



## City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned

**From:** Joshua Bednarek

Planning & Development Department Director

**Date:** January 22, 2025

**Subject: P.H.O. APPLICATION NO. PHO-1-25--Z-16-97-1** – 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 a public hearing on **February 19, 2025**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to [pdd.pho@phoenix.gov](mailto:pdd.pho@phoenix.gov) or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **January 29, 2025**.

### **DISTRIBUTION**

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Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor  
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Planning Hearing Officer (Byron Easton, Teresa Garcia), 2nd Floor  
Village Planner (Robert Kuhfuss, Deer Valley Village)  
Village Planning Committee Chair (Gregory Freeman, Deer Valley Village)



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-25--Z-16-97-1

Council District: 1

**Request For:** Stipulation Modification

**Reason for Request:** Request to delete Stipulation 1 regarding stipulations established in Z-204-87-1; Request to modify Stipulation 2a. regarding a revised traffic study; Request to delete Stipulation 2b. regarding additional right-of-way.

### Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Cypress Development Partners	Applicant	10115 E. Bell Road, Suite 107 #410, Scottsdale, AZ 85260	949.629.3799		janalone@cypresswestpartners.com
Safeway Inc.	Owner	250 E. Parkcenter Blvd., Boise, ID 83706	208.395.4371		travis.molis@albertsons.com
William E. Lally, Tiffany & Bosco P.A.	Representative	2525 E. Camelback Road, Floor 7, Phoenix, AZ 85018	602.452.2716		wel@tblaw.com

**Property Location:** Approximately 660 feet east of 27th Avenue and south side of Rose Garden Lane

**Acreage:** 19.24

### Geographic Information

Zoning Map	APN	Quarter Section
	209-08-029E	Q41-23
N7	209-08-027	Q41-23
Village: Deer Valley		

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@phoenix.gov](mailto:zoning@phoenix.gov) or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

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

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

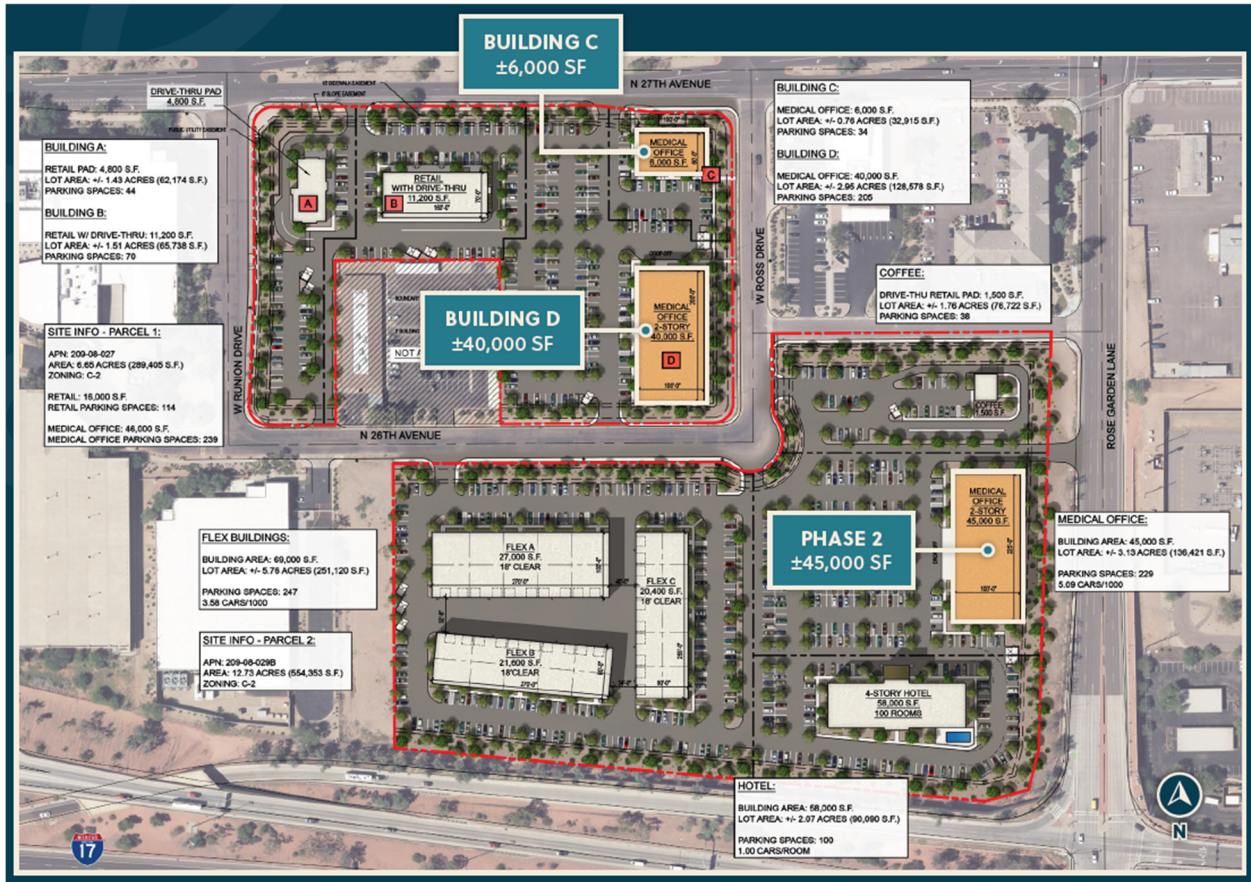
Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

### Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,725.00	\$0.00	01/08/25	PHO (3+ stipulations)

# The Interchange

20627 N. 26<sup>th</sup> Avenue, Phoenix, AZ 85027 (+/- 14.78 gross acres)  
 20637 N. 27<sup>th</sup> Avenue, Phoenix, AZ 85027 (+/- 8.81 gross acres)



## PHO Application Project Narrative

Submitted: January 2, 2025



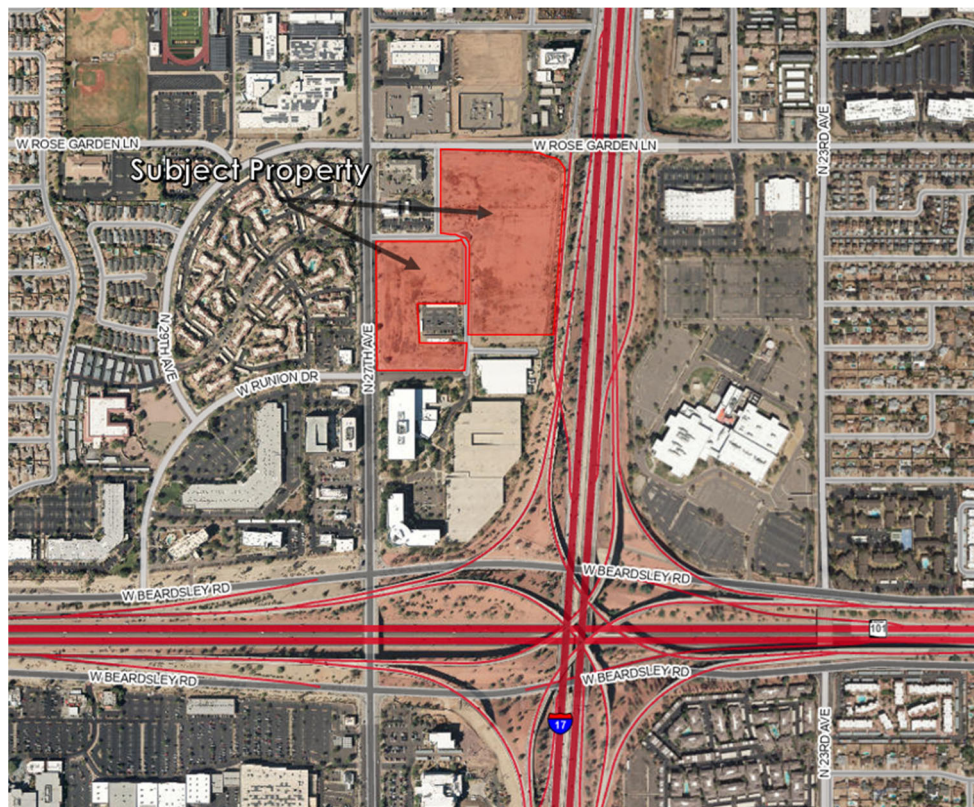
Byron Easton, Planning Hearing Officer  
City of Phoenix, Planning & Development Dept.  
200 W. Washington St., 2<sup>nd</sup> Floor  
Phoenix, AZ 85003

**RE: Planning Hearing Officer – Application for Stipulation Modification to PHO-6-97-Z-204-87; 20637 N. 27<sup>th</sup> Avenue (APN 209-08-027) & 20627 N. 26<sup>th</sup> Avenue (209-08-09E)**

Dear Mr. Easton,

Cypress Development Partners (“Applicant”), hereby respectfully requests modification to stipulations to allow for a new mixed-use concept (“The Interchange”) within the Deer Valley Village. The Interchange is currently comprised of two undeveloped infill parcels totaling approximately 23.59 gross acres of land commonly known as 20637 N. 27<sup>th</sup> Avenue (+/- 8.81 gross acres) and 20627 N. 26<sup>th</sup> Avenue (+/- 14.78 gross acres) located just west of the I-17 and south of Rose Garden Avenue (collectively, the “Property”). When complete, The Interchange will allow for a variety of uses potentially including medical office, flex office, retail, drive-thru options, and a hotel.

The Property was originally part of a rezone (Z-204-87) almost 40 years ago and a stipulation modification which was approved almost 30 years ago in 1997 (PHO-6-97). However, the Property remains undeveloped to this day. The proposed modifications to the stipulations with the inclusion of a concept plan for The Interchange will allow for necessary services to the local area in a plan fitting for the modern day. Since the remainder of the Deer Valley Towne Center is developed, the stipulations only pertain to the Property, and modification to the stipulations will not affect other developments.



## I. CURRENT STIPULATIONS

Cypress is requesting a modification or deletion of the following stipulations to allow for the proposed development:

### Stipulations re: PHO-6-97-Z-204-87

1. That development be in general conformance to the site plan presented at the Planning Hearing Officer hearing of April 2, 1997 and design guidelines dated February 14, 1997 as may be modified by the following stipulations or in the alternative, the applicant may utilize the approved site plan dated September 12, 1996 for retail development on the east side of 27th Avenue. **[Modification Requested]**
2. That individual Development Plans shall be submitted to and approved by the Development Services Department and shall incorporate the design guidelines dated February 14, 1997 and shall include further detail on such items as: a. Master street and pedestrian/bicycle circulations; b. Master landscape plan. **[Modification Requested]**
3. That right-of-way be dedicated as reflected in the approved Master Street Plan. Additional right-of-way for right-turn lanes into parcels and bus bays shall be dedicated as may be required by the Development Services Department at the time of site plan review. **[Deletion Requested]**
4. That the applicant shall fully improve all interior roadways and adjacent half-streets (exclusive of freeway construction), including 27th Avenue, in accordance with the approved Master Street Plan. Said improvements shall include the cost of pedestrian and bikeway facilities and signage and the following signalized intersections:
  - a. The developer will be financially responsible for the total cost of installation of the traffic signals at the following intersections, when warranted, as determined by the Street Transportation Department: 27<sup>th</sup> Avenue and Runion Drive, 27th Avenue and Beardsley Road (unless constructed by ADOT);
  - b. The developer will be financially responsible for 50% of the cost of installation of a traffic signal at the intersection at 27th Avenue and Rose Garden Lane, when warranted, as determined by the Street Transportation Department.**[Modification Requested]**
5. That 29th Avenue, in its current alignment, shall be dedicated and improved by the abutting property owners. Each abutting property owner shall be responsible for the dedication and improvement of the half-street adjacent to its respective parcel. The timing of the street improvements shall be agreed to by the affected property owners at such time as the master street plan shall be approved for this application. **[Deletion Requested]**
6. That development shall not exceed a maximum of 540 dwelling units (conditioned on a City Council density waiver); one hotel, 220,000 square feet of office and 50,000 square feet of retail uses west of 27th Avenue, and east of 27th Avenue 1,000,000 square feet of office, one hotel, and 20,000 square feet of retail use. In the alternative, the applicant may develop 450,000 square feet of retail/office in lieu of the 1,000,000 square feet of office development. **[Deletion Requested]**
7. That approval is conditioned on the development of the office use within 18 months and a retail component of at least 50,000 square feet within 36 months of final City Council approval if the 450,000 square foot retail component east of 27th Avenue is developed. A maximum of six (6) pad sites (defined as a stand alone structure of less than 5,000 square feet in area) are permitted, with no more than two (2)

pads permitted in the development of the first 50,000 square feet of commercial development. **[Deletion Requested]**

8. That development shall be consistent with the goals and policies of the Deer Valley Core Specific Plan with particular emphasis on the designated view corridors and design of 27th Avenue.

