



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned **Date:** October 22, 2019  
**From:** Alan Stephenson  
Planning & Development Department Director  
**Subject:** **P.H.O. APPLICATION NO. Z-6-12-2** – Notice of Pending Actions by the **Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at its meeting on **November 20, 2019**.
2. Information about this case is available for review at the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Please indicate your course of action, sign and return copy of this notice to the City of Phoenix Planning and Development Department, Zoning Division, 200 West Washington Street 2nd Floor, Phoenix, AZ 85003 by **October 29, 2019**.
  - Will arrange to review case file no later than \_\_\_\_\_
  - Will resolve problems with the owner and contact you no later than \_\_\_\_\_
  - We do not anticipate any problems in connection with the cases listed on this subject notice.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

DISTRIBUTION (*Electronically*):

Mayor's Office (Lisa Fernandez) - 11th Floor  
Council District Office (Penny Parrella) – 11th Floor  
Aviation (Randy Payne, Sheldon Daisley, Aviation Planning) – 2485 E. Buckeye Rd.  
Community & Economic Development (Eric Johnson) – 20th Floor  
Fire Prevention (Brent Allsopp) – 2nd Floor  
Finance Admin (Barry Page) – 251 W. Washington – 8th Floor  
Neighborhood Services (Gregory Gonzales) – 4th Floor  
Parks & Recreation (Natasha Hughes) – 16th Floor  
Public Transit (Kathryn Boris) – 302 N. 1st Ave., Ste 800  
Public Transit/Light Rail Project (Samantha Keating/*Special TOD Only*)  
Public Works (Kristina Jensen, Roxanne Tapia, Ray Dovalina, Rudy Rangel) – 5th Floor  
Water Services (Don Reynolds) – 8th Floor  
Planning and Development (Alan Stephenson, Joshua Bednarek) – 3rd Floor  
Planning and Development/Information Services (Ben Ernyei) – 4th Floor  
Planning and Development (Kevin Weight) – Historic Preservation Office – 3rd Floor  
Planning Hearing Officer (Tricia Gomes, Adam Stranieri) – 2nd Floor  
Village Planner (Kaelee Wilson, North Gateway)  
Village Chair (Tim Mitten, North Gateway)



# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-2-19--Z-6-12

Council District: 2

**Request For:** Stipulation Modification

**Reason for Request:** Planning Hearing Officer review and approval of site plan and elevations per Stipulation 2.

Owner	Applicant	Representative
Gary Davidson, LDR-Sonoran Parkway, LLC 1110 East Missouri, Suite 700 Phoenix AZ 85014 (602) 263-7626	Parpart Real Estate LLC 651 W Tonto Dr Chandler AZ 85248 (480) 225-3005 eric@parpartrealestate.com	Chris Steinle, Vertical Design Studios 4650 E Cotton Center Blvd Phoenix AZ 85040 P: (602) 395-1000 F: chriss@verticaldesignstudios.com

**Property Location:** Approximately 430 feet south of the southwest corner of North Valley Parkway and Sonoran Desert Drive

Zoning Map: Q-7 Quarter Section: 54-23 APN: 204-13-612 Acreage: 1.14

Village: North Gateway

Last Hearing: CC RATIFICATION

Previous Opposition: Yes

Date of Original City Council Action: 06/20/2012

Previous PHO Actions: 04/20/2016

Zoning Vested: C-2 M-R NBCOD

Supplemental Map No.: \_\_\_\_\_

Planning Staff: 073537

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email [zoning.mailbox@phoenix.gov](mailto:zoning.mailbox@phoenix.gov) or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,080.00	\$0.00	10/03/2019	19-0088293	Original Filing Fee

Signature of Applicant: \_\_\_\_\_ DATE: \_\_\_\_\_

### Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>11/20/2019 10 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____



October 3rd, 2019

Planning Hearing Officer  
City of Phoenix  
Zoning Department  
200 W Washington St.  
Phoenix, AZ 85003

**CITY OF PHOENIX**

**OCT 14 2019**

**Planning & Development  
Department**

RE: SWC North Valley Parkway and Sonoran Desert Drive

To whom it may concern:

We are proposing to build a new single-story 4,411 sf building for automotive repair use (oil changes, general maintenance) and associated site improvements in a proposed retail center located south of the southwest corner of North Valley Parkway and Sonoran Desert Drive. Proposed hours of operation are 7am – 7pm. The principle building height is +/- 24'-0" with architectural features up to +/- 25'-8" tall. The variation in parapet heights provides variety of materials and design features that provide articulation of the structure. Superior quality materials will be complimentary to the adjacent existing developments and are primarily stucco, composite wood fiber cement board, and prefinished stone veneer. There are also modern looking suspended steel canopy elements at the shaded entrance and facing the street. These materials provide enhanced design interest for the structure and fits the scale of the building to the site. The proposed bays face Northwards away from the residential properties, while also not facing the street. Shop noise will be minimal as only minor automotive work is performed on site.

The proposed project was rezoned to C-2 MR NBCOD (Intermediate Commercial Mid Rise North Black Canyon Corridor Overlay District) and subject to stipulations. The proposed project is consistent with the following NBCOD goals:

- Goal 1 Promote the corridor as a regional employment center
- Goal 2 Achieve a balance between employment and housing
- Goal 3 Concentrate growth within a defined corridor
- Goal 4 Preserve Sonoran Desert amenities

Following are the stipulations placed on this property in case file Z-6-12-2 on file with the Planning and Development Department. Below are the proposed revisions (i.e., modifications/deletions) to the approved aforementioned report as shown below.

***"SITE PLAN AND ELEVATIONS - RESIDENTIAL PORTION***

- 1 *The development shall be in general conformance with the site plan and elevations date stamped February 1, 2012 as modified by the following stipulations and approved by the Planning and Development Department*

***SITE PLAN AND ELEVATIONS – COMMERCIAL PORTION***

- 2 ~~Conceptual site plan(s) and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval as each parcel is to be developed. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department~~

**Rationale for deletion of Stipulation #2:**

This deletion is being requested because the previous case stipulated us for review and approval and we are now complying with the stipulation.



## STREET TRANSPORTATION

- 3 *The developer shall construct all streets within and adjacent to the development with paving curb gutter sidewalk curb ramps streetlights, median islands landscaping and other incidentals as per plans approved or modified by the Planning and Development Department All improvements shall comply with ADA accessibility requirements*
- 4 *Coordinate driveway locations design and construction with the City's Street Transportation Department Capital Improvement Program project (ST85110090) and contact the project manager Chris Kowalsky at 602-495 3697*
- 5 *The sidewalk on North Valley Parkway and Sonoran Desert Drive shall be setback a minimum of eight feet from the back of curb as approved by the Planning and Development Department*
- 6 *The developer shall dedicate right-of-way totaling 70 feet for the west half of, North Valley Parkway for the entire frontage as approved by the Planning and Development Department*
- 7 *The developer shall construct roadway improvements at a width of 52 feet to the face of curb for the west half street improvements to North Valley Parkway for the entire frontage of the site as approved by the Street Transportation and Planning and Development Departments*
- 8 *The developer shall dedicate sufficient right of way to accommodate a bus bay including a transit accessory pad on North Valley Parkway south of Sonoran Desert Drive in accordance with Standard Detail P1256 2*
- 9 *The developer shall provide a bus bay including a transit accessory pad on North Valley Parkway south of Sonoran Desert Drive in accordance with Standard Detail P1256-2*
- 10 *The developer shall provide conduit and junction boxes at Sonoran Desert Drive and North Valley Parkway for future traffic signal equipment on the southwest corner of the intersection The plan is to be submitted to the Street Transportation Department for review and approval Submittal will be made as a separate document that shows the entire Intersection with existing conduit runs and junction boxes The Developer will submit the approved plan to the Civil Plans Coordinator as part of the civil engineering plan set All work related to the construction or reconstruction of the conduit runs and junction box installation is the responsibility of the Developer*
- 11 *A letter shall be submitted to the Street Transportation Department Traffic Signals Engineer that indicates the applicant's commitment to pay 25% for the cost of traffic signals at North Valley Parkway and Sonoran Desert Drive when the Street Transportation Department warrants the installation of the signal infrastructure*
- 12 *The developer shall dedicate right-of way totaling a minimum of 70 feet for the south half of Sonoran Desert Drive for the entire frontage as approved by the Street Transportation and Planning and Development Departments. Additionally the developer shall dedicate sufficient right of way to accommodate an intersection flare for eastbound traffic at the southwest corner of North Valley Parkway and Sonoran Desert Drive*
- 13 *The developer shall work with the Street Transportation and Planning and Development Departments to provide for, as necessary drainage and slope easements along Sonoran Desert Drive as defined in the Sonoran Desert Drive Interstate 17 to North Valley Parkway Design Report or as modified by the Street Transportation and Planning and Development Departments*



- 14 *The developer shall provide required pavement transitions as necessary on Sonoran Desert Drive to the west and on North Valley Parkway to the south as approved by the Planning and Development Department*
- 15 *A 25-foot by 25 foot right of way triangle shall be dedicated at the southwest corner of the Intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department*
- 16 *All driveway access points along Sonoran Desert Drive and North Valley Parkway shall be restricted to right-in / right out turning movements only within 660 feet of the Intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department*
- 17 *A completed MAG Transportation Improvement Program Form shall be provided and submitted to the Street Transportation Department with a copy to the Planning & Development Department*
- 18 *Complete the Red Border Letter process to notify the Arizona Department of Transportation of development adjacent to the 1-17 freeway corridor and submit a copy to the Street Transportation Department and to the Planning & Development Department*

**OTHER**

- 19 *The developer shall show the planned 69kV underground power lines on the site, landscape and grading and drainage plans. All utilities and other construction shall be coordinated with the City and APS so as to not conflict with the planned power lines*
- 20 *The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing landscape salvage and/or grading. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey*
- 21 *Prior to final site plan approval the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of the mining operation near the development that it is an active mine has the potential to be active seven days a week 24 hours a day and is anticipated to continue until the rock resources are exhausted which could be for 20 or more years. The form and content of such documents shall be reviewed and approved by the Law Department*
- 22 *That prior to final site plan approval the property owner shall record documents that disclose to purchasers of the property within the development the proximity to building heights up to 190 feet on the north south and west and up to 56 feet on the east of the subject site. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney*
- 23 *That prior to preliminary site plan approval the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the city to be included in the rezoning application file for record*
- 24 *That the property owner shall record documents that disclose the existence and operational characteristics of the Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney"*



**VERTICAL**  
DESIGN STUDIOS

Architecture • Planning • Interior Design

4650 E Cotton Center Boulevard Phoenix, AZ 85040  
602.395.1000 [www.verticaldesignstudios.com](http://www.verticaldesignstudios.com)

If you should have any questions or comments regarding the above noted items, please contact our office.

Sincerely,

Justin Gregonis, NCARB, LEED GA  
Managing Partner

5719G-9-1-1--  
chagolla\_j

ORDINANCE G 5719

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX ARIZONA PART II CHAPTER 41 THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING SECTION 601 THE ZONING MAP OF THE CITY OF PHOENIX CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-6 12-2) FROM PCD NBCOD (APPROVED C-2/CP/GCP MR PCD NBCOD) [PLANNED COMMUNITY DISTRICT NORTH BLACK CANYON OVERLAY DISTRICT (APPROVED INTERMEDIATE COMMERCIAL/ COMMERCE PARK/GENERAL COMMERCE PARK MID RISE PLANNED COMMUNITY DISTRICT NORTH BLACK CANYON OVERLAY DISTRICT)] TO R-3A NBCOD (MULTIPLE-FAMILY RESIDENCE NORTH BLACK CANYON CORRIDOR OVERLAY DISTRICT) AND C 2 MR NBCOD (INTERMEDIATE COMMERCIAL MID RISE NORTH BLACK CANYON CORRIDOR OVERLAY DISTRICT)

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WHEREAS on February 1 2012 the City of Phoenix Planning and Development Department received in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506 a written request for rezoning from Paul Gilbert of Beus Gilbert PLLC having authorization to represent the owner LDR-Sonoran Pkwy LLC c/o Gary Davidson of an approximately 40 30 acre property located at the southwest corner of North Valley Parkway and Sonoran Desert Drive in a portion of

Section 24 Township 5 North Range 2 East as described more specifically in Attachment A attached hereto and incorporated herein by this reference and

WHEREAS pursuant to A R S § 9-462 04 the Planning Commission held a public hearing on June 12 2012, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions as modified and

WHEREAS the City Council at their regularly scheduled meeting held on June 20 2012 has determined that in accordance with A R S § 9 462 01 F this rezoning request with the appropriate site specific requirements provided in Section 2 is consistent with and conforms to the General Plan will conserve and promote the public health safety and general welfare and should be approved subject to the conditions herein

