



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned  
**From:** Joshua Bednarek  
Planning & Development Department Director  
**Date:** June 14, 2024

**Subject: P.H.O. APPLICATION NO. PHO-3-24--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 a public hearing on **July 17, 2024**.
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 **June 20, 2024**.

**DISTRIBUTION**

Mayor's Office (Tony Montola), 11th Floor  
City Council (Stephanie Bracken), 11th Floor  
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CED (Michelle Pierson), 20th Floor  
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Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor  
Parks & Recreation (Todd Shackelford), 16th Floor  
Public Transit (Michael Pierce)  
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor  
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor  
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor  
Water Services (Don Reynolds, Victor Romo), 8th Floor  
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor  
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 (Adrian Zambrano, North Gateway Village)  
Village Planning Committee Chair (Julie Read, North Gateway Village)



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-3-24--Z-6-12-2

Council District: 2

**Request For:** Stipulation Modification

**Reason for Request:** Request to modify Stipulation 2 regarding the review of the conceptual site plan and elevations.

### Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Matt Updegraff	Applicant	1001 West Southern Avenue	623-552-3189		matt.updegraff@kimley-horn.com
Gary Davidson (LDR-Sonoran Parkway, LLC)	Owner	2801 East Camelback Road, Suite 450, Phoenix AZ 85016			
Paul Gilbert-Gilbert Billie PLLC	Representative	701 North 44th Street, Phoenix AZ 85008			

**Property Location:** Southwest Corner of North Valley Parkway and Sonoran Desert Drive

**Acreage:** 2.61

### Geographic Information

Zoning Map	APN	Quarter Section
Q7	204-13-612	Q54-23
Village: North Gateway		

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 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
\$1,080.00	\$0.00	05/31/24	PHO (1-2 stipulations)



May 30, 2024

Planning Hearing Officer  
Phoenix City Hall  
Planning & Development Department  
200 West Washington Street, 2nd Floor  
Phoenix, Arizona 85003

***RE: Modification of Stipulations of Case No. Z-6-12 (SWC Sonoran Desert Drive and North Valley Parkway)***

Dear Planning Hearing Officer:

This firm represents McDonalds regarding their proposed development which is located at the southwest corner of Sonoran Desert Drive and North Valley Parkway, Phoenix (the "Property"). The Property is subject to rezoning application Z-16-12 which granted zoning entitlements for the total +/- 30-acre site that included a residential and future commercial development in 2012. During the initial rezoning the commercial development was only shown as a location without a specific site plan due to the market conditions at the time. As such a stipulation was included in the stipulations to require a review by the Planning Hearing Officer of the site plan and elevations of the commercial portion once the market conditions were viable for development. This request seeks approval of minor modifications in order to implement the city's approval and long-term goals for this Property and modify the current zoning stipulations to reflect the proposed development. The most recent action for Case No. Z-6-12-2 was the City Council ratified this recommendation on June 22, 2012.

McDonald's is now ready to move forward with a proposed restaurant use on the portion of the future commercial piece identified in the original site plan associated with the zoning case. This development will serve the needs of the surrounding population of existing and new residents in the developing community. This request for a neighborhood-friendly service that has been thoughtfully designed to reduce any impacts will provide meaningful employment opportunities and add value to the local community. The proposal meets the development standards of the C-2 district and is an ideal use of the Property as it maintains the intended use of commercial on the arterial street corner. The proposal is situated adjacent to an existing gas station/c-store (located west of the proposed McDonalds) and north of vacant commercial land

subject to C-2 (Commercial) zoning. The proposed McDonalds site layout and elevations have been coordinated with the existing gas station and planned commercial land to the south. Clearly, the project will not be detrimental to adjacent properties or the general area especially given the Property's primary access from a major arterial thoroughfare and proximity to a variety of uses in the area.

Given the developed site plan for the commercial property, it is necessary and appropriate to adhere to the 2012 stipulations requirements through the requested Stipulation Modification. Accordingly, we respectfully request review of the conceptual site plan and elevations for this portion of the commercial portion as part as outlined in Case No. Z-6-12-2 below. The following is a legislative edit of the approved stipulations with proposed revisions for each:

**Stipulations with Modifications for Z-6-12-2:**

**SITE PLAN AND ELEVATIONS- COMMERCIAL PORTION**

Conceptual site plan(s) and elevations shall be reviewed and approved by the Planning Hearing Office through the Public Hearing process for stipulation modification prior to preliminary site plan 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. **THE RESTURANT PORTION OF THE COMMERCIAL PROPERTY SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATES STAMPED MAY 31, 2024 AND ELEVATIONS DATE STAMPED MAY 31, 2024.**

**Note:** The request seeks to allow a new site plan for the proposed restaurant on the +/- 2.60 acre Property that is adjacent to Sonoran Desert Drive and North Valley Parkway. The proposal meets the minimum C-2 (Commercial) zoning requirements and is in a location that was approved by City Council in 2012 for a larger commercial and residential development.

In summary, the requested modifications to the stipulations under Case No. Z--6-\12-2 will allow McDonalds to complete development as originally contemplated in 2012.

As with many projects, particularly after the passage of time, appropriate changes are necessary. However, the proposed building and improvements will fulfill the same demands as the original approval in a manner that will be positive for the area. For these reasons and those stated above, we request approval of this application.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



By

Matt Updegraff



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

June 22, 2012

Paul Gilbert  
Beus Gilbert PLLC  
4800 North Scottsdale Road, Suite 6000  
Scottsdale, AZ 85251

Dear Applicant:

RE: Z-6-12-2 and GPA-NG-1-12-2 – Southwest corner of North Valley Parkway and Sonoran Desert Drive

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506 of the Zoning Ordinance, as amended, has on June 20, 2012 approved Zoning Ordinance # G-5719 and Resolution 21058.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,

A handwritten signature in black ink that reads "Larry Tom" with a small flourish underneath.