9. That the Chairman of the Deer Valley Village Planning Committee shall be notified in writing, by the applicant, of all development review meetings with the Development Services Department.

10. That the multifamily parcel be in general conformance with the site plan dated April 15, 1996. **[Deletion Requested]**

11. That the following design modifications as approved by the Development Services Department be incorporated into the final site development of each parcel as applicable:

a. That clearly defined shaded pedestrian connections, a minimum of four (4) feet in width, generally consistent with the pedestrian plan submitted in conjunction with this application be provided. Where the major pedestrian spines cross driveway aisles, the crosswalk area shall be enhanced with decorative or colored pavement material. The pedestrian connections shall be developed in conjunction with the development of individual sites as approved by the Development Services Department. **[Modification Requested for 11a]**

b. Gateway/entryway statements be provided at 27th Avenue and Rose Garden and at 27th Avenue and Runion Drive intersections. The 27th Avenue and Runion Drive intersection shall include a minimum ½ acre landscaped plaza that shall encompass all four corners of the intersection. The landscaped plaza may include retention and be included in the required building setback. **[Deletion Requested for 11b]**

c. Design of the commercial development shall minimize the linear effect with substantial building offsets, vertical relief and architectural embellishments/focal points. The design shall maintain architectural uniformity around the entire center with particular emphasis to minimizing the visual impacts from the freeway.

12. That the development (exclusive of the approved residential parcel and the OPUS office development) shall be subject to approval of a Comprehensive Sign Plan to be submitted by June 30, 1997. Any requests for sign permits prior to final approval of the comprehensive sign plan shall be submitted to the Planning Hearing Officer for review of consistency with the proposed design guidelines. **[Deletion Requested]**

13. That the master developer of the entire 136-acre parcel shall be responsible for completing a revised Master Street Plan based on the interim uses approved for the site. Any deviation from the approved interim uses may require additional traffic analysis by the applicant's traffic engineer, as determined by the Street Transportation Department. **[Deletion Requested]**

14. The master developer of the entire 136-acre parcel, or subsequent property owners as may be assigned, shall be required to make all right-of-way dedications and street improvements for each phase according to the approved Master Street Plan as directed by the Development Services Department, at the time of preliminary site plan review. **[Deletion Requested]**

15. The master developer of the entire 136-acre parcel shall be responsible for completing the Deer Valley Towne Center Master Pedestrian/Bicycle Circulation Plan based on the interim uses approved for the site.

Any deviation from the approved interim uses may require additional analysis by the applicant's traffic engineer as determined by the Planning and Street Transportation Departments. **[Deletion Requested]**

16. That master developer for the entire 136-acre parcel, or subsequent property owners as may be assigned, shall be required to make all necessary dedications and improvements for each phase according to the approved Master Pedestrian/Bicycle Circulation Plans, as directed by the Development Services Department, at the time of preliminary site plan review. **[Deletion Requested]**

17. That the Development Services Department shall pay particular attention to the orientation of buildings and parking adjacent to 27th Avenue. The following building locations shall provide buildings located adjacent to the street landscape setback with no parking or driveways permitted between the building and the 27th Avenue landscape setback:

- a. The building located at the northwest corner of 27th Avenue and Beardsley Road;
- b. The building located at the southwest corner of 27th Avenue and Runion Drive;
- c. The building located immediately to the south of the building referenced above in 17.b;
- d. The building(s) located at the southeast corner of 27th Avenue and Runion Drive;
- e. The building located at the northeast corner of 27th Avenue and Runion Drive; and
- f. The building located at the southeast corner of 27th Avenue and Rose Garden Lane.

**[Deletion Requested]**

18. That automobile circulation may be provided adjacent to 27th Avenue for the freestanding building shown on Area "F" located at the northwest corner of 27th Avenue and Runion Drive. Parking should be discouraged adjacent to the 27th Avenue landscape setback. **[Deletion Requested]**

19. That in the event of development of a drive-through restaurant, driveway circulation may occur between the 27th Avenue landscape setback and the restaurant building; however, no parking is permitted adjacent to the 27th Avenue landscape area in this instance. **[Deletion Requested]**

20. That project landscaping for individual sites shall be consistent with the landscape design theme provided along 27th Avenue and shall incorporate materials consistent with the attached plant palette. **[Modification Requested]**

21. That all sidewalks, pedestrian crossings, seating areas, light standards, and screen walls, if applicable, shall be consistent throughout the project.

22. That use of the originally approved MR zoning overlay shall require modification of stipulations through the Planning Hearing Officer process and may be subject to further traffic analysis, off-site improvements, and design standards. **[Deletion Requested]**

#### **Stipulations re: Z-16-97.**

1. That stipulations established in in Rezoning Application 204-87-1 remain with the approved underlying zoning. **[Deletion Requested]**
2. That the following be met at the time of development, as may be required by the Street Transportation Department:

- a. A revised traffic study shall be provided to the Street Transportation Department [Contact Ms. Dana Owsiany, P.E. at 602. 495.3697 for more information]; **[Modification Requested for 2a]**
- b. Additional Right of Way may be required upon final review and approval of the revised traffic study; **[Deletion Requested]**
- c. No building permits, with the exception of Phase 1 shall be issued until the revised-traffic study is approved; and
- d. 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 by the City. All improvements shall comply with all ADA-accessibility standards.

## II. REQUESTED STIPULATION MODIFICATIONS AND DELETIONS

1. That development be in general conformance to the site plan presented at the Planning Hearing Officer hearing of April 2, 1997 and design guidelines dated February 14, 1997 as may be modified by the following stipulations or in the alternative, the applicant may utilize the approved site plan dated September 12, 1996 for retail development on the east side of 27th Avenue. Notwithstanding the following stipulations, APN 209-08-027 and APN 209-08-029E may be developed in general conformance with the approved plan dated \*\*\*, 2025.

***Applicant Reasoning: The proposed plan for The Interchange encompasses both APN 209-08-027 and 209-08-029E and imagines a variety of uses such as medical office, flex office, retail, drive thru and hotel. The Interchange conforms with the needs of the current market, particularly in the corridor of the Deer Valley Village, which severely lacks new ground-up development opportunities providing for these uses.***

***The currently approved plan overlaying APN 209-08-027 and 209-08-029E contemplates an outdated plan. The plan for The Interchange contemplates a proposed 130 room extended stay-type hotel for an area that has experienced exceptional growth since the approval of the current plan. The Interchange will also include upwards of 90,000 square feet of medical uses to provide relief to an area of the City in desperate need of medical use opportunities. Further, additional retail options for the local business community and residents will provide a tangible benefit to the area.***

2. That individual Development Plans shall be submitted to and approved by the Development Services Department and ~~shall incorporate the design guidelines dated February 14, 1997 and~~ shall include further detail on such items as in accordance with the currently approved and applicable: a. Master street and pedestrian/bicycle circulations; b. Master landscape plan.

***Applicant Reasoning: The Interchange will conform to all City, Village and all Overlay plan requirements as dictated in the City ordinance and code. Applicant respectfully requests that these stipulations be deleted as they relate to the previously approved plan.***

~~3. That right-of-way be dedicated as reflected in the approved Master Street Plan. Additional right-of-way for right-turn lanes into parcels and bus bays shall be dedicated as may be required by the Development Services Department at the time of site plan review.~~



***Applicant Reasoning: All right of way dedications appear to be complete at this time. Therefore, Cypress requests this stipulation be deleted. The Interchange will conform to all City, Village and Overlay plan requirements as dictated in the City ordinance and code.***

4. That the applicant shall fully improve all interior roadways ~~and adjacent half-streets~~ (exclusive of freeway construction), ~~including 27th Avenue~~, in accordance with the relevant City requirements as dictated in the Ordinance approved Master Street Plan. Said improvements shall include the cost of pedestrian and bikeway facilities, ~~and signage and the following signalized intersections:~~

***Applicant Reasoning: All adjacent half streets appear to be improved at this time. Applicant will conform to the Master Streets Plan for interior roadways.***

~~a. The developer will be financially responsible for the total cost of installation of the traffic signals at the following intersections, when warranted, as determined by the Street Transportation Department: 27<sup>th</sup> Avenue and Runion Drive, 27th Avenue and Beardsley Road (unless constructed by ADOT);~~

***Applicant Reasoning: The three other corners of the 27<sup>th</sup> Avenue and Runion Drive intersection have been developed, and no light has been installed thus far. Placing the capital onus solely on Cypress would be unduly burdensome if the remaining developments have not paid a cost sharing fee to be reimbursed to Applicant. The 27<sup>th</sup> Avenue and Beardsley Road traffic signal is already installed, as such, Applicant requests this requirement be deleted as a stipulation.***

~~b. The developer will be financially responsible for 50% of the cost of installation of a traffic signal at the intersection at 27th Avenue and Rose Garden Lane, when warranted, as determined by the Street Transportation Department.~~

***Applicant Reasoning: The traffic signal at 27<sup>th</sup> Avenue and Rose Garden was previously installed, and Applicant requests the stipulation be deleted.***

~~5. That 29th Avenue, in its current alignment, shall be dedicated and improved by the abutting property owners. Each abutting property owner shall be responsible for the dedication and improvement of the half-street adjacent to its respective parcel. The timing of the street improvements shall be agreed to by the affected property owners at such time as the master street plan shall be approved for this application.~~

***Applicant Reasoning: 29<sup>th</sup> Avenue is dedicated and improved. Applicant requests deletion of this stipulation.***

~~6. That development shall not exceed a maximum of 540 dwelling units (conditioned on a City Council density waiver); one hotel, 220,000 square feet of office and 50,000 square feet of retail uses west of 27th Avenue, (and east of 27th Avenue 1,000,000 square feet of office, one hotel, and 20,000 square feet of retail use. In the alternative, the applicant may develop 450,000 square feet of retail/office in lieu of the 1,000,000 square feet of office development.~~

***Applicant Reasoning: The remainder of the Deer Valley Towne Center is already developed, and the proposed development includes an updated site plan to satisfy the needs of the local area.***

~~7. That approval is conditioned on the development of the office use within 18 months and a retail component of at least 50,000 square feet within 36 months of final City Council approval if the 450,000 square foot retail component east of 27th Avenue is developed. A maximum of six (6) pad sites (defined as a stand alone structure of less than 5,000 square feet in area) are permitted, with no more than two (2) pads permitted in the development of the first 50,000 square feet of commercial development.~~

***Applicant Reasoning: This stipulation relates to a conditional approval based on requirements within 18 months of its original approval and therefore this stipulation no longer applies, and Applicant requests the deletion of this stipulation.***

***The Interchange includes two (2) pad sites under 5,000 square feet. However, one pad site is imagined along Rose Garden Avenue near the I-17 which maintains considerable traffic from the I17 and another along 27<sup>th</sup> Avenue and Runion Drive which will support the local office dense area.***

8. That development shall be consistent with the goals and policies of the Deer Valley Core Specific Plan with particular emphasis on the designated view corridors and design of 27th Avenue.

9. That the Chairman of the Deer Valley Village Planning Committee shall be notified in writing, by the applicant, of all development review meetings with the Development Services Department.