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows

SECTION 1 The zoning of an approximately 40 30 acre property located at the southwest corner of North Valley Parkway and Sonoran Desert Drive in a portion of Section 24 Township 5 North Range 2 East as described more specifically in Attachment A is hereby changed from PCD NBCOD (Approved C-2/CP/GCP MR PCD NBCOD) [Planned Community District North Black Canyon Overlay District (Approved Intermediate Commercial/ Commerce Park/General Commerce Park Mid Rise Planned Community District North Black Canyon Overlay District)] to 32 04 acres of R-3A NBCOD (Multiple Family Residence North Black Canyon Corridor Overlay District) and 8 26 acres of C-2 MR NBCOD (Intermediate Commercial Mid Rise North



Black Canyon Corridor Overlay District) and that the Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment B

SECTION 2 The specific nature of the subject property and of the rezoning request is more particularly described in case file Z 6 12 2 on file with the Planning and Development Department Due to the site s specific physical conditions and the use district applied for by the applicant this rezoning is subject to the following stipulations violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance

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#### STREET TRANSPORTATION

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- 4 Coordinate driveway locations design and construction with the City's Street Transportation Department Capital Improvement Program project (ST85110090) and contact the project manager Chris Kowalsky at 602-495 3697
- 5 The sidewalk on North Valley Parkway and Sonoran Desert Drive shall be setback a minimum of eight feet from the back of curb as approved by the Planning and Development Department
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- 11 A letter shall be submitted to the Street Transportation Department Traffic Signals Engineer that indicates the applicant's commitment to pay 25% for the cost of traffic signals at North Valley Parkway and Sonoran Desert Drive when the Street Transportation Department warrants the installation of the signal infrastructure

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- 13 The developer shall work with the Street Transportation and Planning and Development Departments to provide for, as necessary, drainage and slope easements along Sonoran Desert Drive as defined in the Sonoran Desert Drive Interstate 17 to North Valley Parkway Design Report or as modified by the Street Transportation and Planning and Development Departments.
- 14 The developer shall provide required pavement transitions, as necessary, on Sonoran Desert Drive to the west and on North Valley Parkway to the south, as approved by the Planning and Development Department.
- 15 A 25-foot by 25 foot right of way triangle shall be dedicated at the southwest corner of the intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department.
- 16 All driveway access points along Sonoran Desert Drive and North Valley Parkway shall be restricted to right-in / right out turning movements only within 660 feet of the intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department.
- 17 A completed MAG Transportation Improvement Program Form shall be provided and submitted to the Street Transportation Department with a copy to the Planning & Development Department.
- 18 Complete the Red Border Letter process to notify the Arizona Department of Transportation of development adjacent to the I-17 freeway corridor and submit a copy to the Street Transportation Department and to the Planning & Development Department.

#### OTHER

- 19 The developer shall show the planned 69kV underground power lines on the site, landscape and grading and drainage plans. All

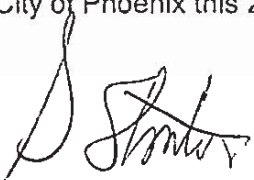
utilities and other construction shall be coordinated with the City and APS so as to not conflict with the planned power lines

- 20 The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing landscape salvage and/or grading Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey
- 21 Prior to final site plan approval the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of the mining operation near the development that it is an active mine has the potential to be active seven days a week 24 hours a day and is anticipated to continue until the rock resources are exhausted which could be for 20 or more years The form and content of such documents shall be reviewed and approved by the Law Department
- 22 That prior to final site plan approval the property owner shall record documents that disclose to purchasers of the property within the development the proximity to building heights up to 190 feet on the north south and west and up to 56 feet on the east of the subject site The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney
- 23 That prior to preliminary site plan approval the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the city to be included in the rezoning application file for record
- 24 That the property owner shall record documents that disclose the existence and operational characteristics of the Deer Valley Airport to future owners or tenants of the property The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney

SECTION 3 If any section subsection sentence, clause phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions hereof

PASSED by the Council of the City of Phoenix this 20th day of June 2012


  
MAYOR

ATTEST

  
City Clerk

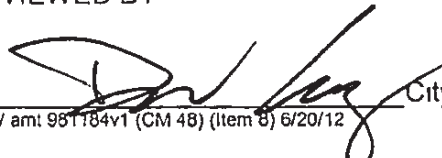


APPROVED AS TO FORM

  
Acting City Attorney

MLW

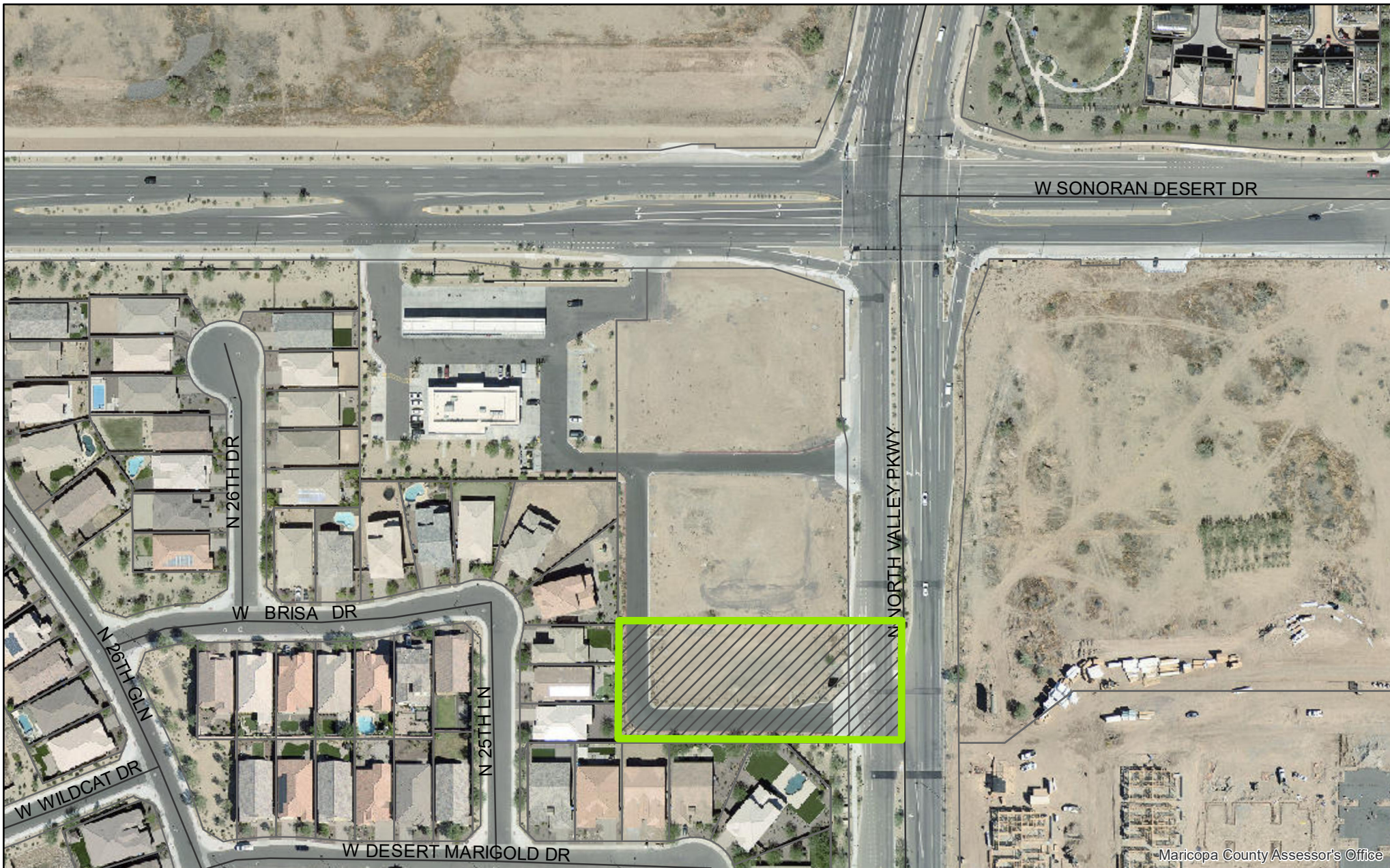
REVIEWED BY

  
City Manager

MLW am: 951784v1 (CM 48) (Item 8) 6/20/12

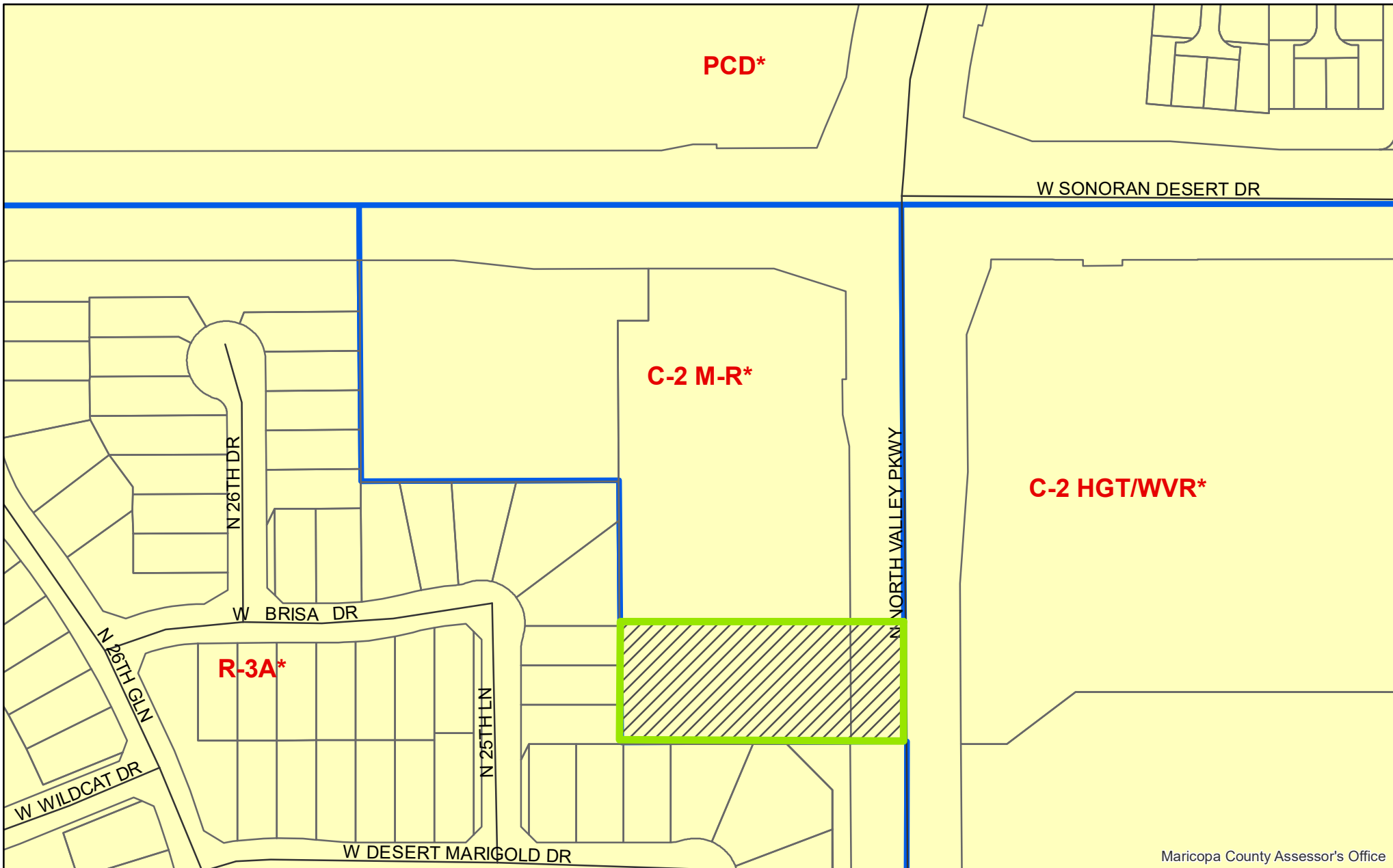
Attachments

- A Legal Description (1 Page)
- B Ordinance Location Map (1 Page)



PHO-2-19--Z-6-12-2

**Property Location: Approximately 430 feet south of the southwest corner of North Valley Parkway and Sonoran Desert Drive**