Larry Tom  
Principal Planner

Attachment: Signed Ordinance/Resolution

c: LDR-Sonoran Pkwy, LLC c/o Gary Davidson, 1110 East Missouri, Suite 700,  
Phoenix, AZ 85014

File

Racelle Escobar, PDD-Planning-PC Planner (Electronically)  
Lilia Olivarez, PDD-Planning-PC Secretary (Electronically)  
Tricia Gomes, PDD-Planning-Village Planner (Electronically)  
David Miller, PDD-GIS (Electronically)  
Sandra Hoffman, PDD-Development (Electronically)  
Penny Parrella, City Council (Electronically)

5719G-9-1-1--  
chagollaj

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:

#### 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

Mod

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 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 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

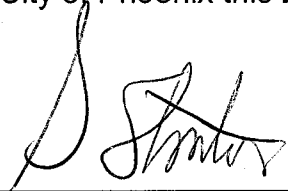
utilities and other construction shall be coordinated with the City and APS so as to not conflict with the planned power lines.

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.

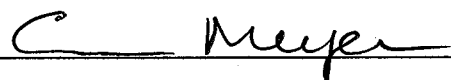
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

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.

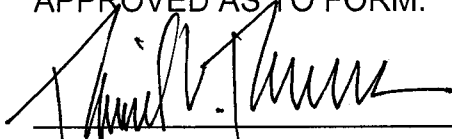
  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
City Clerk

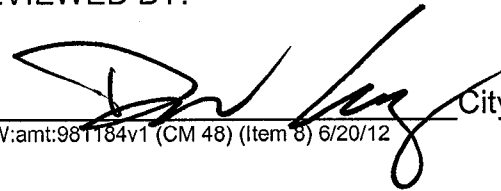


APPROVED AS TO FORM:

  
\_\_\_\_\_  
Acting City Attorney

MLW

REVIEWED BY:

  
\_\_\_\_\_  
City Manager

MLW:amt:981184v1 (CM 48) (Item 8) 6/20/12

Attachments:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-6-12-2

A PARCEL OF LAND LOCATED WITHIN 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:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN.

SAID PARCEL CONTAINS 1,758,338 SQUARE FEET OR 40.3659 ACRES, MORE OR LESS.

ATTACHMENT B

ORDINANCE LOCATION MAP

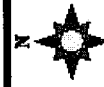
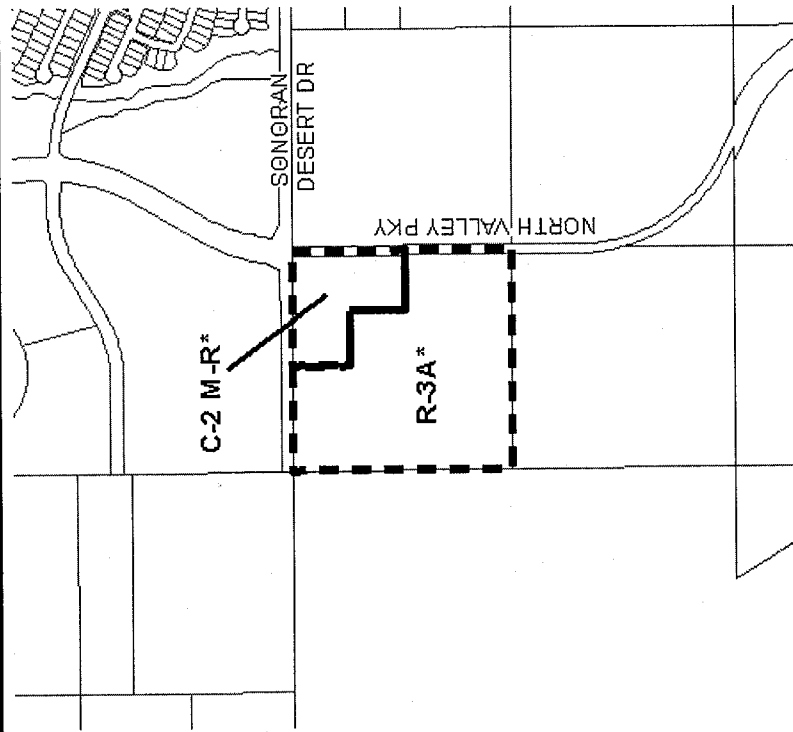
Zoning Case Number: Z-6-12-2

Zoning Overlay: North Elack Canyon

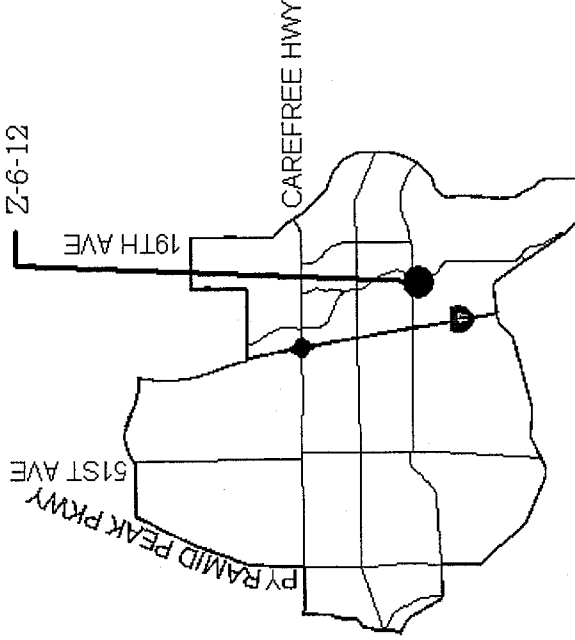
Planning Village: North Gateway

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 6/5/12

Map Document: N:\PDF\_Maps\Ordinance\_Map\2012

RESOLUTION 21058

A RESOLUTION ADOPTING AN AMENDMENT TO THE  
2001 GENERAL PLAN FOR PHOENIX, APPLICATION  
GPA-NG-1-12-2, CHANGING THE LAND USE  
CLASSIFICATION FOR THE PARCEL DESCRIBED  
HEREIN.