~~10. That the multifamily parcel be in general conformance with the site plan dated April 15, 1996.~~

***Applicant Reasoning: The multifamily parcel is developed and this stipulation is no longer relevant. Applicant requests the deletion of this stipulation.***

11. That the following design modifications as approved by the Development Services Department be incorporated into the final site development of each parcel as applicable:

a. That clearly defined shaded pedestrian connections, a minimum of four (4) feet in width, generally consistent with the pedestrian plan submitted in conjunction with this application be provided. Where the major pedestrian spines cross driveway aisles, the crosswalk area shall be enhanced with decorative or colored pavement material. The pedestrian connections shall be developed in conjunction with the development of individual sites as approved by the Development Services Department during the preliminary site plan approval process.

***Applicant Reasoning: Applicant requests a clarification that Cypress will coordinate the pedestrian connections with DSD during preliminary site plan approval.***

~~b. Gateway/entryway statements be provided at 27th Avenue and Rose Garden and at 27th Avenue and Runion Drive intersections. The 27th Avenue and Runion Drive intersection shall include a minimum ½ acre landscaped plaza that shall encompass all four corners of the intersection. The landscaped plaza may include retention and be included in the required building setback.~~

***Applicant Reasoning: The gateway/entryway statements have already been developed on each of the corners of the 27<sup>th</sup> Avenue and Runion Drive intersection. Applicant requests deletion of this stipulation.***

c. Design of the commercial development shall minimize the linear effect with substantial building offsets, vertical relief and architectural embellishments/focal points. The design shall maintain architectural uniformity around APN 209-08-027 and APN 209-08-029E ~~the entire center~~ with particular emphasis to minimizing the visual impacts from the freeway.

***Applicant Reasoning: The Interchange will be subject to the requirements of the City Ordinance and Code and any Overlay plans, but will effectively maintain design throughout the development.***

~~12. That the development (exclusive of the approved residential parcel and the OPUS office development) shall be subject to approval of a Comprehensive Sign Plan to be submitted by June 30, 1997. Any requests for sign permits prior to final approval of the comprehensive sign plan shall be submitted to the Planning Hearing Officer for review of consistency with the proposed design guidelines.~~

~~13. That the master developer of the entire 136-acre parcel shall be responsible for completing a revised Master Street Plan based on the interim uses approved for the site. Any deviation from the approved interim uses may require additional traffic analysis by the applicant's traffic engineer, as determined by the Street Transportation Department.~~

~~14. The master developer of the entire 136-acre parcel, or subsequent property owners as may be assigned, shall be required to make all right of way dedications and street improvements for each phase according to the approved Master Street Plan as directed by the Development Services Department, at the time of preliminary site plan review.~~

~~15. The master developer of the entire 136-acre parcel shall be responsible for completing the Deer Valley Towne Center Master Pedestrian/Bicycle Circulation Plan based on the interim uses approved for the site. Any deviation from the approved interim uses may require additional analysis by the applicant's traffic engineer as determined by the Planning and Street Transportation Departments.~~

~~16. That master developer for the entire 136-acre parcel, or subsequent property owners as may be assigned, shall be required to make all necessary dedications and improvements for each phase according to the approved Master Pedestrian/Bicycle Circulation Plans, as directed by the Development Services Department, at the time of preliminary site plan review.~~

***Applicant Reasoning for Stipulations 12-16: The Interchange will conform to all City, Village and Overlay plan requirements as dictated in the City Ordinance and Code. Applicant requests that these stipulations be deleted as they relate to the previously approved site.***

~~17. That the Development Services Department shall pay particular attention to the orientation of buildings and parking adjacent to 27th Avenue. The following building locations shall provide buildings located adjacent to the street landscape setback with no parking or driveways permitted between the building and the 27th Avenue landscape setback:~~

- ~~a. The building located at the northwest corner of 27th Avenue and Beardsley Road;~~
- ~~b. The building located at the southwest corner of 27th Avenue and Runion Drive;~~
- ~~c. The building located immediately to the south of the building referenced above in 17.b;~~
- ~~d. The building(s) located at the southeast corner of 27th Avenue and Runion Drive;~~

- ~~e. The building located at the northeast corner of 27th Avenue and Runion Drive; and~~  
~~f. The building located at the southeast corner of 27th Avenue and Rose Garden Lane.~~

***Applicant Reasoning: The buildings indicated in 17 a, b, c, d, f have all been developed, as such they no longer apply. Applicant requests the stipulations be deleted.***

***The proposed plan does not include parking nor a driveway between the building and the adjacent street landscape setback. The imagined drive-thru only incorporates a drive thru for vehicles utilizing the retail building at the corner of 27<sup>th</sup> Avenue and Runion Drive. The Arizona addition of the Department of Transportation building (APN 209-08-022) located adjacent to the Property adds a level of complexity to developing a proper ingress and egress for the proposed buildings along 27<sup>th</sup> Avenue. As such, parking is depicted along 27<sup>th</sup> Avenue to incorporate the proper number of parking stalls.***

- ~~18. That automobile circulation may be provided adjacent to 27th Avenue for the freestanding building shown on Area "F" located at the northwest corner of 27th Avenue and Runion Drive. Parking should be discouraged adjacent to the 27th Avenue landscape setback.~~

***Applicant Reasoning: The northwest corner of 27<sup>th</sup> Avenue and Runion Drive was previously developed. As such, it no longer applies and Applicant requests that it be deleted.***

- ~~19. That in the event of development of a drive-through restaurant, driveway circulation may occur between the 27th Avenue landscape setback and the restaurant building; however, no parking is permitted adjacent to the 27th Avenue landscape area in this instance.~~

***Applicant Reasoning: Similar to the reasoning in stipulation 17. The design of the parking lot, ingress and egress in relation to the ADOT building requires parking along 27<sup>th</sup> Avenue to provide the necessary number of parking spaces.***

20. That project landscaping for individual sites shall be consistent with the landscape design theme provided along 27th Avenue and shall incorporate materials consistent with the ~~attached~~ currently approved plant palette.

***Applicant Reasoning: This is a clarification that The Interchange will conform to all City, Village and Overlay plan requirements as dictated in the City code and relevant overlay plans.***

21. That all sidewalks, pedestrian crossings, seating areas, light standards, and screen walls, if applicable, shall be consistent throughout the project.

- ~~22. That use of the originally approved MR zoning overlay shall require modification of stipulations through the Planning Hearing Officer process and may be subject to further traffic analysis, off-site improvements, and design standards.~~

***Applicant Reasoning: Applicant will be required to conform with the current City zoning Ordinance and Code requirements from the City including any additional Overlay districts that apply. Applicant requests deletion of this stipulation.***

**Stipulations re: Z-16-97.**

1. ~~That stipulations established in in Rezoning Application 204-87-1 remain with the approved underlying zoning.~~

***Applicant Reasoning: Applicant is requesting this stipulation modification for the development of a newly imagined mixed-use site within the context of the City's current zoning ordinance and code.***

2. That the following be met at the time of development, as may be required by the Street Transportation Department:

a. A revised traffic study ~~relative to the development of APN 209-08-027 and 209-08-029E only~~ shall be provided to the Street Transportation Departure [Contact Ms. Dana Owsiany, P.E. at 602.495.3697 for more information];

***Applicant Reasoning: Applicant will provide a traffic study only as it relates to the Property as any additional requirements go beyond the scope of this project.***

b. ~~Additional Right of Way may be required upon final review and approval of the revised traffic study;~~

***Applicant Reasoning: Applicant believes all required right of way dedications have been made to this point.***

c. No building permits, with the exception of Phase 1 shall be issued until the revised-traffic study is approved; and

d. 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 by the City. All improvements shall comply with all ADA-accessibility standards.

**III. CONCLUSION**

The Interchange allows for a reimagined mixed-use development within the confines of the Deer Valley Village, Overlay Districts, and City of Phoenix Ordinance and Code. Development of the Property in the proposed plan will allow for additional services including supporting medical needs for the area. With the above in mind, Applicant respectfully requests the modification of stipulations as dictated below to allow for development of the Interchange.

June 10, 1997

**City of Phoenix**  
PLANNING DEPARTMENT

Beardsley and I-17 LLC  
4131 North 24th Street, Ste. C-207  
Phoenix, AZ 85016

Winner of the  
Carl Bertelsmann  
Prize



Dear Applicant:

RE: 16-97-1

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on April 30, 1997, concurred in the recommendation of the Planning Commission and Zoning Hearing Officer and has ratified Application 16-97-1 for rezoning from Ind. Pk. (Approved C-2 MR SP) to C-2 MR, on approximately 21.3 acres located approximately 660 feet east of 27th Avenue, south side of Rose Garden Lane, subject to the following modified stipulations:

Del

1. That the stipulations established in Rezoning Application 204-87-1 remain with the approved underlying zoning.

2. That the following be met at the time of development, as may be required by the Street Transportation Department:

Mod

a. A revised traffic study shall be provided to the Street Transportation Department. contact Ms. Dana Owsiany, P.E. at (602) 495-3697 for more information;

Del

b. Additional right-of-way may be required upon final review and approval of the revised traffic study;

c. No building permits with the exception of Phase 1 shall be issued until the revised traffic study is approved; and

d. 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 by the City. All improvements shall comply with all ADA accessibility standards.

Sincerely,

*Mark A. Steele*  
Mark A. Steele  
Principal Planner

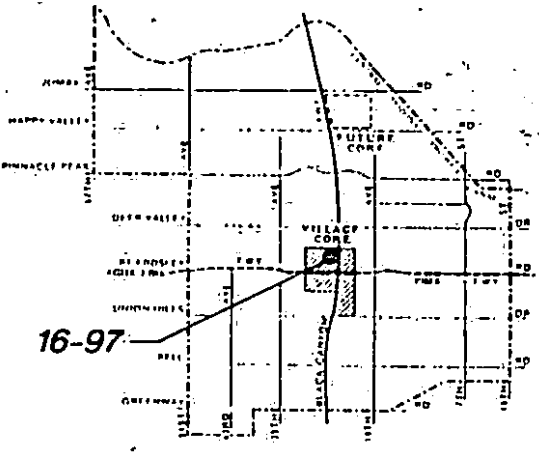
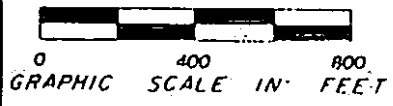
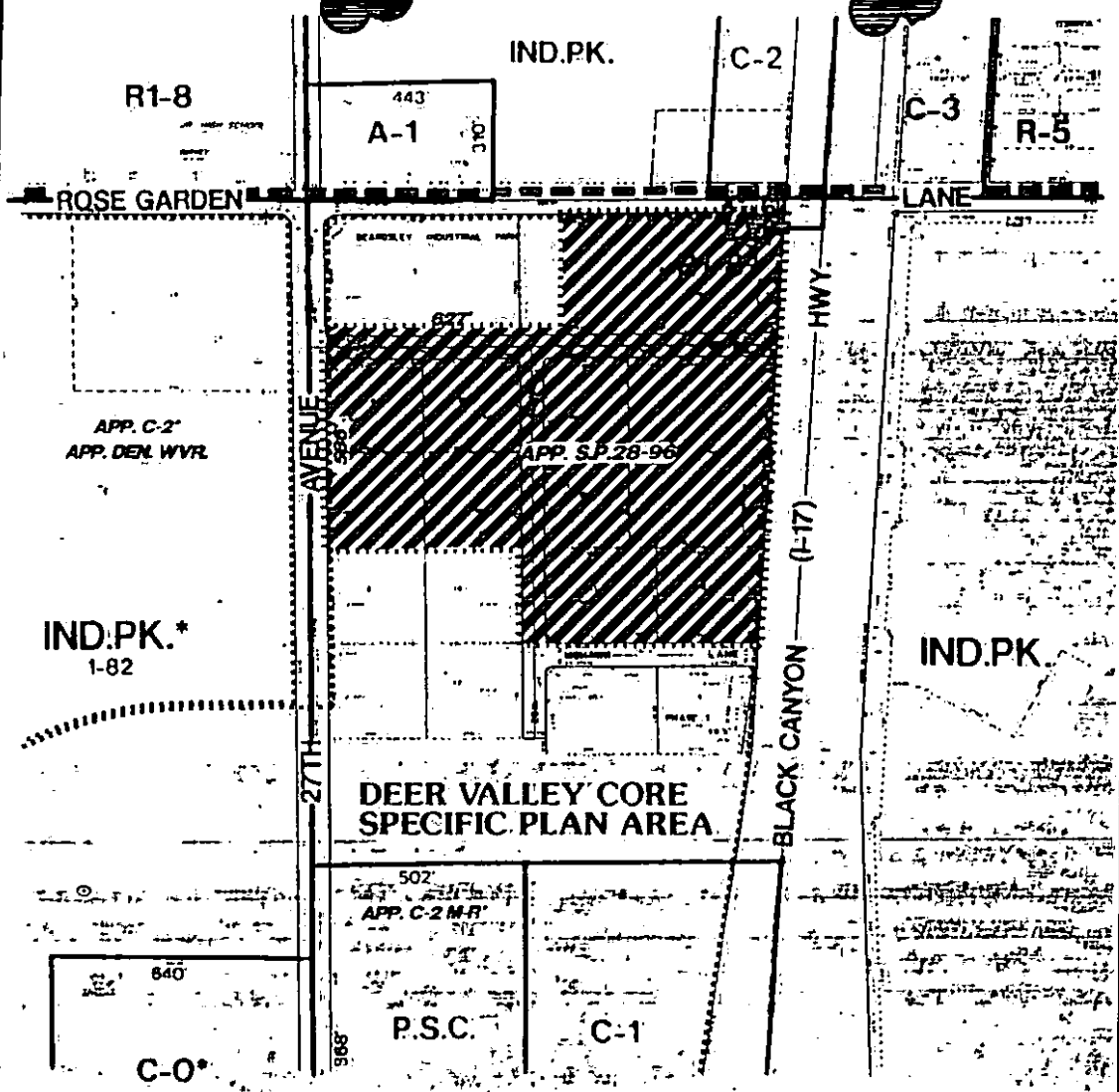
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- c: City Clerk
- Bob Wagonfehr
- Victor Morrison-Vega, NSD
- Dave Moody, Development Services
- Rick Doell, Building Safety