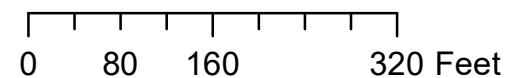
Maricopa County Assessor's Office

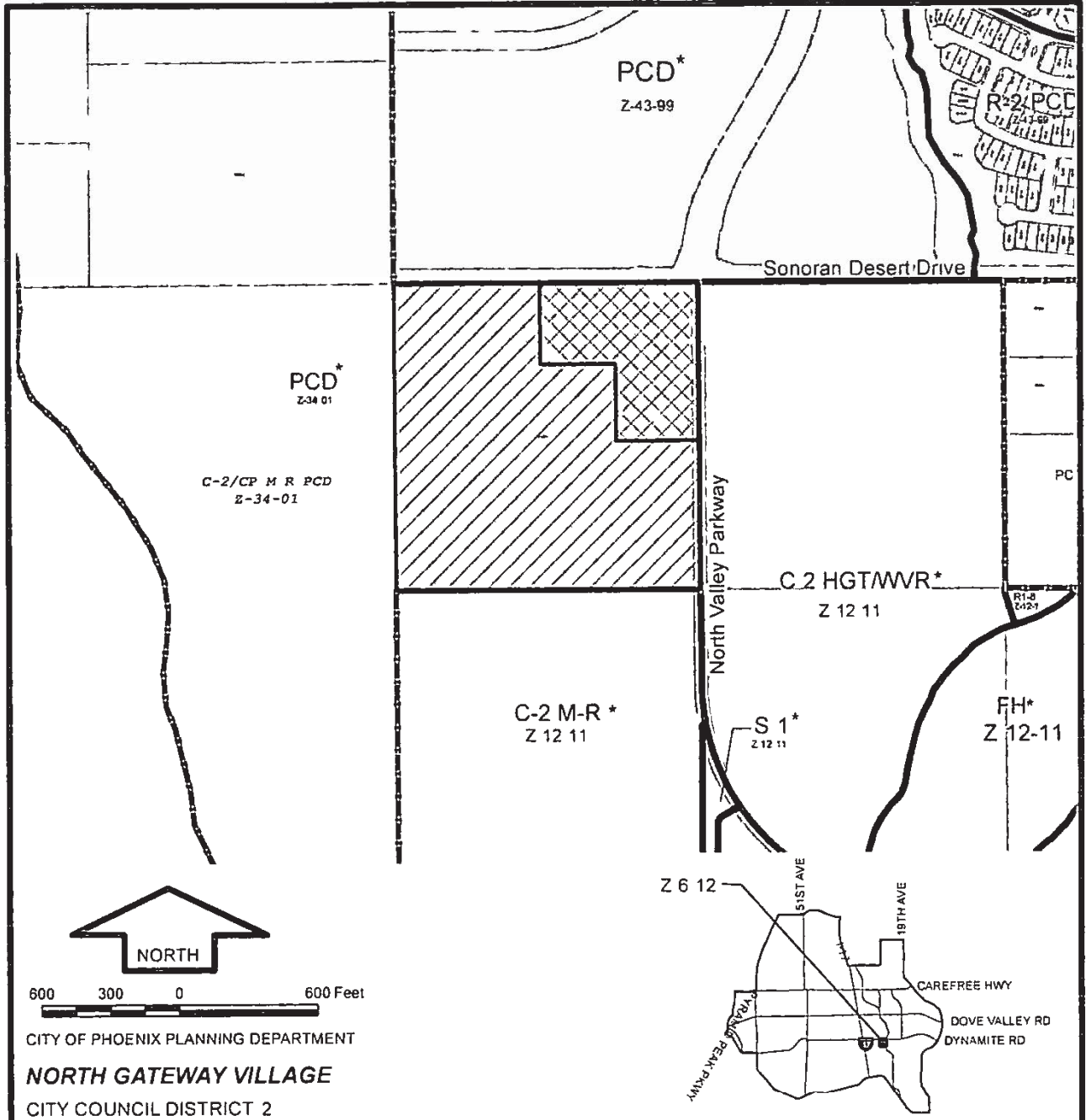
PHO-2-19--Z-6-12-2

**Property Location: Approximately 430 feet south of the southwest corner of North Valley Parkway and Sonoran Desert Drive**





**Planning & Development Department**

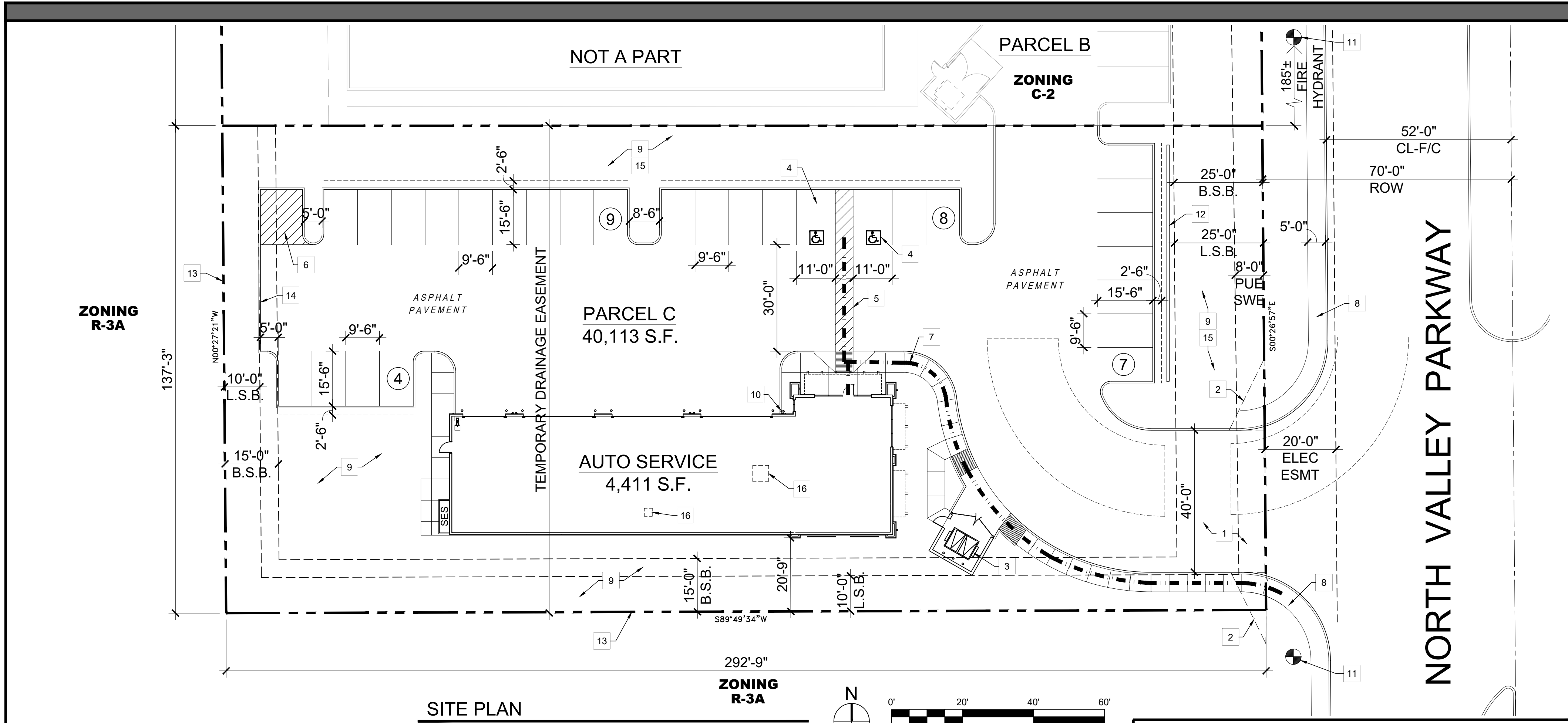




CITY OF PHOENIX PLANNING DEPARTMENT  
**NORTH GATEWAY VILLAGE**  
 CITY COUNCIL DISTRICT 2

APPLICANT'S NAME <b>Beus Gilbert PLLC Beus Gilbert</b>		REQUESTED CHANGE	
APPLICATION NO <b>Z 6 12</b>	DATE <b>02/15/12</b>	FROM PCD NBCOD (40 30 a c) (APPROVED C 2/CP/GCP/MR NBCOD)	
GROSS AREA INCLUDING 7' STREET AND ALLEY DEDICATION IS APPROX <b>40 30 Acres</b>	AERIAL PHOTO & QUARTER SEC NO <b>Q54 23</b>	ZONING AP <b>Q 7</b>	TO R 2 NBCOD (32 04 a c)  C 2 MR NBCOD (8 26 a c) 
MULTIPLES PERMITTED <b>C 2/CP/GCP MR</b> <b>R 2 C 2 MR</b>	CONVENTIONAL OPTION <b>584</b> <b>320 120</b>		UNITS PR D OPTION <b>701</b> <b>384 143</b>
<b>Maximum Units Allowed with PR D Bonus</b>			





**SITE PLAN**  
SCALE: 1" = 20'-0"

**GENERAL SITE PLAN NOTES**

- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
  - ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
  - THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
  - ALL SIGNAGE REQUIRES SEPARATE APPROVALS AND PERMITS.
  - ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM THE ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY BOUNDARY. NO NOISE, ODOR OR VIBRATION WILL BE EMITTED SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR OR VIBRATION EMITTED BY USES OUTSIDE OF THE SITE.
  - OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHT-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING WITHIN THE RIGHTS-OF-WAY IN ACCORDANCE WITH APPROVED PLANS.
  - AFTER FINAL APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION.
  - ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
  - ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS, AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL TO ALL PUBLIC STREETS.
  - ALL ON-SITE ACCESSIBLE SIDEWALKS SHALL BE A MINIMUM OF 3 FEET 0 INCHES WIDE AND HAVE A MAXIMUM SLOPE OF 1:20 WITH THE MAXIMUM CROSS SLOPE OF 1:50. ALL CURBS MUST PROVIDE ACCESSIBLE RAMPS PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA) STANDARDS.
  - LANDSCAPING SHALL BE MAINTAINED BY A PERMANENT AND AUTOMATIC IRRIGATION SYSTEM TO MINIMIZE MAINTENANCE AND WATER CONSUMPTION.
- DATE: 09/23/19
- I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE MODIFIED PORTION OF THE PLAN.
- Justin Gregonis* PRINTED NAME OF COPYRIGHT OWNER  
*Justin Gregonis* SIGNATURE OF COPYRIGHT OWNER

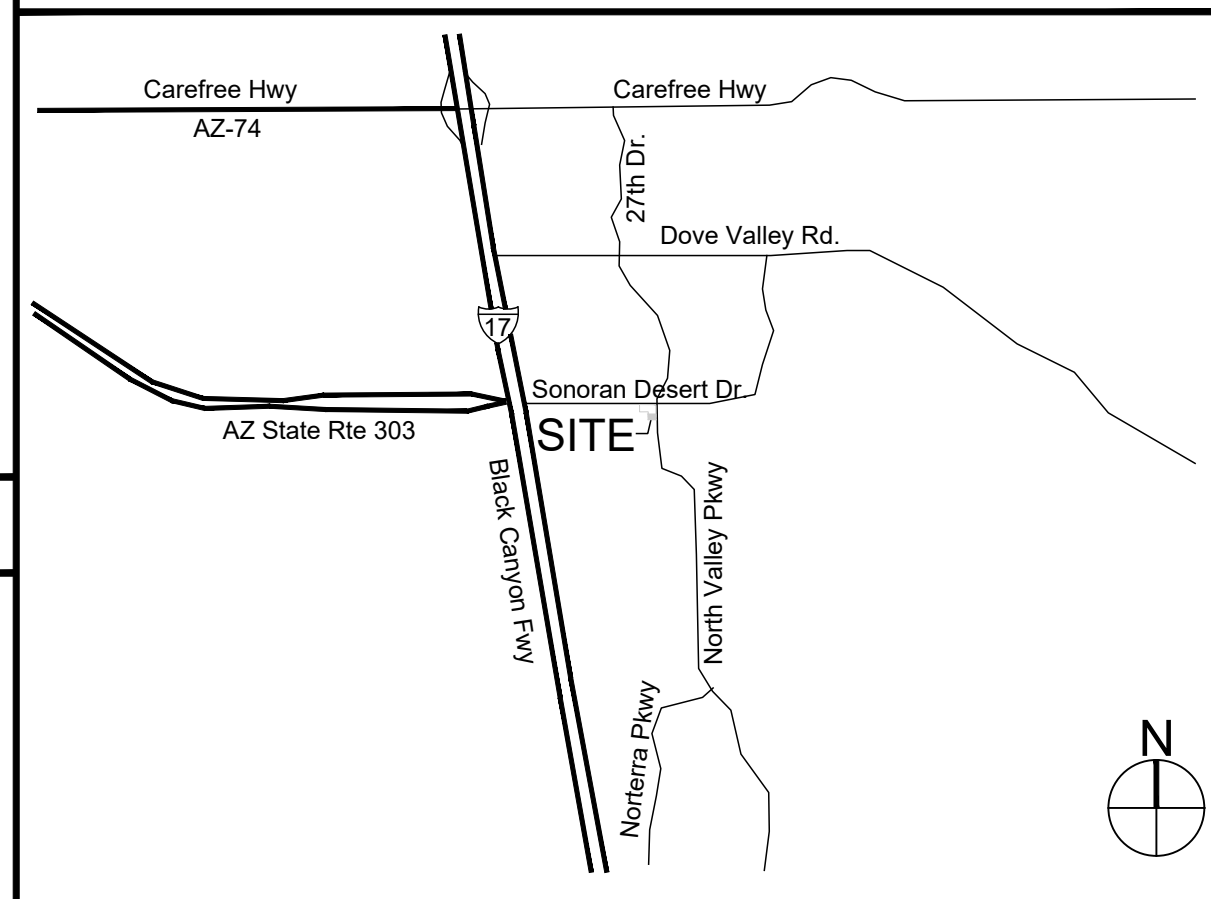
**PROJECT DESCRIPTION**

THIS SUBMITTAL CONTAINS INFORMATION FOR A NEW SINGLE-STORY 4,411 SF BUILDING FOR AUTOMOTIVE REPAIR USE (OIL CHANGES, GENERAL MAINTENANCE) AND ASSOCIATED SITE IMPROVEMENTS IN A PROPOSED RETAIL CENTER LOCATED SOUTH OF THE SOUTHWEST CORNER OF NORTH VALLEY PARKWAY AND SONORAN DESERT DRIVE, WITHIN THE CITY OF PHOENIX. THIS SUBMITTAL IS FOR A PORTION OF THE SITE; FUTURE PARCEL C AREA ONLY.