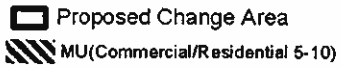
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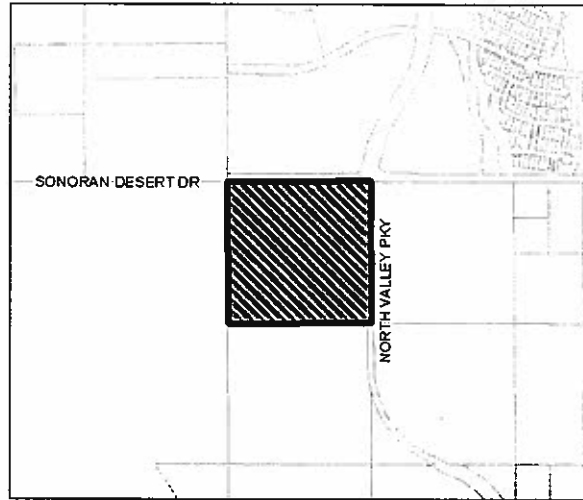
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as  
follows:

SECTION 1. The 2001 Phoenix General Plan which was adopted by  
Resolution No. 19731, is hereby amended by adopting GPA-NG-1-12-2, 40.30 acres  
located at the southwest corner of North Valley Parkway and Sonoran Desert Drive, for  
Mixed-Use (Commercial/Residential 5-10) as approved by City Council on June 20,  
2012, and that the Planning and Development Director is instructed to modify The 2001  
Phoenix General Plan to reflect this land use classification change as shown below:

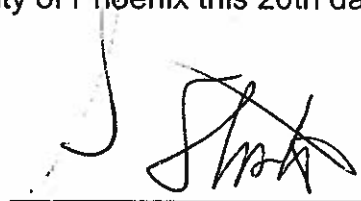


GPA-NG-1-12-2

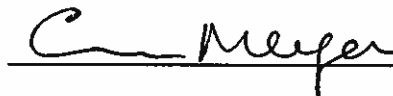
 Proposed Change Area  
MU(Commercial/Residential 5-10)



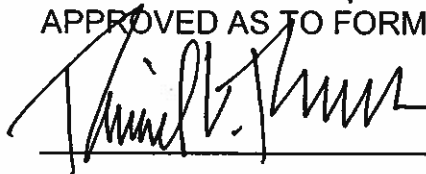
PASSED by the Council of the City of Phoenix this 20th day of June,  
2012.

  
MAYOR

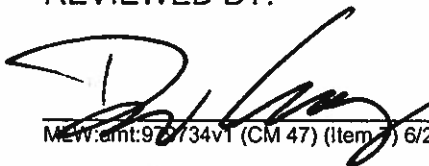
ATTEST:

  
City Clerk

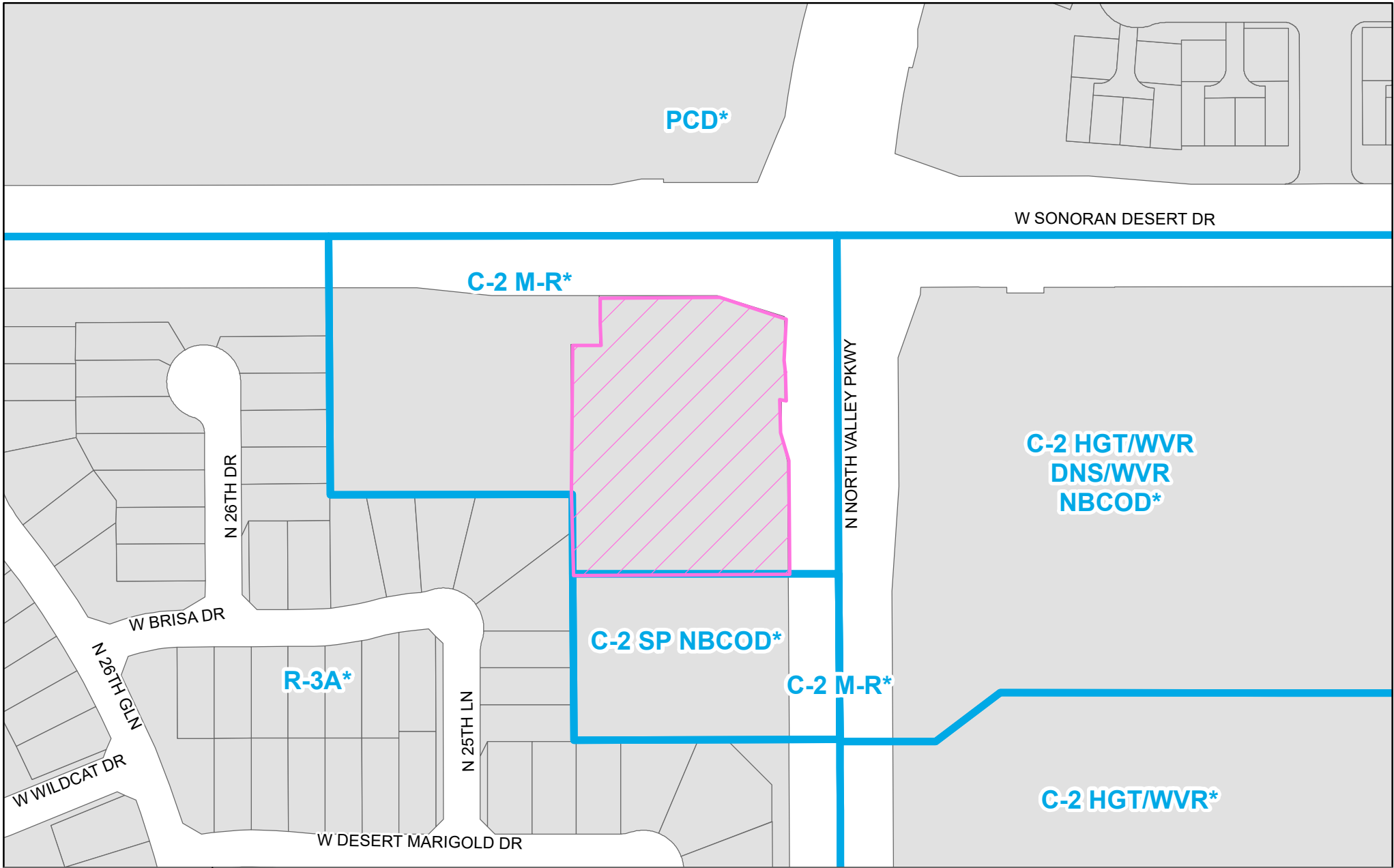
APPROVED AS TO FORM:

