



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

August 21, 2023

Mr. Noel J. Griemsmann
Snell & Wilmer
One East Washington Street, Suite 2700
Phoenix, Arizona 85004

Re: MINOR AMENDMENT OF DAVIS KIERLAND PUD (Z-56-21-2) SOUTHWEST
CORNER OF 71ST STREET AND MARILYN ROAD

Dear Mr. Griemsmann,

Thank you for your letter dated July 20, 2023, requesting a minor amendment to the Davis Kierland Planned Unit Development. Your request included revisions to Section E of the Design Guidelines Table in Sections E1.a, E1.c, and E1.d regarding exterior materials to include stone as a material option, decreasing the fiber cement requirement from 40% to 35%, reducing the number of units required to have private balconies on floors 2 through 5 from 100% to 83%, and reducing the number of ground level units required to have private patios from 100% to 97%.

Section 671.E of the City of Phoenix Zoning Ordinance includes provisions to allow for major and minor amendments to Planned Unit Developments. The amendment will be deemed minor if the Planning and Development Director determines the amendment does not meet the criteria established for major amendments. The Planning and Development Director has the authority to administratively approve the minor amendment. After review of your minor amendment request and discussion with staff, I have determined that a minor amendment is appropriate as stipulated below.

This minor amendment shall be approved, subject to the following:

- 1) An updated Development Narrative for the Davis Kierland PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of approval of this request. The updated Development Narrative shall be consistent with the Development Narrative dated March 4, 2022, as modified by the following stipulations:
 - a. Page 1, Cover Sheet: Modify the submittal dates as follows:
 - 1st Submittal: August 10, 2021
 - 2nd Submittal: October 1, 2021
 - Hearing Draft: November 16, 2021
 - City Council Adopted: March 2, 2022
 - 1st Minor Amendment Submittal: July 20, 2023
 - 1st Minor Amendment Approval: August 23, 2023

- b. Provide a new page after the table of contents with a summary of what the minor amendment was for, including the submittal and approval dates.
- c. Update Page 12, Section E Design Guidelines, Table E1 Design Guidelines, Items E1.a (Exterior Materials), E1.c (Private Balconies), and E1.d (Ground Level Units), as noted below:
 - E1.a:
 1. Maximum 35% Stucco
 2. Minimum 10% Masonry (which may include brick or stone)
 3. Minimum 35% Fiber Cement (which may include panel, lap siding, and/or woodtone)
 4. Minimum 20% Glazing
 - E1.c: Revise the language to: “83% of all residential units on Floors 2 through 5 shall contain a minimum of one private balcony, measuring a minimum of 30 square feet in width with a minimum depth of 5 feet.”
 - E1.d: Revise the language to state “All first-floor units shall include a private patio or courtyard, measuring a minimum of 30 square feet with a minimum dept of 5 feet. First floor units fronting onto 71st Street and Marilyn Road shall include a private entrance to the adjacent public right-of-way. Interior first floor units adjacent to common open space shall include a private entrance to the common open space area.”

The proposed minor amendment is consistent with the intent of the PUD as described in the development narrative. The intent of the PUD is to provide a higher-quality development superior to that of conventional zoning, including to provide higher-quality exterior materials and private outdoor areas. Adding stone as a permitted exterior material, reducing units with private balconies on floors 2 through 5 from 100% to 83% (being a majority of the units on floors 2 through 5 still providing private balconies), and providing all ground level units with either a private patio or courtyard, would achieve this intent.

Should you have any questions, please contact the Paradise Valley Village Planner, Adrian Zambrano, at adrian.zambrano@phoenix.gov or (602)534-6057.

Sincerely,



Joshua Bednarek
Planning and Development Department Director

Attachments:
Minor Amendment Request Letter dated July 20, 2023.

c: Z-56-21-2
Adrian Zambrano, Paradise Valley Village Planner