**SITE DATA**

PARCEL NUMBER(S)	: 204-13-612
SITE AREA	: 49,618 S.F. = 1.14 ACRES GROSS : 40,113 S.F. = 0.92 ACRES NET
ZONING	: C-2 COMMERCIAL (EXISTING) (NORTH BLACK CANYON CORRIDOR PLAN AND OVERLAY DISTRICT)
ZONING CASE	: Z-6-12 WITH STIPULATIONS
PROPOSED CONSTRUCTION TYPE	: VB W A F.E.S.
BUILDING SQUARE FOOTAGE	: 4,411 GSF (PROPOSED FOOTPRINT)
FLOOR AREA RATIO	: 4,411 GSF ÷ 49,618 S.F. = 0.08889 OR 8.9%
PROPOSED BUILDING HEIGHT	: 25'-8" (30'-0" ALLOWABLE)
FRONT YARD SETBACK (REQUIRED)	: 25'-0" (MIN. 20'-0" FOR 50% OF STRUC.)
FRONT YARD SETBACK (ACTUAL)	: 103'-0" ± (EAST)
SIDE YARD SETBACK (REQUIRED)	: 0'-0" (AT C-2) / 15'-0" (AT R-3A)
SIDE YARD SETBACK (ACTUAL)	: 72'-0" ± (NORTH) / 20'-9" ± (SOUTH)
REAR YARD SETBACK (REQUIRED)	: 15'-0" (AT R-3A)
REAR YARD SETBACK (ACTUAL)	: 63'-0" ± (WEST)
LANDSCAPE SETBACK AT STREET	: 25'-0" AVERAGE (20'-0" MIN.)
LANDSCAPE SETBACK AT INTERIOR	: 10'-0" MIN. / 0'-0" (AT C-2)
PARKING REQUIRED (OFFICE 1 SPACE/300 S.F.)	: 1,000 S.F. (OFFICE) / 300 = 4
(2 SPACES PER SERVICE BAY)	: 8 BAYS X 2 = 16
TOTAL REQUIRED	= 20 SPACES
PARKING PROVIDED	STANDARD (9'-6" X 18'-0") = 26 SPACES ACCESSIBLE = 2 SPACES TOTAL PROVIDED = 28 SPACES

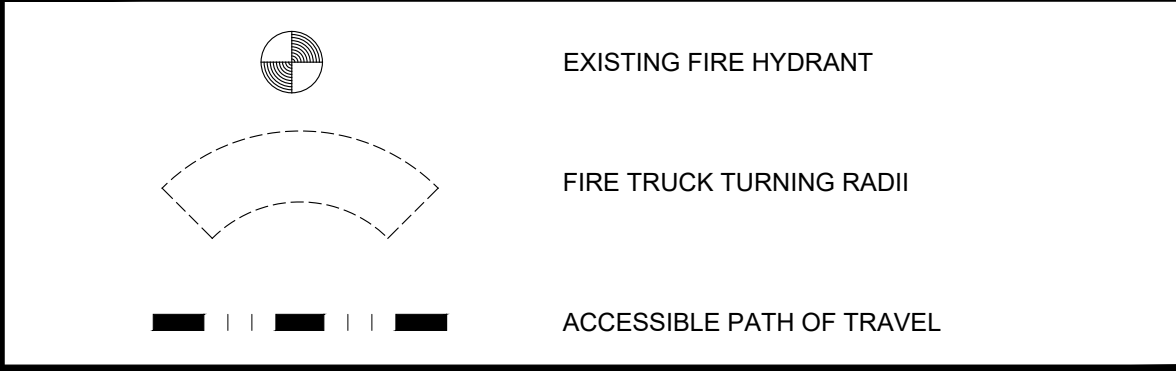
**VICINITY MAP**



**SITE KEY NOTES**

- EXISTING DRIVE ENTRANCE
- 10' X 20' UNOBSTRUCTED SIGHT VISIBILITY TRIANGLE
- PROPOSED TRASH ENCLOSURE. SEE DETAILS 1 & 2
- PROPOSED ADA PARKING STALL (11'-0" X 18'-0" TYP.)
- PROPOSED ADA ACCESS AISLE (5'-0" X 18'-0" TYP.)
- PROPOSED LOADING AREA
- PROPOSED ACCESSIBLE PATH FROM PUBLIC STREET
- EXISTING 5' SIDEWALK
- LANDSCAPED AREA
- FIRE DEPARTMENT CONNECTION
- EXISTING FIRE HYDRANT
- PROPOSED 3' HIGH MASONRY SCREEN WALL WITH STONE VENEER FINISH - SEE DETAIL 3
- EXISTING SCREEN WALL ALONG COMMON PROPERTY LINES
- VEHICLE MANEUVERING AREA
- LIGHTING HEIGHT MAX 15' WITHIN 150' OF RESIDENTIAL
- LOCATION OF ROOFTOP MECHANICAL EQUIPMENT - SCREENED FROM VIEW

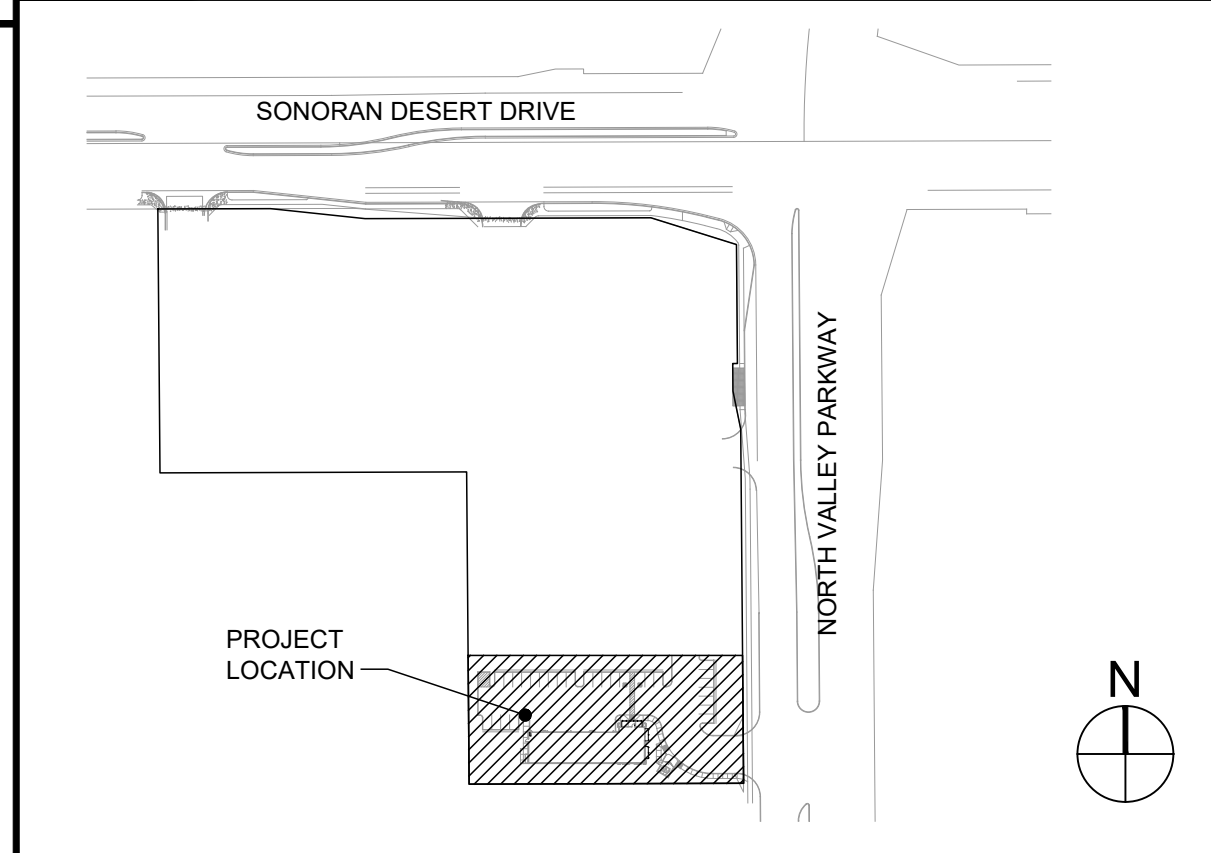
**LEGEND**



**LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 24, BEING A 1 INCH IRON PIPE WITH A 2 INCH BRASS CAP STAMPED "NW COR T5N R2E SEC 24", FROM WHICH THE NORTH QUARTER CORNER THEREOF, BEING A 3 INCH MARICOPA COUNTY BRASS CAP STAMPED "T5N R2E 1/4 S13 1/4 S24 2001 29891", BEARS NORTH 89 DEGREES 49 MINUTES 34 SECONDS EAST, A DISTANCE OF 2651.20 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 34 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 24, A DISTANCE OF 635.63 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89 DEGREES 49 MINUTES 34 SECONDS EAST, CONTINUING ALONG SAID NORTH LINE OF SAID SECTION 24, A DISTANCE OF 689.97 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE SOUTH 00 DEGREES 27 MINUTES 21 SECONDS EAST, DEPARTING SAID NORTH LINE AND ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 684.63 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 34 SECONDS WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 362.79 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 21 SECONDS WEST, A DISTANCE OF 333.08 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 34 SECONDS WEST, A DISTANCE OF 327.18 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 21 SECONDS WEST, A DISTANCE OF 351.55 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED. EXCEPT THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE NORTH 89 DEGREES 49 MINUTES 34 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 24, A DISTANCE OF 1295.54 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 49 MINUTES 34 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 30.00 FEET; THENCE SOUTH 00 DEGREES 27 MINUTES 31 SECONDS EAST A DISTANCE OF 1326.93 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24; THENCE SOUTH 89 DEGREES 50 MINUTES 30 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 30.00 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 31 SECONDS WEST A DISTANCE OF 1326.77 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1143.08 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00 DEGREES 00 MINUTES 27 SECONDS AN ARC LENGTH OF 0.15 FEET TO THE TRUE POINT OF BEGINNING; AND FURTHER EXCEPT THAT PROPERTY AS SET FORTH IN FINAL ORDER OF CONDEMNATION RECORDED IN RECORDING NO. 2006-1574136, RECORDS OF MARICOPA COUNTY, ARIZONA; AND FURTHER EXCEPT THAT PROPERTY AS SET FORTH IN SPECIAL WARRANTY DEED TO THE CITY OF PHOENIX RECORDED IN RECORDING NO. 2013-500529, RECORDS OF MARICOPA COUNTY, ARIZONA.