- Randy Watson
- Bob Luxton, Sign Enforcement
- Kelly Zak, Site Planning
- Ben Leonard, Public Transit

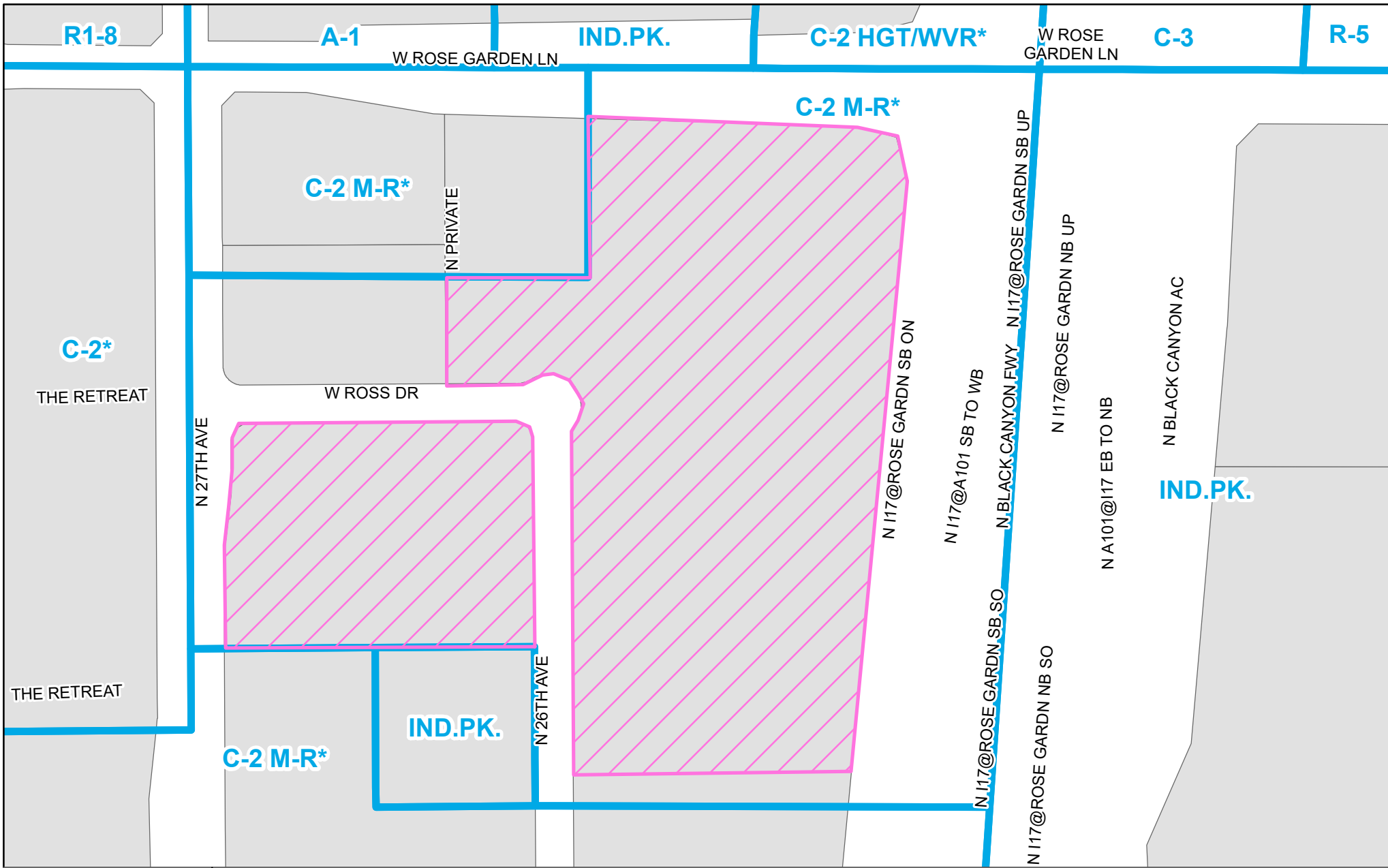
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Steven Bauer/Dev. Strategies, Inc., 1101 E. Warner Road, Ste. 126, Tempe, AZ 85284  
200 West Washington Street, Phoenix, Arizona 85003 602-262-7131 FAX: 602-495-3793



CITY OF PHOENIX PLANNING DEPARTMENT  
**DEER VALLEY VILLAGE**  
 CITY COUNCIL DISTRICT 1

APPLICANT'S NAME <b>STEVEN BAUER / DEV. STRATEGIES, INC.</b>		REQUESTED CHANGE	
APPLICATION NO <b>16-97-1</b>	HEARING DATES		FROM: <b>IND.PK</b> (APP. C-2 M-R S.P.)
GROSS AREA INCLUDING 1/2-STREET AND ALLEY DEDICATION IS APPROX. <b>21.36</b> ACRES	Z.H.O.	P.C.	TO: <b>C-2 M-R</b> (REMOVAL OF S.P.28-96)
	AERIAL PHOTO & QUARTER SEC. NO. <b>41-23</b>	C.C.	
MULTIPLES PERMITTED	UNITS STANDARD OPTION		* UNITS P.R.D. OPTION

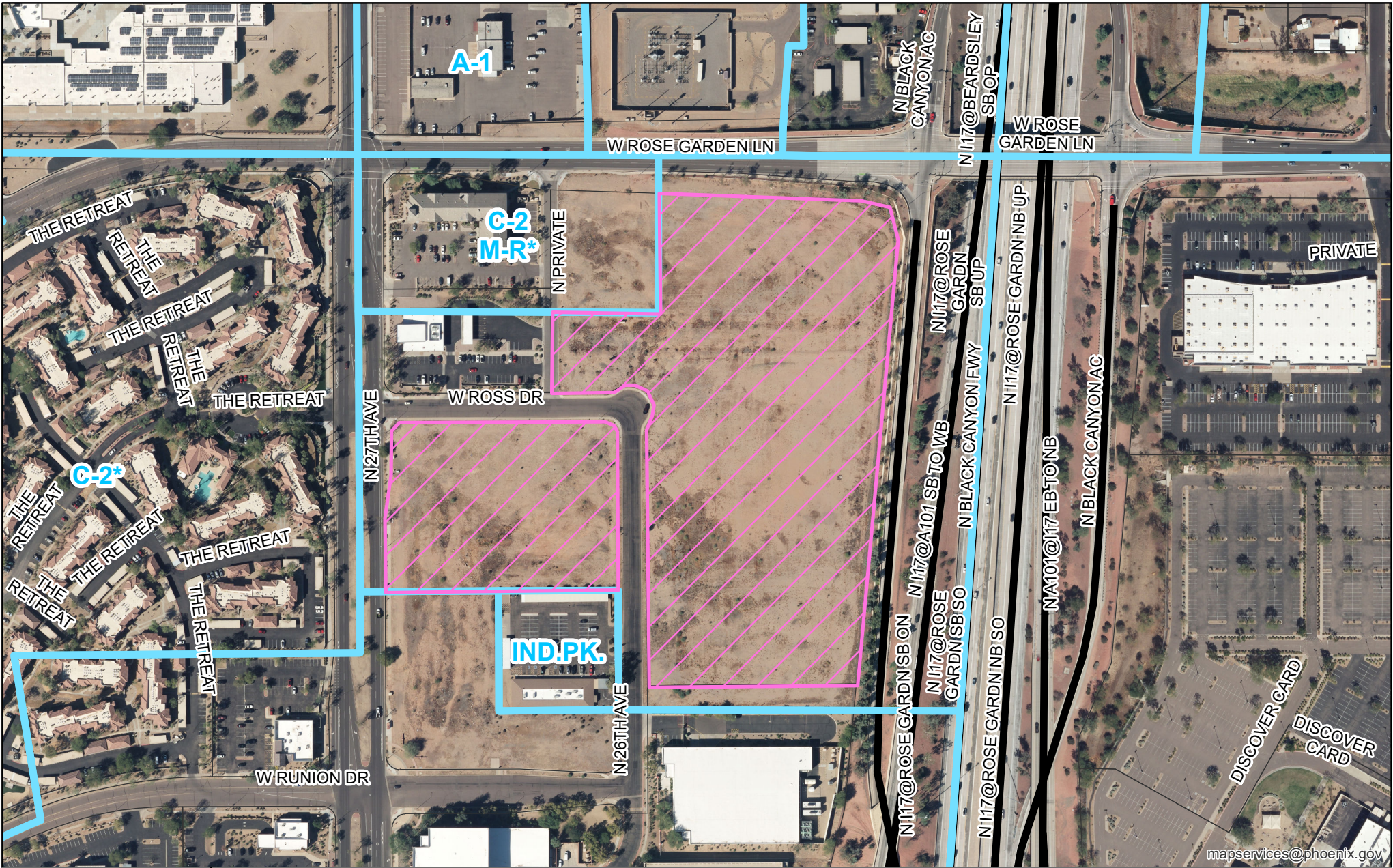


PHO-1-25--Z-16-97-1

Property Location: Approximately 660 feet east of 27th Avenue and south side of Rose Garden Lane