  
Acting City Attorney *MLW*

REVIEWED BY:

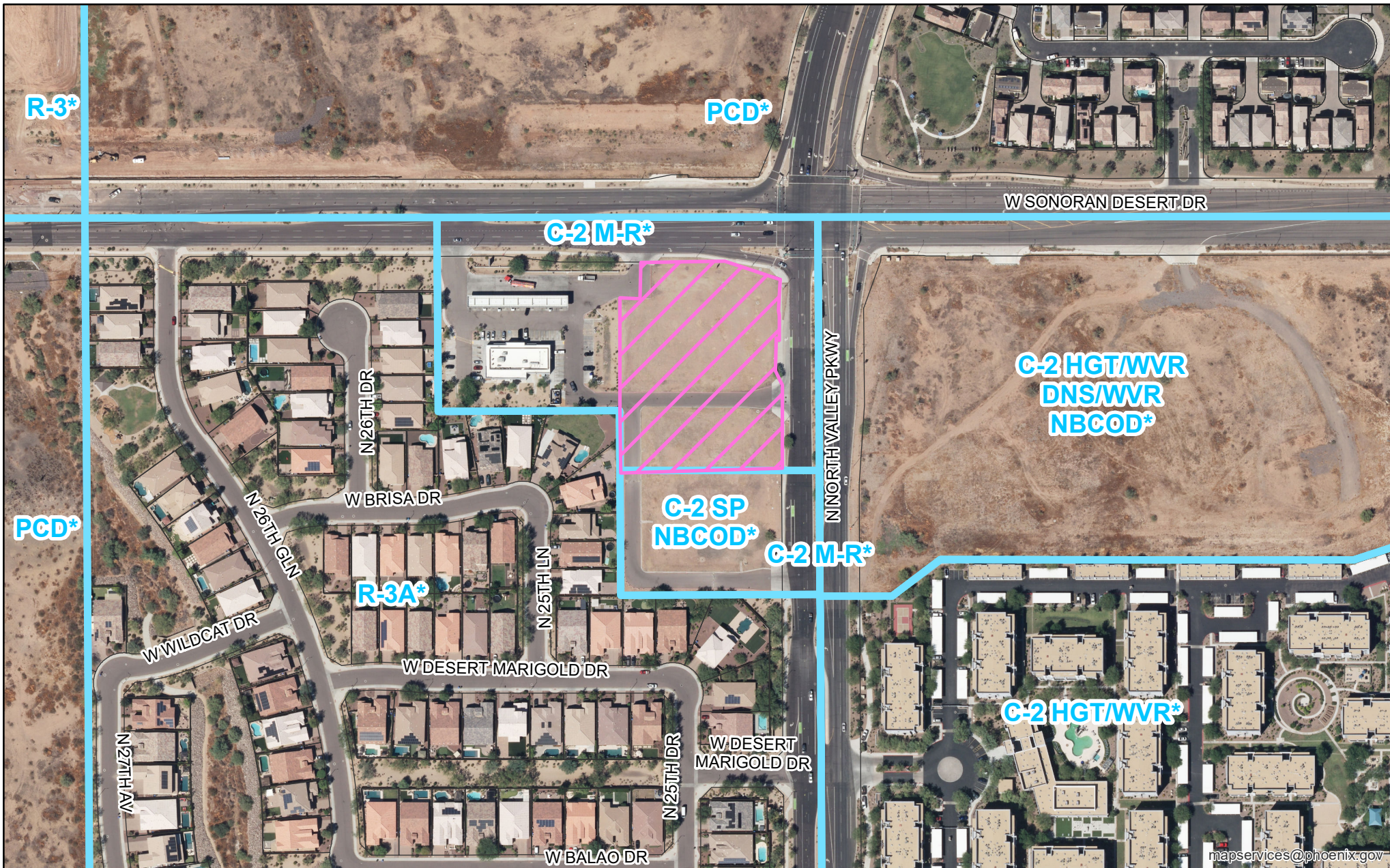
  
City Manager

MEV:amt:972734v1 (CM 47) (Item 7) 6/20/12



PHO-3-24--Z-6-12-2

Property Location: Southwest Corner of North Valley Parkway and Sonoran Desert Drive

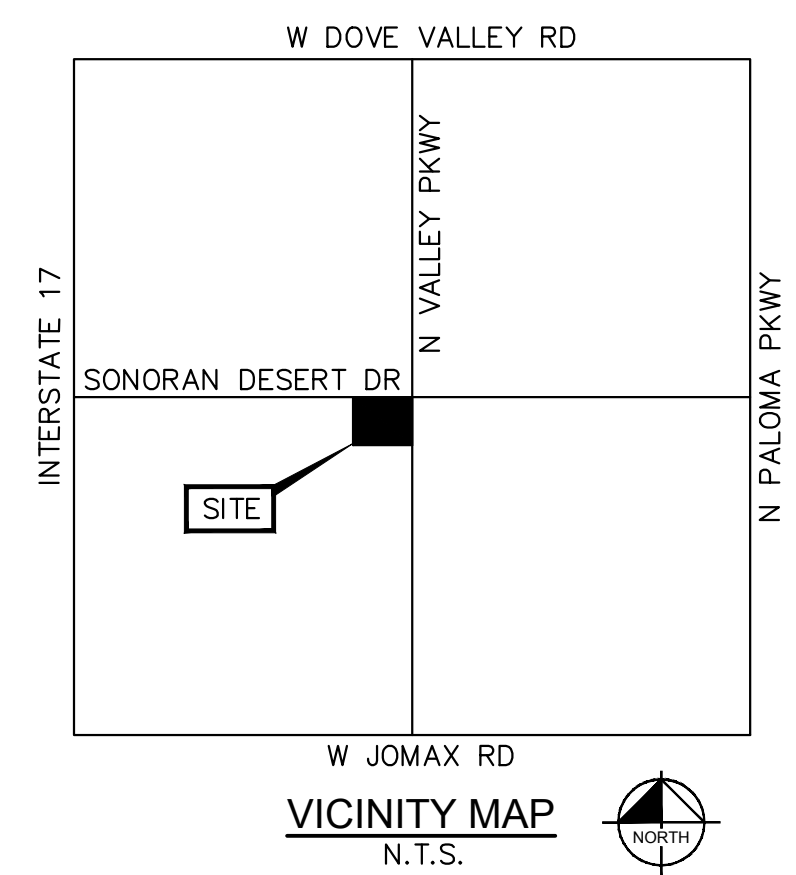
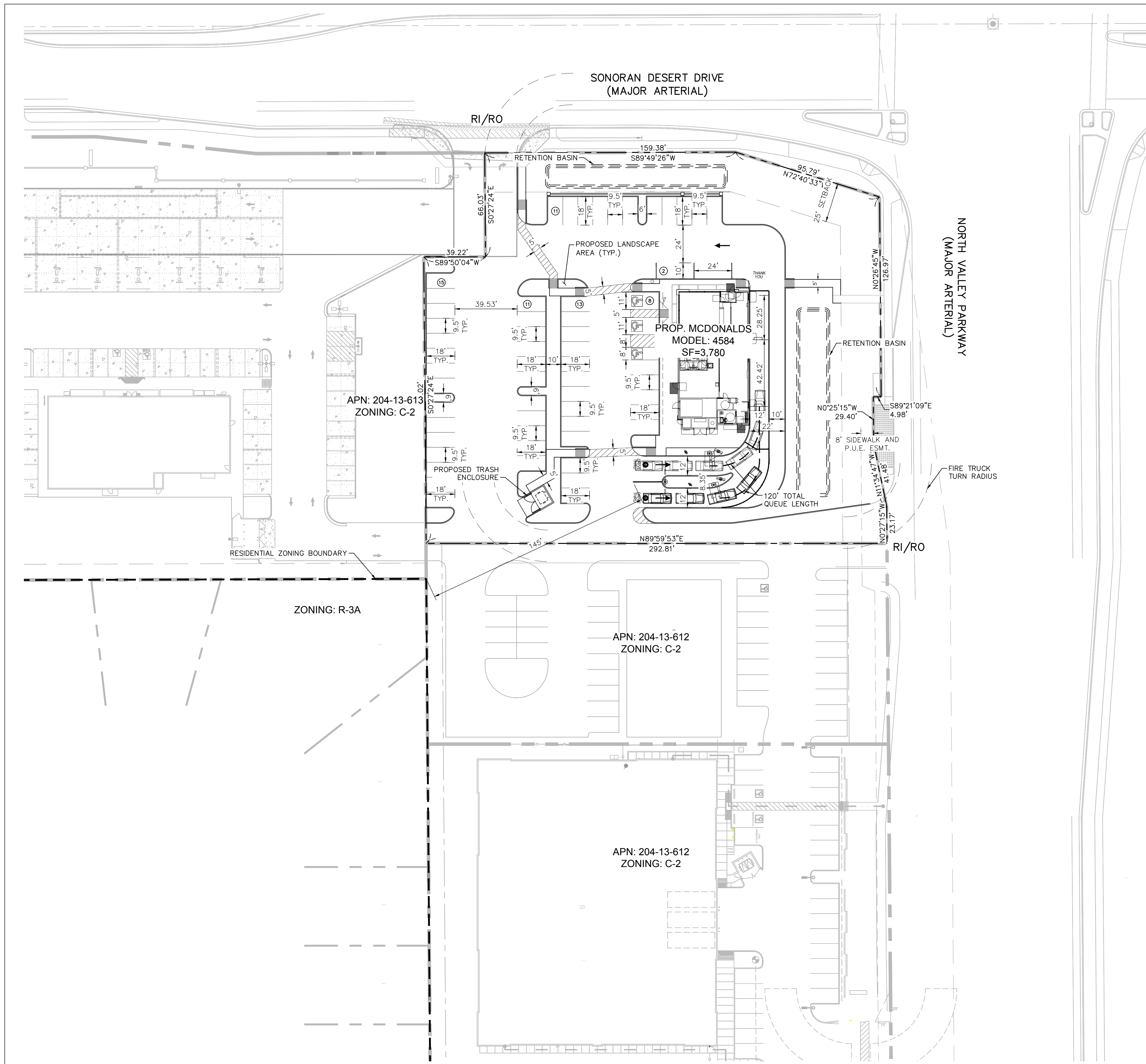


mapservices@phoenix.gov

PHO-3-24--Z-6-12-2

Property Location: Southwest Corner of North Valley Parkway and Sonoran Desert Drive





**LEGEND**

- RIGHT-OF-WAY LINE
- PROPERTY LINE
- RIGHT IN / RIGHT OUT DRIVEWAY
- PARKING COUNT
- ADA ACCESSIBLE ROUTE
- PROPOSED SIDEWALK/CONCRETE PAVEMENT
- R=55' FIRE TRUCK TURNING RADIUS
- R=35' FIRE TRUCK TURNING RADIUS

**PROJECT INFORMATION**

ADDRESS: SWC OF SONORAN DESERT DR AND N VALLEY PKWY  
 APN: 204-13-612

PROPOSED USE: RESTAURANT - MCDONALD'S

EXISTING ZONING: C-2  
 ADJACENT ZONING: C-2  
 JURISDICTION: PHOENIX, ARIZONA

**SITE CALCULATIONS**

BUILDING HEIGHT: 21'-0" TO TOP OF PARAPET (ONE STORY)  
 BUILDING AREA: 3,780 SF  
 TOTAL LOT COVERAGE: 3,843 SF / 67,991 SF = 5.65%  
 FAR (FLOOR AREA RATIO): 3,843 SF / 67,991 SF = 5.65%

LOT NET AREA: 1.56± ACRES (67,991 SF)  
 LOT GROSS AREA: 2.60± ACRES (113,361 SF)

PARCEL NUMBER: 204-13-612

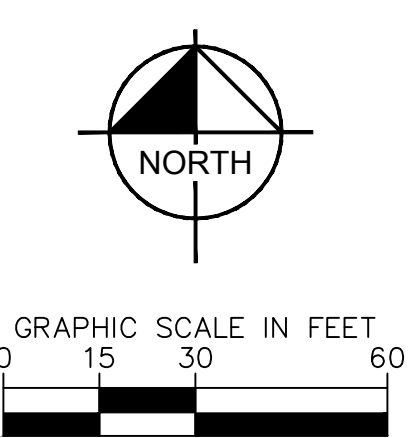
**SITE INFORMATION**

**PARKING SUMMARY**

MCDONALD'S:  
 REQUIRED PARKING RATIO: 1 SPACE PER 50 SF DINING AREA (1,275 SF / 50 SF) = 26 SPACES  
 REQUIRED

INDIVIDUAL PARKING:	REQUIRED	PROVIDED
STANDARD	24	57
ACCESSIBLE PER ADA	2	3
<b>TOTAL PARKING</b>	<b>26</b>	<b>60</b>

TOTAL AREA: 1.56 AC  
 \*NO DOGS PRESENT ONSITE



**CITY OF PHOENIX**

MAY 31 2024

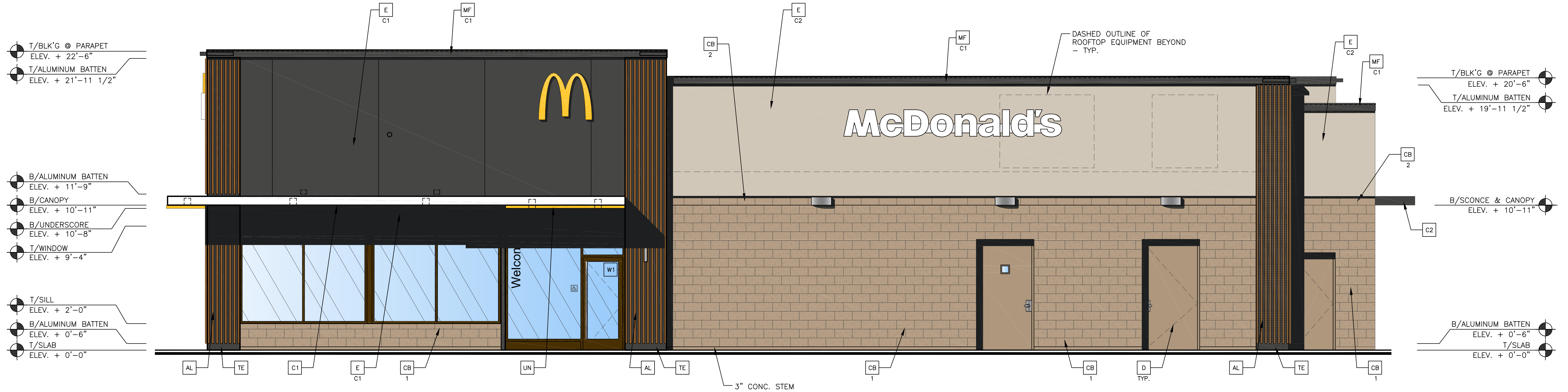
Planning & Development  
 Department

BY				
DESCRIPTION				
REV		DATE		
<b>Kimley»Horn</b>				
PREPARED BY:	<p>These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without written authorization. The contract documents were prepared by Kimley-Horn and Associates, Inc. in Phoenix, Arizona. Use of these drawings for reference or example on another project requires the approval of Kimley-Horn and Associates, Inc. Use of these drawings on the contract documents for reuse on another project is not authorized.</p>			
DRAWN BY:	MTH	DATE		
STD ISSUE				
REVIEWED BY:	MTU	DATE		
DATE ISSUED				
SCALE (H):	1"=20'			
SCALE (V):	N/A			
TITLE	SITE PLAN			
DESCRIPTION				
SITE ADDRESS	SWC OF SONORAN DESERT DR AND N VALLEY PKWY			
002-1095				
1	OF	1		

COLOR SCHEDULE	KEY NOTE
	<b>AL</b> ALUMINUM BATTEN SYSTEM MFR: B+N INDUSTRIES SIZE: 2"x2" PROFILE COLOR: WOOD GRAIN, BACKRAIL UNFINISHED, ENDCAP PAINTED TO MATCH SUBSTRATE. 1/2" EXTERIOR HIGH DENSITY OVERLAY (HDO) PLYWOOD, BB, GROUP 1, HDO BOTH FACES, APA TRADEMARKED. COURSE GRIT SAND SURFACES PRIOR TO PRIMING. PRIME AND PAINT BOTH SIDES AND ALL EDGES PRIOR TO INSTALLATION. SUBSTRATE COLOR: "IRON ORE" SW7069 BY SHERWIN WILLIAMS
	<b>AP</b> ALPOLIC METAL PANEL (COLOR: RAL 7022)
	<b>CB</b> 8"x8"x16" ECHELON MASONRY WALL COLOR: BOOT BROWN 1 - TYPE: 1 = SPLIT FACE 2 = SMOOTH FACE
	<b>C1</b> ALUMINUM CANOPY SYSTEM W/FASCIA COLOR: WHITE
	<b>C2</b> ALUMINUM CANOPY SYSTEM COLOR: RAL 7022
	<b>D</b> HOLLOW METAL DOOR PAINT: MATCH ECHELON SPLIT FACE COLOR BOOT BROWN
	<b>E</b> EXTERIOR INSULATION FINISH SYSTEM (E.I.F.S.) C1 - COLOR: C1 = "IRON ORE" SW7069 BY SHERWIN WILLIAMS C2 = "ACCESSIBLE BEIGE" SW7036 BY SHERWIN WILLIAMS
	<b>MF</b> METAL FASCIA C1 - COLOR: C1 = "IRON ORE" SW7069 BY SHERWIN WILLIAMS
	<b>TE</b> TRU EXTERIOR 1"x6" TRIM, PAINTED ON SITE COLOR: "IRON ORE" SW 7069 BY SHERWIN WILLIAMS
	<b>UN</b> METAL UNDERSORE COLOR: GOLD
	<b>W1</b> EXTERIOR WINDOW ASSEMBLY - TEMPERED GLASS COLOR: EXTRA DARK BRONZE
	<b>W2</b> DRIVE-THRU WINDOW BY READY ACCESS MODEL: 600 SERIES, 36" SERVICE HEIGHT WITH TRANSOM, MANUAL OPEN; ELECTRONIC RELEASE COLOR: DEEP BRONZE
	<b>XX</b> SLIDE DIRECTION: RL = RIGHT TO LEFT LR = LEFT TO RIGHT



1 FRONT ELEVATION  
A2.0 1/4" = 1'-0"



2 NON-DRIVE-THRU ELEVATION  
A2.0 1/4" = 1'-0"

**McDonald's**  
**A2.0 - BUILDING ELEVATIONS**  
 SWC SONORAN DESERT & NORTH VALLEY, PHOENIX, AZ  
 L/C: 002-1095

**CITY OF PHOENIX**  
 MAY 31 2024  
 Planning & Development  
 Department

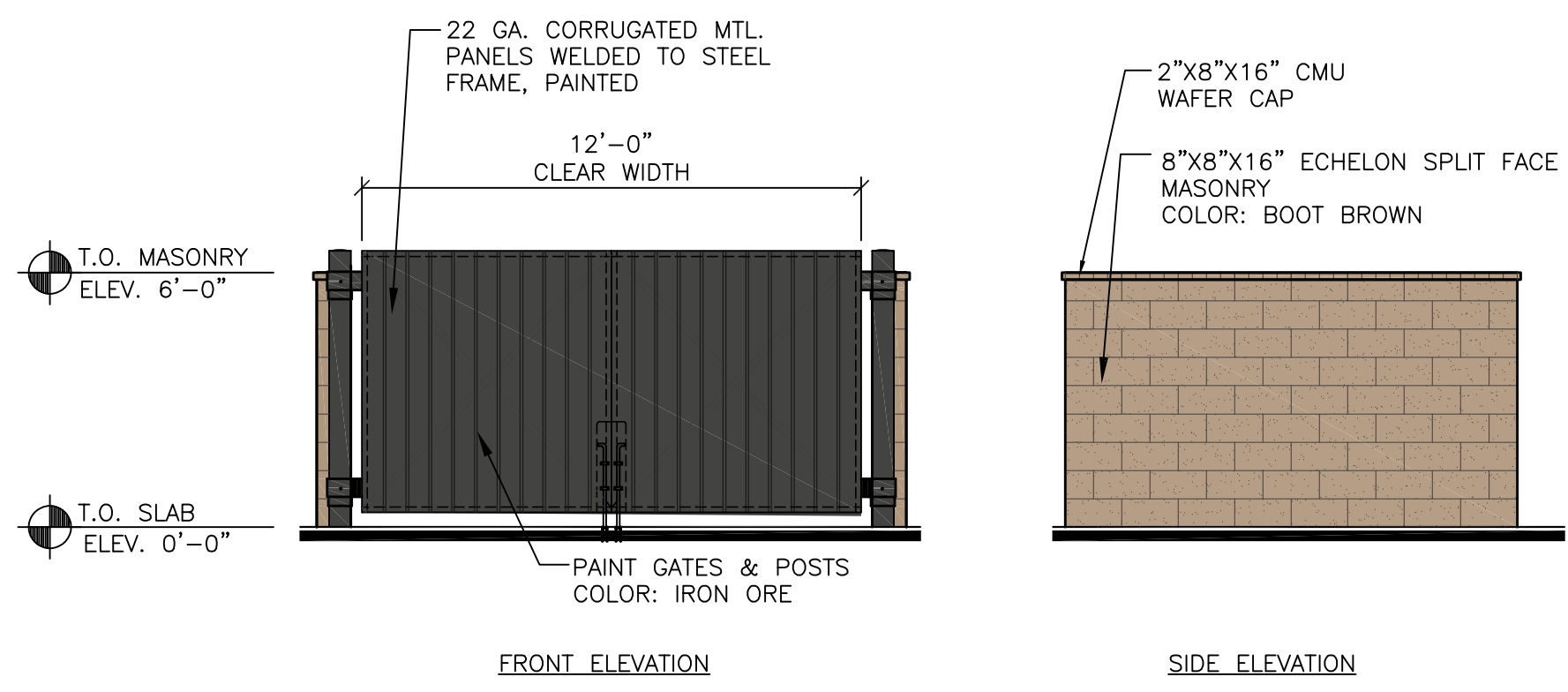


1747 E. Morten Avenue  
 Suite 111  
 Phoenix, AZ 85020  
 O: 602.234.1868  
 F: 602.234.1413

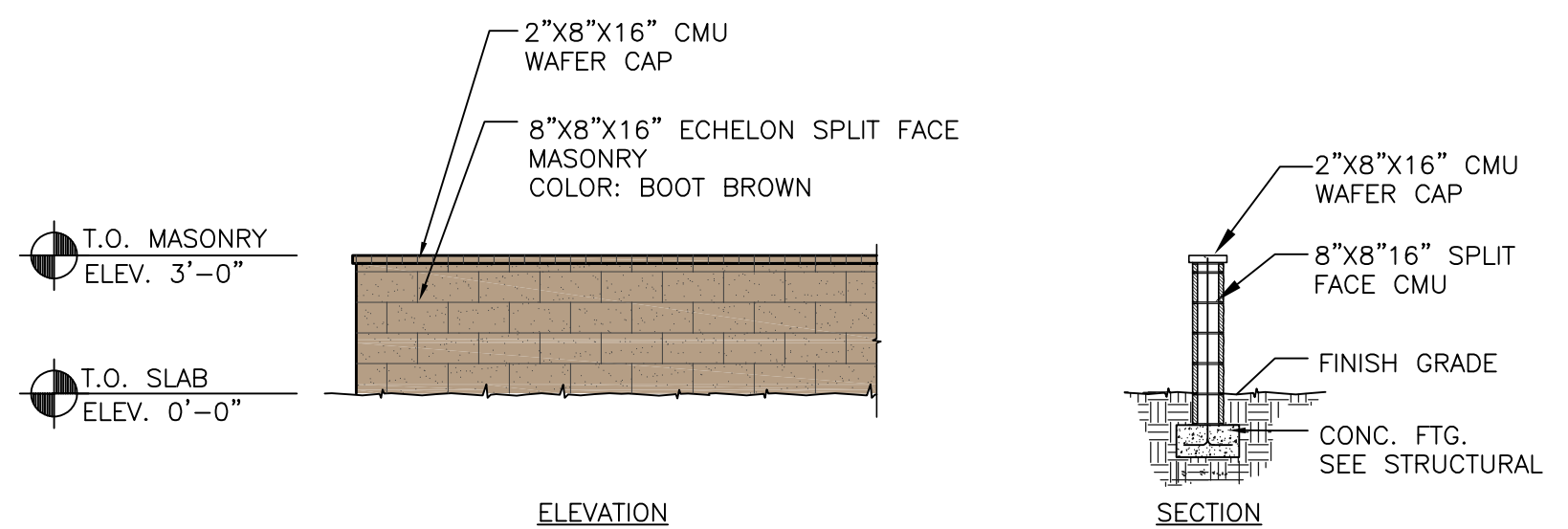
KDF PROJECT: 24021  
 DATE: 05-21-2024



1 DRIVE THRU ELEVATION  
A2.1 1/4" = 1'-0"



3 REFUSE ELEVATIONS  
A2.1 1/4" = 1'-0"



4 SCREEN WALL DETAIL  
A2.1 1/4" = 1'-0"



2 REAR ELEVATION  
A2.1 1/4" = 1'-0"

**McDonald's**  
**A2.1 - BUILDING ELEVATIONS**  
 SWC SONORAN DESERT & NORTH VALLEY, PHOENIX, AZ  
 L/C: 002-1095



1747 E. Morten Avenue  
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 KDF PROJECT: 24021  
 DATE: 05-21-2024

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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

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

Planning Commission Minutes for June 12, 2012

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.
- 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.

#### 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.
- 2021. 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.

Planning Commission Minutes for May 9, 2012

Item #: 3  
Application #: Z-6-12-2  
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 GPA-NG-1-12-2 and companion case Z-6-12-2; located on the southwest corner of North Valley Parkway and Sonoran Desert Drive. The applicant has requested a continuance to the June 12, 2012 Planning Commission hearing to readvertise their amended request without fee.

Commissioner Katsenes made a MOTION to continue Z-6-12-2 to the June 12, 2012 Planning Commission Hearing without fee.

Commissioner Zubia SECONDED.

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

\* \* \* \*

**NORTH GATEWAY VILLAGE PLANNING COMMITTEE  
MEETING MINUTES**

**Date:** Thursday, April 12, 2012  
**Time:** 6:00 pm  
**Location:** Goelet A. Beuf Community Center, Class Room 101  
 3435 West Pinnacle Peak Road, Phoenix, AZ

**MEMBERS PRESENT**

Dan Tumminello, Chair  
 Tim Mitten, Vice Chair  
 Justin Baker  
 Rick Robinson  
 Richard Uhl  
 Jason Stokes  
 Scott Freeman  
 Joe Villasenor

**MEMBERS ABSENT**

Pamela Cecere (excused)

**STAFF PRESENT**

Tricia Gomes

**1. Call to order.**

Chairman Dan Tumminello called the meeting to order at 6:02 p.m. with a quorum of six members present (two additional members arrived subsequent to roll call, bringing a total of eight members in attendance).

**2. Review and approval of the January 12, 2012 meeting minutes.**

Mr. Tim Mitten motioned to approve the January 12, 2012 meeting minutes as written. Mr. Rick Robinson seconded.

The committee voted unanimously 6-0 to approve the motion.

**3. Public comments concerning items not on the agenda (not for committee discussion or action).**

None.

**4. Presentation, discussion and possible recommendation of GPA-NG-1-12-2, a request to amend the General Plan Land Use Map. This request seeks to modify the land use designation on 40.30 acres of land 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). Presentation by staff.**

*Committee members Joe Villasenor and Scott Freeman arrived at the meeting during this item.*

Ms. Tricia Gomes presented the details of the case.

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.
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.~~
1445. 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.
1546. 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.
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.

#### 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.

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:



- Update on Sonoran Desert Drive
- Location of future North Gateway library
- Future plans for new schools in the area

***Next regular meeting is on May 10, 2012 at 6:00 pm.***

**8. Adjournment**

The meeting was adjourned at 7:23 p.m.