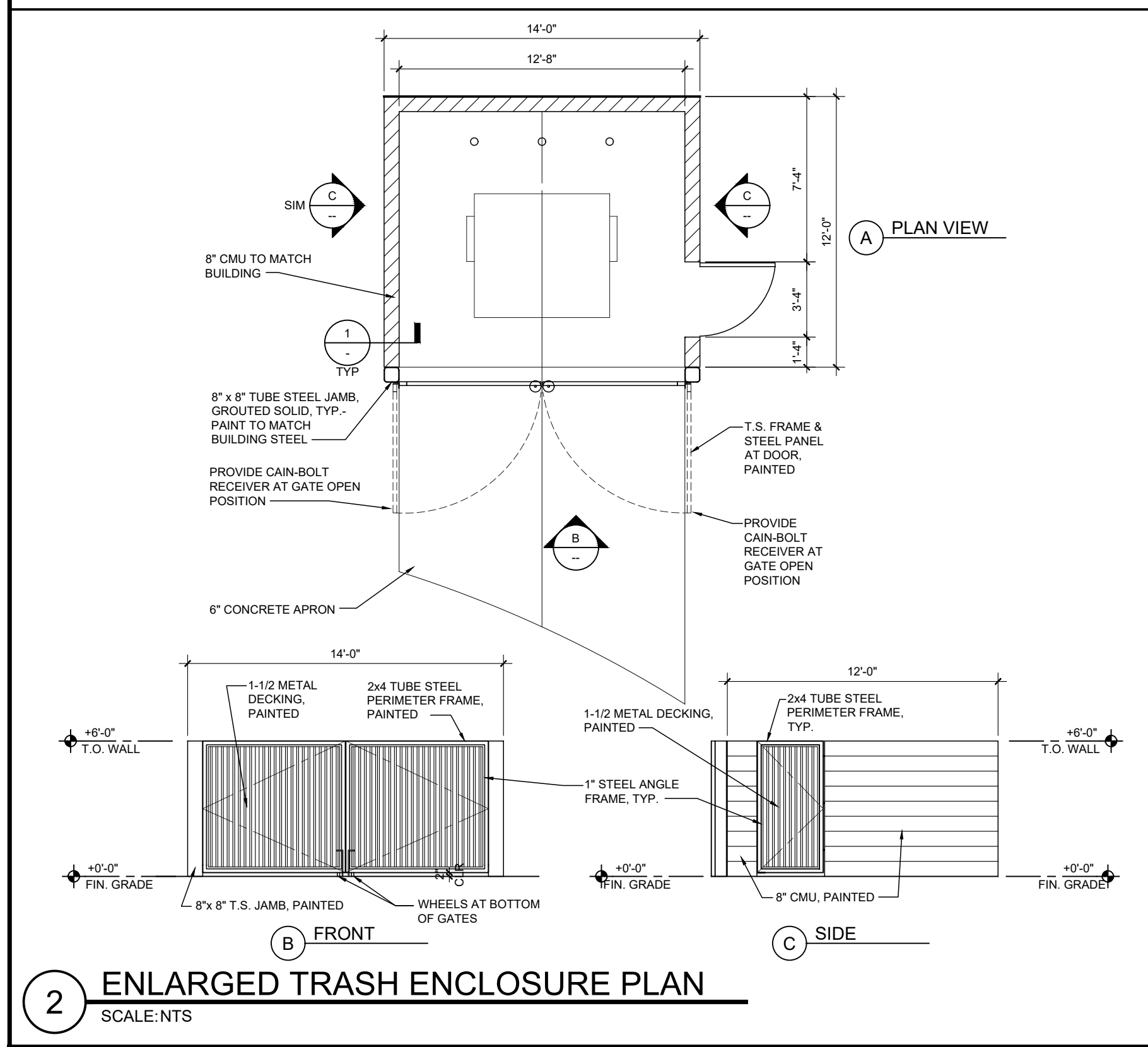
**KEY PLAN**



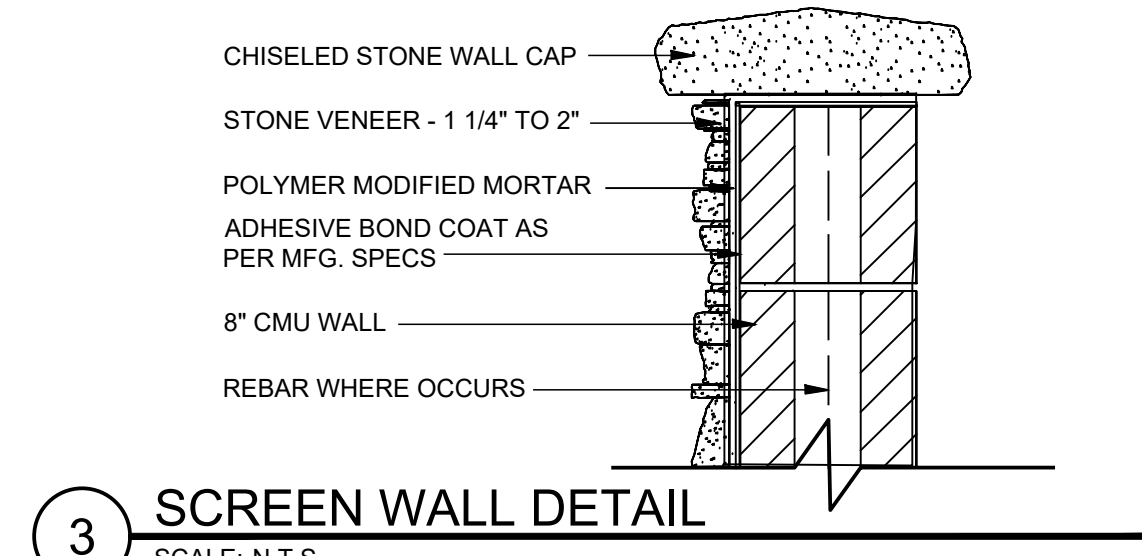
**PROJECT TEAM**

<b>ARCHITECT</b> VERTICAL DESIGN STUDIOS, LLC. 4650 EAST COTTON CENTER BLVD, SUITE 140 PHOENIX, ARIZONA 85040 PHONE: 602.395.1000 FAX: E-MAIL: <a href="mailto:chris@verticaldesignstudios.com">chris@verticaldesignstudios.com</a> CONTACT: Christopher Steine	<b>OWNER</b> PARPART REAL ESTATE 4980 SOUTH ALMA SCHOOD ROAD A-2, #617 CHANDLER, ARIZONA 85248 PHONE: 480.225.3005 FAX: E-MAIL: <a href="mailto:eric@parpartrealestate.com">eric@parpartrealestate.com</a> CONTACT: Eric Parpart
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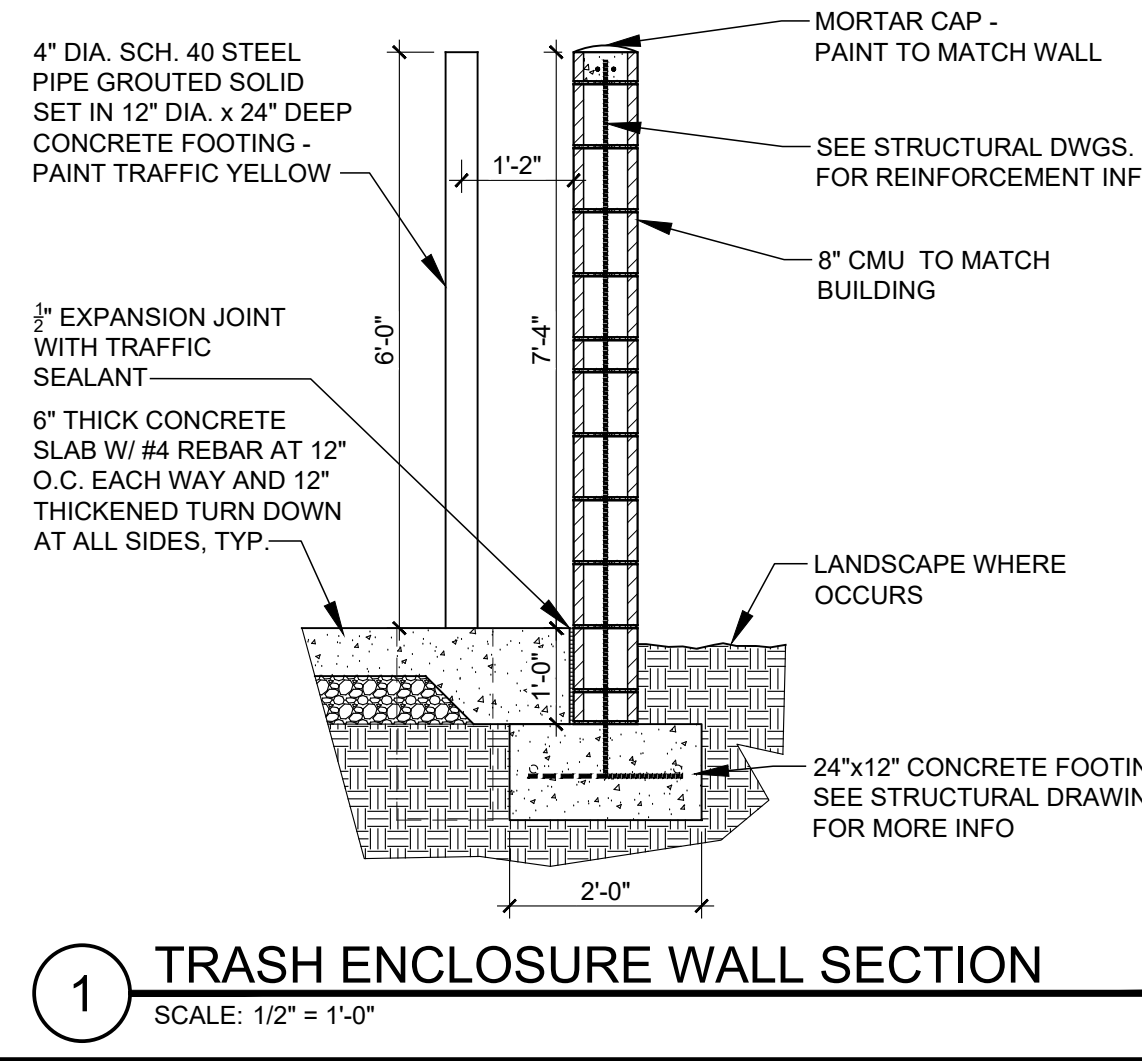
KIVA: 18-2782  
SDEV: 1800572  
QS: 54-23  
APN: 204-13-612  
PAPP: 1905469