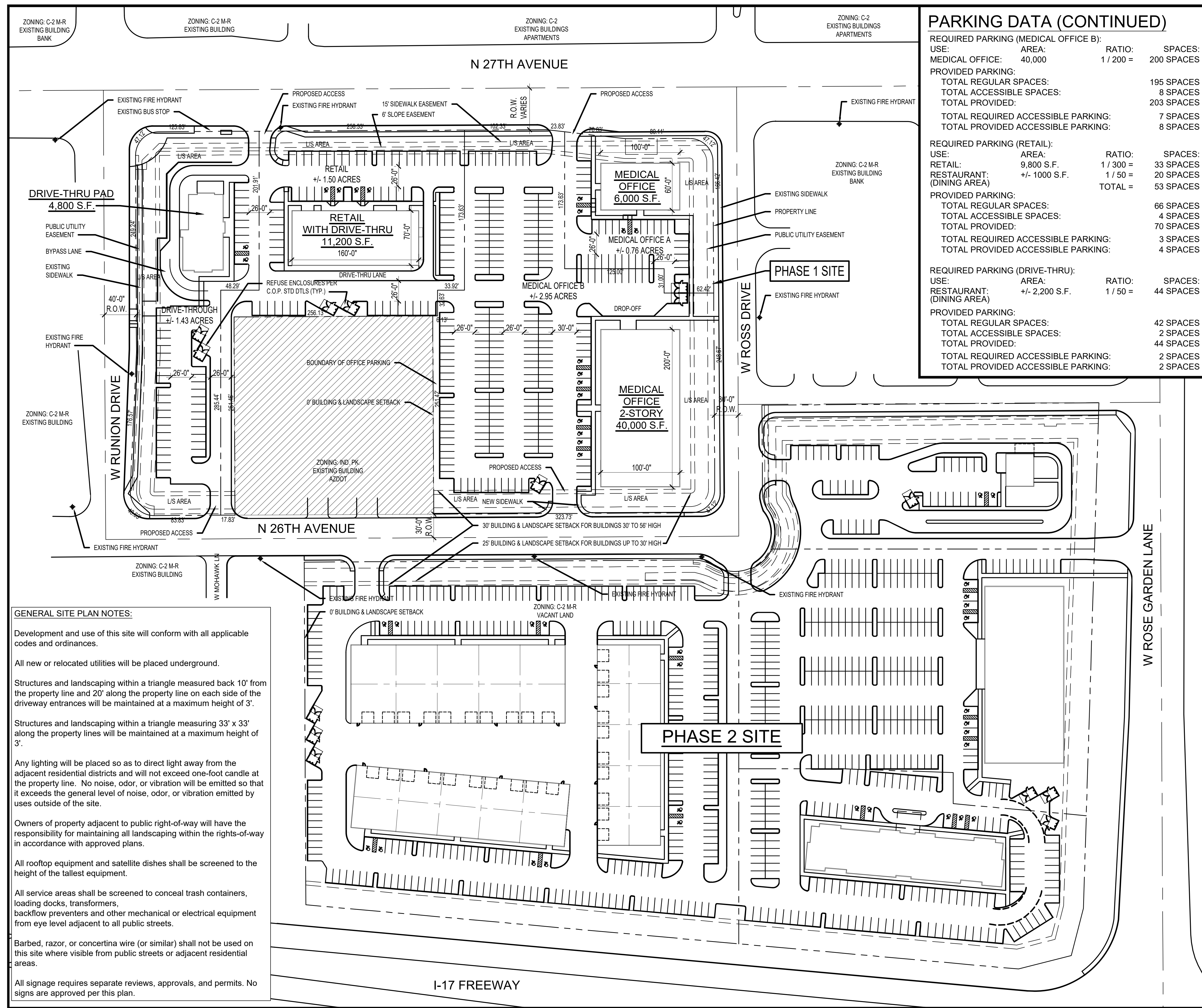






PHO-2-25--Z-16-97-1

Property Location: Approximately 660 feet east of 27th Avenue and south side of Rose Garden Lane



### PARKING DATA (CONTINUED)

REQUIRED PARKING (MEDICAL OFFICE B):			
USE:	AREA:	RATIO:	SPACES:
MEDICAL OFFICE:	40,000	1 / 200 =	200 SPACES
PROVIDED PARKING:			
TOTAL REGULAR SPACES:			195 SPACES
TOTAL ACCESSIBLE SPACES:			8 SPACES
TOTAL PROVIDED:			203 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			7 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			8 SPACES
REQUIRED PARKING (RETAIL):			
USE:	AREA:	RATIO:	SPACES:
RETAIL:	9,800 S.F.	1 / 300 =	33 SPACES
RESTAURANT:	+/- 1000 S.F.	1 / 50 =	20 SPACES
(DINING AREA)		TOTAL =	53 SPACES
PROVIDED PARKING:			
TOTAL REGULAR SPACES:			66 SPACES
TOTAL ACCESSIBLE SPACES:			4 SPACES
TOTAL PROVIDED:			70 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			3 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			4 SPACES
REQUIRED PARKING (DRIVE-THRU):			
USE:	AREA:	RATIO:	SPACES:
RESTAURANT:	+/- 2,200 S.F.	1 / 50 =	44 SPACES
(DINING AREA)			
PROVIDED PARKING:			
TOTAL REGULAR SPACES:			42 SPACES
TOTAL ACCESSIBLE SPACES:			2 SPACES
TOTAL PROVIDED:			44 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			2 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			2 SPACES

### PROJECT INFORMATION

PROJECT NAME: 27TH AVENUE & ROSE GARDEN  
 PROJECT ADDRESS: SWC OF 27TH AVE & ROSE GARDEN LN PHOENIX, AZ 85027  
 PROPERTY OWNER: SAFEWAY INC  
 250 E PARKCENTER BLVD  
 BOISE, ID 83706  
 DEVELOPER: CYPRESS WEST PARTNERS  
 30021 TOMAS ROAD, SUITE 130  
 RANCHO SANTA MARGARITA, CA 92688  
 ARCHITECT: DALKE DESIGN GROUP, LLC  
 2039 E. RICE DRIVE  
 TEMPE, AZ 85283  
 480-589-3793  
 VINCE@DALKEDESIGNGROUP.COM

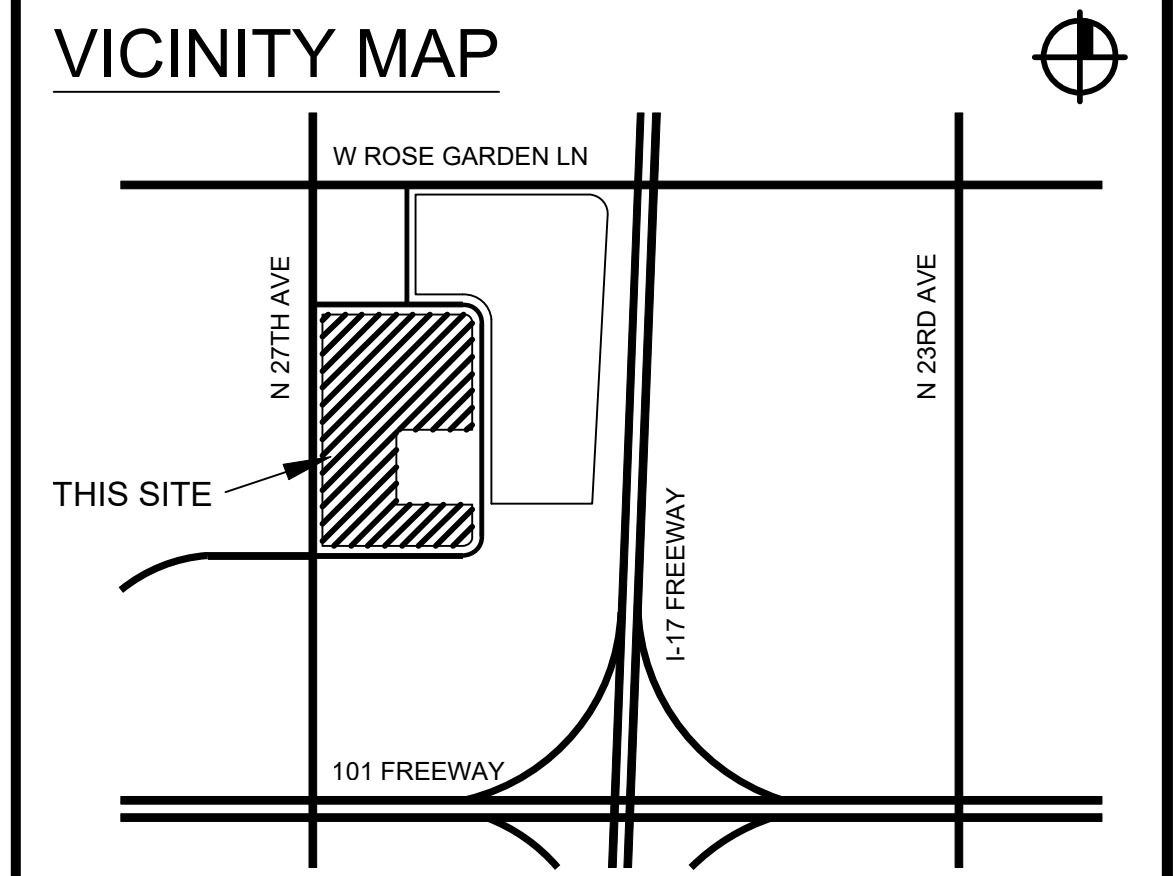
### PROJECT DATA

PARCEL NUMBER: 209-08-027  
 CURRENT ZONING: C-2 M-R (ZONING TO REMAIN)  
 ZONING CASES: Z-204-87, Z-16-97  
 GROSS SITE AREA: PHASE 1 SITE: 8.81 ACRES (383,747 S.F.)  
 NET SITE AREA: PHASE 1 SITE: 6.64 ACRES (289,402 S.F.)  
 LOT SALES: NO  
 BUILDING AREA: 62,000 S.F. TOTAL BUILDING AREA (GROSS)  
 LOT COVERAGE: 14.5%  
 F.A.R.: 0.16  
 STORIES: ONE & TWO STORY BUILDINGS  
 BLDG HEIGHTS: ONE STORY BUILDINGS: +/- 24'-0"  
 TWO STORY BUILDING: +/- 38'-0"  
 OCCUPANCY: B  
 CONSTRUCTION TYPE: TYPE V-B (SPRINKLERED)

### PARKING DATA

REQUIRED PARKING (MEDICAL OFFICE A):			
USE:	AREA:	RATIO:	SPACES:
MEDICAL OFFICE:	+/- 6,000 S.F.	1 / 200 =	30 SPACES
PROVIDED PARKING:			
TOTAL REGULAR SPACES:			30 SPACES
TOTAL ACCESSIBLE SPACES:			4 SPACES
TOTAL PROVIDED:			34 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			2 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			4 SPACES

**PROJECT DESCRIPTION:**  
 ONE NEW 11,200 S.F. RETAIL BUILDING, ONE NEW 4,800 S.F. DRIVE-THROUGH BUILDING AND TWO NEW MEDICAL OFFICE BUILDINGS TOTALING 46,000 S.F. WITH PARKING AND SITEWORK ON A VACANT SITE



### CITY APPROVALS

**CITY OF PHOENIX**  
 JAN 02 2025  
 Planning & Development Department

### GENERAL SITE PLAN NOTES:

Development and use of this site will conform with all applicable codes and ordinances.

All new or relocated utilities will be placed underground.

Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveway entrances will be maintained at a maximum height of 3'.

Structures and landscaping within a triangle measuring 33' x 33' along the property lines will be maintained at a maximum height of 3'.

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 line. 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.

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 adjacent to all public streets.

Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.

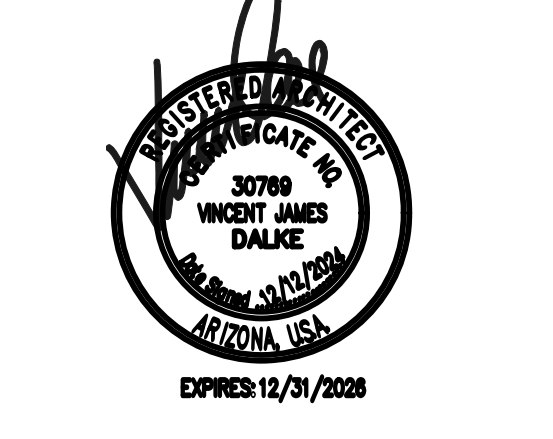
All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.

