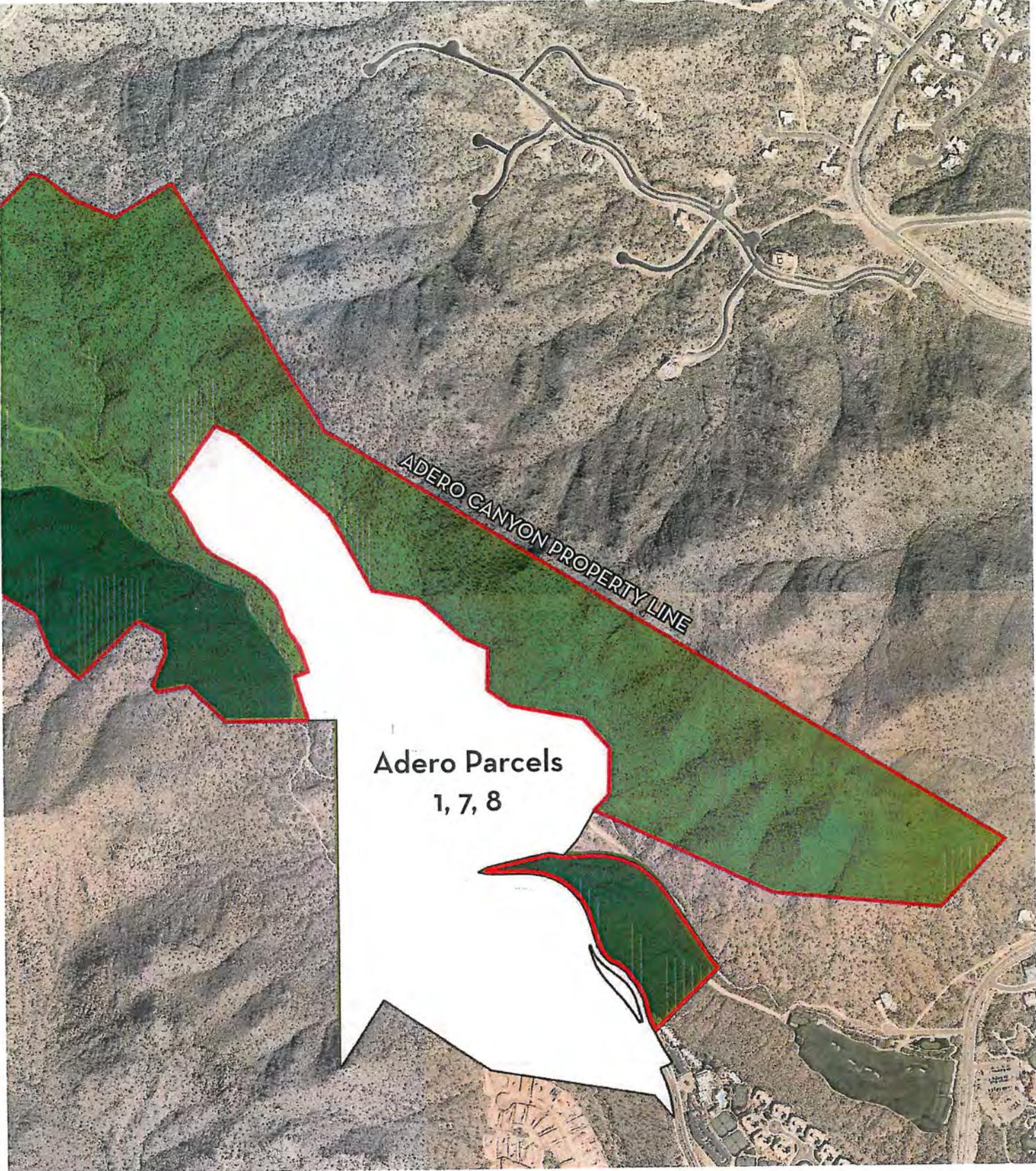
**LEGEND**

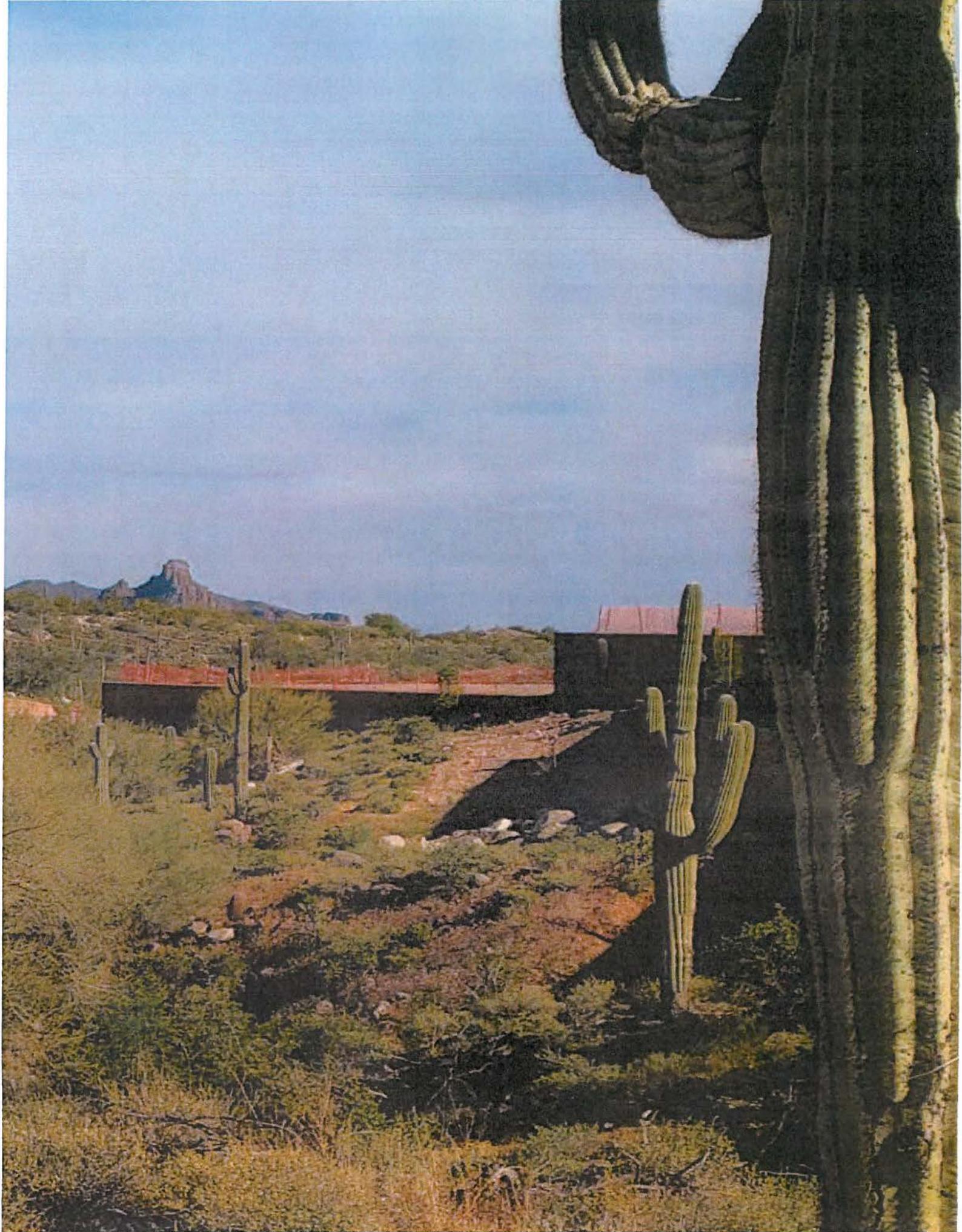
-  Saguaro - Paloverde mixed scrub Association
-  Brittlebush - mixed scrub Association
-  Phase 2 (Current Request) Planned Area Development (PAD) Boundary

*The adjacent exhibit is a PAD area view of the Biotic Communities of Eagle Ridge North Subdivision, Adero Canyon II, LLC Properties, Fountain Hills, Arizona, Prepared by Southwestern Field Biologists - October 1996.*



scale: NTS





## f. Drainage, Streams & Water Ponding

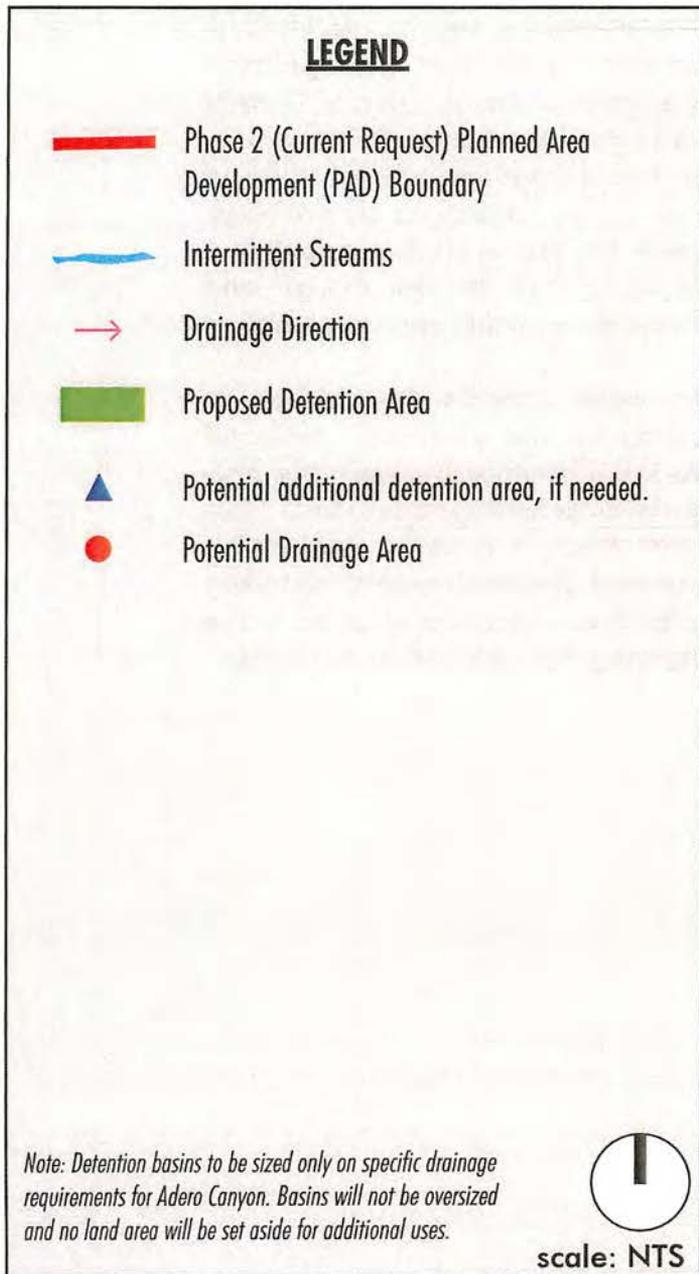
The Applicant will work closely with the Town on an updated Drainage strategy for the project that best aligns with the previous work done on the property. All agreed upon drainage strategies and solutions will be incorporated in the detailed engineering documents to be submitted at time of preliminary plat.

Existing major drainage channels shall remain as historically located except that roads and utilities may be installed across such channels as approved by the Town. Minor draws and drainage channels that do not require US Army Corps of Engineers permits may be modified or impacted. Where channel modifications are planned, the Applicant shall obtain applicable Arizona Department of Environmental Quality (ADEQ) and federal Environmental Protection Agency (EPA) permits through the US Army Corps of Engineers as required. Structures and or lots shall be arranged so as to minimize impacts to all drainage channels. The 100-year storm shall be the basis for calculating setbacks. All best practices shall be utilized for the design and integration of drainage associated with storm water management.

Facilities for the collection of storm water shall be designed so as to retain water safely and adequately for the maximum expected storm water runoff volume equal to the difference between the pre-development condition and the post-development condition for a 100-year storm (or for a small storm if that results in a higher difference). No discharge shall exceed demonstrated predevelopment historical flows from any drainage, and such facilities will be constructed in the typical sequence of construction following the installation of utilities.

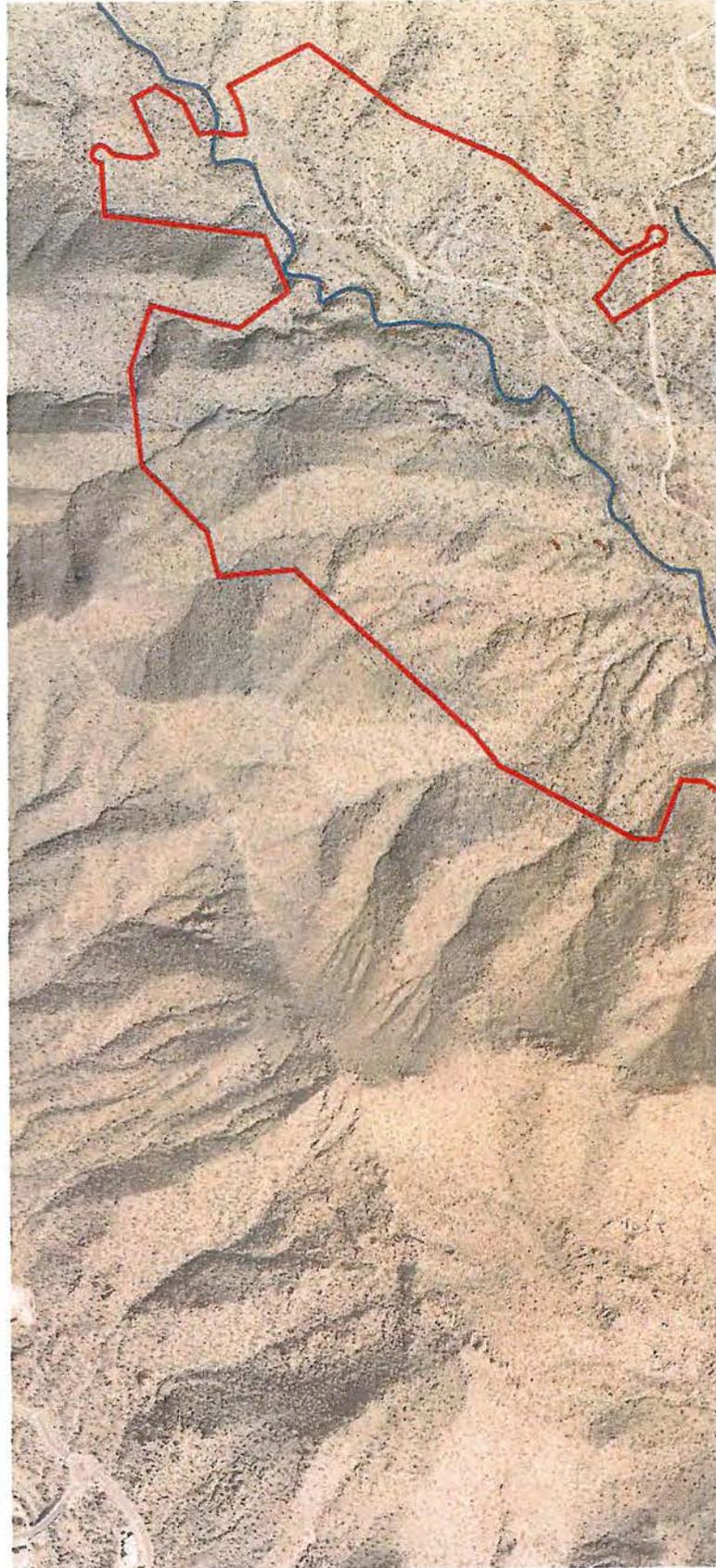
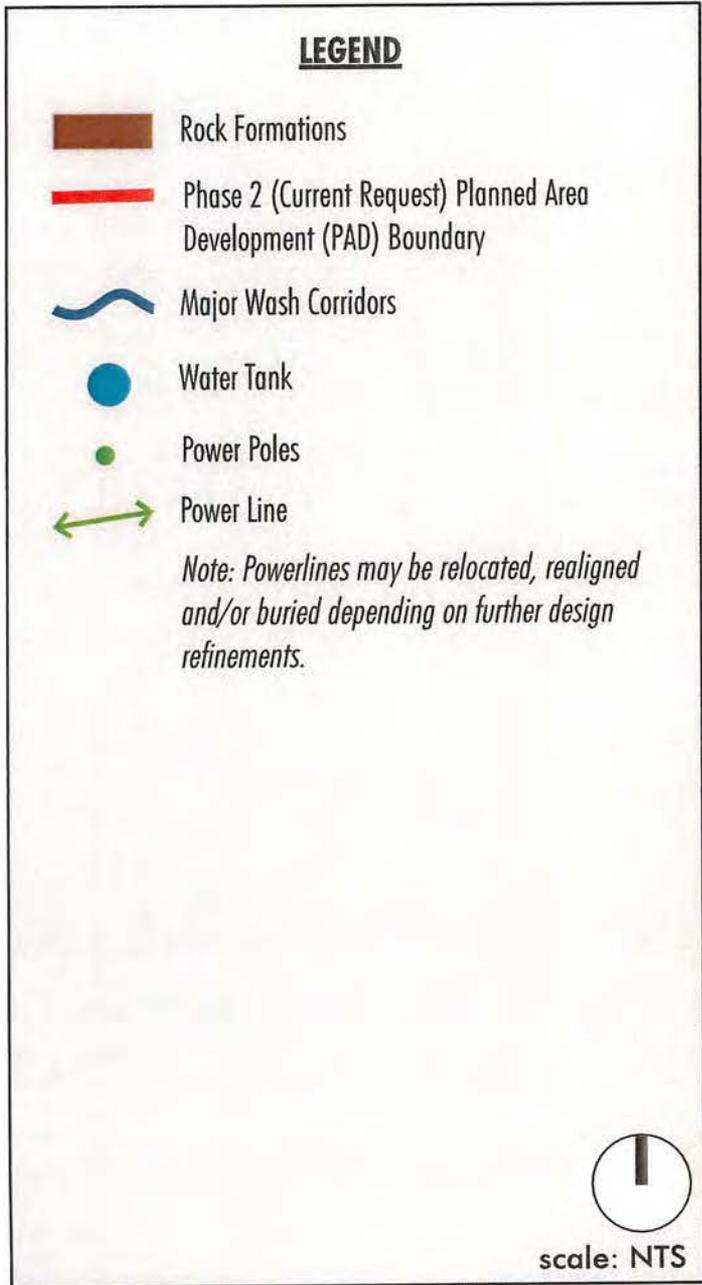
## f. Drainage, Streams & Water Ponding Plan

The following exhibit identifies the locations and extents of intermittent streams and proposed water ponding areas within the PAD area. In addition the exhibit shows the overall existing drainage, including the illustrated arrows that indicate flow direction.



## g. Natural Features

Mesas, rock outcroppings and man-made features such as existing roads, structures and utility lines have been identified on the accompanying exhibit.



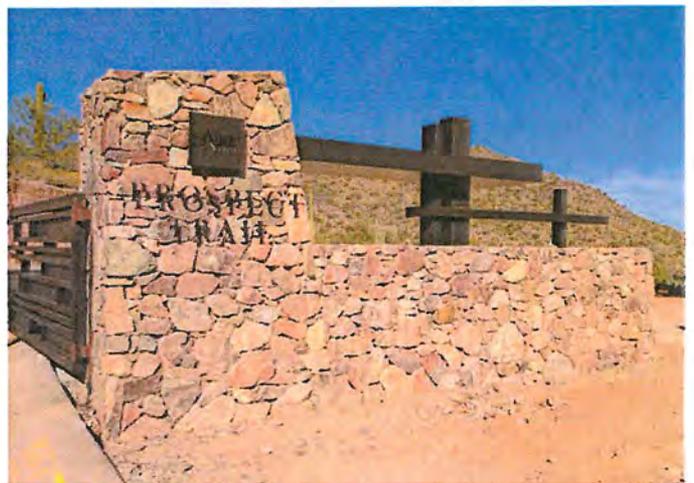
### 3. DEVELOPMENT OBJECTIVES

#### Overview

The proposed PAD meets the objectives as set forth in the Town’s General Plan, Zoning Ordinance and previous Settlement Agreement, while permitting a broader range of housing types currently lacking in Fountain Hills today. This PAD Amendment also provides an opportunity to preserve a greater amount or more meaningful open space.

#### a. Design Philosophy

The refined direction for Adero Canyon will continue to focus on incorporating a broader spectrum of housing types. The reality moving forward is that the market for large lot custom home subdivisions will not be viable for several more years. Recent development models in desert hillside environments such as DC Ranch, Silverleaf, and FireRock have shown that a careful mix of varied residential product types can help elevate the quality of a community as well as ensure financial stability and sustainability appealing to a broader market. The “Conservation Community” plan for Adero Canyon moves away from the exclusive custom lot scenario to one with a mixture of unique and identifiable products in neighborhoods that celebrate the best aspects of diverse community building.



The following principles will continue to guide the planning, design and execution of the community:

#### *Focus on Quality*

- Incorporate authentic timeless architecture that reinforces the community brand.
- Maintain a consistent design theme
- Create a unique community identity that further elevates the reputation of Fountain Hills

#### *Light Touch on the Land*

- Carefully balance development with open space
- Highly sensitive to natural topography and landforms
- Maximize view corridors
- Limit disturbance into the native desert landscape

#### *Living Well Over Time*

- Focus on long-term stewardship of the land
- Integrated healthy living opportunities with the outdoors
- Create lasting positive impressions for homeowners and visitors
- Establish a financial model that's based on long term success

#### *Flexible Framework*

- Introduce a more diverse product type to meet market segmentation
- Anticipate future market changes and trends
- Understanding changing buyer demographics



## b. Land Uses and Development Standards

### SC (Semi-Custom Residential)

**Permitted Uses:** Single family homes with customary accessory buildings. Walls (6' in height) and fences on side and rear property lines are permitted.

**Density, Area, Building, and Yard Regulations:** The table below specifies the minimum lot size, minimum lot width, maximum building height, minimum yard setbacks, maximum lot coverage percentage, and distance between buildings, and minimum distance between buildings on adjacent lots.

Min. Lot Area (Sq.Ft.)	Lot Width	Max. Building Height	Minimum Yard Setbacks				Max. Lot Coverage	Min. Distance Between Buildings	Min. Distance Between Buildings on Adjacent Lots
			Front	Side	Street Side	Rear			
Min. 7,500	60'	30'	20'; 10' with side loaded garage	5'	15'	10'	50%	6'	14'

### TH (Townhome)

**Permitted Uses:** Single-family residential attached dwellings, multifamily residential and accessory uses.

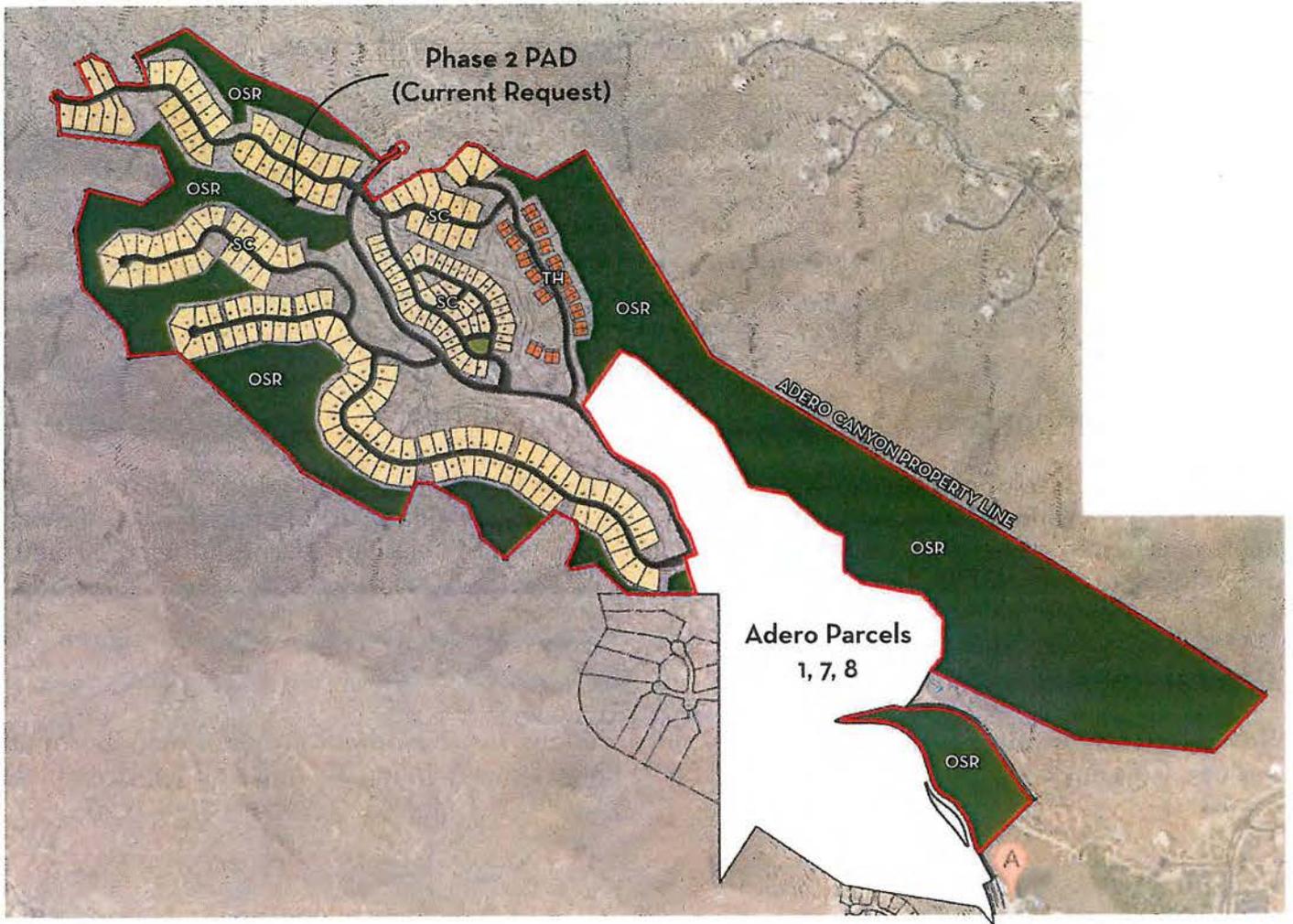
**Density, Area, Building, and Yard Regulations for common ownership structure of the parcel (i.e. multifamily condominium):** The table below specifies the minimum parcel size, maximum density, minimum parcel width, maximum building height, maximum building width, minimum yard setbacks, maximum parcel coverage percentage, distance between buildings, and perimeter parcel setbacks.

**Density, Area, Building, and Yard Regulations for separate lot ownership structure within the parcel (i.e. single-family attached):** The table below specifies the minimum lot size, maximum density, minimum lot width, maximum building height, maximum building width, minimum yard setbacks, maximum lot coverage percentage, distance between buildings, and perimeter parcel setbacks..

Parcel Area (Sq.Ft.)	Min. Lot Area/D.U. (Sq. Ft.)	Lot Width	Max. Building Height	Minimum Yard Setbacks					Max. Lot Coverage	Min. Distance Between Buildings	Perimeter Parcel Line Setback
				Front	Side	Street Side	Rear	Street Rear			
26,000	3,500	40'	30'	10'	0'	15'	0'	15'	100%*	10'	30'

\* Coverage of the overall platted parcel containing lots shall not exceed 65%

### OSR (Open Space Recreation)



scale: NTS

## Land Use Description

Land uses have been refined and sited for the proposed PAD by balancing three key objectives:

1. Remove all large lot custom home sites along the ridges and perimeter of the property and replace the majority of that area with a designation of open space recreation.
2. Infill additional buildable areas on the property in and around the basin floor, closest to Eagle Ridge Drive. This will include a range of semi-custom homes as well as the townhomes which will likely take the form of duplexes similar to the Camelot paired homes being constructed on the property now as well as similar paired homes that Toll has developed at the Overlook at Firerock.
3. Remove the planned multi-family unit parcel adjacent to the Ridge House Welcome Center and put that land area into open space. Associated units will be re-distributed to planned areas associated with the semi-custom units and the townhome units.

### SC - Semi-Custom Lots

The associated development plan illustrates the locations for the new semi-custom neighborhood enclaves. This includes four neighborhoods to the west of Eagle Ridge Drive (totaling 144 units and approximately 91 acres and two neighborhoods to the east of Eagle Ridge Drive (totaling 61 units and totaling approximately 11 acres).

### TH - Townhome Lots

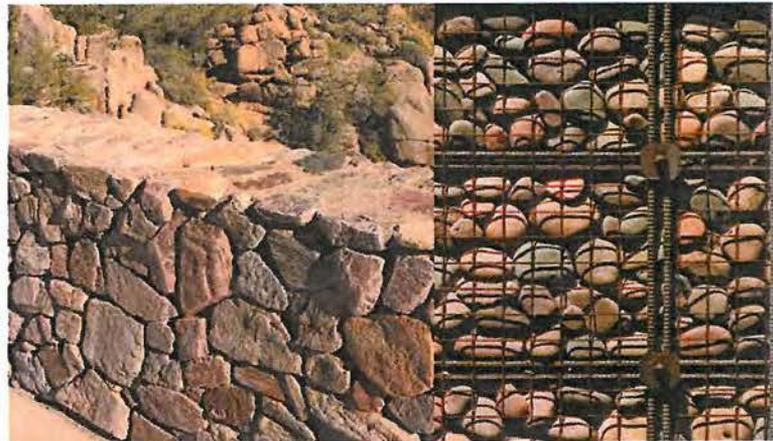
The associated development plan illustrates the locations for the new townhome neighborhood enclave. This enclave is located to the east of Eagle Ridge Drive (totaling 30 units and approximately 10 acres).

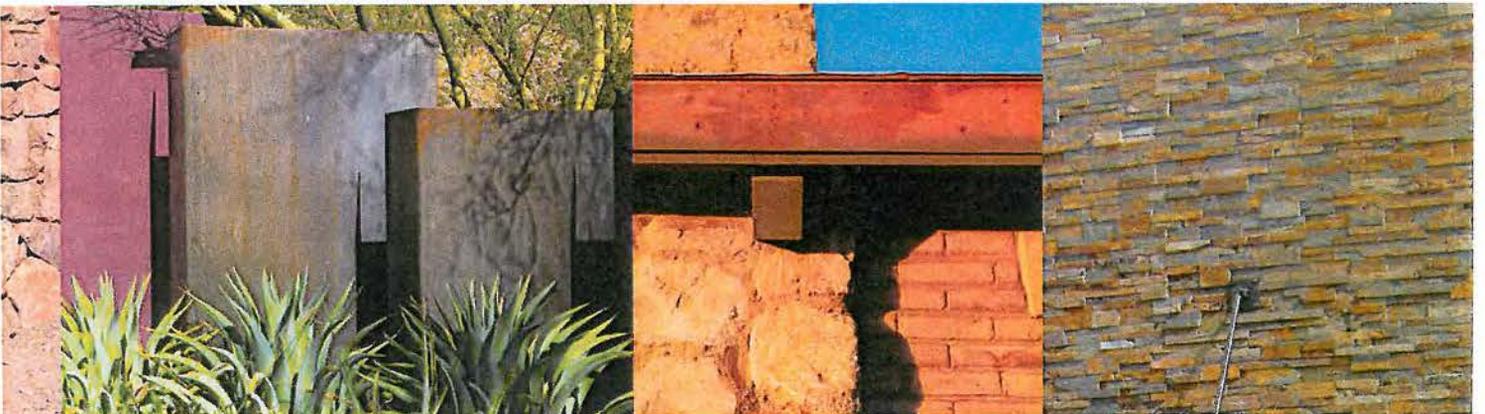
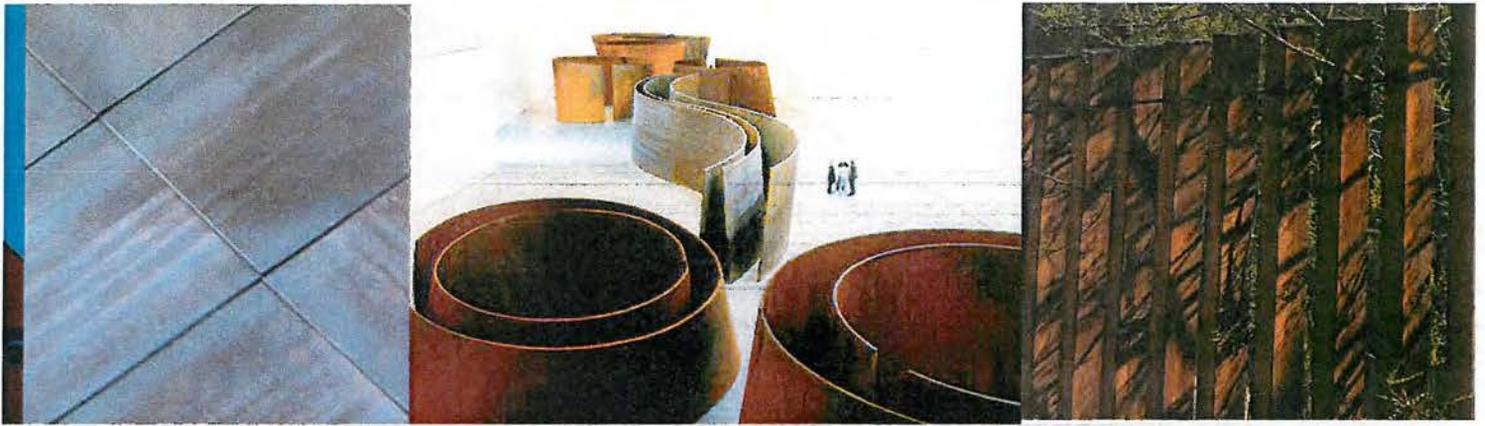


### c. Community Theme

The overall site planning will continue to be complemented by community features and theming introduced in Phase One. We will continue to incorporate stone walls, rustic elements, simple geometry, boulders and natural vegetation in common areas. All this is intended to compliment the most recent site improvements associated with Phase One of the project. Community design elements, such as signage and walls, will continue to focus on a range of materials including:

1. RUSTED STEEL
2. STONE BOULDERS
3. RAMMED EARTH
4. BOARD FORM CONCRETE
5. PAINTED METAL/ CONCRETE PANELS
6. WROUGHT IRON
7. ADOBE BRICK AND SLUMP BLOCK





## d. Architecture Concepts

The design intent will continue to establish a variety of styles. The strategy for building theme will continue to create a unifying philosophy of design that echoes some of the historic building aspects of the Sonoran desert. The design intent will continue to focus on design expressions that are authentic to the area and embrace the heritage of the historic inhabitants of the McDowell Mountains. The community theme will continue to be "old Arizona" echoing the simple organic building methods with a contemporary flair, prospectors and ranchers incorporating rammed earth, rustic elements, simple geometry, boulders and natural vegetation.

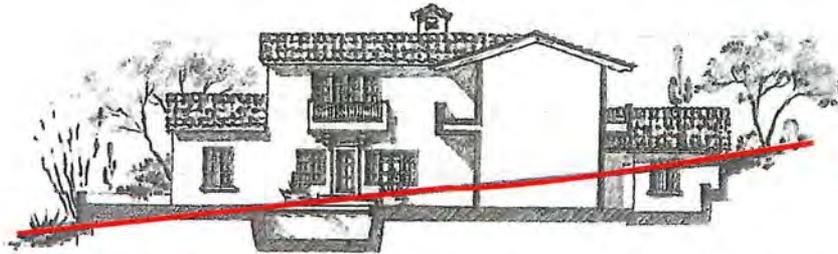
The design guidelines for homes will continue to incorporate environmentally-sensitive design techniques and themes that have long been associated with the desert southwest. A hacienda ranch theme will complement the natural setting and reinforce a desert ranch vernacular that has evolved over centuries. Simple building masses, with broad overhangs, pitched roofs, shed roofs and carefully located courtyards and gateway thresholds provide for indoor/ outdoor living with integrated shade and landscape for comfort and lifestyle. Natural materials of brick, adobe, stone, metal and wood provide attractive visual accents and durability. Strategic placement of doors and windows, along with careful building orientation help to capture natural breezes. The hacienda traditional layout of open oriented rooms reinforces the connectivity to the outdoors and an expanded living area.

Unlike many communities that introduce numerous house styles with the intent of creating architecture variety, Adero Canyon will continue to carefully integrate the many aspects of the hacienda design and incorporate contemporary construction techniques and materials to encourage a strong overall design theme for the community.

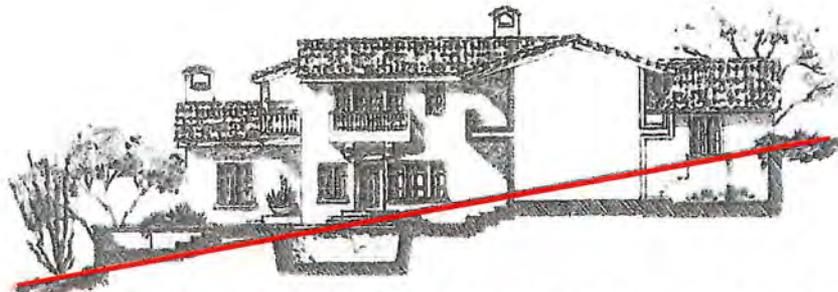
A thoughtful and refreshing spectrum of variety will continue to be integrated based on house size, product type, location, orientation and how homes integrate with the desert setting.



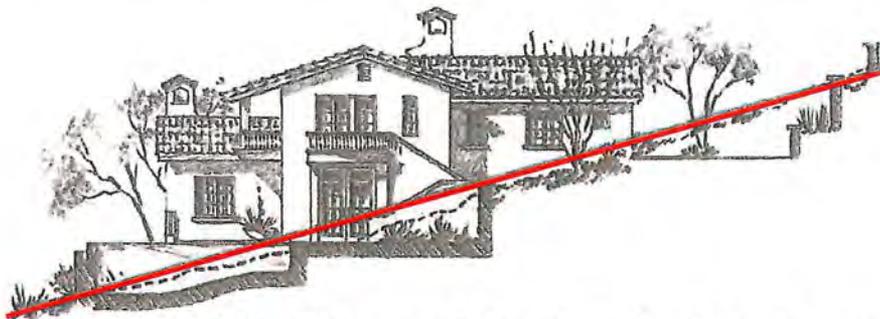
*All included photographs, graphic exhibits, precedent photographs, illustrations, and / or sketch imagery are conceptual in nature and not intended to be specific design. They are intended to provide visual examples and aspirations of the intended design and development outcome.*



House section with ten (10) percent slope in red with single terrace level.



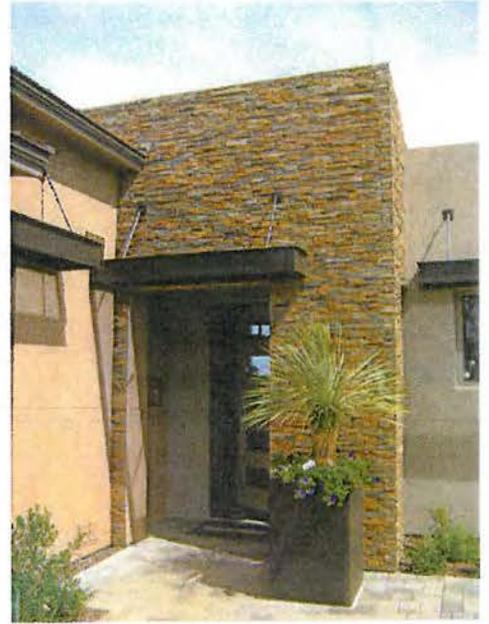
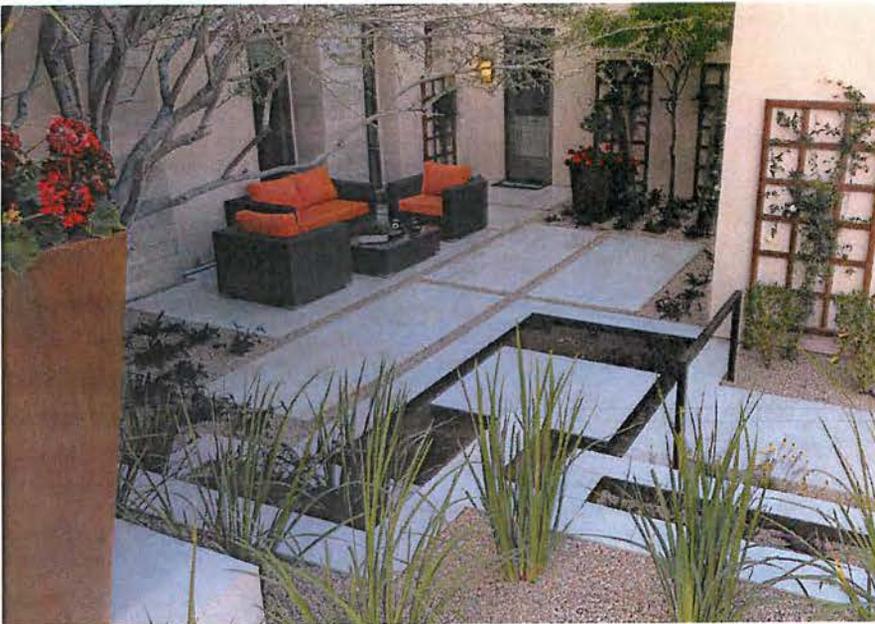
House section with twenty (20) percent slope in red with single terrace level.



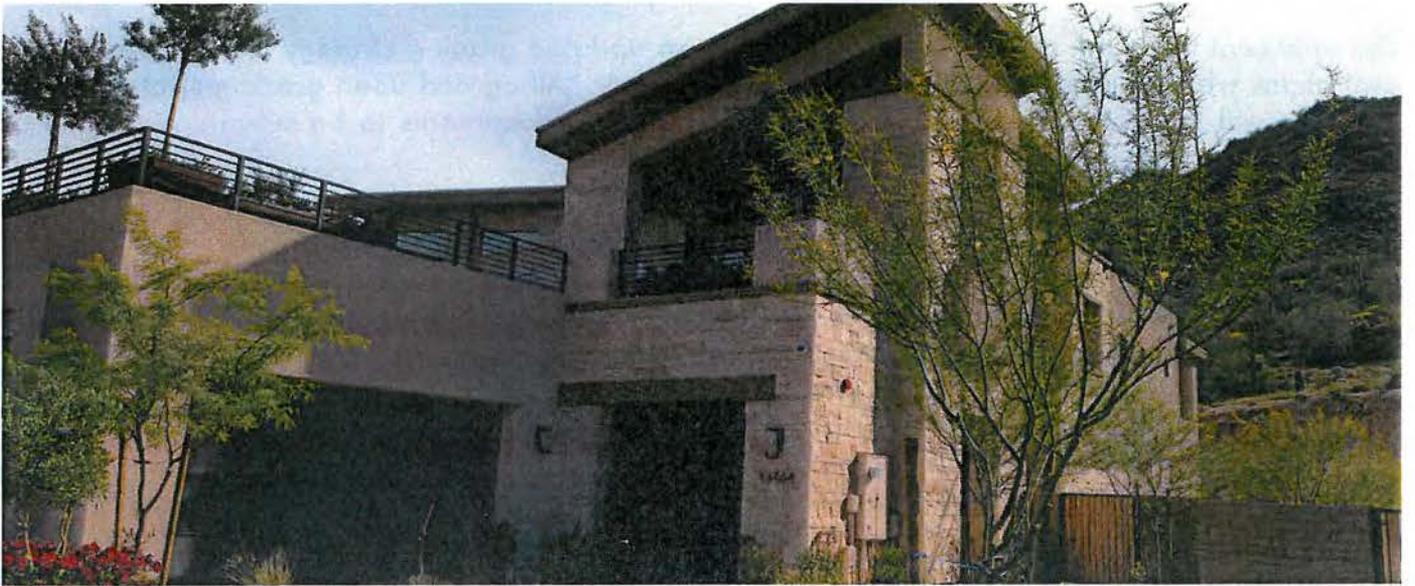
House section with thirty (30) percent slope in red with single terrace level.

*See the alternative development standards set forth in Section 5.10(B) of the Canyon-Side Ordinance 17-08.*

*Examples of sensitive design techniques for building homes in and around slopes.*



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## **e. Grading Standards**

Each newly proposed neighborhood enclave has been walked by the Applicant, the Land Planner and the project Civil Engineer. The organization of roadway layouts and associated building pads has been carefully crafted to limit impacts to significant landforms throughout the development. The "Conservation Community" development strategy, which results in removing a substantial part of the property from private ownership and moves it into an open space conservation easement, also entails located development in more central locations. Like the PAD previously approved, some degree of cut and fill waivers will be required to execute the "Conservation Community" development strategy. The Applicant will coordinate with the Town as part of the Development Agreement to establish the parameters of the necessary waivers for cut and fill. Note, between terraced walls, the "terraced" area can be up to a 3:1 slope for fills and a 2:1 slope for cuts, except as needed for drainage. Maximum cut of a natural slope up to 10' or greater dependent on the stability of the materials excavated, and shall be as prescribed by the Town Engineer.

The applicant will work closely with the Town on an updated grading strategy for the project that best aligns with the previous work done on the property. All agreed upon grading strategies and solutions will be incorporated in the detailed engineering documents to be submitted at time of preliminary plat.

## **f. Sewer System**

The Town is in possession of the Master Wastewater Plan dated November 6, 2013, prepared by the civil engineers. As part of the associated improvement strategies for the new PAD, the Applicant will coordinate with the Town on the preparation of an updated Master Wastewater plan based on current as built conditions. The updated Plan and associated system will be designed per the specifications of the Fountain Hills Sanitary District (based upon 100 gallons per person per day) for gravity fall with SDR 35 PVC pipe at flow velocities at or below 10FPS. No ductile iron pipe or lift stations are currently anticipated based on preliminary review. The Fountain Hills Sanitary District and the City of Scottsdale have confirmed that Adero Canyon is within their service areas and that existing plant capacities are sufficient to serve the wastewater plan for Adero Canyon and the total number of units previously approved.

The applicant will work closely with the Town on an updated sewer strategy for the project that best aligns with the previous work done on the property. All agreed upon sewer strategies and solutions will be incorporated in the detailed engineering documents to be submitted at time of preliminary plat.

## **g. Water System**

The Applicant will work closely with the Town on an updated water strategy for the project that best aligns with the previous work done on the property. All agreed upon water strategies and solutions will be incorporated in the detailed engineering documents to be submitted at the time of preliminary plat. Adero Canyon contains four pressure zones which will be served by two reservoirs.

- Existing Reservoir
- Future Eagle Ridge North Reservoir

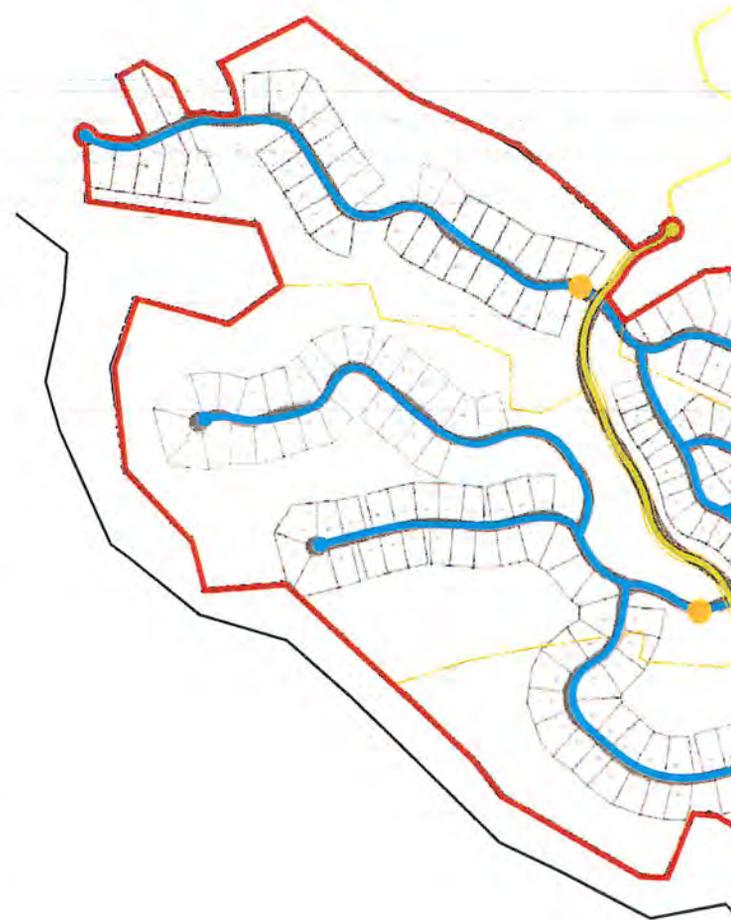
Along with booster pump stations and pressure reducing valves to regulate minimum and maximum system pressures, each reservoir will serve maximum daily demand and peak hourly demand based upon design criteria established by EPCOR, including fire flow demand at 2 hours for residential uses and at 3 hours for non-residential uses. Hydrants will be placed in accordance with appropriate regulations and will be reviewed and confirmed with the Fountain Hills (Rural/Metro) Fire Department.

The final design of the water system will be prepared per design specifications of EPCOR (and the IBC Plumbing Code) and subject to the approval of the Town.

## h. Circulation/Streets Plan

A traffic impact study was prepared previously in 2013 when the projects overall density was proposed (and subsequently approved by the Town) to increase from 171 units up to 343 units. The new PAD area consists of a total of 238 existing units and a proposed total number of units at 235. This overall decrease in density does propose a shift in the location of a significant portion of the units to the northwest portion of the property where land areas are more conducive for development. The Applicant will prepare a new traffic study as part of the overall planned development in order to clearly understand any associated impacts on traffic, street design and overall circulation. The following exhibit has been highlighted with the proposed locations of new roadways. The Eagle Ridge Drive extension will be designed as a public right-of-way and the technical data (out puts) from the new Traffic Study and coordination with the Town will determine its street classification as well as its proposed design speed. All other roads planned for direct neighborhood access will be private roads maintained by a property owner's association and will be designed to standards based on the Traffic Study and Town's input.

Wash crossings shall be shown on plats and bridges may be con-arch design and/or culverts so long as designs incorporate concrete bottoms or sandy bottoms with rip-rap under the sand and along the sides as necessary.



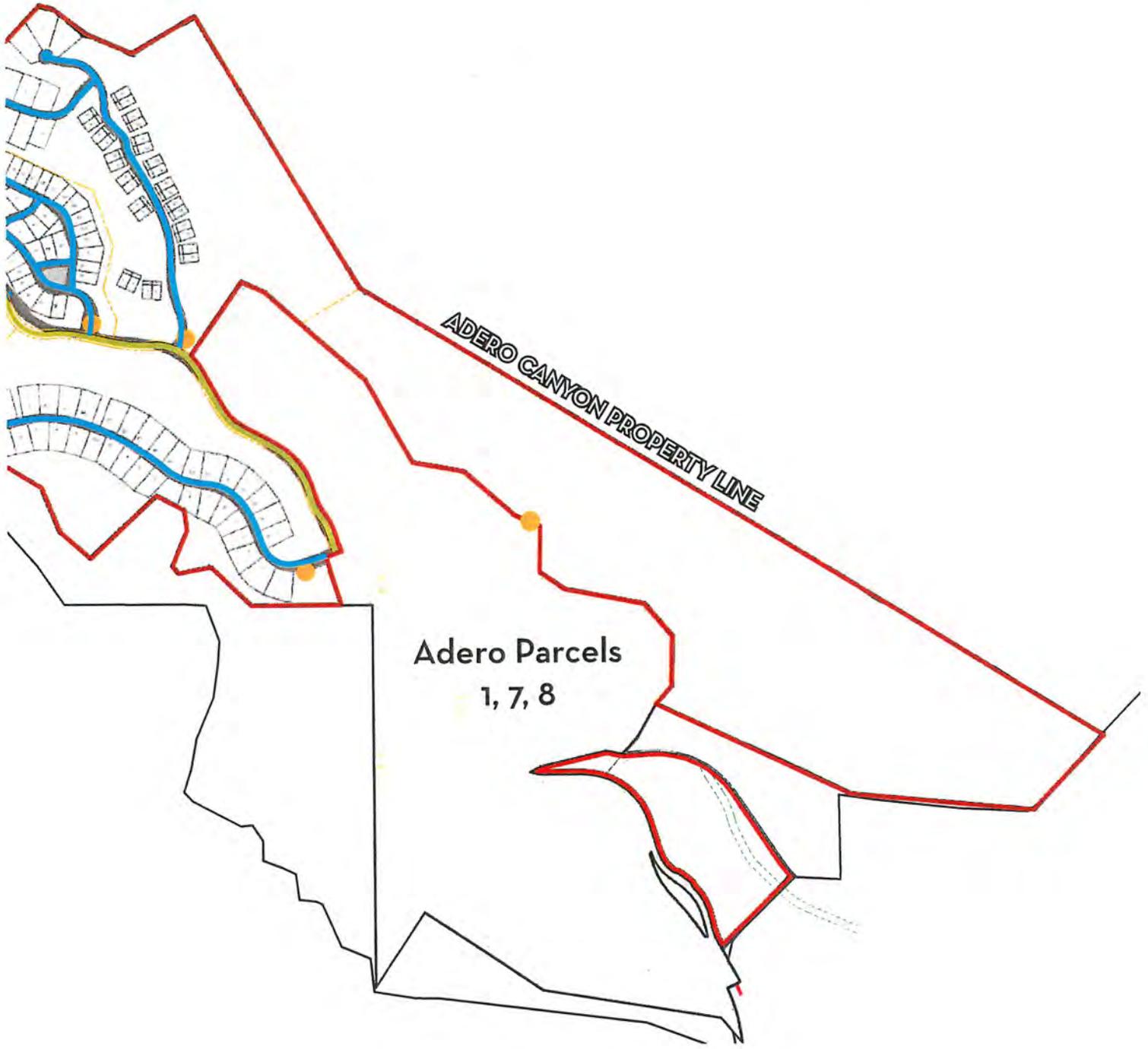
### LEGEND

-  Phase 2 (Current Request) PAD Boundary
-  Private Road
-  Public Road
-  Neighborhood Entry Gate Access to Scottsdale  
Mountain Estates Public Access Easement

*Note: To Enhance community aesthetics and avoid unnecessary concentrations of storm water collection, roadway curbs may be rolled or 12", 18" or 24" ribbon style on all public and private streets at the discretion of the Applicant except where rolled or vertical curbs are necessary for storm water management. Temporary on-street parking shall be permitted on all private streets on the non-sidewalk side of the street so long as a 20' drivable width remains within the R/W as to permit the safe passage of emergency vehicles. For Hillside Local Roads, minimum horizontal curve length shall be 50'. New street names to be provided by Applicant and shall replace previously submitted. On street 90 degree parking shall be provided on private streets within the townhome areas.*



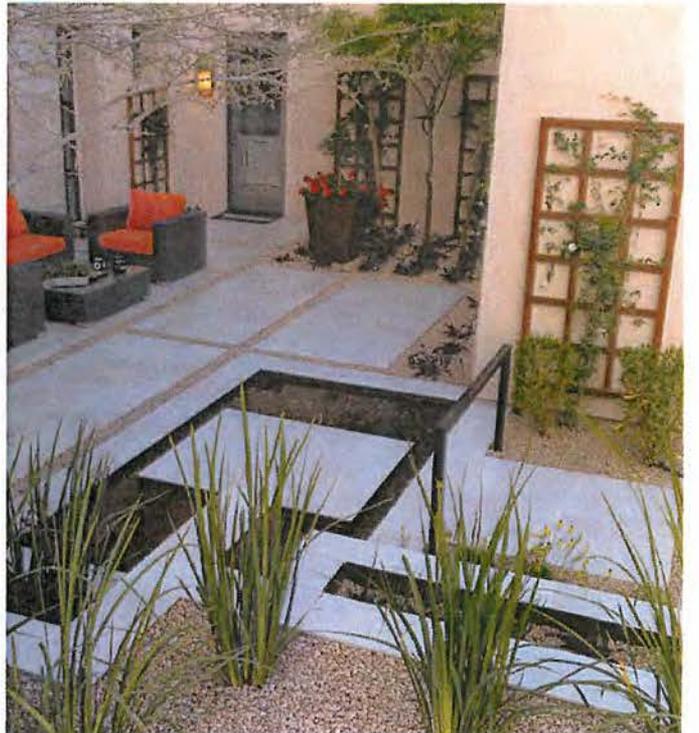
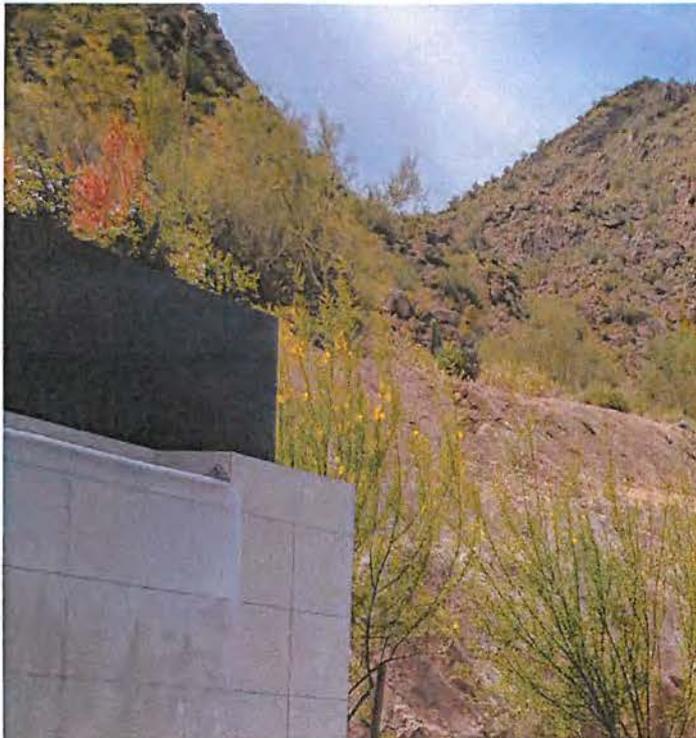
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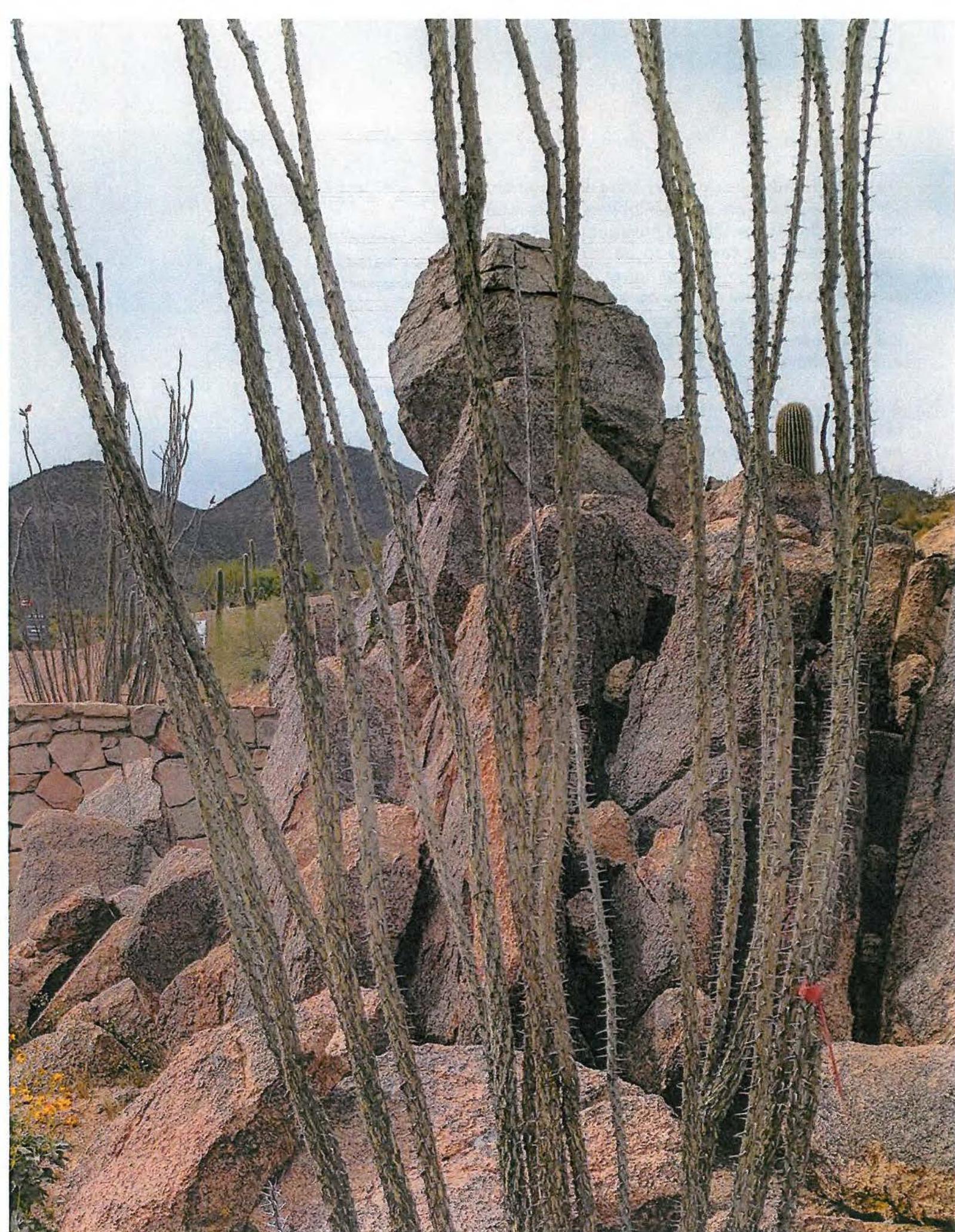


## i. Site Design And Landscape

### Site Design

The goal for site planning and site design will be to continue the distinctive and integrated environments that have added to the overall character and quality of the property. The sensitive nature of the planning is intended to have a “light touch” on the land and careful site planning will reinforce an overall development that is carefully integrated with nature and the dramatic Sonoran desert environment. Special care with all site planning issues will continue to focus on the relationship between the aesthetic of highly visible built elements coupled with the desire to provide an individual residential setting that delivers privacy, beauty and meets the functional needs of each individual home owner. In addition, the plan has organized home locations to take advantage of dramatic views within the canyon and to the south.





## Landscape

The overall landscape strategy for the development will continue to focus on highlighting the special nature of the Adero Canyon environment. All site improvements will continue to be complimented with landscape treatments of native trees, shrubs, cacti, succulents and ground covers. The planting design will continue to establish a strong visual link between new construction and the native, natural setting.

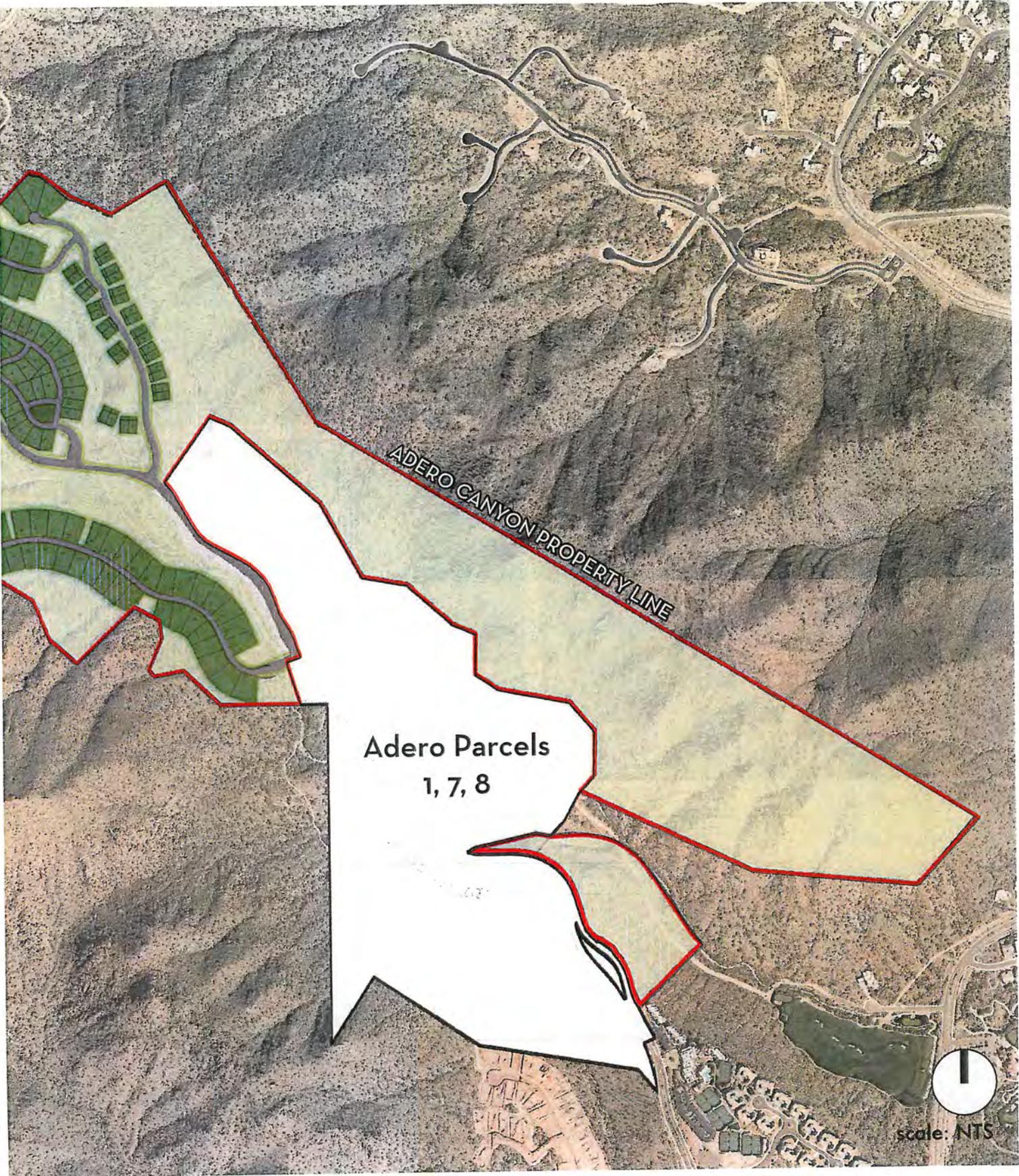
A comprehensive landscape strategy comprised of three primary treatment zones will continue to be utilized to ensure the overall landscape design intent. These three zones will include:

-  Native Treatment - areas intended for native open space.
-  Transitional Treatment - areas along streets and ROWs adjacent to the natural desert.
-  Enhanced Treatment- areas immediately surrounding new development

Each treatment maintains its own identity and consistency of character while sharing plant species and design elements to create logical transitions between landscaped areas. These differing treatments are designed to both promote preservation and allow homeowners flexibility in personal aesthetic within their prospective lots while maintaining a unified theme.

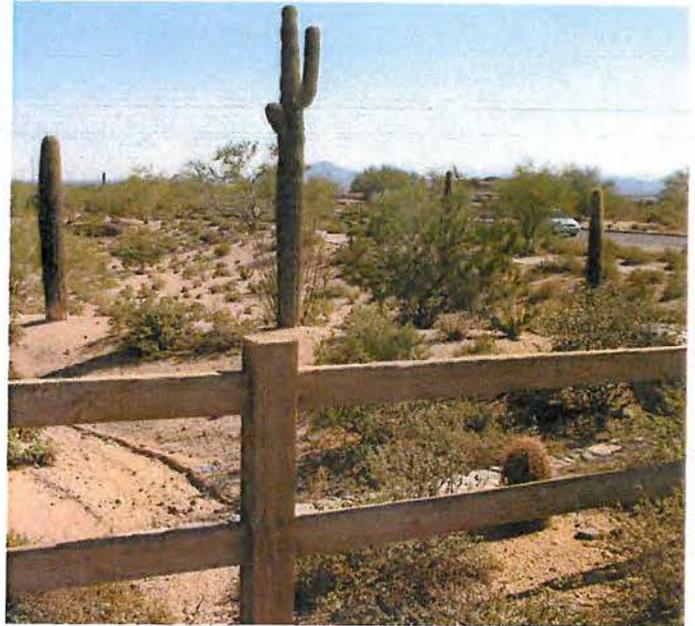
All plant materials shall be from the Town of Fountain Hills approved plant species lists. A property owners' association shall be responsible for the maintenance of landscaping along all rights of way including the public right of way for Eagle Ridge Drive.





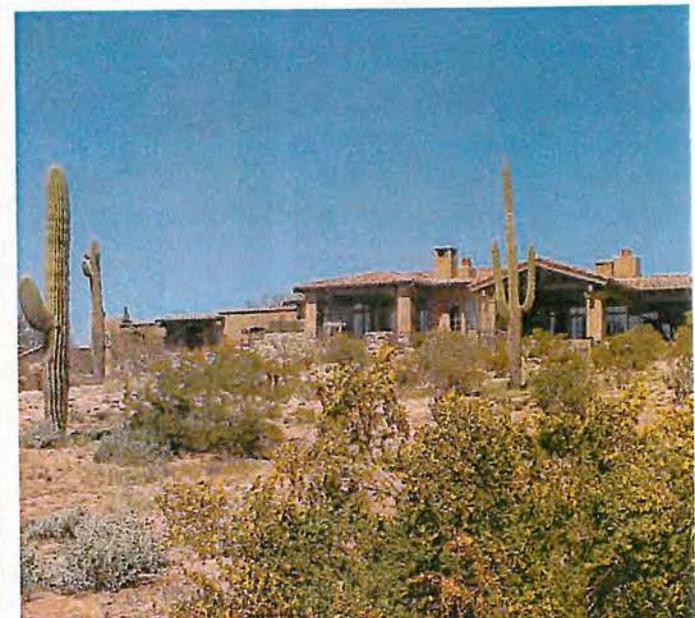
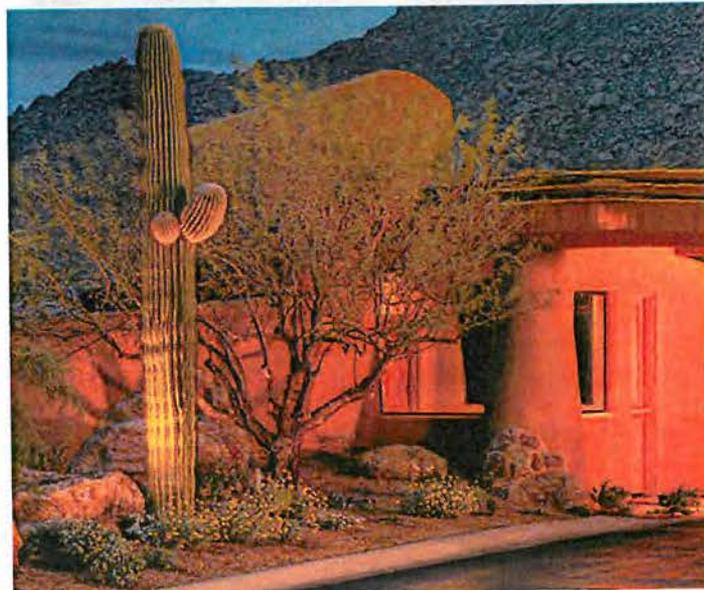
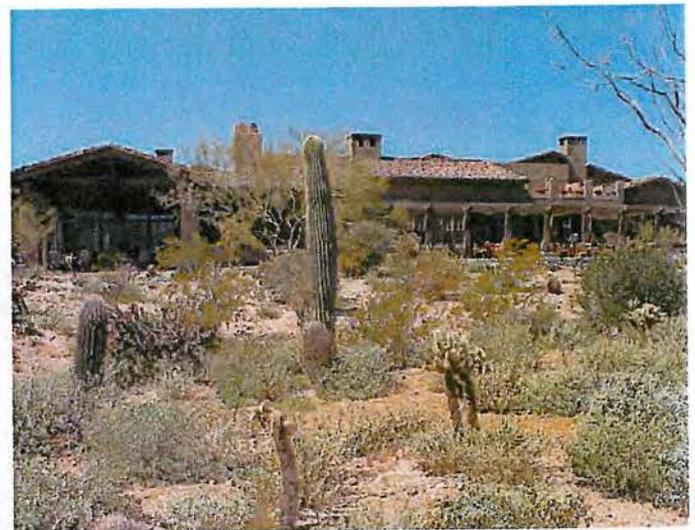
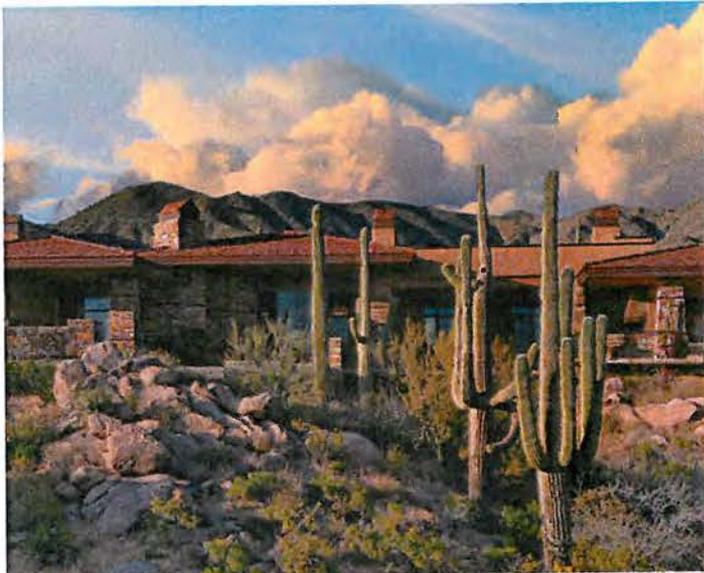
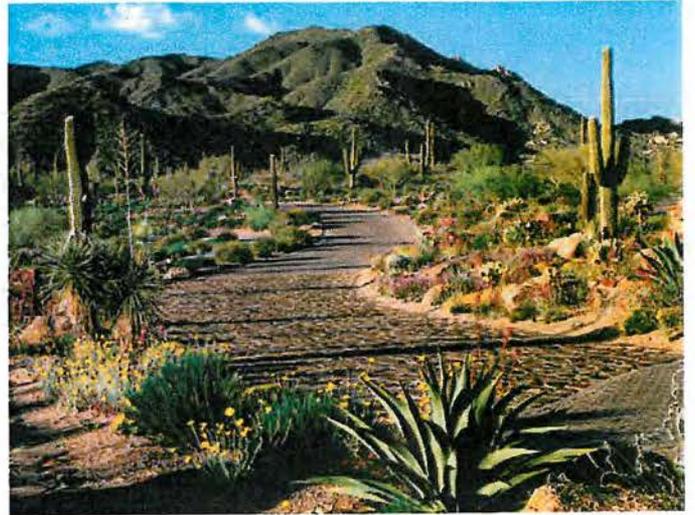
## Native Landscape Zone

The Native Landscape Zone (NLZ) is intended to mimic the native condition of Adero Canyon in both plant species and densities as well as native ground cover treatment. Disturbance from construction activities within the NLZ will be revegetated to the native condition. NLZ areas are primarily reserved for native open space.



## Transition Landscape Zone

The Transition Landscape Zone (TLZ) is similar in nature to the Native Landscape Zone and has the general appearance of the natural desert, but is intended to incorporate additional adaptive species to seamlessly blend the Native and Enhanced Landscape Zones. The TLZ is also appropriate for improved roadside landscapes and disturbed areas that warrant an improved landscape treatment.



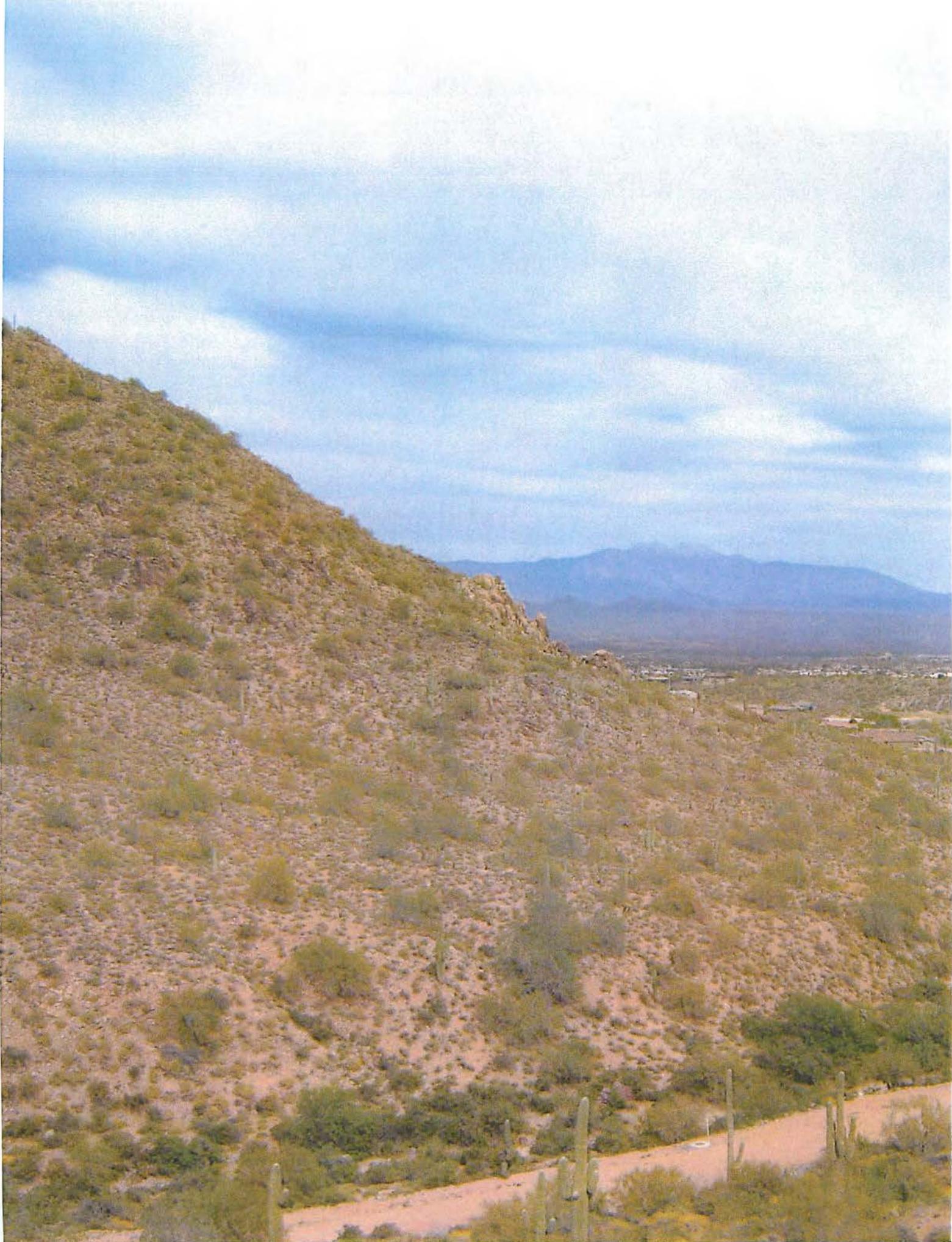
## Enhanced Landscape Zone

While the Enhanced Landscape Zone (ELZ) maintains many of the same characteristics as the Native and Transition Landscape Zones, it allows for additional adaptive species and treatments for improvements adjacent to residential development and key community features such as site amenities and community entrances. The ELZ allows flexibility for individual residential expression while maintaining continuity throughout the community and with the native condition of Adero Canyon.



PLANT  
PARKER

WELCOME



## j. Open Space Improvements

The most significant amenity throughout the community is the natural setting of the McDowell Mountain Preserve. The master plan will incorporate natural open space as a major land component with at least 51% of the PAD Area (40% of the total development area) for land to be left in its natural state. Future improvements to the property will focus attention on landscape treatments and consider impacts to the environment.

The “conservation community” plan identifies the general strategy for integrated paths and trails throughout Adero Canyon and how they may link to existing facilities outside the property. The final implementation of paths and trails will balance privacy issues associated with homeowners and accessibility opportunities for the public. The plan on the following pages presents three small private neighborhood amenities and three notable public facilities as follows:

### *Eagle Ridge Trail*

Meandering natural trail of stabilized decomposed granite extending from the end of current improvements to a future trailhead at the northern end of Adero Canyon and will generally follow the large natural wash through Adero Canyon.

### *Adero Canyon Trailhead*

A public trailhead complete with water and restroom facilities will be constructed and maintained by the Town of Fountain Hills at the northern end of the Eagle Ridge Drive extension in the McDowell Mountain Preserve. The construction of Eagle Ridge Drive will be done in multiple phases. The Applicant will provide public access to the trailhead cul-de-sac following completion of the next phases of Eagle Ridge Drive. This access will include a paved extension of Eagle Ridge Drive from the end of current improvements to the trail head cul-de-sac, as defined by the Development Agreement.

### A note about stabilized decomposed granite (DG)

Shall be utilized in accordance and alignment of previously approved PAD.



# Open Space Improvements

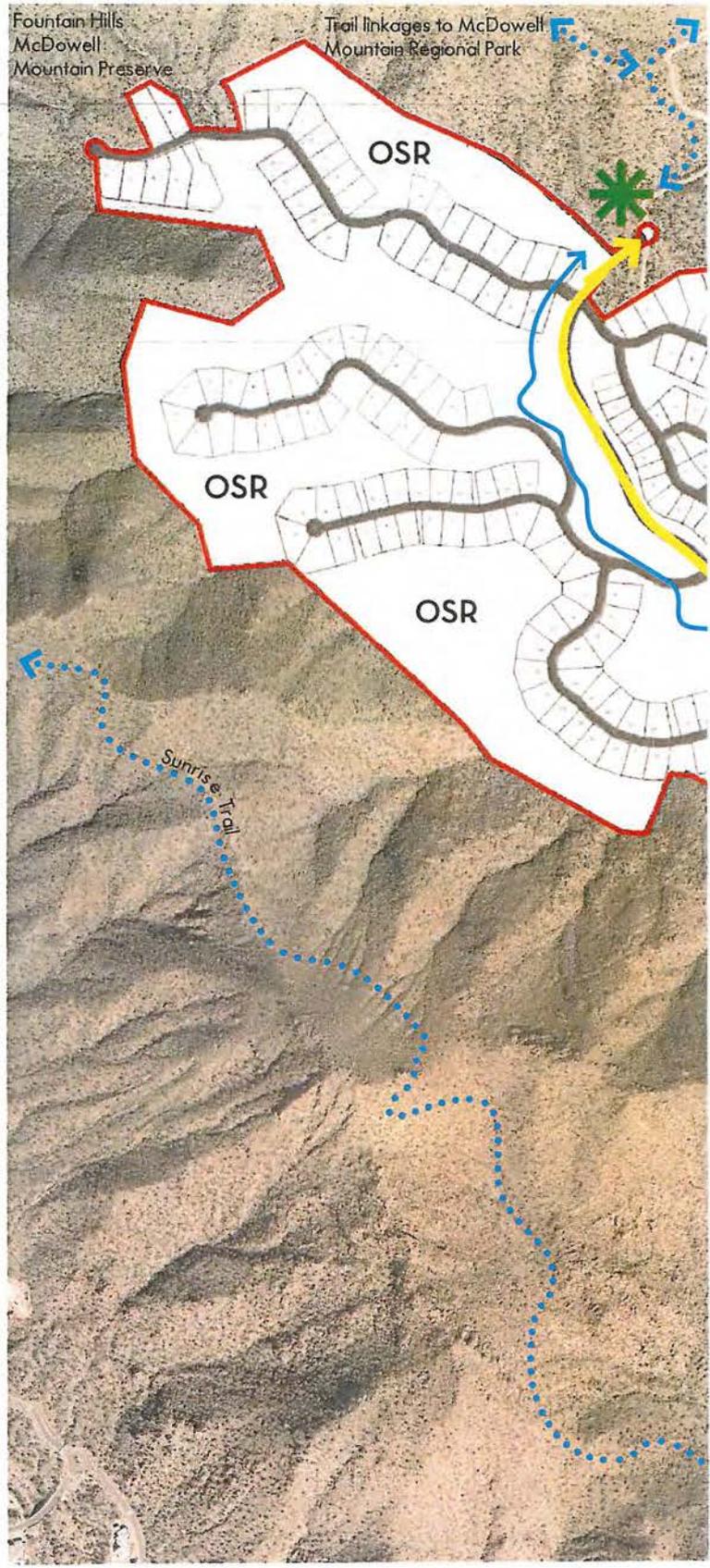
**LEGEND**

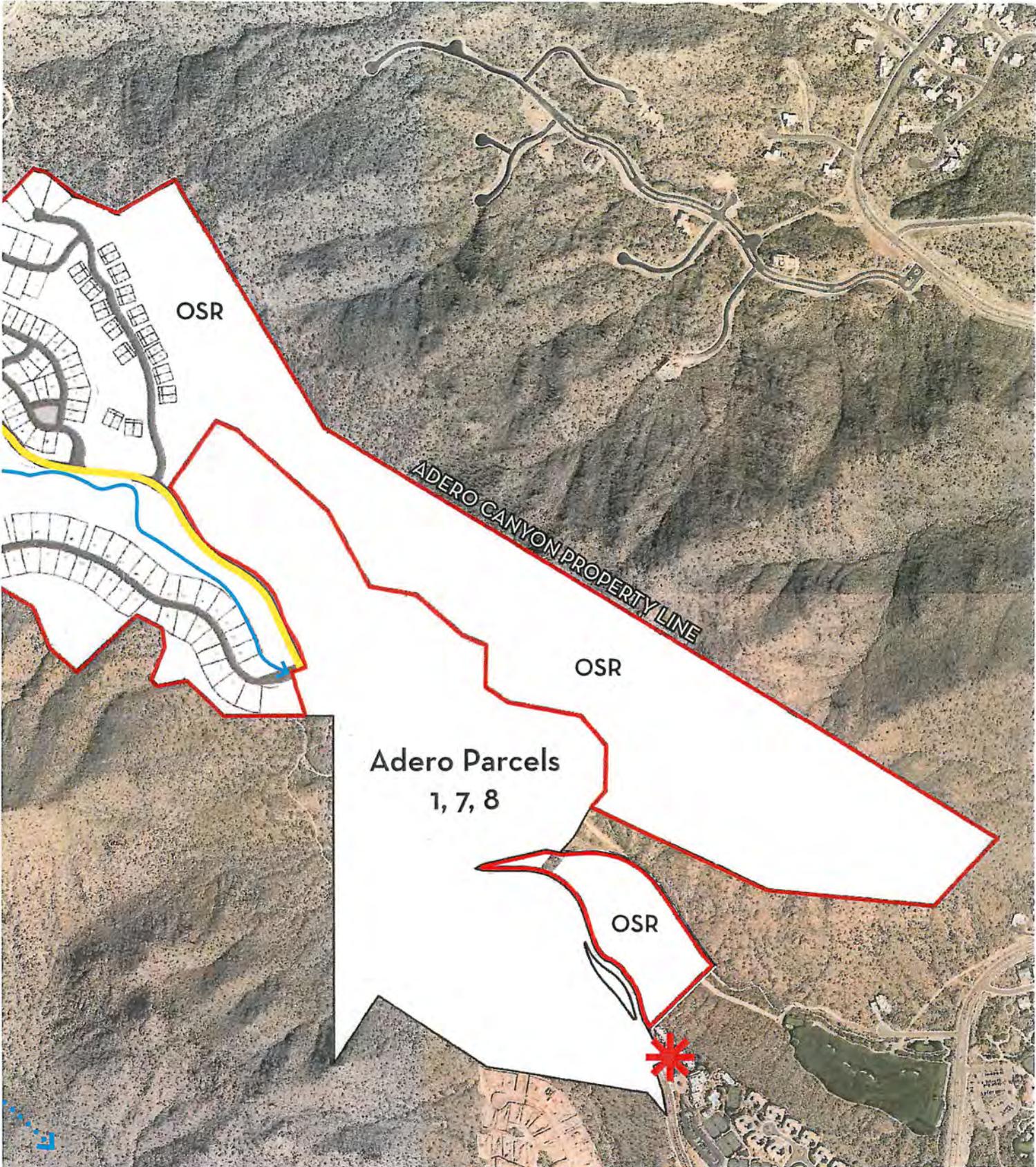
-  Neighborhood Gateway & Southern Trailhead Access
-  Trailhead
-  Eagle Ridge Dr. Paved Improvements
-  Eagle Ridge Trail  
(on one side of Eagle Ridge Dr. meandering class A concrete, 6' wide)  
(meandering path, with street connections at bridges & intersections)
-  Regional Trail Access
- OSR** Open Space Recreation

*Note: All other hillside local roads to have 6' concrete sidewalks on one side only. Provide S/W due to road steepness, curves, reduced lot areas, road lengths per Development Agreement.*



scale: NTS



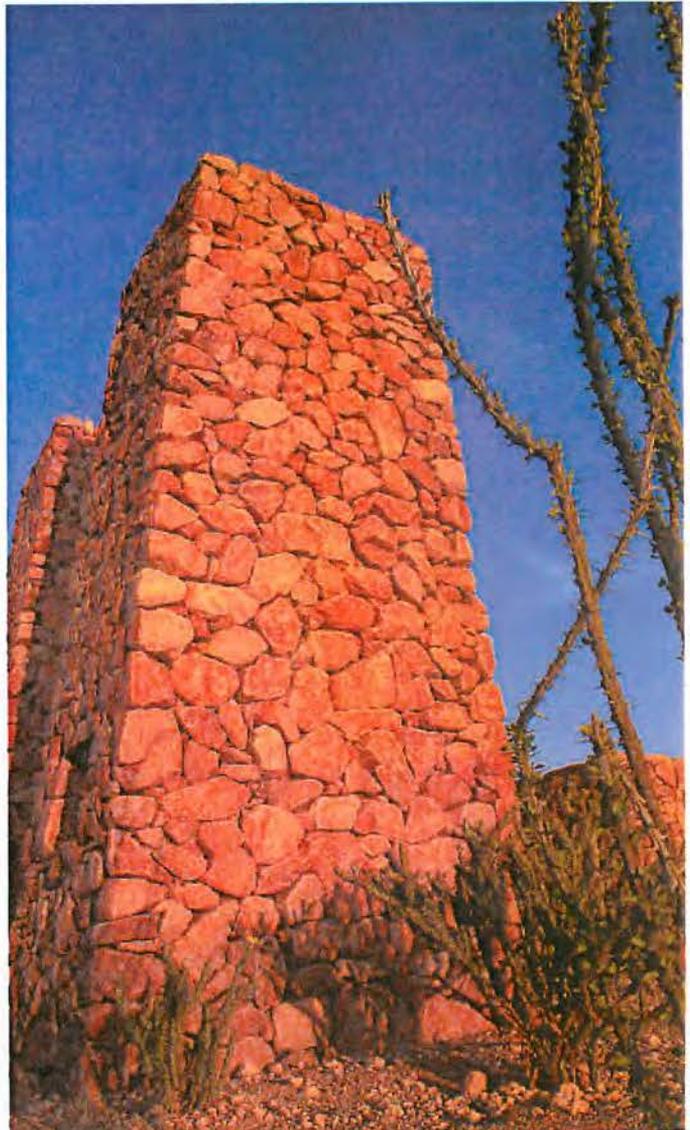
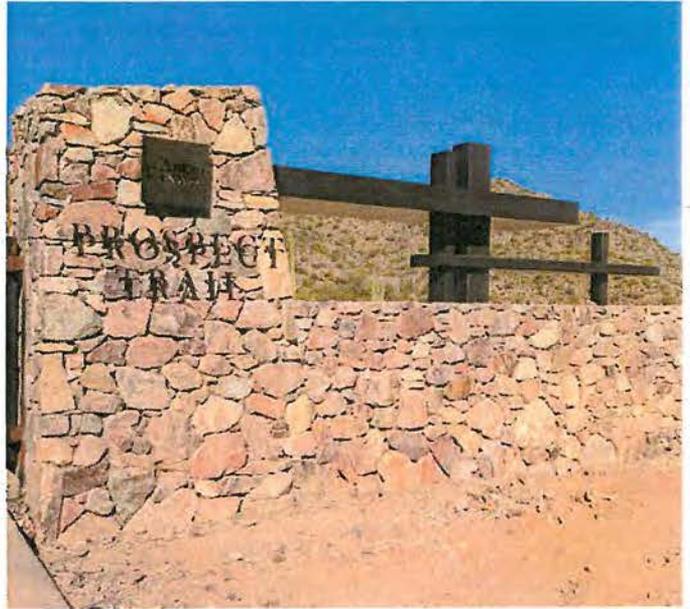


## k. Signage

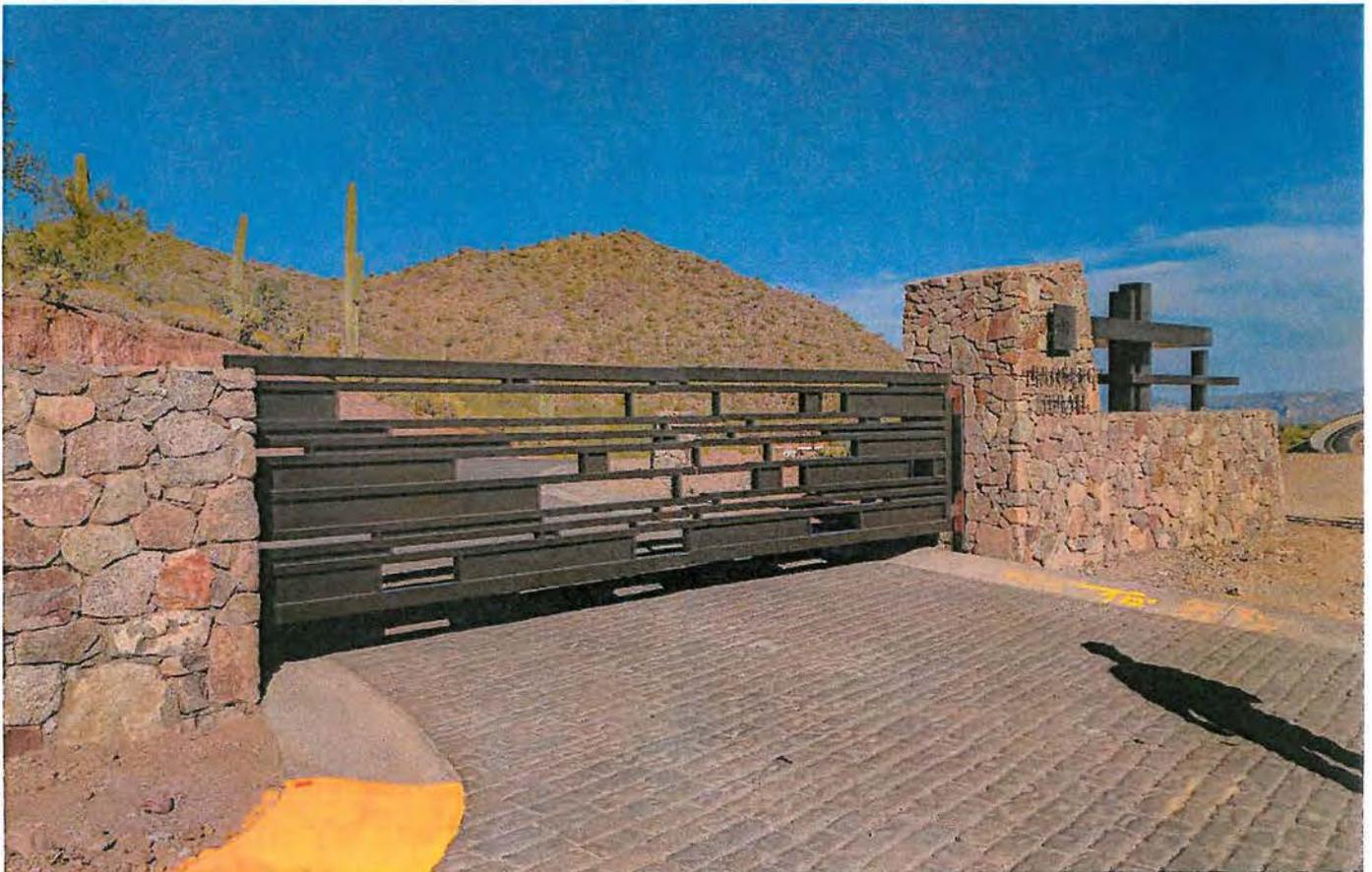
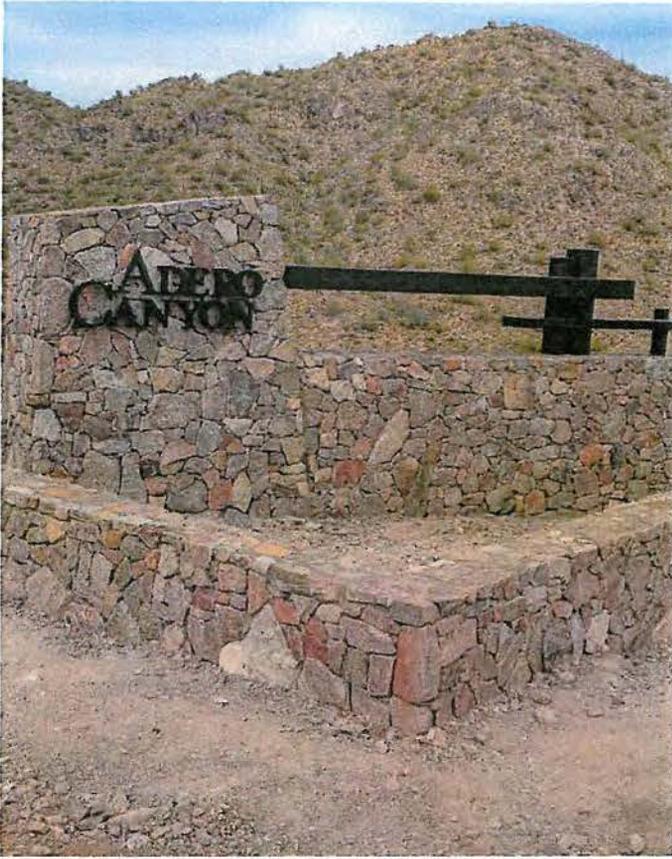
All proposed signage should be thoughtfully integrated with the overall community theming and match the new built elements on the property. All signage will be incorporated with care and restraint so as not to result in visual clutter within the overall development. For the purpose of signage and wayfinding, the system should be organized into two main categories: Permanent Signs and Temporary Signs. In general, Permanent Signs are intended to remain in place long after the last construction project is complete within the community. Temporary Signs are intended to support the permanent sign program specifically for the builder/ owner as new residential projects come on line.

Specific Permanent Signs may include; monument signage, wayfinding & identity signage and specialty signs.

A property owners' association shall be responsible for the maintenance of any custom signage along all rights of way including the public right of way for Eagle Ridge Drive. Custom signage for vehicular control shall convey the basic principles that govern design in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).



*All included photographs, graphic exhibits, precedent photographs, illustrations, and / or sketch imagery are conceptual in nature and not intended to be specific design. They are intended to provide visual examples and aspirations of the intended design and development outcome.*



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## Conceptual Signage Plan

The proposed signage has been designed to limit any visual clutter on the land and focus on providing helpful information to residents, visitors, guests and emergency responders. Features, materials and design elements are intended to compliment the beautiful setting.

The plan will look to compliment the recently installed signs associated with phase one construction.

### LEGEND



Neighborhood Identification Signage



Specialty Signage

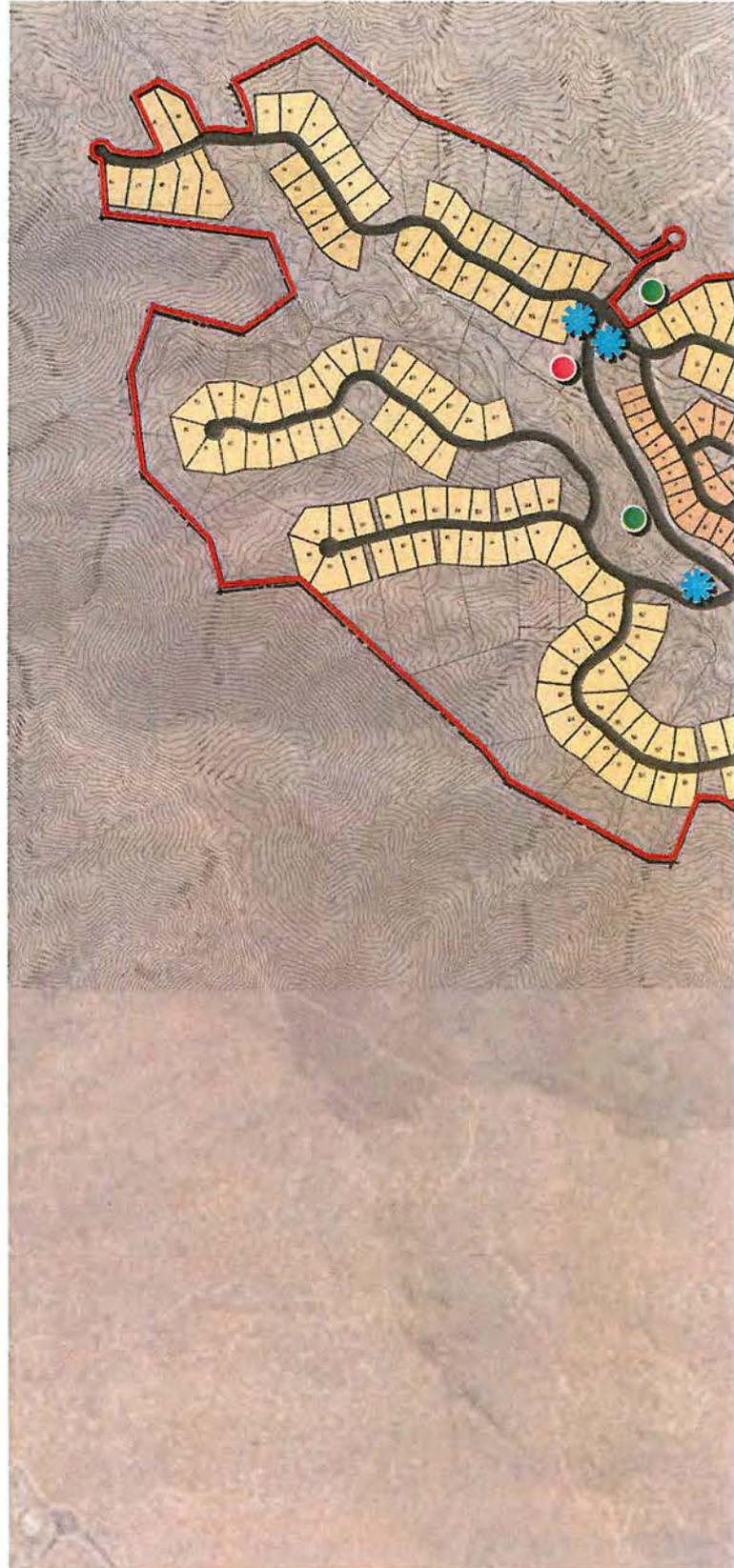


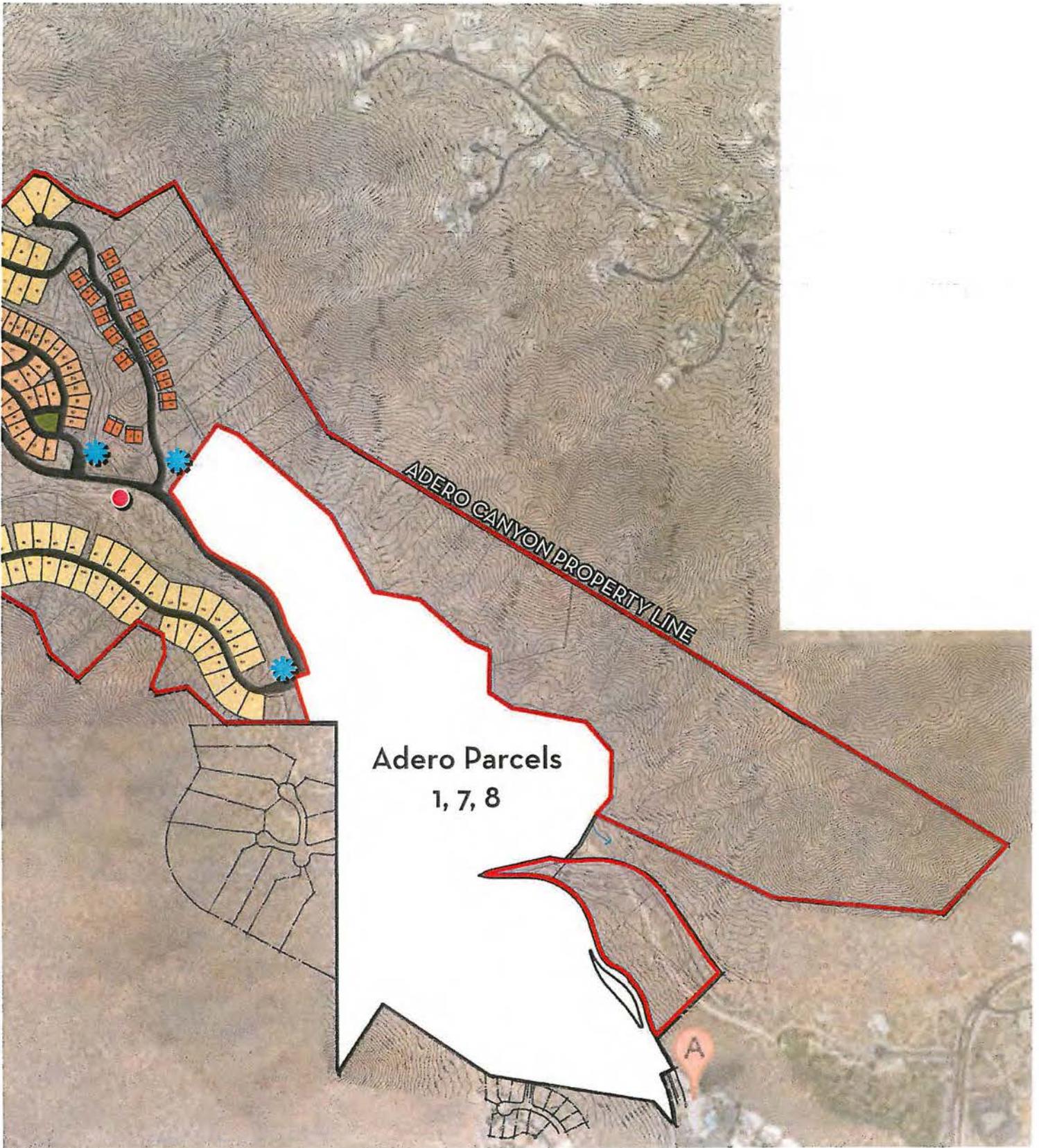
Wayfinding Signage

*Note: Final signage plan to reflect flexibility to add or move signs shown on the attached. Additional temporary signage will be installed relative to the home sales effort. Additional signage required for all traffic and circulation related functions. Custom traffic signs shall be permitted provided they convey the basic principles that govern design in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) with respect to shape, size, color, composition, and legibility.*



scale: NTS





## Conceptual Design

The signage design is intended to incorporate a variety of materials, features, and components that help to reinforce the overall character and community theme for Adero Canyon and compliment recently installed signs. Rammed earth, rusted steel, and boulders will carefully integrate in a organic manner to celebrate the very best features of the Sonoran Desert. Signage concepts depicted are understood to be conceptual in nature portraying intended general characteristics. Final detailed designs will be submitted in future design phases.

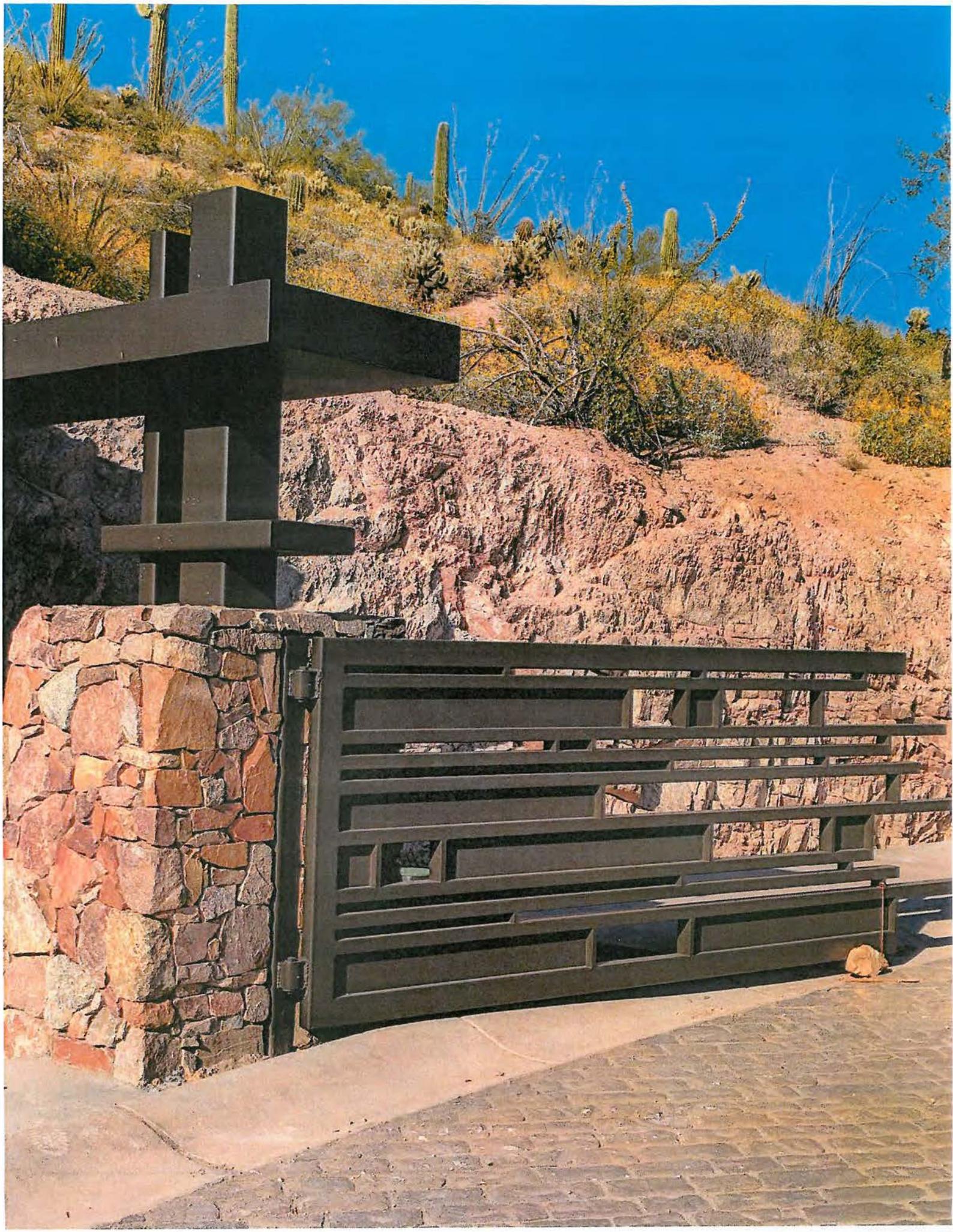


Street and Traffic Signage



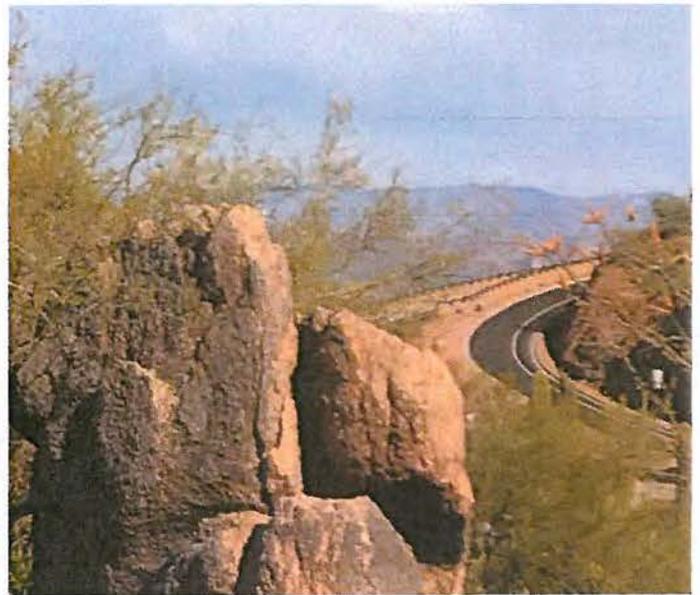
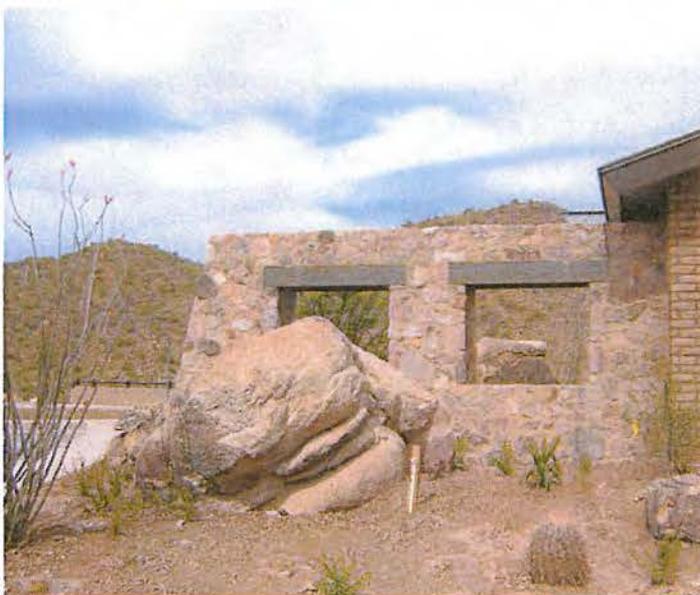
Wayfinding Signage

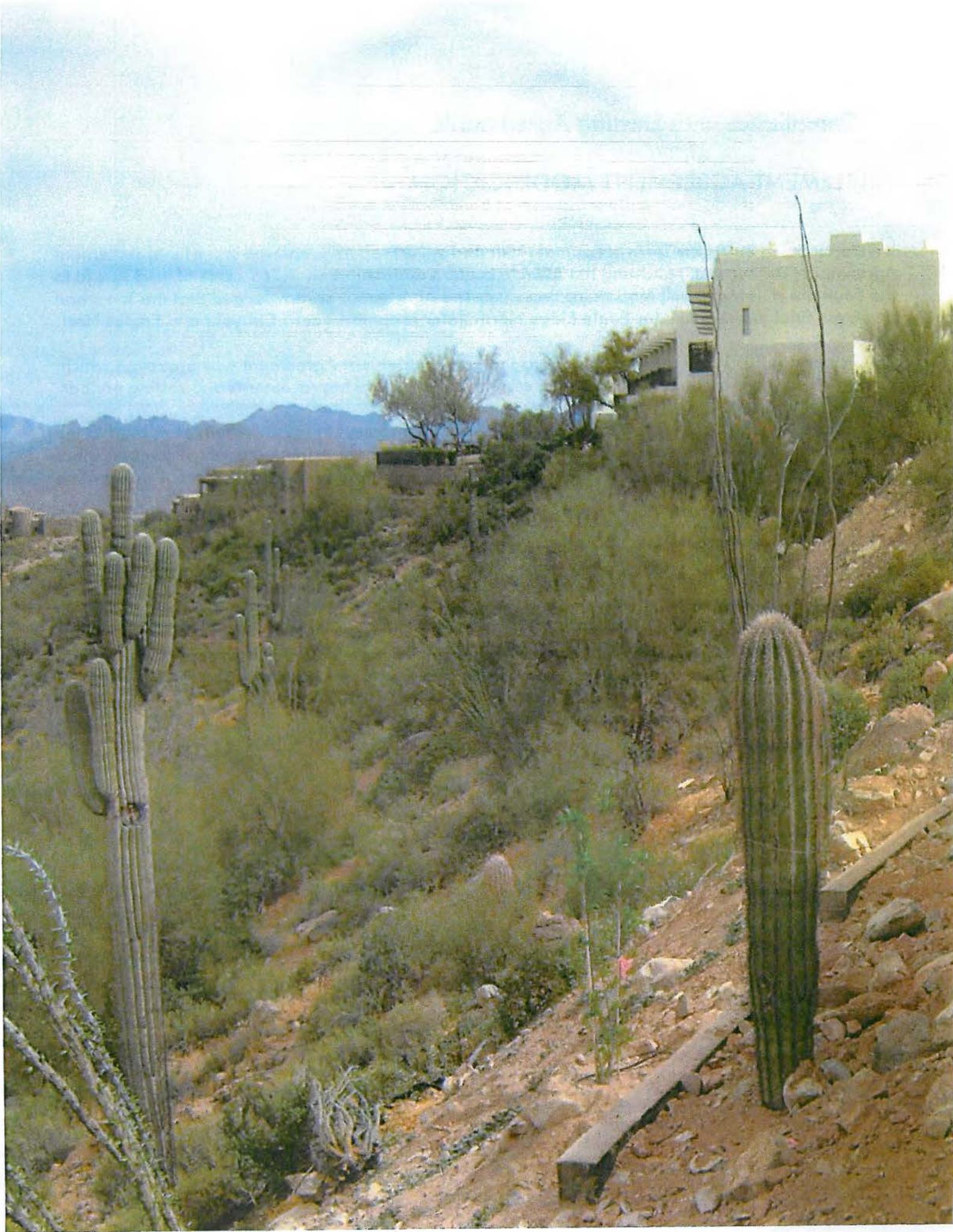
*All included photographs, graphic exhibits, precedent photographs, illustrations, and / or sketch imagery are conceptual in nature and not intended to be specific design. They are intended to provide visual examples and aspirations of the intended design and development outcome.*



## I. Transition from Existing Context

In all instances, the refined plan provides sensible integration and transition from adjacent new development within Adero Canyon. Eagle Ridge Drive will continue to be improved as each phase develops. All associated utilities and infrastructure as well will be continued from the end of the current phase one construction area. All site features and elements (signage and planting design) will be done in a manner to create a seamless transition from old (current) to new development.





## **m. Compliance with Existing Agreements**

### **SETTLEMENT AGREEMENT MODIFICATION**

On December 4, 2001, the Town of Fountain Hills and MCO Properties entered into a Final Settlement Agreement ("Agreement") allowing the Town to acquire approximately 1,269 acres of land to add to the Fountain Hills McDowell Mountains Preserve. The Agreement acknowledged that the Town had approved final master plats for Eagle Ridge North (later renamed Adero Canyon) and Eagles Nest.

On October 6, 2011, a First Amendment to the Final Settlement Agreement was approved which, among other things amended the timing of certain infrastructure improvements and vesting periods.

On September 15, 2016, the Town and the successors in interest to MCO Properties agreed to the First Amendment to the Amended and Restated Final Settlement Agreement which, among other things provided for the construction of the trailhead and eliminated Adero and Adero II's obligation to provide temporary utilities.

Toll Brothers is now under contract to purchase certain portions of Adero Canyon, necessitating amendments to the agreement to reflect MCO or its successor in interests remaining obligations, and to reflect Toll's obligations as it relates to the portion of Adero Canyon they will be developing. Amending the Agreement will be a separate action involving all of Adero Canyon, including those portions of Adero Canyon that are outside the boundaries of this PAD application. Eagles Nest is not included in the amendments to this Agreement and is not affected by either the Major General Plan Amendment or the rezoning case.

## n. Community Property Owners Association (POA)

Adero Canyon property owners will be subject to private design guidelines established through the POA Covenants, Conditions and Restrictions (CC&Rs) that include architecture and site improvements. All house product design reviews will be reviewed by an established POA committee. Any Association or Sub-Association will be responsible for the maintenance and up keep of private amenity facilities, private roads and other improvements on POA property.

## **4. POSITIVE IMPACT ON FOUNTAIN HILLS**

The projected residents/home owners associated with the “conservation community” development plan will be more socially and economically diverse which will attract them to the mix of housing product in the new plan rather than the single custom-home product in the original plan. The new plan will appeal to a broader age bracket with some working professionals, some families, some active empty nesters and some retirees.

### **a. Population & Schools**

Based on the target markets for each product type, it is estimated that the population within the Adero Canyon development upon completion will increase Fountain Hills resident population by approximately 750 +/- people. It is anticipated that the market for these household units will be mature families with some young children generally. The impact to child population in the Fountain Hills School District will be minimal (70 +/-).

### **b. Traffic and Streets**

As part of the proposed PAD and associated GPA, the Applicant will complete Eagle Ridge Drive to the “top” of the property where the Town’s proposed trailhead is envisioned.

### **c. Public Utilities**

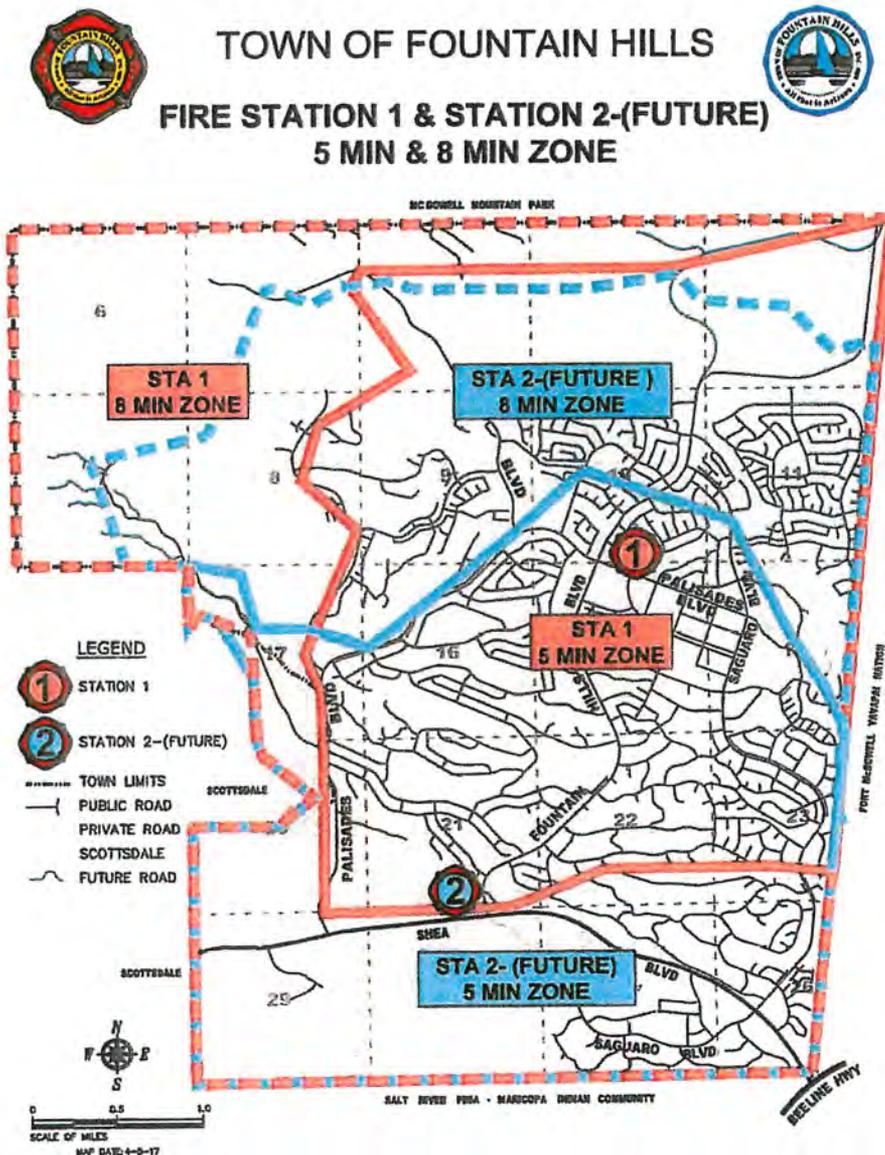
Conversations with managers at EPCOR, the Fountain Hills Sanitary District, Southwest Gas, and Salt River Project indicated that existing utility infrastructure capacities are sufficient to serve the revised Adero Canyon master plan without negative impacts to offsite plant capacities or existing transmission lines. The project also contemplates extending services from Cox Communications and Qwest.

### d. Trails & Trailhead Access

The PAD will enable Adero Canyon to commence sooner than it otherwise would with the existing land plan. This will ensure that financial resources presently available to the Town will not be lost before they expire. The addition of the Eagle Ridge concrete trail will also dedicate an additional public amenity not provided in the existing plan.

### e. Fire & Life Safety

Fire and ambulance service can reach all of Adero Canyon, including Phase II, within an 8-minute response time, serviced by the existing Fire Station 1. The new Fire Station 2, located at the northwest corner of Shea Boulevard and Fountain Hills Boulevard on land that was provided by the current owner of Adero Canyon Phase II, will place the entrance to Adero Canyon within a 5-minute response zone and will provide additional service to all of Adero Canyon.

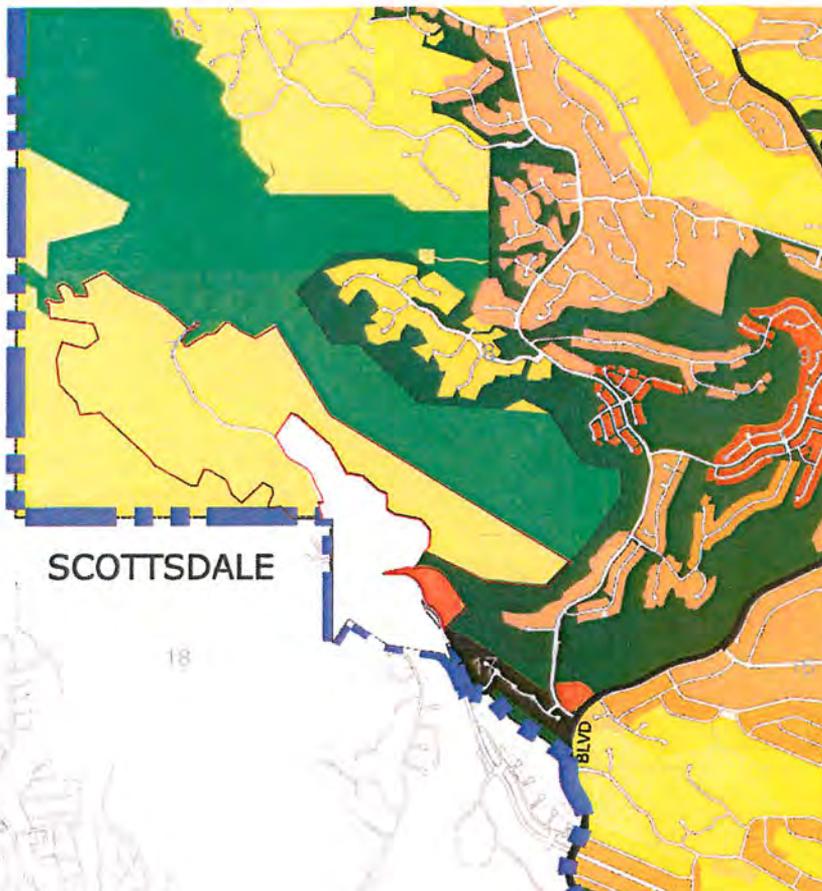


## 5. COMPATIBILITY WITH GENERAL PLAN

### Role of the General Plan and Relationship to Adero Canyon

The Fountain Hills 2010 General Plan provides a focused and comprehensive vision for guiding community growth through meaningful development. In many ways, the Adero Canyon Phase II development will directly promote many of the long-term goals and objectives outlined in the General Plan.

Pursuant to the guidelines established by the General Plan, any proposed amendment to the General Plan 2010 may not result in an adverse impact to the community as a whole. Public participation shall be encouraged for any proposed amendment to the General Plan 2010 and all legal requirements shall be met. Through the achievement of many of the goals and objectives of the General Plan, these criteria are met and will ensure positive impact of the development on the community.



## Fountain Hills General Plan 2010

### Existing Zoning

#### Single-Family Residential Districts

- R-190 / 1 du per 190,000 sq ft
- R1-43 / 1 du per 43,660 sq ft
- R1-35 / 1 du per 35,000 sq ft
- R1-18 / 1 du per 18,000 sq ft
- R1-10 / 1 du per 10,000 sq ft
- R1-8 / 1 du per 8,000 sq ft
- R1-6 / 1 du per 6,000 sq ft

#### Multi-Family Residential Districts

- M-1 / 1 du per 5,445 sq ft
- M-2 / 1 du per 4,356 sq ft
- M-3 / 1 du per 3,630 sq ft
- R-2 / 1 du per 4,000 sq ft
- R-3 / 1 du per 3,000 sq ft
- R-4 / 1 du per 2,000 sq ft
- R-5 / 1 du per 1,740 sq ft

#### Commercial Districts

- C-O / Commercial Office
- C-C / Common Commercial
- C-1 / Neighborhood Commercial
- C-2 / Intermediate Commercial
- C-3 / General Commercial

#### Employment Districts

- IND-1 / Planned Industrial
- IND-2 / Light Industrial
- TCCD / Town Center
- L-1 / Very Low Density Lodging
- L-2 / Low Density Lodging
- L-3 / Medium Density Lodging
- UT / Utility

#### Recreational District

- OSR / Open Space Recreational
- OSC / Open Space Conservation
- OSP / Open Space Preservation

#### Other Districts

- Fountain Hills
- Jurisdictional Boundaries
- Arterial ROW
- State Highway

\* No land is presently zoned this classification

Note: Official zoning is depicted on the Towns Official Zoning Map

Specific examples of how the proposed PAD aligns with the General Plan includes the following references to the major elements, goals, and objectives highlighted in the Town's guiding document.

## Land Use Element

**Goal Five: "Protect and preserve existing neighborhoods from incompatible adjacent land uses."**

**Objective 5.2: "The Town should continue to preserve open space and natural washes as buffers between and within zoning districts."**

*Adero Canyon is surrounded by open space except for an intended connection to Copperwynd. The proposed Major General Plan Amendment that accompanies this PAD will further accommodate the preservation of open space.*



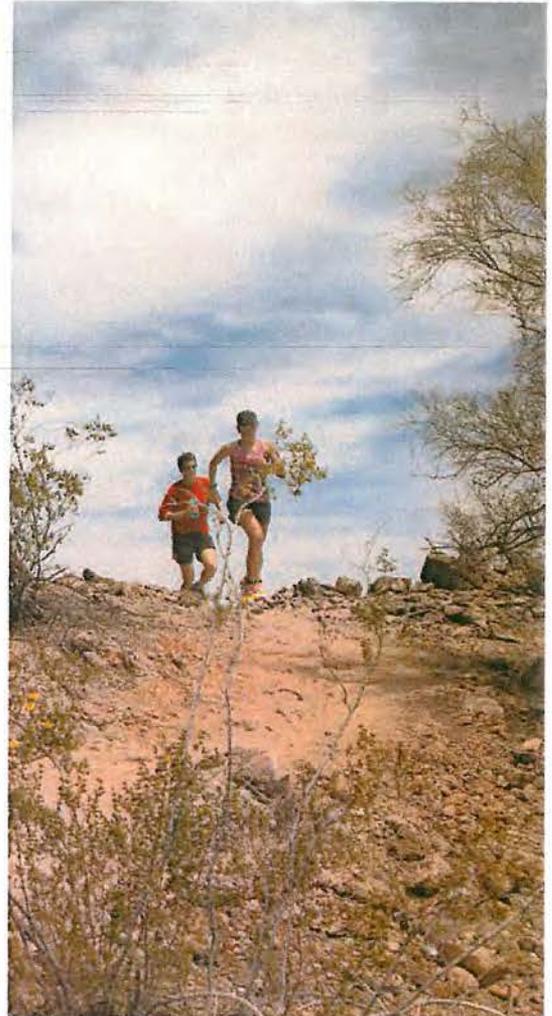
**Goal Six: "Continue to preserve open space and maintain strict guidelines for the conservation of natural resources."**

**Objective 6.1: "The Town should continue to preserve steeply sloping hillsides, wash areas, and tracts of contiguous open space."**

**Objective 6.3: "The town should maintain linkages in the form of pedestrian paths, visual corridors, and interconnection to public art."**

**Objective 6.4: "The Town should continue to consider additional opportunities to connect its open space/trail system with the Maricopa County McDowell Mountain Regional Park regional trail system in a manner that protects natural assets, minimizes potential environmental degradation and discourages motorized vehicular traffic."**

***The proposed amendment enhances the provisions of open space in several ways including; expanded native desert areas, greater accessibility to open space through an interconnected trail system and special park features in close proximity to neighborhoods.***



## Growth Areas Element

### Goal Three: "Encourage the development of a variety of housing types."

***Adero Canyon Phase II is planned as a diverse set of residential options driven by an existing gap in the housing market. The current housing mix in Fountain Hills consists primarily of low and high-income homes with little in the middle. Adero Canyon Phase II will promote a balanced variety of housing types that are sensitive to the character of the community. Housing styles will include townhomes and semi-custom homes among a natural desert setting with an abundance of open space.***

***The current General Plan designation of the Site consists of a mix of R1-43, R1-8, and R1-6 designations. Adero Canyon Phase II is designed to respect the existing land use designations through a variety of housing options that correlate with the current blend of densities on the land use map. The proposed PAD does not seek to deviate from the existing residential category, rather the goal is to seek the designation of Townhome and Semi-Custom Residential within this PAD, which will allow for the preservation of a significant areas of open space.***

**Objective 3.1: "The Town should encourage creative solutions for topographically challenging sites."**

***The proposed amendment illustrates a thoughtful and sensitive solution for incorporating a variety of housing types within Adero Canyon including semi-custom homes and townhomes. The proposed land use has been organized in a highly sensitive manner based on careful consideration of slopes, drainage, landform, and topography.***

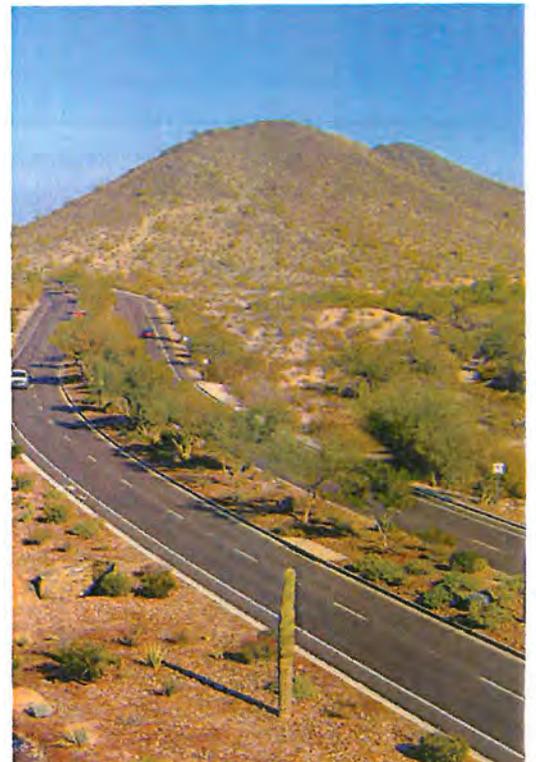
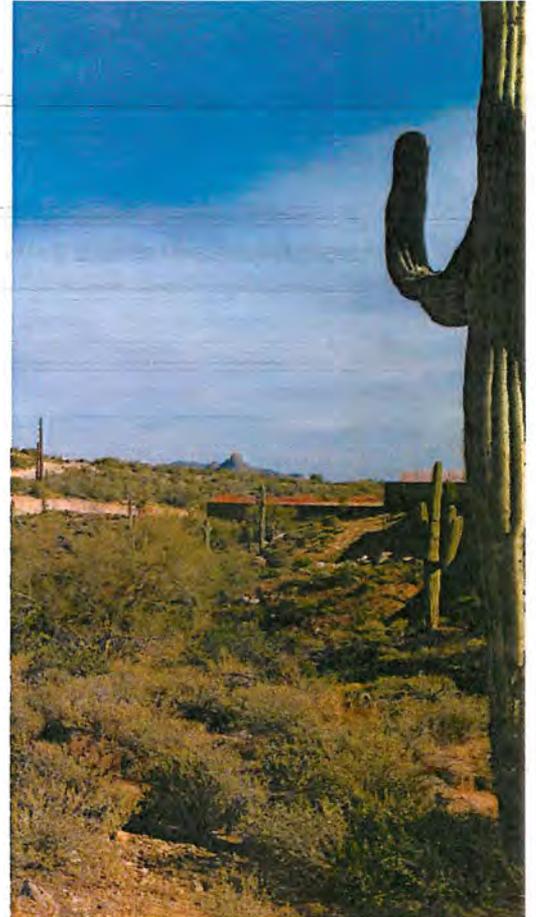


**Goal Six: Encourage developments that preserve and protect natural resources.**

Objective 6.1: The Town should encourage development, revitalization and redevelopment projects that set aside dedicated preservation areas.

***Response: Through the preservation of several acres of dedicated open space, this proposal respects and preserves the natural resources and desert environment of the McDowell Mountain Regional Park. Accessibility to the open space will be encouraged through the development of an interconnected trail system and special park features located in close proximity to neighborhoods.***

***The preservation of open space is a key design theme to the Adero Canyon Phase II development and will promote the achievement of this objective. Over 167 acres of open space are incorporated into the development plan, over 51% of the PAD area. The open space areas will create significant, natural buffers between the homes and the adjacent McDowell Mountain Regional Park to promote land use compatibility and enhance the character of the community.***



## Circulation Element

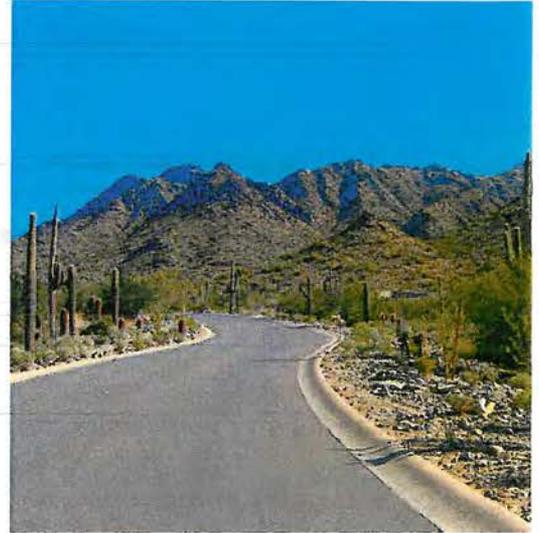
**Goal Three: "Provide for and encourage the use of non-vehicular modes of circulation."**

Objective 2.3: "The Town should develop standards for bikeway systems along the roadway as well as develop standards for pedestrian trails adjacent to open space corridors."

***The proposed amendment provides the framework for a carefully orchestrated path and trails system that will link the specific parcel neighborhoods as well as non-motorized connectivity to the entire surrounding areas.***

**Objective 3.1:** The Town should ensure that new developments include provisions for pedestrian and/or bike paths where appropriate, and that those pathways are a component of development plans.

**Response:** *The proposed PAD provides the framework for an interconnected trail system that will link the homes to the adjacent preserve as well as the Town center. Non-vehicular modes of transportation are encouraged through the incorporation of abundant open space and paths, which will provide the opportunity for alternative transit, recreation and fitness. The sensitive planning of open space and trails will elevate the quality of life for residents and the greater community.*



## Open Space Element

**Goal One: "Provide and maintain an open space network throughout the community."**

**Objective 1.3: "...encourage the connection of major open space and contiguous open space with pathways outside the wash corridors, in the design of public and private developments."**

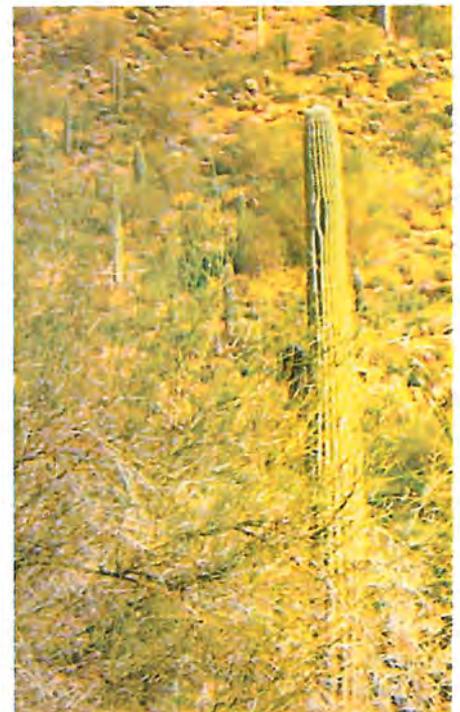
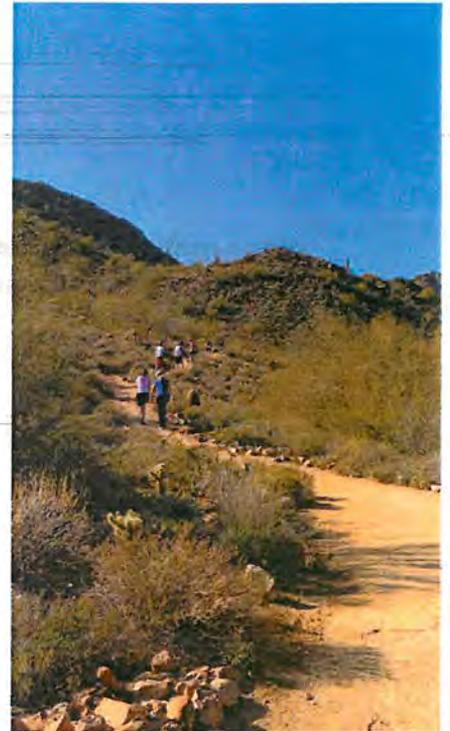
**Objective 1.7: "...investigate the development of unpaved trails within the Town limits that provide opportunities for recreation, enjoyment and use of the Sonoran Desert subject to the appropriate findings and studies in places where they have little impact on residential developments and natural wildlife."**

***The proposed amendment includes an interconnected path and trail system that provides both internal pedestrian access and linkage to the entire Adero Canyon Community. The open space proposed will be a considerable asset for the Town and community.***

**Goal Five: "Provide open space linkages within the Town, and to the regional systems beyond its boundaries."**

**Objective 5.1: "...continue to encourage the development of trail systems that link Fountain Hills with McDowell Mountain Regional Park, the City of Scottsdale trail system and potential trail systems on both the Salt River Pima-Maricopa Indian Community and the Ft. McDowell Yavapai Nation."**

***The proposed amendment includes an interconnected path and trail system that provides both internal pedestrian access and linkage to the surrounding regional open space system.***



## Water Resources

### Goal One: "Reduce water usage."

Objective 1.3: "...The Town should encourage new and revitalization projects to be designed in a manner that limits water usage."

***Response: The proposed PAD takes careful consideration of the water usage throughout the Site. Preserving open space and implementing natural landscape and vegetation within the neighborhood parcels is a critical design theme that protects the natural environment and vegetation and thereby reduces water usage. Through the preservation of over half of the total site area as open space, the scale of the development is sensitive to the delicate desert environment and will promote the achievement of this goal.***

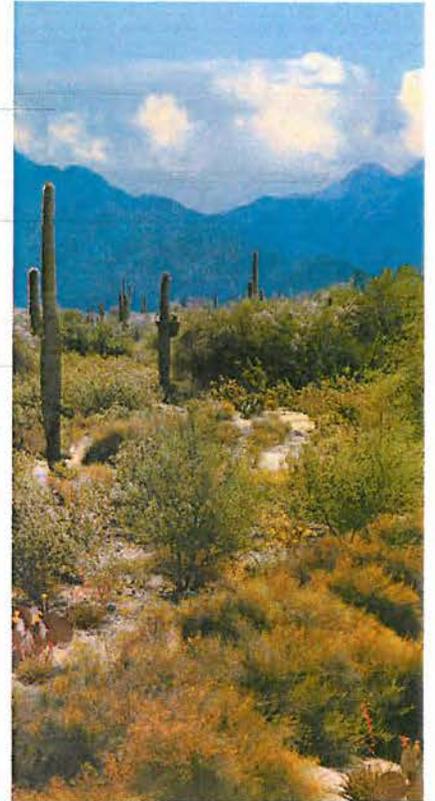
## Environmental Planning Element

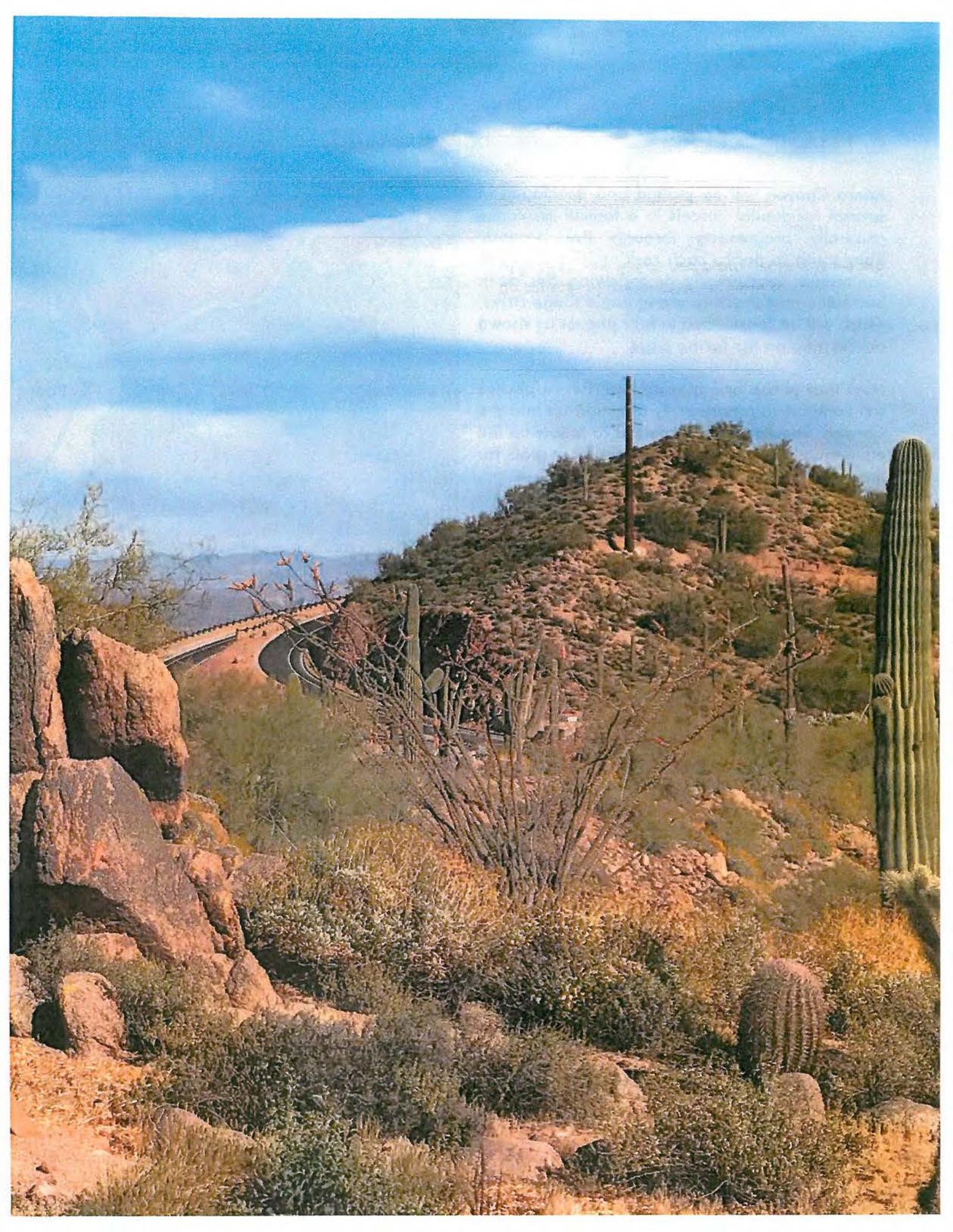
**Goal One: "Promote the continued vigilance and guardianship of the natural desert."**

**Objective 1.:** "The town should continually update the approved low water use plant list to ensure that all plants on the list are suitable for the community."

***The planned amendment protects significant areas of open space and native vegetation and celebrates the Sonoran Desert through the integrated use of native and adaptive plants throughout the community to blend with the natural setting of Adero Canyon.***

***Response: This proposal directly responds to this goal through the generous open space provision and will protect the valuable resources of the natural desert. Significant areas of open space are incorporated into this design, totaling over 167 acres, and will serve a variety of functions, including recreation, drainage, preservation and alternative transportation.***



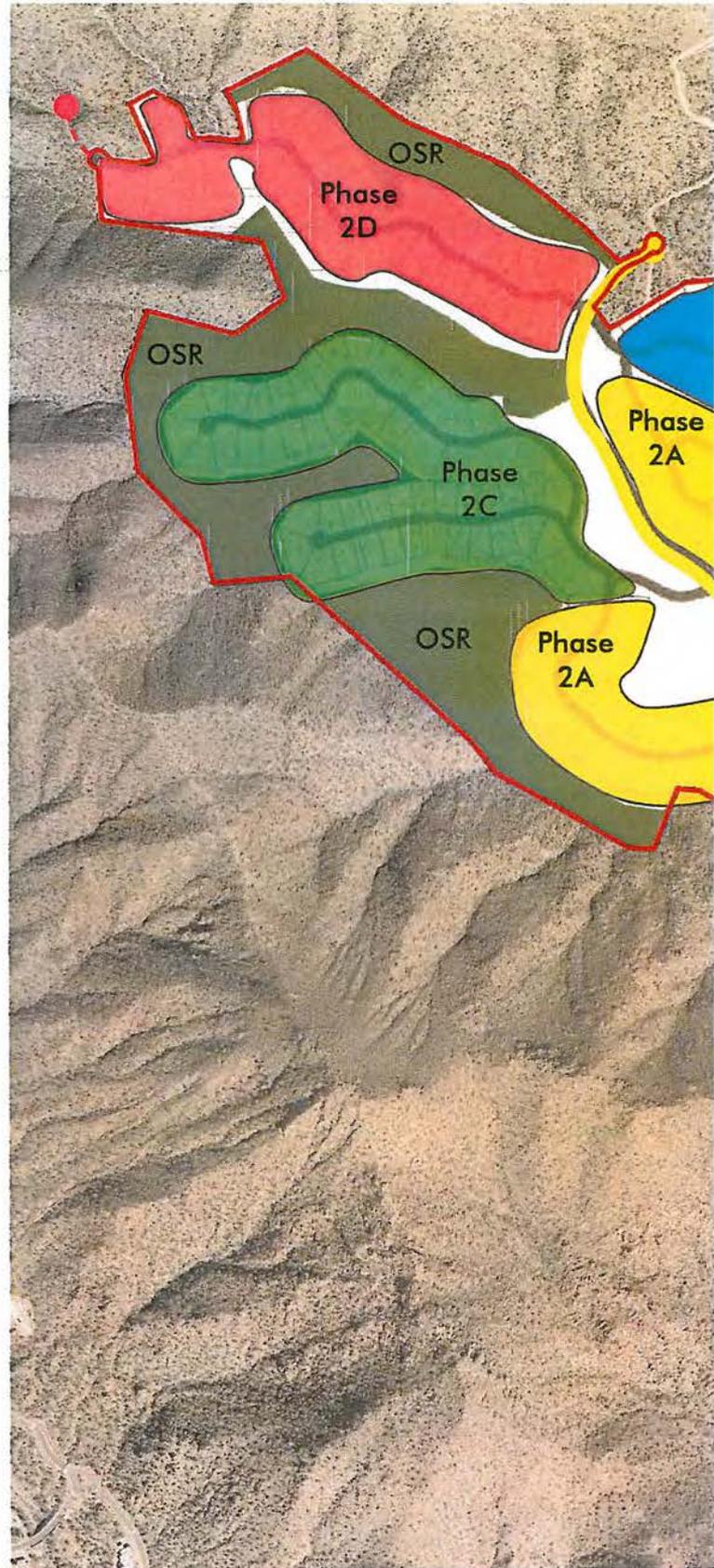


## 6. PHASING PLAN

Adero Canyon will be platted and developed in several residential parcels in a logical sequence generally progressing through the property from south to north. Each residential parcel will commence concurrently or following the main backbone infrastructure along Eagle Ridge Drive, which will be constructed in four phases as shown on the map on the facing page.

Now that phase one is complete, future phases will continue in a northerly direction up into the Canyon. The Applicant's intent is to follow up the entitlement documents with preliminary plats for the remaining total lots.

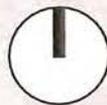
Proposed phasing of the development may accelerate or decelerate due to unanticipated environmental or market conditions beyond the control of the Applicant. Therefore, the conceptual phasing plan is an estimate for the likely phasing for this development.



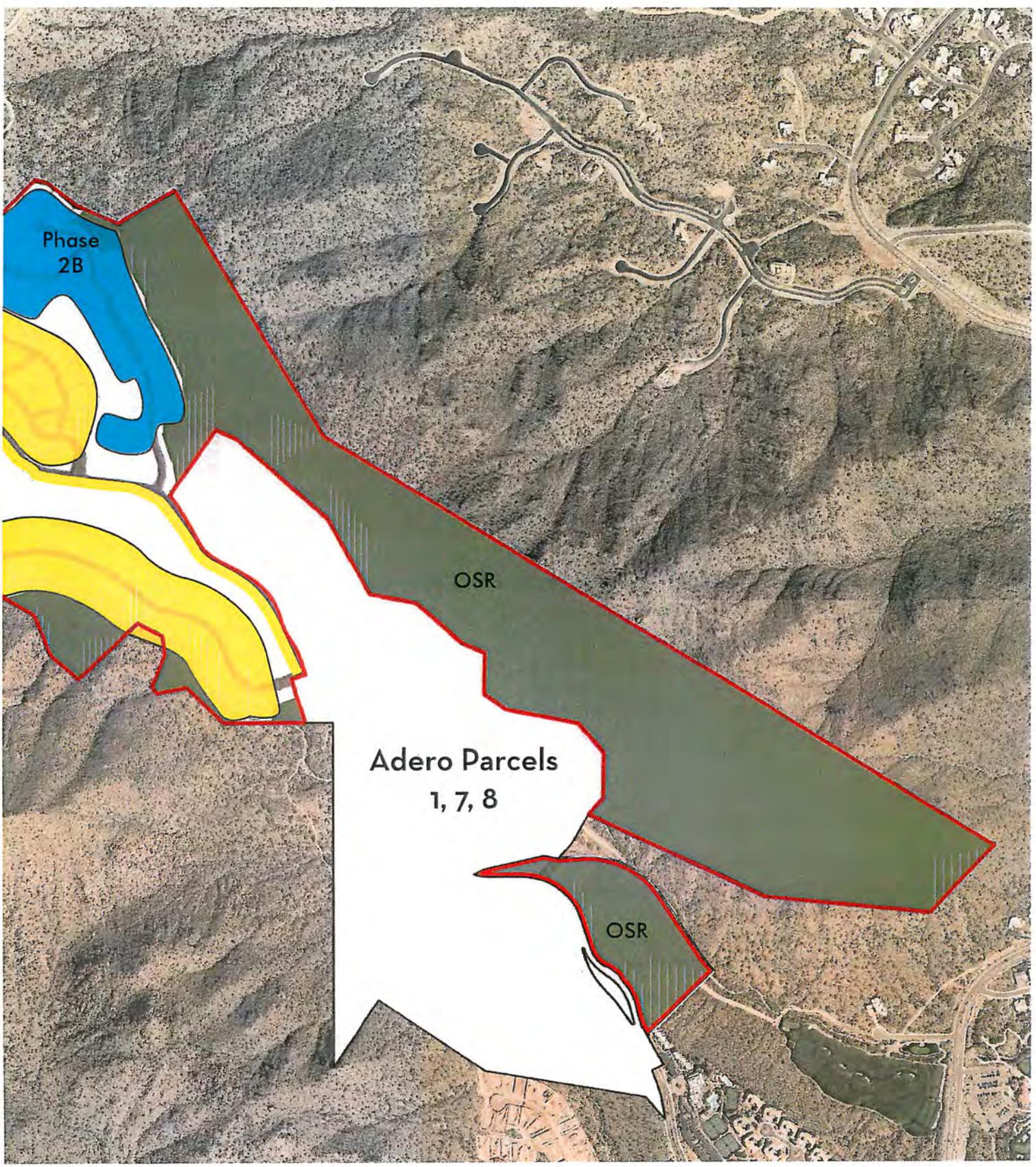
### LEGEND

-  Phase 2A
-  Eagle Ridge Dr. Paved Improvements
-  Phase 2B
-  Phase 2C
-  Phase 2D
-  Potential Eagle Ridge North Water Reservoir R-4
-  Access & waterline to Eagle Ridge North Water Reservoir R-4

*The necessity and locations for the water reservoirs will be determined by the updated Water Master Study which will be completed prior to the submission of pre-plats.*



scale: NTS

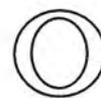
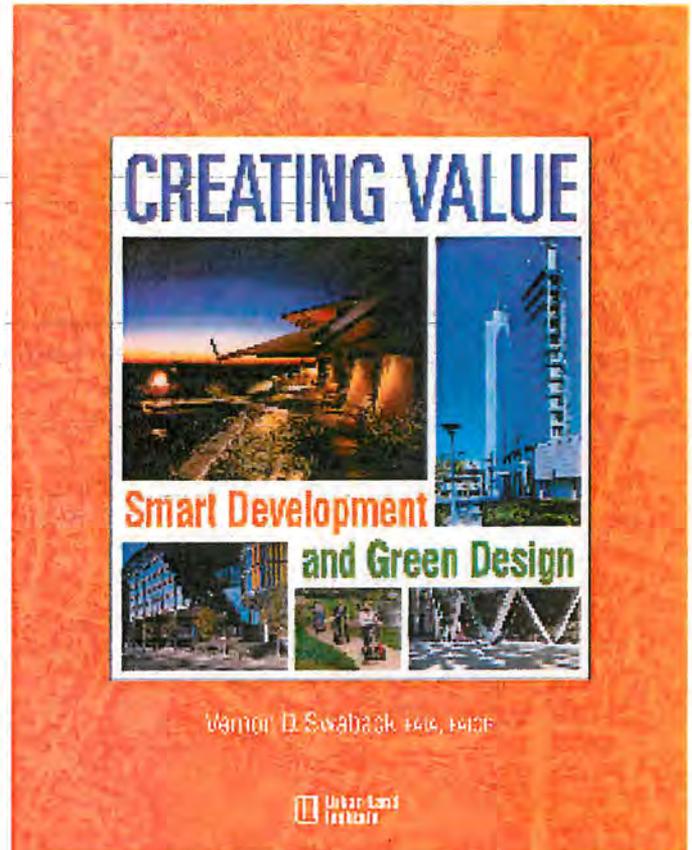


## 7. A NOTE ON SUSTAINABILITY

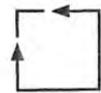
The base for any strategy for sustainability includes a keen understanding of the land, resident culture, long-range regional growth and market preferences. For Adero Canyon, the refined development strategy is guided by the notion of a “soft touch on the land” to provide the platform for all sustainable design direction. The more the natural environment can be preserved and integrated into the lifestyle of the community, the better chance the community will have to become vibrant and secure a sense of timelessness in the marketplace. This stewardship of the land is not simply intended as a measuring stick of good faith, but a true economic barometer of the development’s long-term financial success. The refined conservation community strategy brings this strategy to new heights.

Sophisticated buyers today see value in the means and methods enlisted to carefully engage the natural setting. The Applicant will create an environment for future residents to support the community’s commitment to environmental stewardship including embracing natural open space on lots, appreciating a built environment which integrates with the topography and enjoying the community’s outdoor activities. Home design criteria will encourage sensible context design practices that consider sun angles, landform and vegetation.

Sustainability also needs to be considered within the context of financial ramifications. It will be important to create a design framework that allows for flexibility to change and evolve based on macro-economic and market factors.



ORGANIC



FAIR & SQUARE



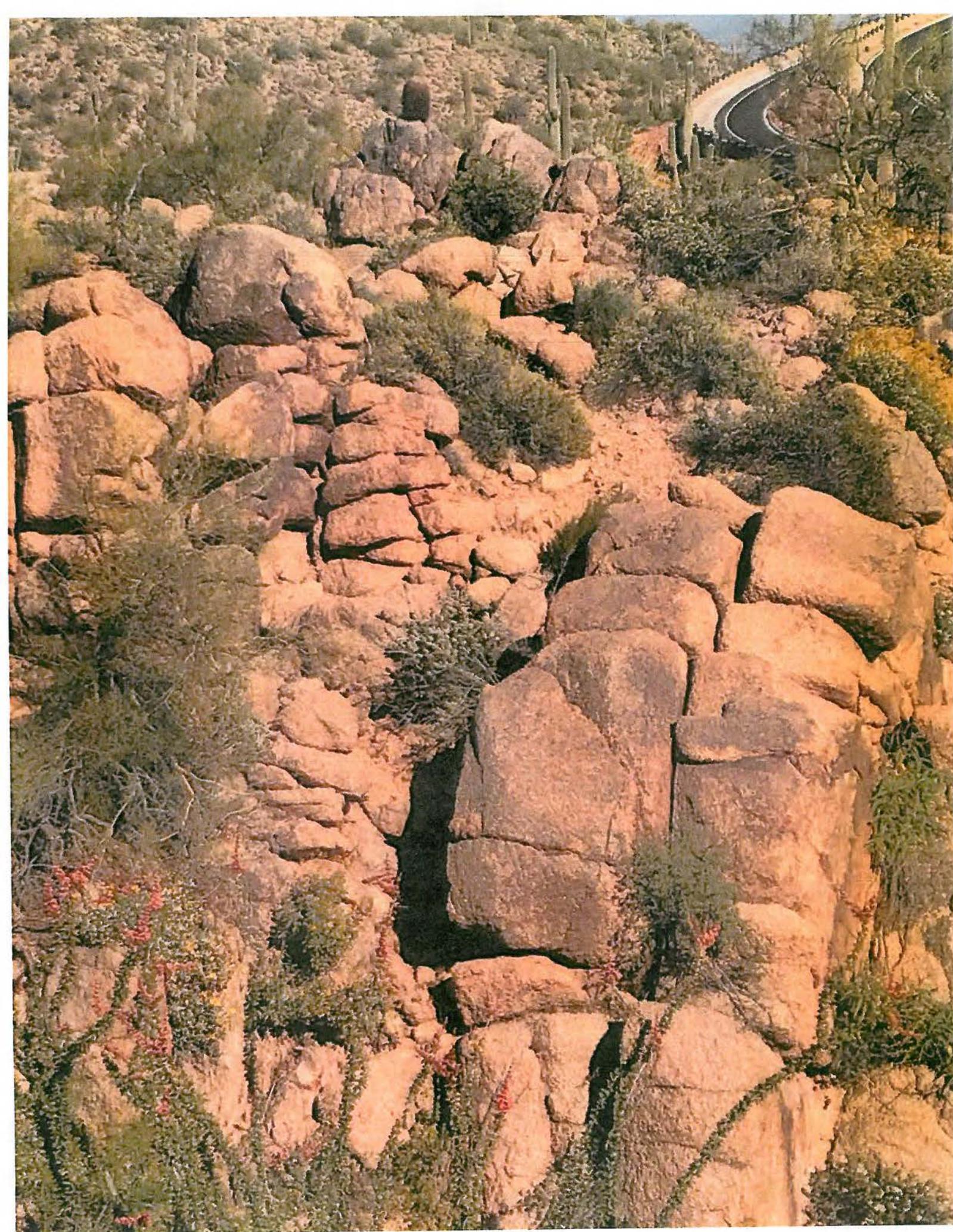
BEAUTIFUL



HANDMADE



PURE



"Invest wisely in beauty,  
it will serve you all the  
days of your life."

- *Frank Lloyd Wright*

**Toll Brothers**  
America's Luxury Home Builder®

8767 E. Via de Ventura  
Suite #390  
Scottsdale, AZ 85258  
T: 480-951-0782

*prepared by:*



**SWABACK PARTNERS, PLLC**  
7550 EAST McDONALD DRIVE SCOTTSDALE, ARIZONA 85250  
480.367.2100 [www.swabackpartners.com](http://www.swabackpartners.com)

**LEGAL DESCRIPTION (TITLE COMMITMENT)**

PARCELS 2 THROUGH 8, INCLUSIVE, OF ADERO CANYON, ACCORDING TO BOOK 1220 OF MAPS, PAGE 28 RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT ALL OIL, GASES AND OTHER HYDROCARBON SUBSTANCES, COAL, STONE, METALS, MINERALS, FOSSELS AND FERTILIZERS OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL LEASING, THOROUGH, OR ANY OTHER MATERIALS, WHETHER OR NOT OF COMMERCIAL VALUE, IN, OR UNDER THE PROPERTY, AS RESERVED ON DEED RECORDED DECEMBER 30, 1993 IN RECORDING NO. 93-0921340, OF OFFICIAL RECORDS.

EXCEPT ALL UNDERGROUND WATER IN, UNDER OR FLOWING THROUGH SAID PROPERTY AND WATER RIGHTS APPURTINANT THERETO, AS RESERVED ON DEED RECORDED DECEMBER 30, 1993 IN RECORDING NO. 93-0921340, OF OFFICIAL RECORDS.

**PRELIMINARY PLAT  
ADERO CANYON PARCELS 2-6  
TOWN OF FOUNTAIN HILLS, AZ**

A PORTION OF LAND LYING WITHIN SECTION 7, 8, 17 & 18, TOWNSHIP 3 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA.

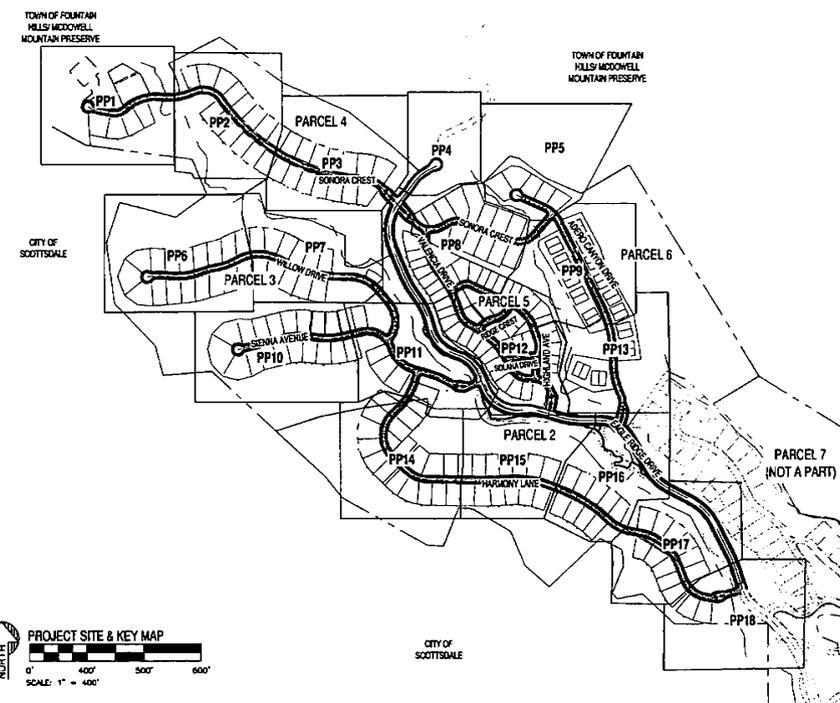


**SUSTAINABILITY ENGINEERING GROUP**  
**SEG**  
1801 E. GARDEN DR. #100, SCOTTSDALE, ARIZONA 85258  
WWW.AZSECO.COM TEL: 480.948.7228



**Toll Brothers**  
AMERICA'S LUXURY HOME BUILDER

- PROPOSED LEGEND:**
- SS— SANITARY SEWER
  - TW— WATER MAIN
  - BOX METER
  - SEWER MARKER
  - CLEAN OUT
  - FIRE HYDRANT
  - FRY
  - TSY&C
  - LAST LOT IN PARCEL
  - LOT LINE
  - EASEMENT LINE
  - FLOW LINE
  - ▨ 404 DELINEATION
  - ▨ SIDEWALK
  - ▨ TRAIL
- NOTE: WATER VALVES NOT SHOWN FOR CLARITY.



**OWNER & DEVELOPER:**  
ADERO CANYON, LLC  
13620 NORTH SAGUARD BLVD, SUITE 200  
FOUNTAIN HILLS, AZ 85268  
PH: (602)-837-9660  
FAX: (480) 837-1677  
CONTACT: FRANCISCO LOPEZ

**PLANNER:**  
SWANICK PARTNERS  
7550 E. McDONALD DR  
SCOTTSDALE, AZ 85250  
480-367-2100  
ATTN: JEFFERY DENZAK

**AGENT:**  
TOLL BROTHERS  
6701 E. VIA DE VENTURA  
SCOTTSDALE, AZ 85258  
480-951-0792  
ATTN: OSCAR DOMINGUEZ

**CIVIL ENGINEER:**  
SEG  
8780 E. GILDING DR. SUITE #101  
SCOTTSDALE, AZ 85260  
480-586-7226  
ATTN: ALI FARSH

**BENCHMARK:**  
BENCHMARK IS A GENERAL LAND OFFICE BRASS CAP BEING THE WEST QUARTER CORNER OF SECTION 17, T34N, R6E.

ELEVATION = 2422.754' NAVD 88

**BASIS OF BEARING:**  
THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 6 EAST PER THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY. BEARING: N0207°30'W

**REFERENCED INFORMATION:**

- TITLE REPORT FROM FIDELITY NATIONAL TITLE AGENCY, INC. ORDER NO.39005527-039-PC, DATED FEBRUARY 7, 2017.
- FINAL PLAT FOR ADERO CANYON, RECORDED IN BOOK 1220, PAGE 28 PER M.C.R.

**PUBLIC UTILITIES:**

SEWER: FOUNTAIN HILLS SANITARY DISTRICT  
WATER: CHANDLER CITY WATER COMPANY  
FIRE: TOWN OF FOUNTAIN HILLS  
ELECTRICAL: SALT RIVER PROJECT (SRP)  
GAS: SOUTHWEST GAS  
CITY: COX/CENTURYLINK  
TELEPHONE/FIBER: COX/CENTURYLINK  
WASTE DISPOSAL: TOWN OF FOUNTAIN HILLS

**SHEET INDEX:**

SHEET	DESCRIPTION
COVER	COVER SHEET, LEGAL DESCRIPTION
PD1	TYPICAL SECTIONS AND DETAILS
PP2	PARCEL LINE ADJUSTMENT EXCERPTS & DETAILS
PP1-PP18	PRELIMINARY PLAT MAPS
PP19	PARCEL 2 BOUNDARY EXCERPT
PP20	PARCEL 3 BOUNDARY EXCERPT
PP21	PARCEL 4 BOUNDARY EXCERPT
PP22	PARCEL 5 BOUNDARY EXCERPT
PP23	PARCEL 6 BOUNDARY EXCERPT
PP24	PRELIMINARY PLAT PARCEL DATA TABLES

**PARCEL AREA:**

PARCEL 2	2,474,849 SQ. FT. OR 56,810 ACRES
PARCEL 3	2,603,681 SQ. FT. OR 61,029 ACRES
PARCEL 4	1,705,854 SQ. FT. OR 39,161 ACRES
PARCEL 5	809,582 SQ. FT. OR 18,585 ACRES
PARCEL 6	2,175,757 SQ. FT. OR 49,949 ACRES
<b>TOTAL AREA</b>	<b>9,849,523 SQ. FT. OR 226,114 ACRES</b>

- STIPULATIONS FOR FINAL PLAT:**
- DRAINAGE EASEMENTS SHALL BE SHOWN ON FINAL PLAT BASED ON FINAL LOT GRADING AND DRAINAGE DESIGN.
  - CUT AND FILL CURRENTLY REPRESENTED USING A 1:1 SLOPE ANALYSIS SHALL BE FINALIZED WITH RETAINING WALL DESIGN.
  - TRAIL LOCATIONS AND MATERIALS SHALL BE FINALIZED.
  - STORMWATER RETENTION AREAS SHALL BE LOCATED AND DESIGNED AS REQUIRED TO ENSURE PROPOSED CONDITIONS DO NOT INCREASE OFF-SITE FLOWS GREATER THAN EXISTING CONDITIONS FOR THE 2-YR, 10-YR, AND 100-YR DESIGN STORMS AS PART OF THE FINAL PLAT.
  - DESIGN OF ALL STORM CONVEYANCE SYSTEMS, STORM DRAIN SIZES, STORM DRAIN PROFILES, AND ROADWAY PROFILES SHALL BE PROVIDED WITH FINAL ENGINEERING PLANS.
  - AREAS OF GRADING, INCLUDING DRAINAGE STRUCTURES, ONTO TOWN OF FOUNTAIN HILLS PROPERTY ADJACENT TO PARCEL 4 SHALL BE DELINEATED AND ASSOCIATED EASEMENTS LOCATED FOR FINAL PLAT SUBMITTAL.



PROJECT	LOCATION
ADERO CANYON	FOUNTAIN HILLS, AZ 85268

DATE	REVISION	BY
12/21/17		

ISSUED FOR: **PRELIMINARY PLAT**

REVISION NO.	DATE
1	
2	
3	
4	

JOB NO.: 170801

SHEET NO.: \_\_\_\_\_

**PRELIMINARY PLAT COVER SHEET**

SHEET NO.: \_\_\_\_\_

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A:\PROJECTS\TOLL BROTHERS\ADERO CANYON FOUNTAIN HILLS (TRSD)111 CAD (SEG)11.2 ENVIRONMENTAL-PLANNING\PRELIM PLATING

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