**2 ENLARGED TRASH ENCLOSURE PLAN**  
SCALE: N.T.S.



**3 SCREEN WALL DETAIL**  
SCALE: N.T.S.



**1 TRASH ENCLOSURE WALL SECTION**  
SCALE: 1/2" = 1'-0"

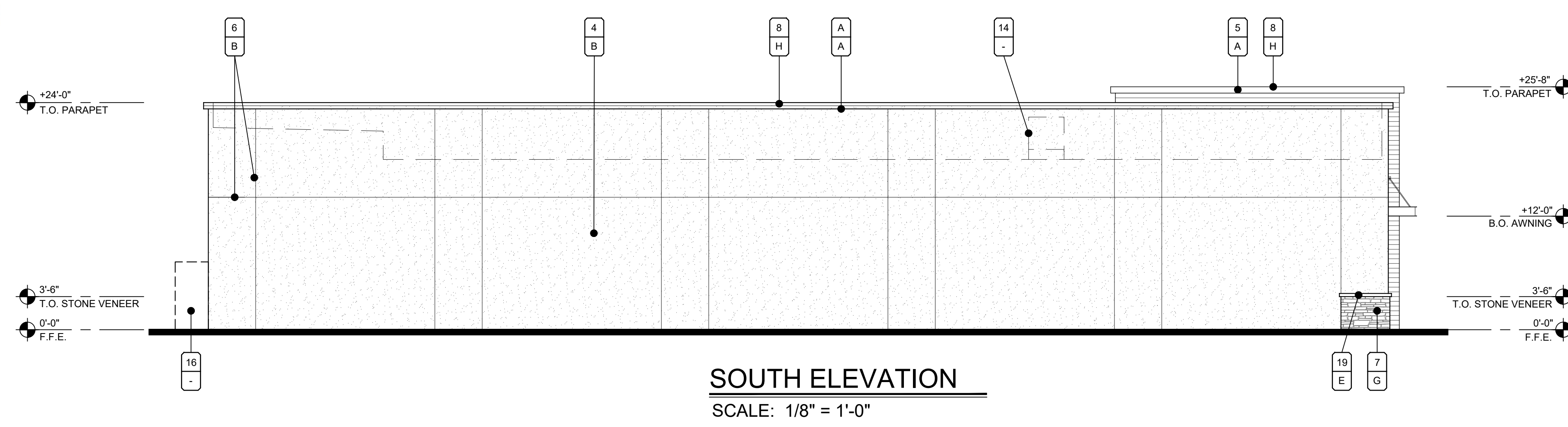
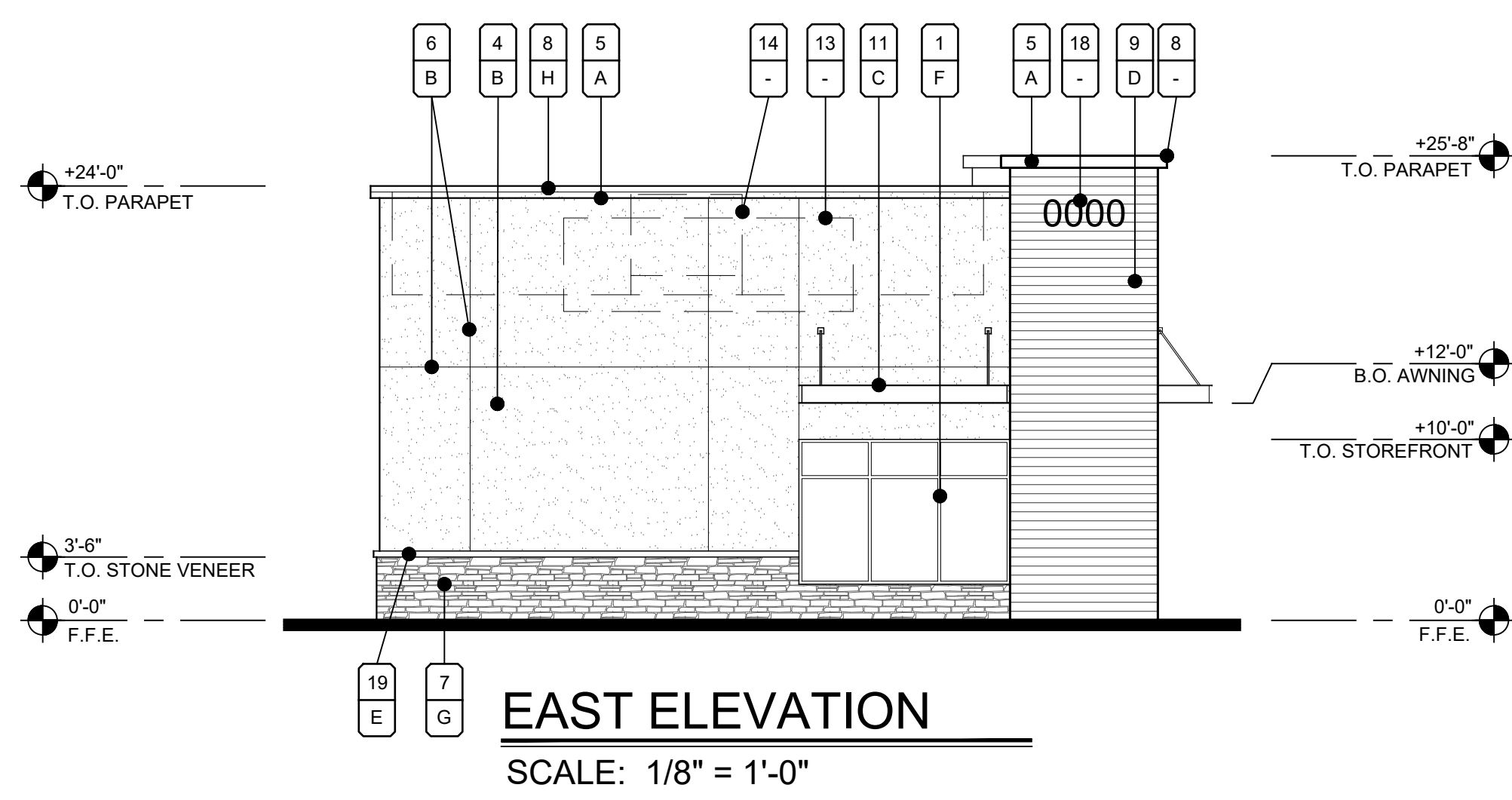
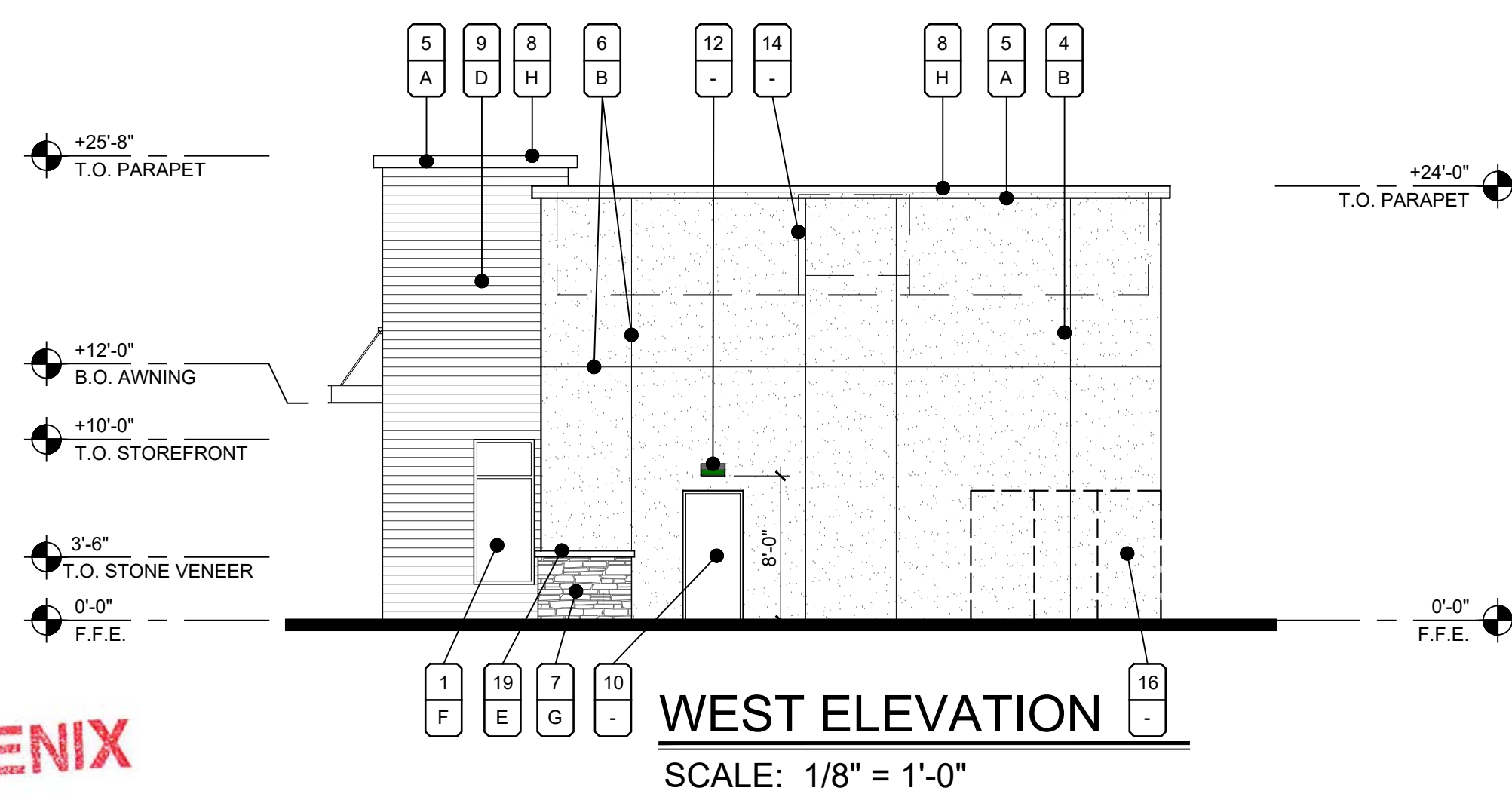
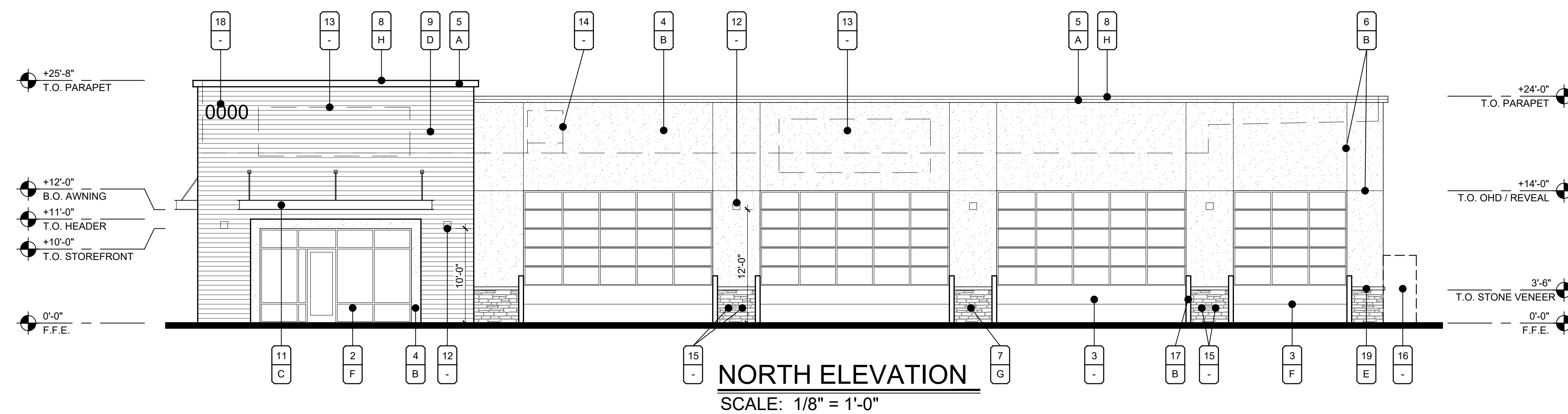
**CITY OF PHOENIX**  
OCT 03 2019  
Planning & Development  
Department

**SITE PLAN**

SWC NORTH VALLEY PARKWAY AND SONORAN DESERT DRIVE  
Phoenix, AZ  
09.23.19  
PROJECT NO.: 19080.00



4650 E. Cotton Center Boulevard Phoenix, AZ 85040  
602.395.1000 [www.verticaldesignstudios.com](http://www.verticaldesignstudios.com)



**ELEVATION GENERAL NOTES**

- A. GC TO COORDINATE FINISH GRADE AND FINISH FLOOR ELEVATION WITH CIVIL DRAWINGS.
- B. ALL BUILDING MOUNTED SIGNS AND ALL SITE SIGNS SHALL BE SUBMITTED UNDER SEPARATE PERMIT.

**MATERIAL SCHEDULE**

- MATERIALS**
1. ANODIZED ALUMINUM STOREFRONT FRAME WITH 1" INSULATED GLAZING
  2. ANODIZED ALUMINUM STOREFRONT FRAME AND DOOR(S) WITH 1" INSULATED GLAZING
  3. ANODIZED ALUMINUM FRAMED OVERHEAD DOOR WITH 1" INSULATED GLAZING
  4. WESTERN ONE-KOTE SYSTEM - PAINTED
  5. WESTERN ONE-KOTE SYSTEM ACCENT BAND - PAINTED
  6. STUCCO REVEAL - PAINTED
  7. CAST STONE VENEER
  8. METAL FLASHING - PREFINISHED
  9. PREFINISHED COMPOSITE WOOD-FIBER CEMENT BOARD
  10. HOLLOW METAL DOOR AND FRAME - PAINTED
  11. STEEL SUSPENDED AWNING
  12. LIGHT FIXTURE - PREFINISHED
  13. FUTURE BUILDING SIGNAGE - REVIEWED IN SEPARATE SUBMITTAL
  14. LINE OF MECHANICAL UNIT BEYOND
  15. ROOF AND OVERFLOW NOZZLES AT WALL - ROOF DRAINS TO DAYLIGHT AT FACE OF BUILDING WALL AT +12" A.F.S.
  16. SERVICE ENTRANCE SECTION - PAINTED - SEE ELECTRICAL
  17. 6" STEEL PIPE BOLLARD
  18. ADDRESS SIGNAGE
  19. PRECAST CONCRETE WAINSCOT CAP

**COLOR SCHEDULE**

- COLORS**
- Paint by Sherwin Williams (or Equal):  
 A. SW 7004 "SNOWBOUND"  
 B. SW 6003 "PROPER GRAY"  
 C. SW 6866 "HEARTHROB"
- by Arcadia Incorporated (or Equal):  
 F. "DARK BRONZE ANODIZED"
- by Coronado Stone Products (or Equal):  
 G. "DESERT RIDGE, "SUNHILL BLEND"
- by Nichiha (or Equal):  
 D. "VINTAGEWOOD, "REDWOOD" EPC765F"
- by ATAS International, Inc. (or Equal):  
 H. "ASCOT WHITE"

Concrete:  
 E. PRECAST CONCRETE COLOR: "NATURAL GRAY"

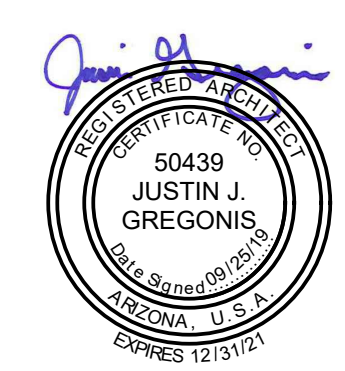
MATERIAL	#	FINISH
	A	X
	B	X
	C	X
	D	X
	E	X
	F	X
	G	X
	H	X

**APPROVAL STAMPS**

KIVA: 18-2782  
 SDEV: 1800572  
 QS: 54-23  
 APN: 204-13-612  
 PAPP: 1905469

**CITY OF PHOENIX**  
 OCT 03 2019  
 Planning & Development  
 Department

**ELEVATIONS**  
 SWC NORTH VALLEY PARKWAY AND SONORAN DESERT DRIVE  
 Phoenix, AZ  
 09.25.19  
 PROJECT NO.: 19080.00



4650 E. Cotton Center Boulevard Phoenix, AZ 85040  
 602.395.1000 www.verticaldesignstudios.com

June 20, 2012

Mr. Lewkowitz thought this recommendation for denial was a mistake as Mr. Chung was presently operating with 22 employees and a Series 7 liquor license. He was requesting a Series 12 liquor license which would allow him to serve and remain at that location.