2039 E RICE DR., TEMPE AZ, 85283  
 480-589-3793  
 VINCE@DALKEDESIGNGROUP.COM

# 27TH AVENUE & ROSE GARDEN

PHOENIX, AZ

NUMBER	REVISION	DATE



SHEET TITLE  
 PRELIMINARY SITE PLAN  
 ISSUE DATE 12/12/24  
 DRAWN -  
 CHECKED BY VJD  
 PROJECT NUMBER

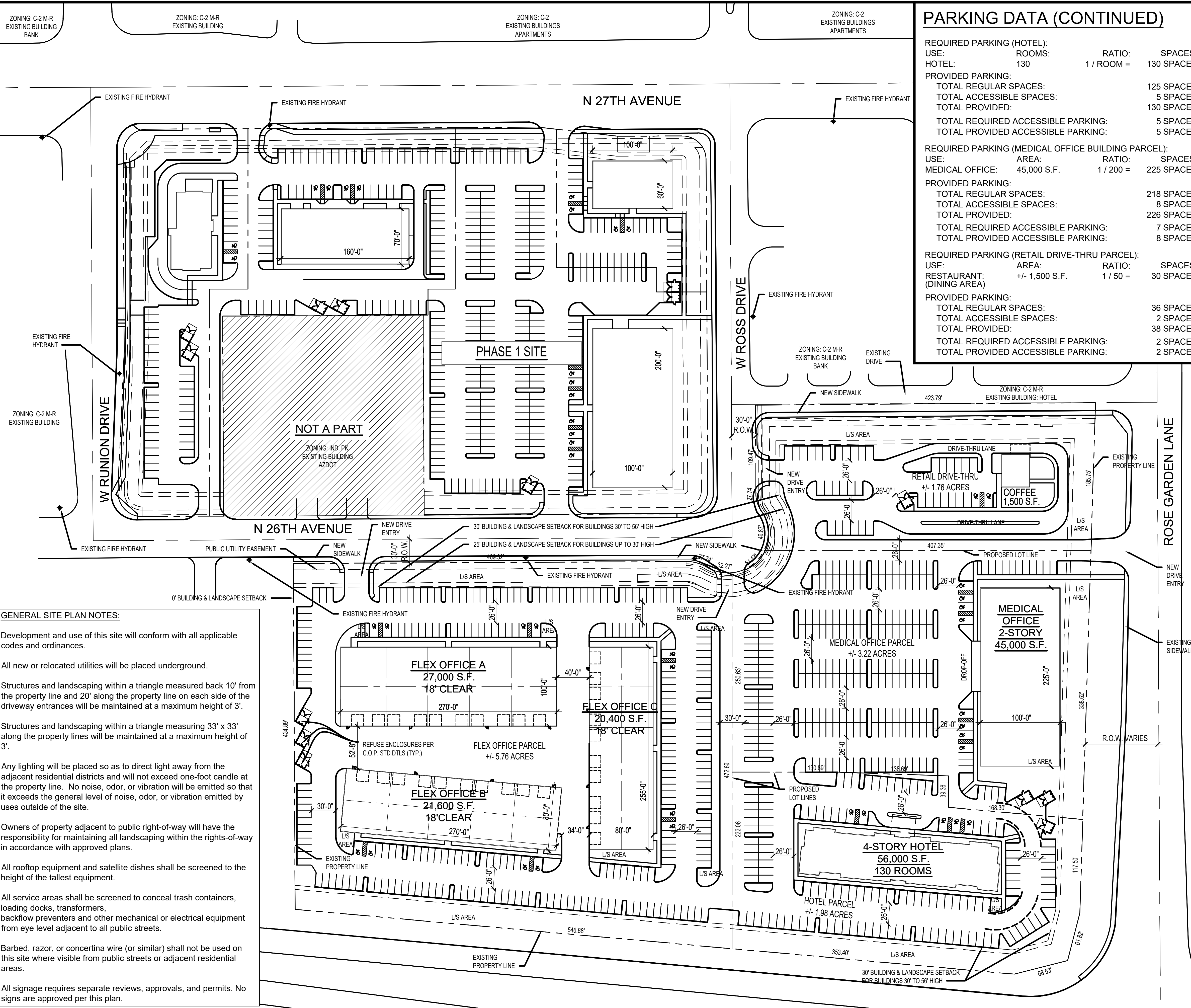
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## PRELIMINARY SITE PLAN - PHASE 1

SCALE: 1" = 60'-0"

PHO-1-25--Z-16-97-1 Proposed Conceptual Site Plan Hearing Date: February 19, 2025



**GENERAL SITE PLAN NOTES:**

Development and use of this site will conform with all applicable codes and ordinances.

All new or relocated utilities will be placed underground.

Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveway entrances will be maintained at a maximum height of 3'.

Structures and landscaping within a triangle measuring 33' x 33' along the property lines will be maintained at a maximum height of 3'.

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 line. 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.

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 adjacent to all public streets.

Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.

All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.

**PARKING DATA (CONTINUED)**

<b>REQUIRED PARKING (HOTEL):</b>			
USE:	ROOMS:	RATIO:	SPACES:
HOTEL:	130	1 / ROOM =	130 SPACES
<b>PROVIDED PARKING:</b>			
TOTAL REGULAR SPACES:			125 SPACES
TOTAL ACCESSIBLE SPACES:			5 SPACES
TOTAL PROVIDED:			130 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			5 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			5 SPACES
<b>REQUIRED PARKING (MEDICAL OFFICE BUILDING PARCEL):</b>			
USE:	AREA:	RATIO:	SPACES:
MEDICAL OFFICE:	45,000 S.F.	1 / 200 =	225 SPACES
<b>PROVIDED PARKING:</b>			
TOTAL REGULAR SPACES:			218 SPACES
TOTAL ACCESSIBLE SPACES:			8 SPACES
TOTAL PROVIDED:			226 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			7 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			8 SPACES
<b>REQUIRED PARKING (RETAIL DRIVE-THRU PARCEL):</b>			
USE:	AREA:	RATIO:	SPACES:
RESTAURANT: (DINING AREA)	+/- 1,500 S.F.	1 / 50 =	30 SPACES
<b>PROVIDED PARKING:</b>			
TOTAL REGULAR SPACES:			36 SPACES
TOTAL ACCESSIBLE SPACES:			2 SPACES
TOTAL PROVIDED:			38 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			2 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			2 SPACES

**PROJECT INFORMATION**

PROJECT NAME: 27TH AVENUE & ROSE GARDEN  
 PROJECT ADDRESS: SWC OF 27TH AVE & ROSE GARDEN LN PHOENIX, AZ 85027  
 PROPERTY OWNER: SAFEWAY INC  
 250 E PARKCENTER BLVD  
 BOISE, ID 83706  
 DEVELOPER: CYPRESS WEST PARTNERS  
 30021 TOMAS ROAD, SUITE 130  
 RANCHO SANTA MARGARITA, CA 92688  
 ARCHITECT: DALKE DESIGN GROUP, LLC  
 2039 E. RICE DRIVE  
 TEMPE, AZ 85283  
 480-589-3793  
 VINCE@DALKEDESIGNGROUP.COM

**PROJECT DATA**

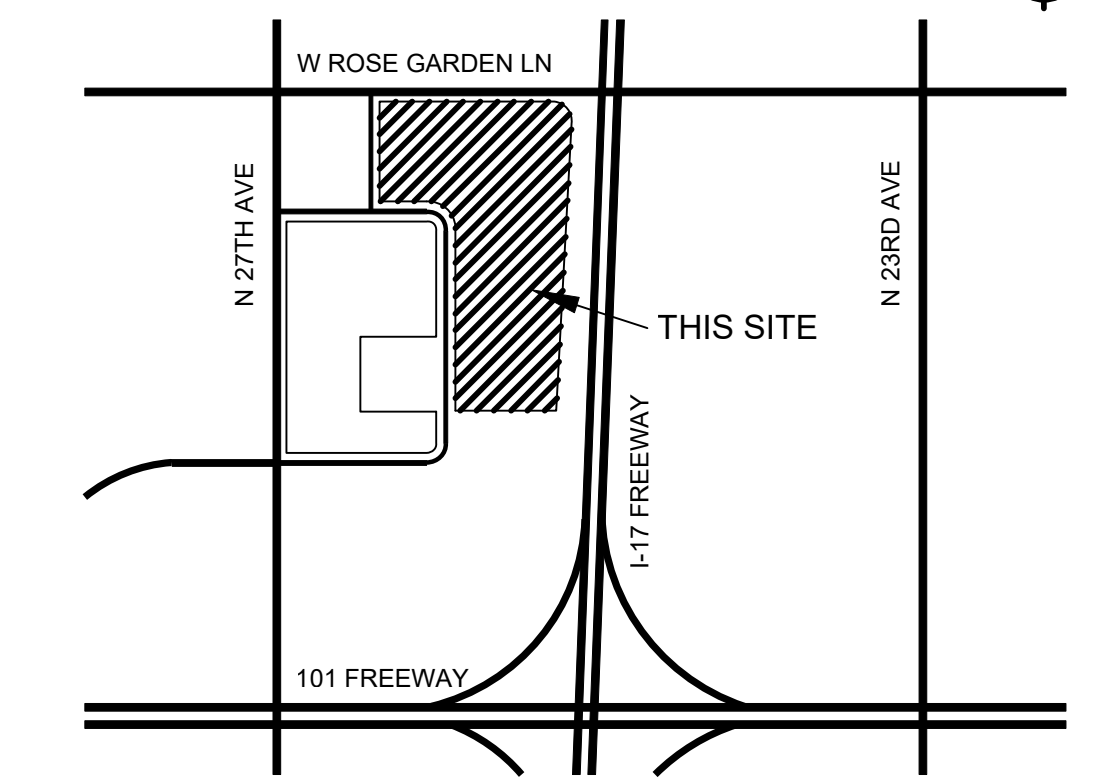
PARCEL NUMBER: 209-08-029E  
 CURRENT ZONING: C-2 M-R (ZONING TO REMAIN)  
 ZONING CASES: Z-204-87, Z-16-97  
 GROSS SITE AREA: 14.78 ACRES (643,963 S.F.)  
 NET SITE AREA: 12.73 ACRES (554,353 S.F.)  
 LOT SALES: NO  
 BUILDING AREA: 171,500 S.F. TOTAL BUILDING AREA  
 LOT COVERAGE: 19.3%  
 F.A.R.: 0.27  
 STORIES: ONE, TWO AND FOUR STORY BUILDINGS  
 BLDG HEIGHTS: ONE STORY COFFEE: +/- 22'-0"  
 ONE STORY FLEX BUILDINGS: +/- 28'-0"  
 TWO STORY MEDICAL OFFICE: +/- 38'-0"  
 FOUR STORY HOTEL: +/- 56'-0"

**PARKING DATA**

<b>REQUIRED PARKING (FLEX OFFICE PARCEL):</b>			
USE:	AREA:	RATIO:	SPACES:
OFFICE:	+/- 30,000 S.F.	1 / 300 =	100 SPACES
WAREHOUSE:	+/- 39,000 S.F.	1 / 1000 =	39 SPACES
		TOTAL =	139 SPACES
<b>PROVIDED PARKING:</b>			
TOTAL REGULAR SPACES:			235 SPACES
TOTAL ACCESSIBLE SPACES:			12 SPACES
TOTAL PROVIDED:			247 SPACES
TOTAL REQUIRED ACCESSIBLE PARKING:			7 SPACES
TOTAL PROVIDED ACCESSIBLE PARKING:			12 SPACES

**PROJECT DESCRIPTION:**  
 THREE FLEX OFFICES TOTALING 69,000 S.F., A NEW 56,000 S.F. HOTEL, A NEW 45,000 S.F. MEDICAL OFFICE BUILDING AND A 1,500 S.F. COFFEE DRIVE-THROUGH. ALSO WITH PARKING AND SITEWORK ON A VACANT SITE

**VICINITY MAP**



**CITY APPROVALS**

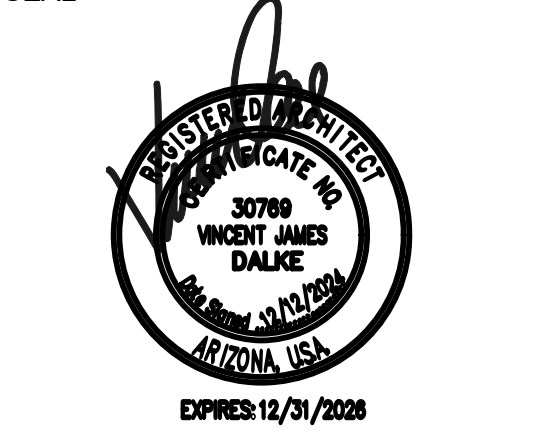
**DG DALKE DESIGN GROUP**

2039 E RICE DR., TEMPE AZ, 85283  
 480-589-3793  
 VINCE@DALKEDESIGNGROUP.COM

**Cypress West**

**27TH AVENUE & ROSE GARDEN**  
 PHOENIX, AZ

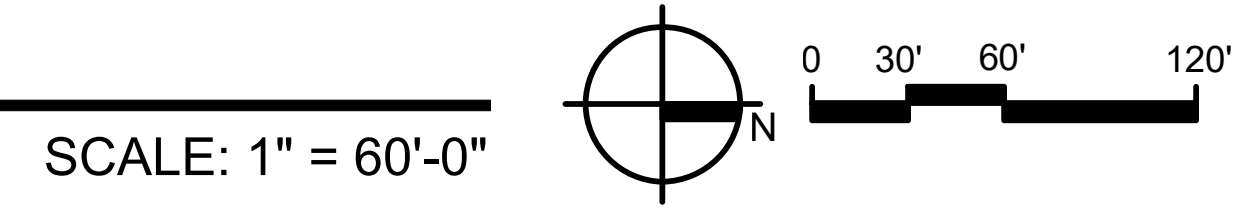
NUMBER	REVISION	DATE



SHEET TITLE: PRELIMINARY SITE PLAN  
 ISSUE DATE: 12/02/24  
 DRAWN: \_\_\_\_\_  
 CHECKED BY: VJD  
 PROJECT NUMBER: \_\_\_\_\_  
 DRAWING NO.:

**A0.1.2**  
 REV

**PRELIMINARY SITE PLAN - PHASE 2**





10115 E. Bell Road, Suite 107 #410  
Scottsdale, AZ 82560  
P (949) 629-3799  
F (949) 629-3766

As noted in the application narrative, Developer will comply with the design requirements of the Deer Valley Village, applicable overlay districts, and the City of Phoenix Zoning Ordinance and Code at time of preliminary site planning.

**CITY OF PHOENIX**

**JAN 02 2025**

**Planning & Development  
Department**

April 30, 1997

DISTRICT 4 -  
OWNER: ARIZONA  
DEPARTMENT OF  
TRANSPORTATION  
REPRESENTATIVE: DOUG  
CRONIN

---

- E. Application 6-97-4: Request to rezone a parcel located on approximately the north side of Colter Street, approximately 182 feet east of 17th Avenue (approximately 0.6 acre) from R-3 to R-2. This application would decrease the dwelling units from 8 to 7 units.(Proposed Use: Single-family residential).

The Alhambra Village Planning Committee recommended (10-0) that the request be approved.

The Planning Commission concurred with the Zoning Hearing Officer and recommended this request be approved.

**MOTION** was made by Mr. Nelson, **SECONDED** by Mr. Lingner, that Items 28A-H be ratified. **MOTION CARRIED UNANIMOUSLY.**

**ITEM 28**

DISTRICTS 1, 2, 3, 5, 6, 7  
AND 8 -  
ZONING CASES SCHEDULED  
FOR RATIFICATION OF  
PLANNING COMMISSION  
ACTIONS - F-2700

---

The Council heard request to approve recommendations made on the following zoning matters which were heard by the Zoning Hearing Officer on March 31, 1997. The cases were ratified by the Planning Commission on April 9, 1997.

DISTRICT 5 -  
OWNER: PUDDA INC.  
REPRESENTATIVE: JOHN V.  
BERRY

---

- A. Application 15-97-5: Request to rezone a parcel located at approximately 350 feet east of 27th Avenue, on the south side of Campbell Avenue (approximately 5.22 acres) from R-5 SP to R-5. (Proposed Use: Recovery Home - removal of Special Permit to allow recovery home in R-5 district).

April 30, 1997

The Maryvale Village Planning Committee recommended (9-0) that the application be approved.

The Planning Commission concurred with the Zoning Hearing Officer and recommended this request be approved, subject to stipulations.

DISTRICT 6 -  
OWNER: DENNIS  
RYAN/GEORGE RODGERS  
REPRESENTATIVE: LARRY  
LAZARUS/LAZARUS AND  
ASSOCIATES

---

Application 20-97-6: Request to rezone a parcel located on the east side of 20th Street, approximately 230 feet south of Campbell Avenue (approximately 1.6 acres) from R-3 to R-5. This application would increase the dwelling units allowed from 23 to 83 units. (Proposed use: Condominiums).

The Camelback East Village Planning Committee recommended (16-0) that the project be denied as filed and approved R-4.

The Planning Commission concurred with the Zoning Hearing Officer and recommended this request be denied as filed, approved for R-4, subject to stipulations.

DISTRICT 1 -  
OWNER: BEARDSLEY AND  
I-17 LLC  
REPRESENTATIVE: STEVEN  
BAUER

---

Application 16-97-1: Request to rezone a parcel located approximately 660 feet east of 27th Avenue, south side of Rose Garden Lane (approximately 21.36 acres) from Ind. Park (Approved C-2 MR SP) to C-2 MR. (Proposed Use: Removal of Special Permit (SP 28-96) Office Park).

The Deer Valley Planning Committee reviewed and approved unanimously (12-0) this request at their March 20, 1997 meeting.

The Planning Commission concurred with the Zoning Hearing Officer and recommended this request be approved, subject to modified stipulations.

April 9, 1997

**RATIFICATION OF ZONING HEARING OFFICER AGENDAS OF MARCH 17, AND MARCH 31, 1997.**

**MARCH 17, 1997**

Mr. Steele noted Application 7-97-1 and Special Permit 8-97-1 were appealed by applicant. Special Permit 7-97-3 was withdrawn at the request of the applicant. Mr. Hamel made the motion, seconded by Mr. Sasser, and the motion passed six to zero. Mr. Frank was absent from the vote.

Mr. Hamel made the motion that Application 5-97-8 be ratified as requested. Mr. Stein declared a conflict of interest. Ms. Ferniza seconded the motion which passed six to zero. Mr. Frank was absent from the vote. Application 6-97-4 and Special Permit 6-97-8; 2-97-4; and 9-97-3 were put to a vote for ratification as requested. Mr. Hamel made the motion, seconded by Mr. Berry.

Mr. Sasser requested an amendment to the motion that any of the cellular monopole applications, Special Permit 6-97-8 and 2-97-4, in light of the fact that they are in the midst of a text amendment, be continued to such time as the text amendment has been adopted. He feels this is such a strong issue that they should consider the requests in relationship to the kind of visual proliferation/impact that is caused by these monopoles. Mr. Hamel did not accept the amendment. The second concurred. The amendment died for lack of a second.

Mr. Steele stated for a point of clarification, that Special Permit 9-97-3 is not a request for monopole, but an antenna hidden within an existing guard facility.

Mr. Cliff Nordyke, US West noted that Special 6-97-8 also is not a request for a monopole. It is a roof mounted facility. And they are withdrawing Special 7-97-1, and it will be a roof mounted facility as a matter by right. The motion passed five to one with Mr. Sasser in opposition. Mr. Frank was absent from the vote.

**March 31, 1997**

Mr. Steele explained that there were no appeals on this agenda. However, it should be noted that Application 14-97-6 and Application 9-97-8 were referred to the Planning Commission and are scheduled for the May 14, 1997, hearing. The balance of the agenda could be considered for ratification.

Application 18-97-2; 15-97-5; 19-97-3; 13-97-3; 17-97-1; 20-97-6; 16-97-1; and Special Permit 12-97-2; 10-97-2; and 11-97-2 were put to a vote for ratification. Mr. Hamel made the motion, seconded by Mr. Berry.

Ms. Robin Mofford, 907 West Wagoner Road, asked for consideration for site plan revision on Special Permit 12-97-2 and Application 18-97-2. The neighborhood has a specific concern with the pads as shown on the site plan. They have been working with the applicant more than two years in trying to work out a compromise.

Chairman Bielecki noted any consideration/modification of the site plan would be advertised and placed on a future agenda.

00474000194

Ms. Mofford said she does not believe the residents are prepared for a continuance.

Mr. Sasser stated he too has a problem with these cases. His concern deals specifically with the pads. He requested the maker of the motion to allow him to put forward an amendment that Special Permit 12-97-2 and Application 18-97-2 be pulled for public hearing before the Planning Commission. The amendment was accepted; the second concurred.

Mr. Paul Gilbert , 3200 North Central, indicated he was completely confused. He asked if the motion is to removed these cases from the ratification agenda for hearing this evening.

Chairman Bielecki stated it is being pulled for a hearing at a subsequent date.

Mr. Steele suggested the May 14 hearing date.

Mr. Sasser commented that the site plan looks almost like strip zoning running along 7th Avenue. His concern specifically deals with the number of pads. He is wondering if there is a way, if the applicant wants to delete one of the pads, this could be left on the ratification agenda.

Mr. Steele explained that the cases could not be heard this evening. They have not been posted or noticed for a public hearing. They are scheduled as ratification items only. As an application goes through a ratification process, it is and has been accepted in the past, to adopt additional stipulations or modification of stipulations if all of the parties have come to an agreement. That has been done on occasions at the City Council level for ratification. The problem here is there can be no substantial discussion entered into at this level tonight. And the option is either to forward the applications to City Council and let them be considered at that point in time as ratification items if there is agreement between the applicant and neighborhood. Or consider a continuance at the Planning Commission level for full public hearing.

Chairman Bielecki said in the past it has been the consideration of the Commission to continue for a public hearing process.

Mr. Sasser asked if it is possible, if the applicant wishes to add an additional stipulation to delete one of the pads, that the Commission could forward the cases to Council with an added stipulation for ratification.

Mr. Steele said yes, if all parties are agreeable and do not want to argue the cases.

Mr. Gilbert stated it is his understanding that in order to stay on the ratification agenda, he has to agree to combine the two pads.

Mr. Sasser said he has to delete one of the pads.

Chairman Bielecki said this is beginning to get into the substance of the cases. And he would be more comfortable with a continuance to the May 14 public hearing due to the constraints of the notification process. The motion was amended to remove Special Permit 12-97-2 and Application 18-97-2 from the

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ratification agenda for public hearing. The second concurred, and the motion passed six to zero. Mr. Frank was absent from the vote.

#### REQUEST TO INITIATE APPLICATIONS

1. Request to modify the initiation (2/12/97) of a text amendment to amend Section 83 of the Historic Preservation Ordinance to allow various revisions to Chapter 8 - Historic Preservation, as it relates to demolition procedures in HP overlay districts.

Ms. Debbie Abele, Historic Preservation Officer, explained that as part of the originally requested initiation of amendments to the historic preservation text related to demolition procedures, staff asked that they be allowed to revise Section 813 as they got into the revisions. They found there were parallel procedures in Section 806, and definitions that should be modified to be consistent with the changes that are being made. Therefore, staff is requesting consideration for amending the initial initiation to include any portions of Chapter 813 of the Historic Preservation Ordinance related to demolition procedures to enable revisions to be made. The Commission will see the final language.

Mr. Hamel made the motion, Mr. Stein seconded, and the motion passed six to zero. Mr. Frank was absent from the vote.

2. Request to initiate applications to establish original City of Phoenix zoning for newly annexed areas.
  - a. Annex 187 (Eagle Bluff) - 0.5 acres located on the south side of Pinnacle Peak Road between 19th Avenue and 20th Street.
  - b. Annex 187 (Mountain North II) - 58.2 acres located north of Pinnacle Peak Road, west of 24th Street alignment.

Mr. Steele indicated staff is requesting initiation of newly annexed areas 186 and 187 to establish original City of Phoenix zoning. Procedurally, staff is required to establish original City of Phoenix zoning within 180 days of annexation. This initiation would establish equivalent of the existing county zoning on those properties.

Mr. Hamel made the motion, Mr. Stein seconded, and the motion passed six to zero. Mr. Frank was absent from the vote.

\* \* \* \* \*

00474000196

**SUMMARY OF ZONING HEARING OFFICER  
March 31, 1997**

**ITEM NO.: 13**

**DISTRICT NO.: 1**

**SUBJECT**

Application: 16-97-1

Location: Approximately 660 feet east of 27th Avenue, south side of Rose Garden Lane (approximately 21.36 acres)

Request: Rezone from Ind. Pk. (Approved C-2 MR SP) to C-2 MR

Proposed Use: Removal of Special Permit (SP 28:96) Office Park

**ACTIONS**

Zoning Hearing Officer Recommendation: It is recommended this request be approved, subject to modified stipulations.

Staff Recommendation: It is recommended this request be approved, subject to stipulations:

Village Planning Committee Recommendation: The Deer Valley Village Planning Committee reviewed and approved (13-0) this request at their March 20, 1997 meeting.

**Z. H. O. HEARING HIGHLIGHTS**

Staff - Mr. Muenker stated that the special permit zoning approved on the site was intended to allow an auto dealership which did not materialize. Removal of the special permit will clear that cloud over the property and allow it to be developed along with the adjoining land to the south as an office park. Such development is consistent with the Deer Valley Core Specific Plan. Approval is recommended subject to stipulations that tie the site back to its original development concept with the land to the south. It is noted this request is supported by the Deer Valley Village Planning Committee.

Applicant - Mr. Steven Bauer stated that his request was approved unanimously by the Village Planning Committee. He added that he had concerns regarding stipulation 2c. He indicated that in order to get the project underway, that stipulation should be modified.

Staff - Mr. Muenker agreed with Mr. Bauer.

Opposition - None

ZHO - Ms. Cynthia Standage Beier discussed the reasons for termination of the special permit and that the uses that were being built in the core were more consistent with the proposal by the applicant. She discussed stipulations and agreed with Mr. Muenker and Mr. Bauer that modification of Stipulation #2c was appropriate and would allow them to proceed on the project.

**FINDINGS:**

1. The proposed removal of the special permit and the existing underlying zoning is consistent with both the General Plan and Deer Valley Core Specific Plan.
2. The special permit is most likely to expire prior to any development under it and this request simply speeds up that process.
3. The stipulations established with the underlying zoning need to be retained in order that the entire property be unified under one set of standards.

**RECOMMENDATION:**

It is recommended that this request be approved, subject to stipulations.

**STIPULATIONS:**

1. That the stipulations established in Rezoning Application 204-87-1 remain with the approved underlying zoning.
2. That the following be met at the time of development, as may be required by the Street Transportation Department:
  - a. A revised traffic study shall be provided to the Street Transportation Department. contact Ms. Dana Owsiany, P.E. at (602) 495-3697 for more information.
  - b. Additional right-of-way may be required upon final review and approval of the revised traffic study.
  - c. No building permits with the exception of Phase 1 shall be issued until the revised traffic study is approved.

- d. 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 by the City. All improvements shall comply with all ADA accessibility standards.

Cylin Sunday B      4-9-97  
Zoning Hearing Officer      Date

The Zoning Hearing Officer attests to the finding of facts, recommendation, and any stipulations resulting from the Zoning Hearing Officer hearing.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape, or computer diskette. Contact Theresa Damiani, 262-6368/v or 534-5500/TDD.

SAM/TS:vet:16971.w61

DEER VALLEY VILLAGE PLANNING COMMITTEE

MINUTES

WHEN: Thursday, March 20, 1997 @ 7:00 p.m.  
WHERE: Multipurpose Room, Deer Valley  
Community Center, 2001 W. Wahalla Dr.  
Phoenix, Arizona.

MEMBERS PRESENT

James Unmacht, Chair  
Robin Mofford  
Salem Al-Shatti  
Lynne Baron  
Louise Bubel  
Susan Fuchs  
Clancy Jayne  
Robert Khaler  
Deborah Lofgreen  
Leanne Lonski  
Judy Moskop  
Diane Sangiradi  
Gary White

MEMBERS ABSENT

Barbara Cleckner, excused  
Doreen Fischer, excused  
James Perlow, excused  
Billie Shields

STAFF

Jim Mathien  
Katherine Wischart

1997 APR 11 PM 4:26  
CITY CLERK DEPT. C

00463001029

1. Call to order -- Introduction and announcements.

Meeting was called to order @ 7:15 p.m.

A new member was introduced -- Deborah Lofgreen

Staff Person -- Katherine Wischart, Planning Department.

Tom Lemon is newest Team Member for the North Team in the Planning Department.

Councilman Siebert -- Presentation

2. Review and approval of the minutes from the February 20, 1997 meeting.

Clancy Jayne -- Page 2 minutes -- April 5th NOT April 6th is Deer Valley Days

Minutes passed -- No opposition.

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3. Public comments concerning items not on the Agenda -- (Not for Committee Discussion).

Dorothy Valow - Could not hear Presentation from Councilman Siebert

Kathy McQuestion -- Parks issue @ 43rd Ave. & Yorkshire -- Not presented by Councilmen Siebert.

Dorothy Valow -- support

4. Announcements and report on items discussed in prior meetings. -- (Not for Committee Discussion).

- Announcements from Committee members.

None

- Status of zoning application reviewed at previous meetings.

Jim Mathien, Planning Department.

Z 7-97-1 RV Park -- Took Deer Valley Committee Recommendations denied as filed -- Change zone -- Traffic study will be done -- issues looked at and worked into plan.

SEC 67th Ave & Happy Valley  
SEC 7th & Union Hills

- General Plan Amendment.

N/A

5. Preview and Plans for the Deer Valley Village Planning Committee for 1997.

a. Subcommittee Reports

- Parks & Recreation

Bob Khaler meeting with Parks, Recreation & Library Department on April 7th @ 6:30 p.m. @ the Deer Valley Community Center in Room #2.

Jim Unmacht requested Councilman Siebert be included.

- Deer Valley Airport

Gary White -- 7th Avenue and Deer Valley Road -- Stop light Long Range meeting coming up.

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- Zoning & Growth

Leanne Lonski -- Pending reports -- No more visible outside storage --  
Please study.

- I-17 Corridor

Jim Mathien -- New team established, will start work through the summer.

- Deer Valley Pride

Clancy Jayne -- April 5, Deer Valley Days Celebration -- 22 schools  
invited -- participating -- General invite

Salem Al-Shatti -- Pride Description -- DV Pride Founded 1996 --  
Different entity than DVVPC.

6. Presentation and discussion on 1997 District 1 Issues and Plans. Presentation by  
Councilman David Siebert.

Congratulation letter, Excellence Award, Pride -- Deer Valley Days

District 1 Issues:

- New Development
- Newspaper article about Village Committees
- Anti Gang initiative - Successful
- Problem Areas: 27th Avenue and Deer Valley  
East side of Freeway  
- (Proposing hiring a City Attorney to represent zoning enforcement inspectors at  
court hearings).  
- J-Park (35th Avenue North Beardsley)
- Fight back Project - Thunderbird to Acoma & 35th Avenue to 43rd Avenue.  
(This Year) -- Thus far successful

Committee Comments

Bob Kahler - First offender program

Adding 2 positions to Planning Commission -- more input from Village  
Committees -- 1 year rotation

Jim Unmacht -- Newspaper Article -- Not all comments Jim made were included in the  
article

Gary White -- Commends Councilman Siebert for his efforts

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Salem Al-Shatti - Developer concerns and Desert View Village.

Jim Unmacht - Questioned the time frame for new Village committee.

Robin Mofford -- Project Scrub needs more support

Clancy Jayne -- Concern for Industrial Proposal, Commercial, Employment

Jim Unmacht & Clancy Jayne volunteered for Councilman Siebert's "Special" committee for area of concern and Airport.

7. Discussion and possible action concerning the following zoning cases:

- a. **16-97-1** Approx. 660 feet east of 27th Ave., south side of Rose Garden Lane. A request to rezone approximately 21.3 acres from Industrial Park (Approved C-2 SP) to C-2 and 204-87-1, request for modification of stipulations regarding site plan conformance, design guidelines, approved uses and item stipulation related to Comprehensive Sign Plan.

Steve Bauer presented the case -- 1101 W. Warner Rd., Tempe.

Several Comments and Questions were made by committee members:

Robin Mofford -- Will there be access from Rose Garden?

Salem Al-Shatti -- How much property is owned? Glad to see changes.

Clancy Jayne -- Need to coordinate with High School -- Deer Valley signs have been removed. Yorkshire improvement needed.

Susan Fuchs -- Time Frame? Where will the traffic lights be @ 27th Ave? Maybe 2 lights?

Clancy made a motion to withdraw Special Use Permit.  
Bob Kahler seconded -- Motion passed.

- b. 17-97-1 SEC 67th Ave. & Happy Valley road. A request to rezone approximately 14.5 acres from S-1 to C-2.

Chuck Kennedy presented the case to the committee -- 5010 E Shea Blvd., Scottsdale. Also present was Chris Girardo - Pierson Group (Grocery Chains)

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Several questions and comments were made by the committee members:

Clancy Jayne -- What kind of structures?

Gary White -- Any office plans?

Salem Al Shatti -- Any opposition from Neighbors?

Louise Bubel -- Business signs concern.

Robin Mofford -- Staff -- Any commercial property? Who is business cohesive with?

Motion made by Robin Mofford to approve as stated. Bob Kahler seconded the motion. -- Motion passed.

c. 18-97-1

East side of 7th Ave., 275 feet south of Union Hills Dr. A request to rezone approximately 7.3 acres from R1-8 to C-2.

Paul Gilbert, of Beus, Gilbert & Morrill, presented the case, 3200 N. Central Avenue. For record, no car wash on any pads -- Wants access to remain on Union Hills (entrance).

Comments & Questions:

Jim Unmacht -- Comment to move entrance to 7th Avenue.

Ellen Babbit, 18203 N 5th Ave -- In support of presentation as is.

Naja Laliberte, 714 N 7th Ave -- No objection to plans but concern to business on 7th Ave.

Gary White -- Will RV's in the mini-storage be visible?

Salem Al-Shatti -- Is staff willing to listen to recommendations?

Paul Blaket also gave construction assistance with presentation.

Jim Unmacht -- Request for rezoning only

Clancy Jayne -- Staff - Why do they want entrance moved to 7th Ave.?

Bob Kahler -- Traffic

Robin Mofford -- Concern, community meeting she attended did not know entrance change was recommended by Staff.

Community looking for good neighbors.

Clancy Jayne made a motion to approve C-2 as presented with stipulation that they workout with neighbors. Bob Kahler seconded the motion. -- Motion passed.

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- d. 19-97-3 SEC of Bell Rd., & Black Canyon Frontage Rd. A request to rezone approximately 49 acres from IP (A-1) to C-2 SP.

Gordon Taylor with the Arizona State Land Department presented the case, 1616 W. Adams St.

Keith Greenberg, 2344 W. Marconi, stated he is in support of proposal.

Gary White -- Zoning question & traffic concern

**Staff Comment**

Jim Mathien - Recommended C-2 but only Grand View, North --  
Stipulate Traffic study -- Supportive of request  
Right of Way issues -- owner defaulted (RTC process) -- City  
does not own Right-of-way -- No legal access -- This request is  
beneficial to City access to Grand View.

Clancy Jayne --Made a motion to support recommended request to rezone. The motion was seconded by Susan Fuchs. Motion passed.

8. Discussion and possible action on Text Amendment 2-97, Wireless Communication Facilities.

Katherine Wischart presented the Text Amendment to the committee.

Salem Al-Shatti made a motion to approve the Text. Gary White seconded the motion. -- Motion passed.

9. Identification of Future Agenda Items.

None

10. Adjournment.

The meeting was adjourned at 9:53 p.m.

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