Mr. James Chung, the applicant, thanked the Mayor and Council for the opportunity to present his opinion. He arrived in the United States almost 20 years ago, but still had trouble with the language. He could not understand exactly what the questionnaire asked, but felt he had tried his best to answer the questions correctly. He did not intend to hide or mislead and his intent had been to be truthful. He admitted he was charged for selling unstamped tobacco in his store and he did not correctly answer the question which was his mistake.

Mr. Gates stated this was a difficult situation and he considered the police recommendation very important. He thought the violation; however, was not of a nature to cause concern at the State Liquor Board and he intended to recommend the State Liquor Board make the decision in this case. He had the opportunity to speak with the applicant and noted the applicant had amended the application to declare he was cited for a cigarette violation and also had an employee who was charged with possession. He felt there was a misunderstanding and confusion regarding this application.

**MOTION** was made by Mr. Gates, **SECONDED** by Mrs. Williams, that Item 6 be remanded to the state with no recommendation.

Mayor Stanton agreed with Mr. Gates that this case had been difficult. He advised Mr. Lewkowitz the results from the action taken by Council on this item would trigger a hearing at the State Liquor Board.

**MOTION CARRIED UNANIMOUSLY.**

#### **ORDINANCES AND RESOLUTIONS**

Items 7 and 8 were heard together.

Mr. DiCiccio temporarily left the voting body during discussion of Items 7 and 8.

June 20, 2012

**ITEM 7**                      **DISTRICT 2**                      **RESOLUTION 21058 -  
PUBLIC HEARING -  
GPA-NG-1-12-2 – NORTH  
VALLEY PARKWAY AND  
SONORAN DESERT DRIVE**

The Council heard request to hold a public hearing and approve the land use for the following item by adopting the Planning Commission's recommendation and the related Resolution.

Application:                      GPA-NG-1-12-2  
Request:                              Map Amendment  
From:                                Mixed-Use (Commercial/Commerce Park)  
To:                                      Mixed-Use (Commercial/Residential 5-10)  
Acreage:                            40.30  
Location:                          Southwest corner of North Valley Parkway and Sonoran Desert Drive.  
Proposal:                          To allow the potential development of a commercial/residential project.  
Applicant:                        Paul Gilbert – Beus Gilbert, PLLC  
Staff:                                Approved.  
VPC Action:                      North Gateway – April 12, 2012 – Approved. Vote 7-1  
PC Action:                        June 12, 2012 – Recommendation would be verbal.

**ITEM 8**                      **DISTRICT 2**                      **ORDINANCE G-5719 -  
PUBLIC HEARING -  
Z-6-12-2 – NORTH VALLEY  
PARKWAY AND SONORAN  
DESERT DRIVE**

The Council heard request to hold a public hearing and approve the rezoning for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application:                      **Z-6-12-2**  
From:                                PCD NBCOD (Approved C-2/CP/GCP MR PCD NBCOD)  
To:                                      R-3A NBCOD and C-2 MR NBCOD  
Acreage:                            40.30  
Location:                          Southwest corner of North Valley Parkway and Sonoran Desert Drive

- 734 -

June 20, 2012

Proposal: To remove the property from the North Gateway PCD (Z-34-01-2) and allow for single-family residential and commercial.

Applicant: Paul Gilbert – Beus Gilbert, PLLC

Owner: Gary Davidson – LDR-Sonoran Pkwy, LLC

Representative: Paul Gilbert – Beus Gilbert, PLLC

Staff: Approved, subject to stipulations.

VPC Action: North Gateway – April 12, 2012 – Approved, subject to staff stipulations with one additional stipulation and one modification. Vote 7-1

PC Action: June 12, 2012 - Recommendation will be verbal.

The following staff stipulations are subject to discussion at the meeting and the City Council may add, delete, or amend stipulations.

Stipulations

**SITE PLAN AND ELEVATIONS – RESIDENTIAL PORTION**

1. The development shall be in general conformance with the site plan and elevations date stamped February 1, 2012, as modified by the following stipulations and approved by the Planning and Development Department.

**SITE PLAN AND ELEVATIONS – COMMERCIAL PORTION**

2. Conceptual site plan(s) and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval as each parcel is to be developed. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

**STREET TRANSPORTATION**

3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved or modified by the Planning and Development Department. All improvements shall comply with Americans with Disabilities Act (ADA) accessibility requirements.

June 20, 2012

4. Coordinate driveway locations, design, and construction with the City's Street Transportation Department Capital Improvement Program project (ST85110090) and contact the project manager, Chris Kowalsky, at 602-495-3697.
5. The sidewalk on North Valley Parkway and Sonoran Desert Drive shall be setback a minimum of eight feet from the back of curb, as approved by the Planning and Development Department.
6. The developer shall dedicate right-of-way totaling 70 feet for the west half of North Valley Parkway for the entire frontage, as approved by the Planning and Development Department.
7. The developer shall construct roadway improvements at a width of 52 feet to the face of curb for the west half street improvements to North Valley Parkway for the entire frontage of the site, as approved by the Street Transportation and Planning and Development Departments.
8. The developer shall dedicate sufficient right-of-way to accommodate a bus bay, including a transit accessory pad, on North Valley Parkway south of Sonoran Desert Drive in accordance with Standard Detail P1256-2.
9. The developer shall provide a bus bay, including a transit accessory pad, on North Valley Parkway south of Sonoran Desert Drive in accordance with Standard Detail P1256-2.
10. The developer shall provide conduit and junction boxes at Sonoran Desert Drive and North Valley Parkway for future traffic signal equipment on the southwest corner of the intersection. The plan is to be submitted to the Street Transportation Department for review and approval. Submittal will be made as a separate document that shows the entire intersection with existing conduit runs and junction boxes. The Developer will submit the approved plan to the Civil Plans Coordinator as part of the civil engineering plan set. All work related to the construction or reconstruction of the conduit runs and junction box installation is the responsibility of the developer.
11. A letter shall be submitted to the Street Transportation Department Traffic Signals Engineer that indicates the applicant's commitment to pay 25 percent for the cost of traffic signals at North Valley Parkway and Sonoran Desert Drive when the Street Transportation Department warrants the installation of the signal infrastructure.

June 20, 2012

12. The developer shall dedicate right-of-way totaling a minimum of 70 feet for the south half of Sonoran Desert Drive for the entire frontage as approved by the Street Transportation and Planning and Development Departments. Additionally, the developer shall dedicate sufficient right-of-way to accommodate an intersection flare for eastbound traffic at the southwest corner of North Valley Parkway and Sonoran Desert Drive.
13. The developer shall dedicate drainage easements along Sonoran Desert Drive as defined in the Sonoran Desert Drive: Interstate 17 to North Valley Parkway Design Report, as approved by the Street Transportation and Planning and Development Departments.
14. The developer shall dedicate slope easements along Sonoran Desert Drive as defined in the Sonoran Desert Drive: Interstate 17 to North Valley Parkway Design Report, as approved by the Street Transportation and Planning and Development Departments.
15. The developer shall provide required pavement transitions, as necessary, on Sonoran Desert Drive to the west and on North Valley Parkway to the south, as approved by the Planning and Development Department.
16. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of the intersection of Sonoran Desert Drive and North Valley Parkway, as approved by the Planning and Development Department.
17. All driveway access points along Sonoran Desert Drive and North Valley Parkway shall be restricted to right-in / right-out turning movements only within 660 feet of the intersection of Sonoran Desert Drive and North Valley Parkway, as approved by the Planning and Development Department.
18. A completed Maricopa Association of Governments (MAG) Transportation Improvement Program Form shall be provided and submitted to the Street Transportation Department with a copy to the Planning and Development Department.
19. Complete the Red Border Letter process to notify the Arizona Department of Transportation of development adjacent to the I-17 freeway corridor and submit a copy to the Street Transportation Department and to the Planning and Development Department.

June 20, 2012

OTHER

20. The developer shall show the planned 69kV underground power lines on the site, landscape, and grading and drainage plans. All utilities and other construction shall be coordinated with the City and Arizona Public Service (APS) so as to not conflict with the planned power lines.
21. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.
22. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of the mining operation near the development, that it is an active mine, has the potential to be active seven days a week, 24 hours a day, and is anticipated to continue until the rock resources are exhausted, which could be for 20 or more years. The form and content of such documents shall be reviewed and approved by the Law Department.
23. That prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development the proximity to building heights up to 190 feet on the north, south, and west and up to 56 feet on the east of the subject site. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
24. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Items 7 and 8 dealt with the North Valley Parkway and Sonoran Desert Drive. One approved the land use, the second approved the rezoning.

Assistant Planning Director Derek Horn advised Items 7 and 8 were related cases and addressed the same parcel of land. Item 7 was a General Plan amendment and, if approved, would change approximately 40.3 acres at the southwest corner of North Valley Parkway and Sonoran Desert Drive. It would



June 20, 2012

also change the designated land use from multiuse commercial-commerce park to multiuse commercial residential. Item 8 was a rezoning request to remove the entire 40-acre parcel from the planned community development and rezone approximately 32 acres from C-2 Commerce Park–General Commerce Park mid-rise North Black Canyon Overlay District to R-3A (multifamily), North Black Canyon Overlay District. This would allow a mixed-use, single-family, residential and commercial development.

Mr. Horn noted this was reviewed and recommended by the North Gateway Village Planning Committee and the Planning Commission. The proposal would encourage development by removing the PCD designation; the proposed rezoning would complement uses in the surrounding area, and would add the first housing mix to the North Gateway Village. Staff recommended approval of this. He advised the items would require separate motions and actions.

Mayor Stanton stated he had one speaker comment card submitted from Ms. Lindsay Schube, in favor to speak if necessary.

**MOTION** was made by Mrs. Williams, **SECONDED** by Mr. Simplot, that Item 7 be adopted.

Roll Call:	Ayes:	Gates, Nowakowski, Simplot, Valenzuela, Waring, Williams, Vice Mayor Johnson, and Mayor Stanton
	Nays:	None
	Absent:	DiCiccio

**MOTION CARRIED.** Ordinance adopted.

**MOTION** was made by Mrs. Williams, **SECONDED** by Mr. Simplot, that Item 8 be adopted.

Roll Call:	Ayes:	Gates, Nowakowski, Simplot, Valenzuela, Waring, Williams, Vice Mayor Johnson, and Mayor Stanton
	Nays:	None
	Absent:	DiCiccio

**MOTION CARRIED.** Ordinance adopted

Mr. DiCiccio returned to the voting body.

**MOTION** was made by Mrs. Williams, **SECONDED** by Mr. Simplot, that Items 9 through 75, except Items 20, 21, 22, and 25, 58, 64, 56, and 67 be

Item #: 2  
Application #: Z-6-12-2 (Continued from 5/9/12)  
From: PCD NBCOD (App. C-2/CP/GCP MR PCD NBCOD)  
To: R-2 NBCOD  
C-2 MR NBCOD  
Acreage: 40.30  
Location: Southwest corner of North Valley Parkway and Sonoran Desert Drive  
Proposal: To remove the property from the North Gateway PCD (Z-34-01-2) and allow for single family residential and commercial  
Applicant: Beus Gilbert PLLC - Beus Gilbert  
Owner: LDR-Sonoran Pkwy, LLC-c/o Gary Davidson  
Representative: Beus Gilbert PLLC - Beus Gilbert

Mr. Larry Tom presented Z-6-12-2 and companion case Z-6-12-2. He stated the following: Items 1 and 2 can be heard together, but separate motions are necessary. Item 1 is a minor General Plan Amendment to approximately 40.30 acres located at the southwest corner of North Valley Parkway and Sonoran Desert Drive from Mixed Use (Commercial/ Commerce Park) to Mixed Use (Commercial/Residential 5-10 units per acre). The companion rezoning case is Z-6-12-2 a request to rezone approximately 40.30 acres from approved C-2/CP/GCP MR PCD to C-2 MR and R-3A. The request is to remove the property from the North Gateway PCD and retain the C-2 MR on approximately 8.26 acres and rezone to R-3A on 32.04 acres to allow for a 101 unit single family development. The North Gateway Village Planning Committee recommended approval of GPA-NG-1-12-2, 7-1 and approval of Z-6-12-2, 7-1 with a modified and additional stipulation. Staff concurs with both recommendations for the North Gateway Village Planning Committee.

Commissioner Katsenes made a MOTION to approve Z-6-12-2 with the new request to go to R-3A zoning, subject to the stipulations approved per the North Gateway Village Planning Committee recommendation.

Commissioner Heck SECONDED.

There being no further discussion, Chairman Awai called for a vote and the MOTION PASSED 9-0.

\* \* \* \*

**Stipulations:**

**SITE PLAN AND ELEVATIONS – RESIDENTIAL PORTION**

1. The development shall be in general conformance with the site plan and elevations date stamped February 1, 2012, as modified by the following stipulations and approved by the Planning and Development Department.

#### SITE PLAN AND ELEVATIONS –COMMERCIAL PORTION

2. Conceptual site plan(s) and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval as each parcel is to be developed. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

#### STREET TRANSPORTATION

3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved or modified by the Planning and Development Department. All improvements shall comply with ADA accessibility requirements.
4. Coordinate driveway locations, design, and construction with the City's Street Transportation Department Capital Improvement Program project (ST85110090) and contact the project manager, Chris Kowalsky, at 602-495-3697.
5. The sidewalk on North Valley Parkway and Sonoran Desert Drive shall be setback a minimum of 8 feet from the back of curb as approved by the Planning and Development Department.
6. The developer shall dedicate right-of-way totaling 70 feet for the west half of North Valley Parkway for the entire frontage as approved by the Planning and Development Department.
7. The developer shall construct roadway improvements at a width of 52 feet to the face of curb for the west half street improvements to North Valley Parkway for the entire frontage of the site as approved by the Street Transportation and Planning and Development Departments.
8. The developer shall dedicate sufficient right-of-way to accommodate a bus bay, including a transit accessory pad, on North Valley Parkway south of Sonoran Desert Drive in accordance with Standard Detail P1256-2.
9. The developer shall provide a bus bay, including a transit accessory pad, on North Valley Parkway south of Sonoran Desert Drive in accordance with Standard Detail P1256-2.
10. The developer shall provide conduit and junction boxes at Sonoran Desert Drive and North Valley Parkway for future traffic signal equipment on the southwest corner of the intersection. The plan is to be submitted to the Street Transportation Department for review and approval. Submittal will be made as a separate document that shows the entire intersection with existing conduit runs and junction boxes. The Developer will submit the approved plan to the Civil Plans Coordinator as part of the civil engineering plan set. All work related

to the construction or reconstruction of the conduit runs and junction box installation is the responsibility of the Developer.

11. A letter shall be submitted to the Street Transportation Department Traffic Signals Engineer that indicates the applicant's commitment to pay 25% for the cost of traffic signals at North Valley Parkway and Sonoran Desert Drive when the Street Transportation Department warrants the installation of the signal infrastructure.
12. The developer shall dedicate right-of-way totaling a minimum of 70 feet for the south half of Sonoran Desert Drive for the entire frontage as approved by the Street Transportation and Planning and Development Departments. Additionally, the developer shall dedicate sufficient right-of-way to accommodate an intersection flare for eastbound traffic at the southwest corner of North Valley Parkway and Sonoran Desert Drive.
13. The developer shall WORK WITH THE STREET TRANSPORTATION AND PLANNING AND DEVELOPMENT DEPARTMENTS TO PROVIDE FOR, AS NECESSARY, ~~dedicate~~ drainage AND SLOPE easements along Sonoran Desert Drive as defined in the Sonoran Desert Drive: Interstate 17 to North Valley Parkway Design Report, OR as MODIFIED approved by the Street Transportation and Planning and Development Departments.
14. ~~The developer shall dedicate slope easements along Sonoran Desert Drive as defined in the Sonoran Desert Drive: Interstate 17 to North Valley Parkway Design Report as approved by the Street Transportation and Planning and Development Departments.~~
1415. The developer shall provide required pavement transitions, as necessary, on Sonoran Desert Drive to the west and on North Valley Parkway to the south, as approved by the Planning and Development Department.
1516. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of the intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department.
1617. All driveway access points along Sonoran Desert Drive and North Valley Parkway shall be restricted to right-in / right-out turning movements only within 660 feet of the intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department.
1718. A completed MAG Transportation Improvement Program Form shall be provided and submitted to the Street Transportation Department with a copy to the Planning & Development Department.
1819. Complete the Red Border Letter process to notify the Arizona Department of Transportation of development adjacent to the I-17 freeway corridor and submit a copy to the Street Transportation Department and to the Planning & Development Department.

OTHER

1920. The developer shall show the planned 69kV underground power lines on the site, landscape, and grading and drainage plans. All utilities and other construction shall be coordinated with the City and APS so as to not conflict with the planned power lines.
2024. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.
2122. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of the mining operation near the development, that it is an active mine, has the potential to be active seven days a week, 24 hours a day, and is anticipated to continue until the rock resources are exhausted, which could be for 20 or more years. The form and content of such documents shall be reviewed and approved by the Law Department.
2223. That prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development the proximity to building heights up to 190 feet on the north, south and west and up to 56 feet on the east of the subject site. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
2324. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the city to be included in the rezoning application file for record.
24. THAT THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE THE EXISTENCE, AND OPERATIONAL CHARACTERISTICS OF THE DEER VALLEY AIRPORT TO FUTURE OWNERS OR TENANTS OF THE PROPERTY. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Ms. Gomes explained the request would amend the existing General Plan Land Use Map designations from Mixed Use (Commercial/Commerce Park) to Mixed Use (Commercial/Residential 5-10) to allow a single-family development.

Mr. Joe Villasenor motioned to approve GPA-NG-1-12-2. Mr. Tim Mitten seconded.

The committee voted 7-1 (Freeman) to approve the motion.

5. **Presentation, discussion and possible action on case Z-6-12-2 a request to rezone 40.30 acres of land located at the southwest corner of North Valley Parkway and Sonoran Desert Drive from PCD NBCOD (App. C-2/CP/GCP MR PCD NBCOD) (40.30 acres) to R-2 NBCOD (32.04 acres) and C-2 MR NBCOD (8.26 acres). The purpose of the request is to remove the PCD designation (North Gateway PCD) and allow single-family and commercial development.**

Ms. Tricia Gomes presented the details of the case.

Ms. Susan Demmitt, Beus Gilbert, represented on behalf of the property owner and provided a presentation on the request. Ms. Demmitt explained the residential portion of the project features approximately 100 single-family detached homes with 50-foot and 60-foot wide lots. The site plan depicts both active and passive open space amenities by preserving the wash on the west side of the site in its natural state, providing trails along the wash and two small park areas within the community. Ms. Demmitt stated that the commercial portion consisted of 10 acres to provide a neighborhood style commercial such as a coffee shop, a dry cleaner, etc. Ms. Demmitt noted that she has been working with the property owners to the south and east regarding how the subject site and the south and east properties would interface with one another.

Vice Chairman Tim Mitten inquired how far Sonoran Desert Drive would be improved with the proposed development, if lighting would be provided along the wash and what was the southern property's concern. Ms. Demmitt stated that south side of Sonoran Desert Drive would be improved to the parcel's western boundary. Low level lighting would be provided along the wash for safety. Ms. Demmitt explained that the property owner to the south has concerns regarding the increased setbacks as a result of the rezoning request. Ms. Demmitt reiterated that she and the adjacent property owners have been working together to come up with alternative solutions to the concerns.

Committee member Justin Baker inquired if there was space to add playground facilities, basketball equipment, etc. to the proposed development. Ms. Demmitt stated that Taylor Morrison has not determined exactly what amenities would be provided, but would consider the amenities Committee member Baker mentioned at the time of development. Ms. Demmitt noted that there is a future regional park planned in area.

Committee member Rick Robinson inquired if the wash crossing within the development would be a wet crossing and if traffic mitigation measures were considered for the future. Ms. Demmitt clarified that the wash crossing within the development would be a bridge. Ms. Demmitt explained that the only traffic signal required at this time by the Street Transportation Department was at the immediate corner. Committee member stated he wanted to make sure that access was not impeded on Sonoran Desert Drive or North Valley Parkway.

Committee member Joe Villasenor inquired if a stipulation could be added to notify future property owners of the proximity of the Deer Valley Airport.

Mr. Lyle Richardson represented on behalf of the property owners to the south and east of the subject site. Mr. Richardson stated he has concerns regarding the increased setbacks that single-family zoning would impose on the property to the south. Mr. Richardson explained that discussions have been held with the applicant about possibly amending the rezoning application from R-2 to R-3A to reduce the setbacks imposed on the southern property and notification of potential uses to future homeowners. Mr. Richardson noted that staff was not supportive of a notification stipulation regarding potential uses that required a public hearing process for approval.

Ms. Susan Demmitt added that the single-family zoning could increase the setbacks for a 190 foot building on the property to the south; however other uses could be located closer to the property line such as parking, retention, or buildings lower in height.

Committee member Justin Baker stated that he would have like to have seen a better integration of uses between the subject site and the property to the south.

Committee member Scott Freeman expressed concern about the appropriateness of the location of the proposed development. Committee member Freeman felt the development would be better suited in another location.

Mr. Joe Villasenor motioned to approve Z-6-12-2, subject to staff stipulations with one additional stipulation and one modification as follows:

**Stipulations:**

**SITE PLAN AND ELEVATIONS – RESIDENTIAL PORTION**

1. The development shall be in general conformance with the site plan and elevations date stamped February 1, 2012, as modified by the following stipulations and approved by the Planning and Development Department.

**SITE PLAN AND ELEVATIONS –COMMERCIAL PORTION**

2. Conceptual site plan(s) and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval as each parcel is to be

developed. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

## STREET TRANSPORTATION

3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved or modified by the Planning and Development Department. All improvements shall comply with ADA accessibility requirements.
4. Coordinate driveway locations, design, and construction with the City's Street Transportation Department Capital Improvement Program project (ST85110090) and contact the project manager, Chris Kowalsky, at 602-495-3697.
5. The sidewalk on North Valley Parkway and Sonoran Desert Drive shall be setback a minimum of 8 feet from the back of curb as approved by the Planning and Development Department.
6. The developer shall dedicate right-of-way totaling 70 feet for the west half of North Valley Parkway for the entire frontage as approved by the Planning and Development Department.
7. The developer shall construct roadway improvements at a width of 52 feet to the face of curb for the west half street improvements to North Valley Parkway for the entire frontage of the site as approved by the Street Transportation and Planning and Development Departments.
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1647. All driveway access points along Sonoran Desert Drive and North Valley Parkway shall be restricted to right-in / right-out turning movements only within 660 feet of the intersection of Sonoran Desert Drive and North Valley Parkway as approved by the Planning and Development Department.
1748. A completed MAG Transportation Improvement Program Form shall be provided and submitted to the Street Transportation Department with a copy to the Planning & Development Department.
1849. Complete the Red Border Letter process to notify the Arizona Department of Transportation of development adjacent to the I-17 freeway corridor and submit a copy to the Street Transportation Department and to the Planning & Development Department.

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area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.

2122. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of the mining operation near the development, that it is an active mine, has the potential to be active seven days a week, 24 hours a day, and is anticipated to continue until the rock resources are exhausted, which could be for 20 or more years. The form and content of such documents shall be reviewed and approved by the Law Department.
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Vice Chairman Tim Mitten seconded. **The committee voted 7-1 (Freeman) to approve the motion.**

**6. Staff update on cases recently reviewed by the Committee (not for committee discussion or public input).**

Ms. Tricia Gomes provided an update to GPA-NG-1-11-2, a general amendment and Z-12-11-2; a request to rezone the area south of Sonoran Desert Drive, east and west of North Valley Parkway. Both cases were approved by City Council in November 2011.

**7. Committee member requests for information, follow-up or future agenda items (not for committee discussion or action).**

Committee members requested the following for information, follow-up or future agenda items: