

Attachment D

PLEASE RESPOND ELECTRONICALLY TO TERESA GARCIA 2ND FLOOR, 602-262-7399



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

From: Joshua Bednarek

Planning & Development Department Director

Date: February 21, 2025

Subject: P.H.O. APPLICATION NO. PHO-1-25--Z-62-23-2 – 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 **March 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 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 **February 28, 2025**.

DISTRIBUTION

Mayor's Office (Tony Motola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
Aviation (Jordan D. Feld)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Joel Asirsan), 2nd Floor
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
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
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-62-23-2

Council District: 2

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 1 regarding general conformance to the site plan date stamped September 13, 2023.;Request to modify Stipulation 7 regarding shade along pedestrian walkways and sidewalks.;Request to delete Stipulation 8 regarding the uncovered surface parking lot.;Request to delete Stipulation 9 regarding bicycle infrastructure.;Request to modify Stipulation 10 regarding EV Ready garages.

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Chris Brown-Residential Pursuits Investments LLC	Applicant	7600 East Doubletree Ranch Road Scottsdale AZ 85258 United States	6024780662		cbrown@arcadiacapitalllc.com
William Allison-Withey Morris Baugh, PLC	Representative	2525 East Arizona Biltmore Circle, Suite A-212 Phoenix AZ 85016	(602) 346-4615		bill@wmbattorneys.com
HOH Land, LLC	Owner	11811 North Tatum Boulevard, Phoenix AZ 85028			

Property Location: Northeast corner of 14th Street and Wahalla Lane

Acreage: 3.88

Geographic Information

Zoning Map	APN	Quarter Section
N9	213-23-603	Q40-30
N9	213-23-604	Q40-30
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 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
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\$1,725.00	\$0.00	01/30/25	PHO (3+ stipulations)
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**WITHEY
MORRIS
BAUGH**

January 29, 2025

VIA HAND DELIVERY

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

Re: Modification of Stipulations - Case No. Z-62-23-3 – NEC 14th Street and Wahalla Lane

Dear Mr. Easton:

This firm represents Residential Pursuits Investments, LLC, (the “Developer”) regarding the proposal to develop a twenty (20_) lot, single family detached subdivision on R-2 zoned property at the northeast corner of 14th Street and Wahalla Lane, Phoenix, which is also known as Maricopa County APNs 213-23-603 and 604 (the “Property”). Please see attached **Exhibit A** for an aerial view of the Property and surrounding area. As explained herein, the proposed development requires modification of one stipulation and deletion of two stipulations of approval, which the Phoenix City Council approved on February 7, 2024 with case Z-62-23-3.

BACKGROUND

Development plans for the Property changed after the City Council’s action in 2024, as follows.

Initial Rezoning

When rezoned in 2023-24, the plans for the Property involved a townhome style multifamily community with 30 two-story units. Access to the site was proposed as two driveways connecting to Wahalla Lane. As a multi-family community, the project included a central amenity/open space area and surface parking spaces for visitors to the community. The stipulations approved for the project reflect the proposed development type with attention to bicycle parking and shading of surface parking spaces. The approved site plan for the townhome project is attached at **Exhibit B**.

DEVELOPER’S PROPOSAL

The Developer is under contract to purchase the Property. The Developer proposes to build a neighborhood of 20 detached, two-story, single-family homes rather than multifamily townhomes. With the change in neighborhood style, the new neighborhood will have private street access to both 14th Street and Wahalla Lane and will not include the guest parking and central amenity area more appropriate for a multifamily neighborhood. The site plan has an amenity area and dog park, with pedestrian access, in the northeast corner of the Property and shaded sidewalks attaching the neighborhood to the street frontages. Screening of the area will include a combination of solid theme walls, combination solid and view fencing, and total view fencing. These details are part of the site plan package, which is attached at **Exhibit C**.

The proposed site plan has been reviewed by the Planning & Development Department with project number 24-1073. During this review, staff noted the need to modify the stipulations of Z-62-23-3 to allow final site plan and plat approval.

STIPULATION MODIFICATION

To allow the proposed redevelopment of the Property, the Owner requests the following modification of stipulations approved for Z-62-23-3:

1. The development shall be in general conformance with the site plan dated _____ stamped September 13, 2023, as modified by the following stipulations and approved by the Planning and Development Department.

Rationale: The Owner proposes a new site plan for development of the property. The site plan, which is included with this application, is dated November 11, 2024. The revised site plan necessitates an update of the rezoning stipulation.

2. Maximum building height shall be 30 feet.

No change.

3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

No change.

4. Landscape areas and retention areas shall be planted with minimum 2-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

No change.

5. The vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:

- a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
- b. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

No change.

6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

No change.

7. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum 75% shade, as approved by the Planning and Development Department:

Rationale: Based on our shade study calculations, we are able to provide 65% shade on all pedestrian walkways. Additional shade would be extremely difficult to be provided on the site.

8. ~~All uncovered surface parking lot area shall be landscaped with minimum 2 inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.~~

Rationale: The revised site plan does not include an uncovered surface parking lot.

9. ~~The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.~~

- a. ~~Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the amenity area and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.~~
- b. ~~Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.~~
- c. ~~All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.~~
- d. ~~A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The Bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.~~
- e. ~~A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.~~

Rationale: Although urban bicycle parking standards made sense for a townhome development, the standards are not appropriate for the proposed single family detached neighborhood.

10. ~~EACH GARAGE IN THE DEVELOPMENT SHALL BE EV READY. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 20% shall be EV Capable.~~

Rationale: In a for-sale single family detached neighborhood, it is important that the houses be capable of supporting EV charging but the individual homeowners should make the decision whether to complete the charging equipment installation.

11. The property owner shall record documents that disclose to prospective purchasers of property within the developments the existence of noise from the SR 101 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

No change.

12. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.

No change.

13. A noise wall shall be provided along or near the north property line, as approved by the Arizona Department of Transportation and the Planning and Development Department.

No change.

14. A Red Border Letter shall be submitted to ADOT for this development prior to preliminary site plan approval.

No change.

15. Complete dedications and construct knuckle design along at the terminus of 14th Street, as approved by the Street Transportation Department.

No change.

16. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

No change.

17. The property owner shall record documents that disclose the existence, and operational characteristics of 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.

No change.

18. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and 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 approval.

No change.

19. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

No change.

20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

No change.

21. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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.

No change.

CONCLUSION

Although the new proposal for development of the Property is a significant change in development style, most of the stipulations approved with Z-62-23-3 are applicable to the project. We look forward to discussing the case with you.

Very truly yours,

WITHEY MORRIS BAUGH P.L.C.

By 
William F. Allison

Attachments

EXHIBIT A



EXHIBIT B

CITY OF PHOENIX

SEP 18 2023

Planning & Development
Department

12TH STREET AND BEARDSLEY
ROAD RESIDENTIAL SUBDIVISION
ZONING: R1-8

SITE PLAN DATA:

APN'S: 213-23-603, 213-23-604
GROSS LAND AREA: 3.61 AC (157,251.6 SF)
NET LAND AREA: 3.15 AC (137,214.0 SF)
EXISTING ZONING: R1-8 (4.5 DU/AC; 5.5 W/BONUS)
PROPOSED ZONING: R-2 PRD
PROPOSED UNITS: 30 UNITS
PROPOSED DENSITY: 8.31 DU/AC
PROPOSED BUILDING HEIGHT: 2 STORIES (+/-26')
COMMON AREA REQ. (5%): 0.18 AC (7,862 SF)
COMMON AREA PROPOSED: 1.19 AC (51,930 SF)
PRIVATE OPEN SPACE PROP.: 0.14 AC (6,336 SF)
PARKING REQ. (21x1.5, 9x2): 49.5 SPACES
GUEST PARKING REQ. (21x5.9x1): 19.5 SPACES
PARKING PROVIDED:
2 GARAGE SPACES PER UNIT: 60 SPACES
GUEST SPACES (1 PER UNIT): 30 SPACES
ADA PARKING REQ./PROVIDED 2 SPACES

UNIT DATA:

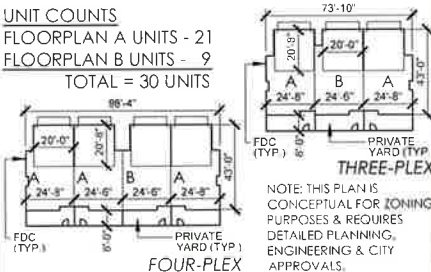
PLAN #	UNIT S.F.	BEDROOMS	BATHS
PLAN A	1,270 S.F.	2 BEDROOMS	2.5 BATHS
PLAN B	1,467 S.F.	3 BEDROOMS	2.5 BATHS

UNIT COUNTS

FLOORPLAN A UNITS - 21

FLOORPLAN B UNITS - 9

TOTAL = 30 UNITS



EAGLE RIDGE
ELEMENTARY
SCHOOL
ZONING: R1-8



UNION RESERVE - 14TH ST. & WAHALLA LN.

PHOENIX, AZ

CONCEPTUAL SITE PLAN

07/27/2023

Kimley Horn



0' 25' 50' 100'

DRAWN BY: JK SCALE: APPROX.

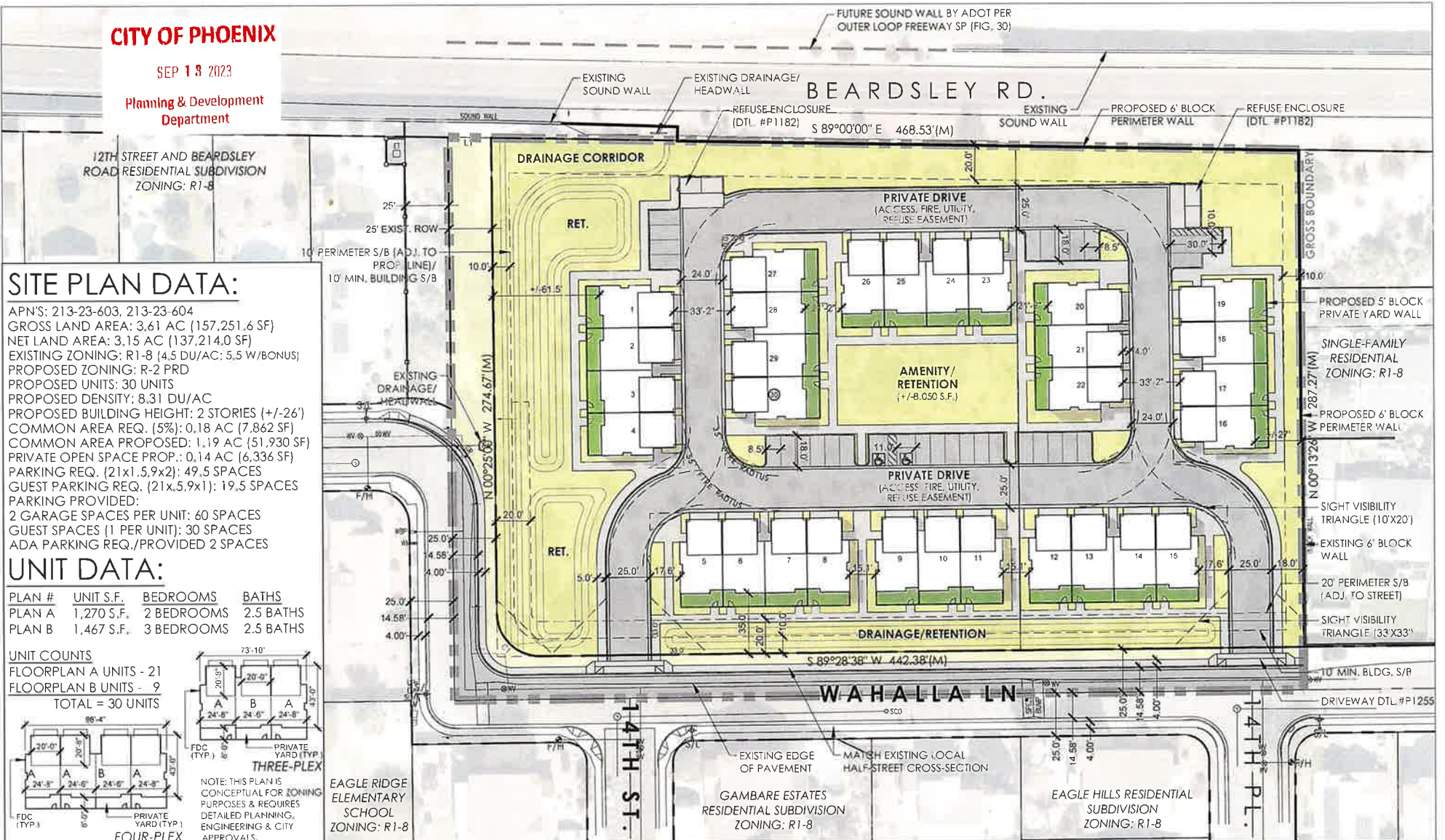


EXHIBIT C

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 13, 2023, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- © 2006 Blackwell Publishing Ltd, *Journal of Internal Medicine* 260: 103–110

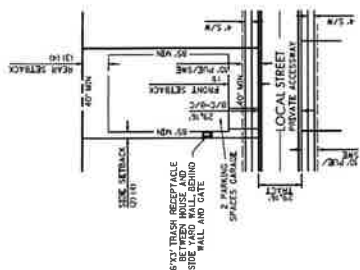
EXPRES: 12/11/2024

38 Engineering

[illegible]

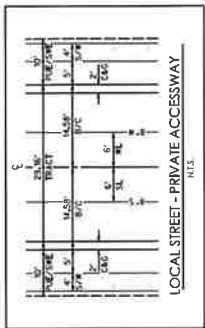
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SDEV	2400348
PAPP	2404563
QS	40-30

APPROVALS

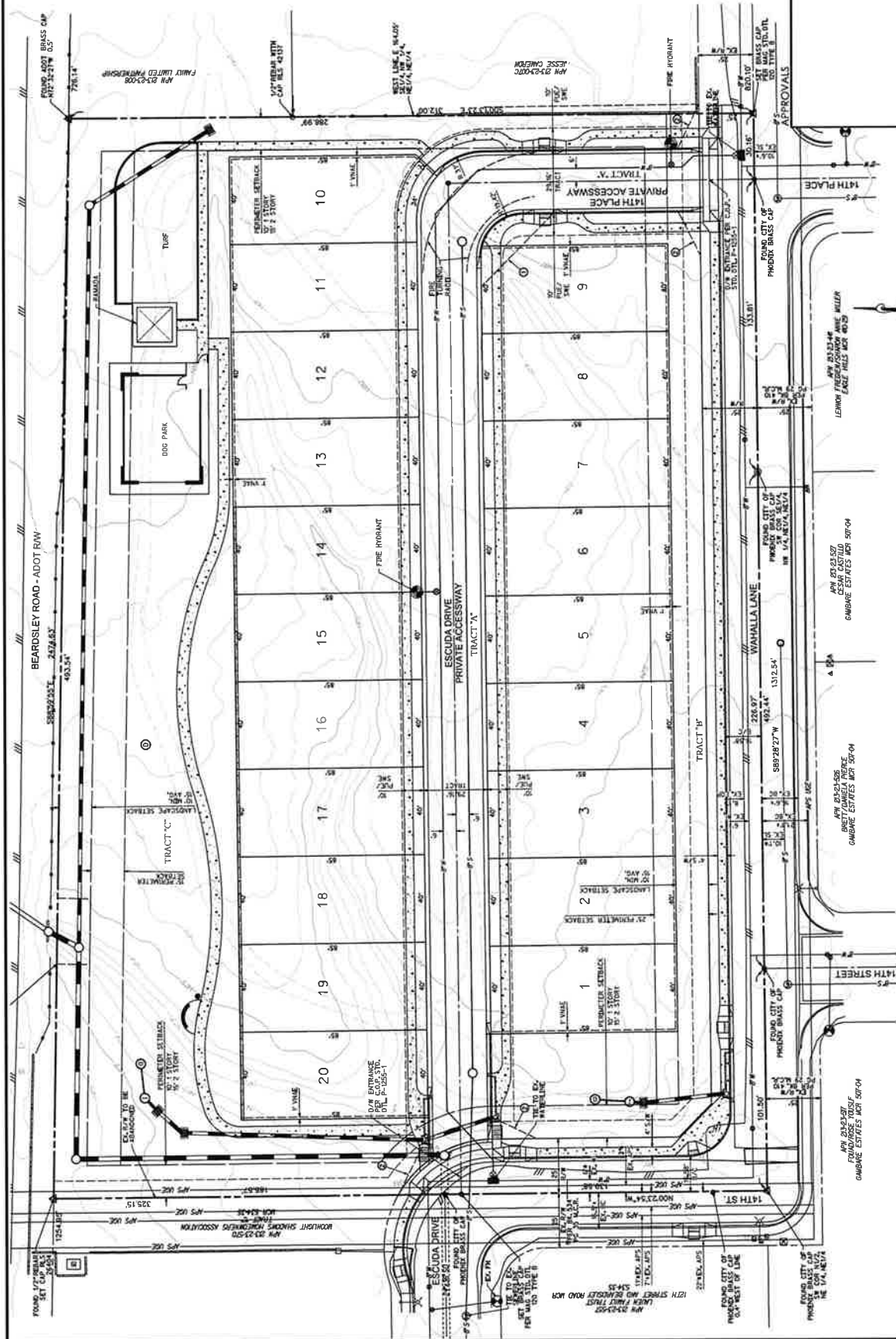


TYPICAL LOT LAYOUT - 40' WIDE MIN.

- 10' TO LIVABLE SPACE OR SIDE LOADED GARAGE 18' TO FRONT FACING GARAGE FROM BACK OF SIDEWALK.
- 2) SIDE SETBACK ESTABLISHED BY BUILDING CODE.
- 3) MEAN SETBACK ESTABLISHED BY BUILDING CODE.
- 4) PERMETER SETBACK.
- PERMETER STREET 15' IN ADDITION TO 10' MIN. LANDSCAPE SETBACK.
- PROPERTY LINE MEAS: 15' 11 STORY, 20' 12-STORY
- PROPERTY LINE SIDE: 10' 11 STORY, 15' 12-STORY



LOCAL STREET - PRIVATE ACCESSWAY



ORDINANCE G-7225

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-62-23-2) FROM R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 3.88-acre site located at the northeast corner of 14th Street and Wahalla Lane in a portion of Section 28, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R1-8" (Single-Family Residence District) to "R-2" (Multifamily Residence District).

SECTION 2. 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 Exhibit "B."

SECTION 3. 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:

Mod

- ①. The development shall be in general conformance with the site plan date stamped September 13, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. Maximum building height shall be 30 feet.
3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. Landscape areas and retention areas shall be planted with minimum 2-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. The vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - b. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

Mod

- ⑦. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum 75% shade, as approved by the Planning and Development Department.

Del

- ⑧. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.

- Del 9. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
- Del a. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the amenity area and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
- Del b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.
- Del c. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
- Del d. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- Del e. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- Mod 10. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 20% shall be EV Capable.
11. The property owner shall record documents that disclose to prospective purchasers of property within the developments the existence of noise from the SR 101 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
12. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.

13. A noise wall shall be provided along or near the north property line, as approved by the Arizona Department of Transportation and the Planning and Development Department.
14. A Red Border Letter shall be submitted to ADOT for this development prior to preliminary site plan approval.
15. Complete dedications and construct knuckle design along at the terminus of 14th Street, as approved by the Street Transportation Department.
16. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
17. The property owner shall record documents that disclose the existence, and operational characteristics of 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.
18. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and 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 approval.
19. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
21. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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.

SECTION 4. 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.

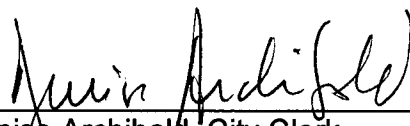
PASSED by the Council of the City of Phoenix this 7th day of February, 2024.


MAYOR

2/8/24

Date

ATTEST:


Denise Archibald, City Clerk



APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: 

Paul Li, Assistant Chief Counsel

REVIEWED BY:


Jeffrey Barton, City Manager

PML:ac:(LF24-0043):2-7-24:2416753_1.doc

Exhibits:

- A – Legal Description (2 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-62-23-2

PARCEL 1

THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THAT PORTION, WHICH LIES NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 28, WHICH POINT BEARS SOUTH 00 DEGREES 00 MINUTES 57 SECONDS EAST 370.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS WEST 1600.00 FEET TO THE POINT OF ENDING (ADOT PARCEL 7-4108); AND

ALSO EXCEPT THE SOUTH 25 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA; TOGETHER WITH THE WEST 25 FEET THAT PART OF THE SOUTH 327 FEET OF SAID WEST HALF LYING NORTH OF THE NORTH LINE OF SAID SOUTH 25 FEET; AND TOGETHER WITH THAT PORTION BOUNDED ON THE SOUTH BY SAID NORTH LINE, ON THE WEST BY THE EAST LINE OF SAID WEST 25 FEET AND ON THE NORTHEAST BY THE ARC OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 12 FEET AND BEING TANGENT TO SAID NORTH LINE AND TO SAID EAST LINE, AS CONVEYED TO THE CITY OF PHOENIX IN DOCUMENT NO.

87-450540; AND

ALSO EXCEPT ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT TO SAID LAND.

PARCEL 2

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE EAST 164.05 FEET; AND

ALSO EXCEPT THE SOUTH 25 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE

NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS CONVEYED TO THE CITY OF PHOENIX IN DOCUMENT NO. 87-450541; AND

ALSO EXCEPT THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, WHICH LIES NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 28, WHICH POINT BEARS SOUTH 00 DEGREES 00 MINUTES 57 SECONDS EAST 370.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS WEST 1200.00 FEET TO THE POINT OF ENDING; AND

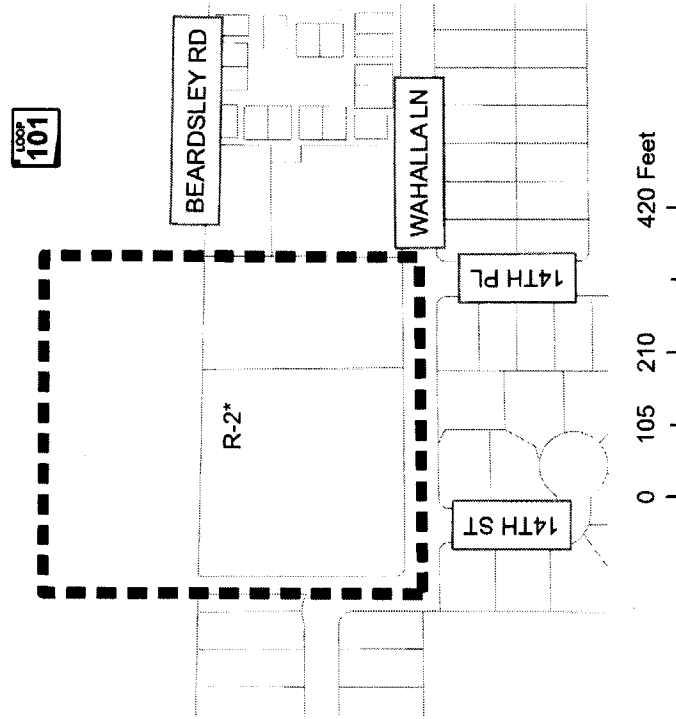
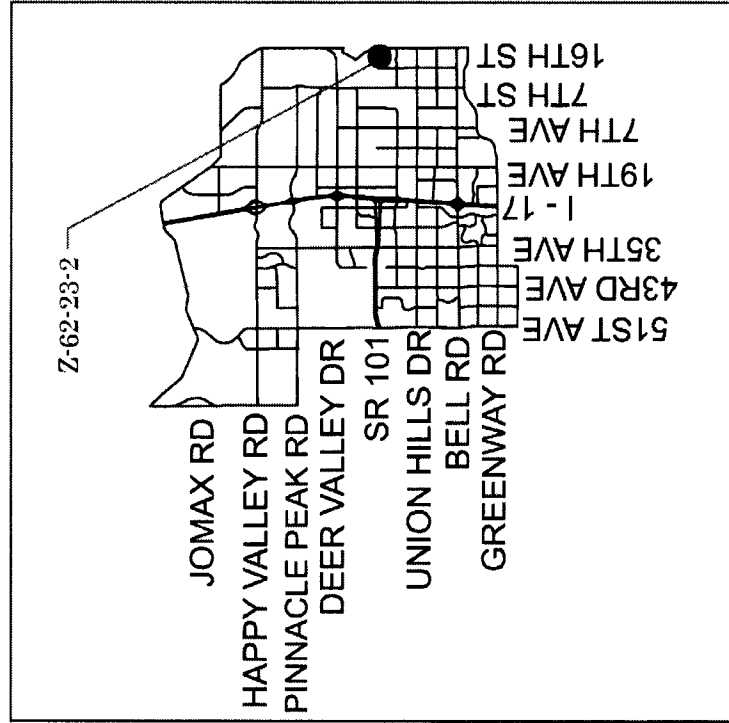
ALSO EXCEPT ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT TO SAID LAND

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

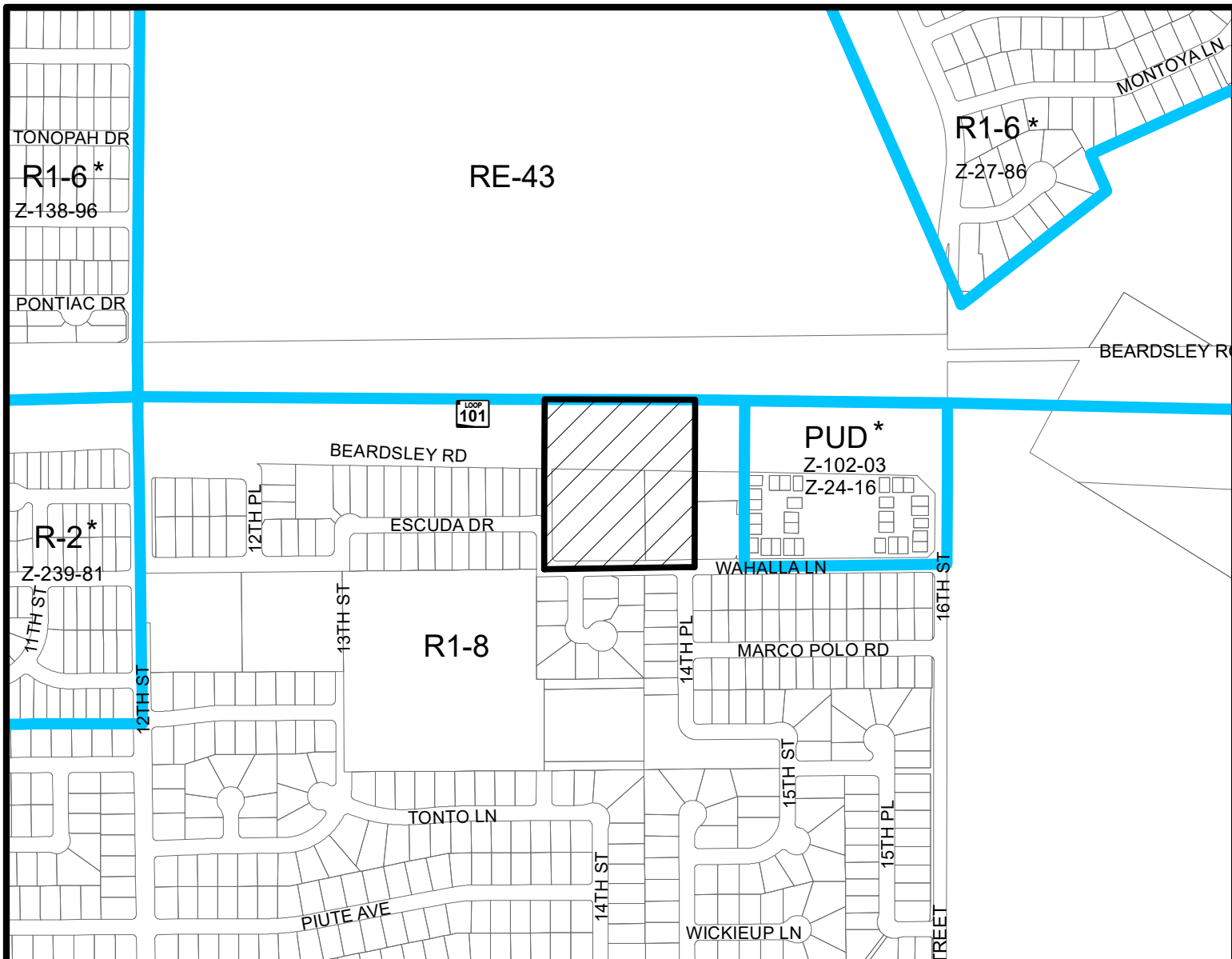
Zoning Case Number: Z-62-23-2
Zoning Overlay: N/A
Planning Village: Deer Valley



NOT TO SCALE

Drawn Date: 1/5/2024

G 7225



Miles

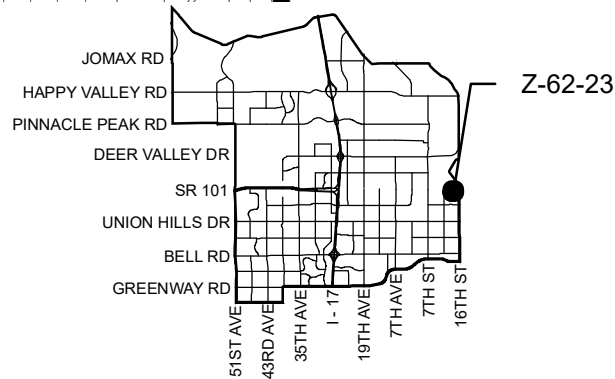
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DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 2



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Kimley-Horn / Keith Nichter

APPLICATION NO. Z-62-23

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

3.88 Acres

DATE: 10/05/2023
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.
QS 40-30

ZONING MAP
N-9

REQUESTED CHANGE:

FROM: R1-8 (3.88 a.c.)

TO: R-2 (3.88 a.c.)

MULTIPLES PERMITTED

R1-8

R-2

CONVENTIONAL OPTION

16

39

* UNITS P.R.D. OPTION

21

46

* Maximum Units Allowed with P.R.D. Bonus

RE-43

E A101@16TH ST EB WO

E PIMA FWY E A101@16TH ST EB OP

E BEARDSLEY RD

R-2*

PUD*

E ESCUDA DR

N 14TH ST

E WAHALLA LN

R1-8

N 14TH ST

N 14TH PL

PHO-1-25--Z-62-23-3

Property Location: Northeast corner of 14th Street and Wahalla Lane

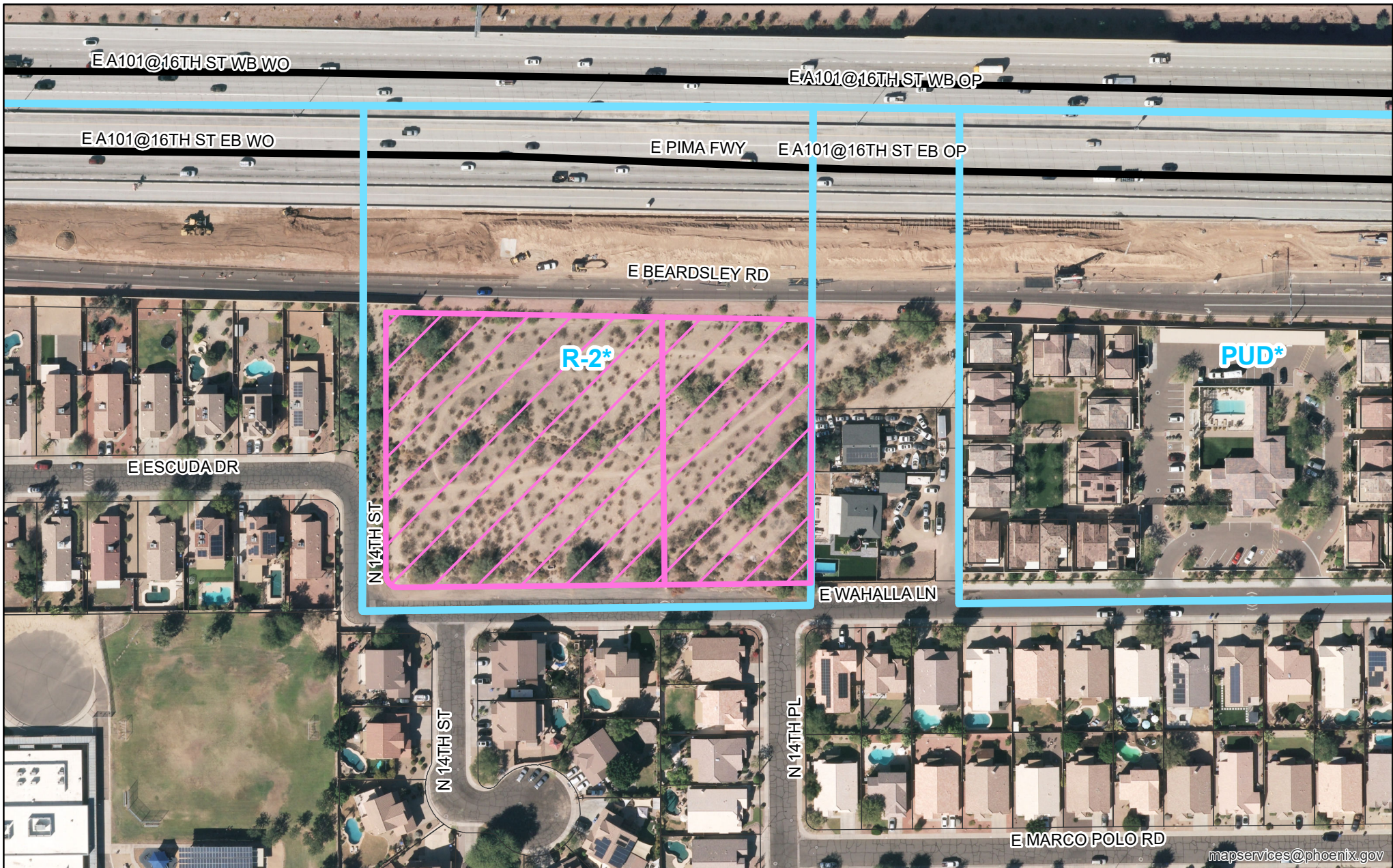


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 55 110 220 Feet

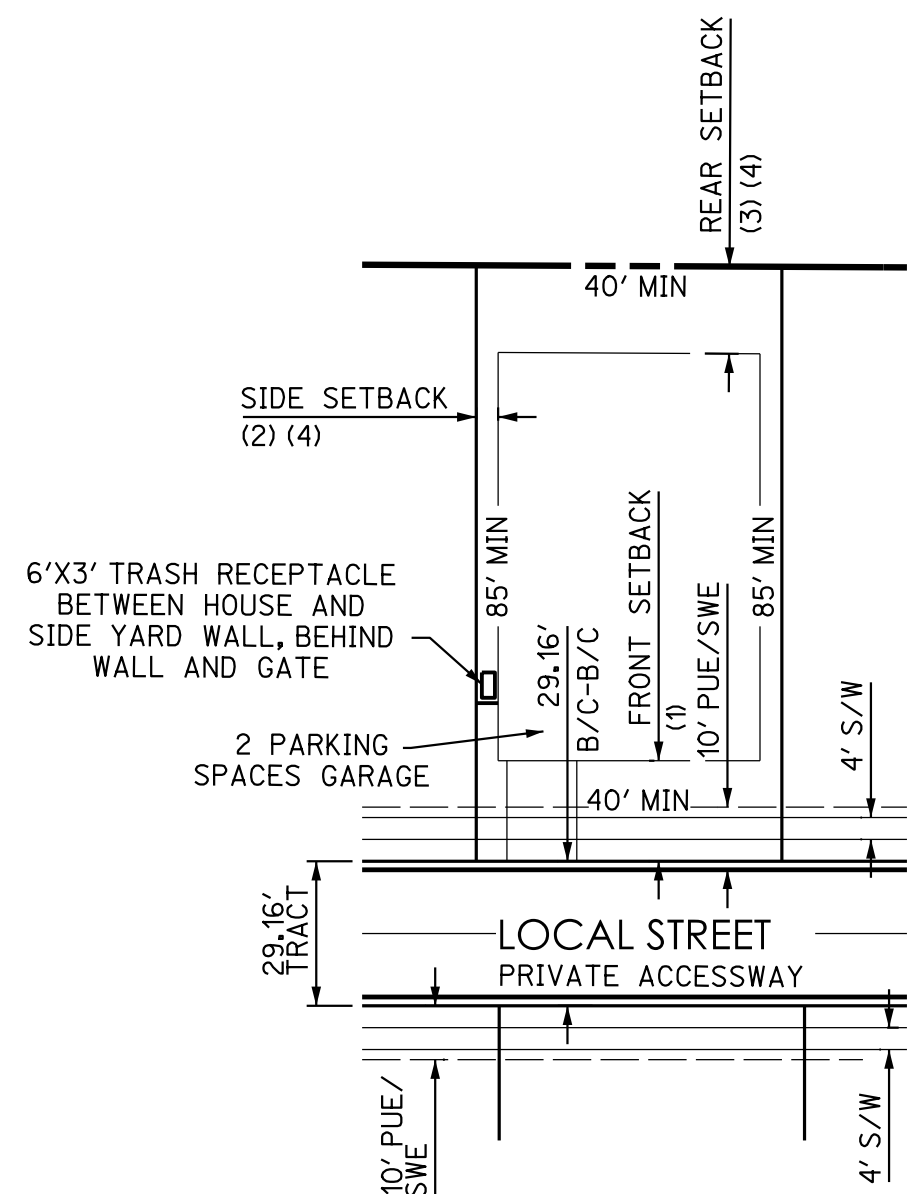




PHO-1-25--Z-62-23-3

Property Location: Northeast corner of 14th Street and Wahalla Lane

1. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATED SEPTEMBER 13, 2023, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2. MAXIMUM BUILDING HEIGHT SHALL BE 30 FEET.
3. ALL REQUIRED LANDSCAPE SETBACKS SHALL BE PLANTED WITH MINIMUM 2-INCH CALIPER LARGE CANOPY, DROUGHT TOLERANT SHADE TREES, PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. LANDSCAPE AREAS AND RETENTION AREAS SHALL BE PLANTED WITH MINIMUM 2-INCH CALIPER LARGE CANOPY DROUGHT-TOLERANT SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5. THE VEHICULAR ENTRANCES TO THE DEVELOPMENT SHALL INCLUDE THE FOLLOWING ELEMENTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:
 - A. PEDESTRIAN PATHWAYS CONNECTING THE INTERIOR OF THE DEVELOPMENT TO THE PUBLIC SIDEWALKS ALONG BOTH SIDES OF THE VEHICULAR DRIVEWAY.
 - B. THE ENTRY DRIVEWAY SURFACE SHALL BE CONSTRUCTED OF DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR ANOTHER MATERIAL, OTHER THAN THOSE USED TO PAVE THE PARKING SURFACES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
6. WHERE PEDESTRIAN WALKWAYS CROSS A VEHICULAR PATH, THE PATHWAY SHALL BE CONSTRUCTED OF DECORATIVE PAVERS, STAMPED OR COLORED CONCRETE, OR OTHER PAVEMENT TREATMENTS THAT VISUALLY CONTRAST PARKING AND DRIVE AISLE SURFACES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
7. ALL PEDESTRIAN WALKWAYS, INCLUDING SIDEWALKS, SHALL BE SHADED BY A STRUCTURE, LANDSCAPING AT MATURITY, OR A COMBINATION OF THE TWO TO PROVIDE A MINIMUM 75% SHADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
8. ALL UNCOVERED SURFACE PARKING LOT AREA SHALL BE LANDSCAPED WITH MINIMUM 2-INCH CALIPER SIZE LARGE CANOPY DROUGHT TOLERANT SHADE TREES. LANDSCAPING SHALL BE DISPERSED THROUGHOUT THE PARKING AREA AND ACHIEVE 25% SHADE AT MATURITY, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT.
9. THE DEVELOPMENT SHALL INCORPORATE BICYCLE INFRASTRUCTURE AS DESCRIBED BELOW AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - A. BICYCLE PARKING SPACES SHALL BE PROVIDED THROUGH INVERTED U AND/OR ARTISTIC RACKS LOCATED NEAR THE AMENITY AREA AND INSTALLED PER THE REQUIREMENTS OF SECTION 1307.H. OF THE PHOENIX ZONING ORDINANCE. ARTISTIC RACKS SHALL ADHERE TO THE CITY OF PHOENIX PREFERRED DESIGNS IN APPENDIX K OF THE COMPREHENSIVE BICYCLE MASTER PLAN.
 - B. GUEST BICYCLE PARKING SHALL BE PROVIDED AT A MINIMUM RATE OF 0.05 SPACES PER UNIT, UP TO A MAXIMUM OF 50 SPACES, LOCATED NEAR BUILDING ENTRANCES AND WITHIN AMENITY AREAS.
 - C. ALL BICYCLE INFRASTRUCTURE SHALL BE SHADED BY A STRUCTURE, LANDSCAPING AT MATURITY, OR A COMBINATION OF THE TWO TO PROVIDE MINIMUM 75% SHADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - D. A BICYCLE REPAIR STATION (FIX IT STATION?) SHALL BE PROVIDED AND MAINTAINED ON SITE WITHIN AN AMENITY AREA OR NEAR A PRIMARY SITE ENTRANCE. THE BICYCLE REPAIR STATION (FIX IT STATION?) SHALL BE PROVIDED IN AN AREA OF HIGH VISIBILITY AND SEPARATED FROM VEHICULAR MANUEVERING AREAS, WHERE APPLICABLE. THE REPAIR STATION SHALL INCLUDE, BUT NOT BE LIMITED TO STANDARD REPAIR TOOLS AFFIXED TO THE STATION, A TIRE GAUGE AND PUMP. AFFIXED TO THE BASE OF THE STATION OR THE GROUND, AND A BICYCLE REPAIR STAND WHICH ALLOWS PEDALS AND WHEELS TO SPIN FREELY WHILE MAKING ADJUSTMENTS TO THE BIKE.
 - E. A MINIMUM OF 10% OF THE REQUIRED BICYCLE PARKING SPACES SHALL INCLUDE STANDARD ELECTRICAL RECEPTACLES FOR ELCTRIC BICYCLE CHARGING CAPABILITIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. A MINIMUM OF 10% OF THE REQUIRED PARKING SPACES SHALL BE EV READY AND A MINIMUM OF 20% SHALL BE EV CAPABLE.
11. THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PROSPECTIVE PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENTS THE EXISTENCE OF NOISE FROM THE SR 101 FREEWAY. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY PRIOR TO RECORDEATION.
12. PRIOR TO FINAL SITE PLAN APPROVAL, THE DEVELOPER SHALL PROVIDE A QUALIFIED ENGINEER'S REPORT CERTIFYING THE AVERAGE ANNUAL INTERIOR NOISE EXPOSURE FOR ANY RESIDENTIAL UNIT OR ENCLOSED PUBLIC ASSEMBLY AREA WILL NOT EXCEED 45 DECIBELS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. A NOISE WALL SHALL BE PROVIDED ALONG OR NEAR THE NORTH PROPERTY LINE, AS APPROVED BY THE MARICOPA DEPARTMENT OF TRANSPORTATION AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
14. A RED BORDER LETTER SHALL BE SUBMITTED TO ADOT FOR THIS DEVELOPMENT PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
15. COMPLETE DEDICATIONS AND CONSTRUCT KNUCKLE DESIGN ALONG AT THE TERMINUS OF 14TH STREET, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
16. 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 PLANNING AND DEVELOPMENT DEPARTMENT. ALL IMPROVEMENTS SHALL COMPLY WITH ALL ADA ACCESSIBILITY STANDARDS.
17. THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE THE EXISTENCE, AND OPERATIONAL CHARACTERISTICS OF DEER VALLEY AIRPORT TO FUTURE OWNERS OR TENANTS OF THE PROPERTY. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TERMS, CONDITIONS AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.
18. IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND 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 APPROVAL.
19. IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
20. IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33-FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
21. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. 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.



TYPICAL LOT LAYOUT - 40' WIDE MIN.

(1) 10' TO LIVABLE SPACE OR SIDE LOADED GARAGE; 18' TO FRONT FACING GARAGE FROM BACK OF SIDEWALK.

(2) SIDE SETBACK ESTABLISHED BY BUILDING CODE.

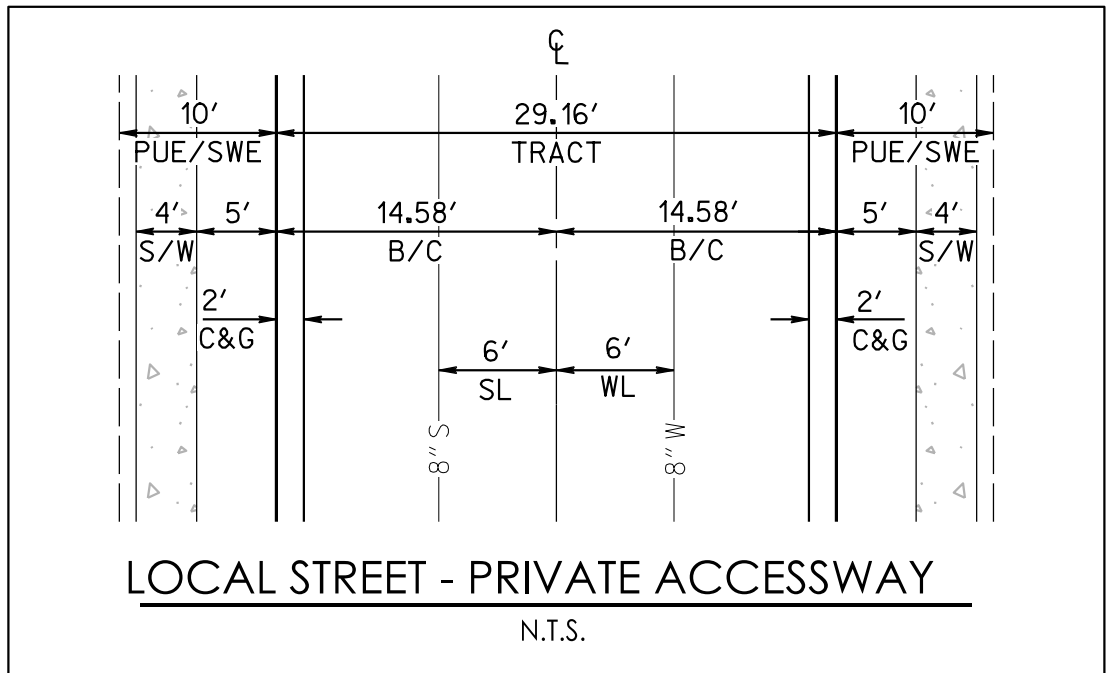
(3) REAR SETBACK ESTABLISHED BY BUILDING CODE.

(4) **PERIMETER SETBACK:**

PERIMETER STREET: 15' IN ADDITION TO 10' MIN. LANDSCAPE SETBACK.

PROPERTY LINE REAR: 15' (1 STORY), 20' (2-STORY)

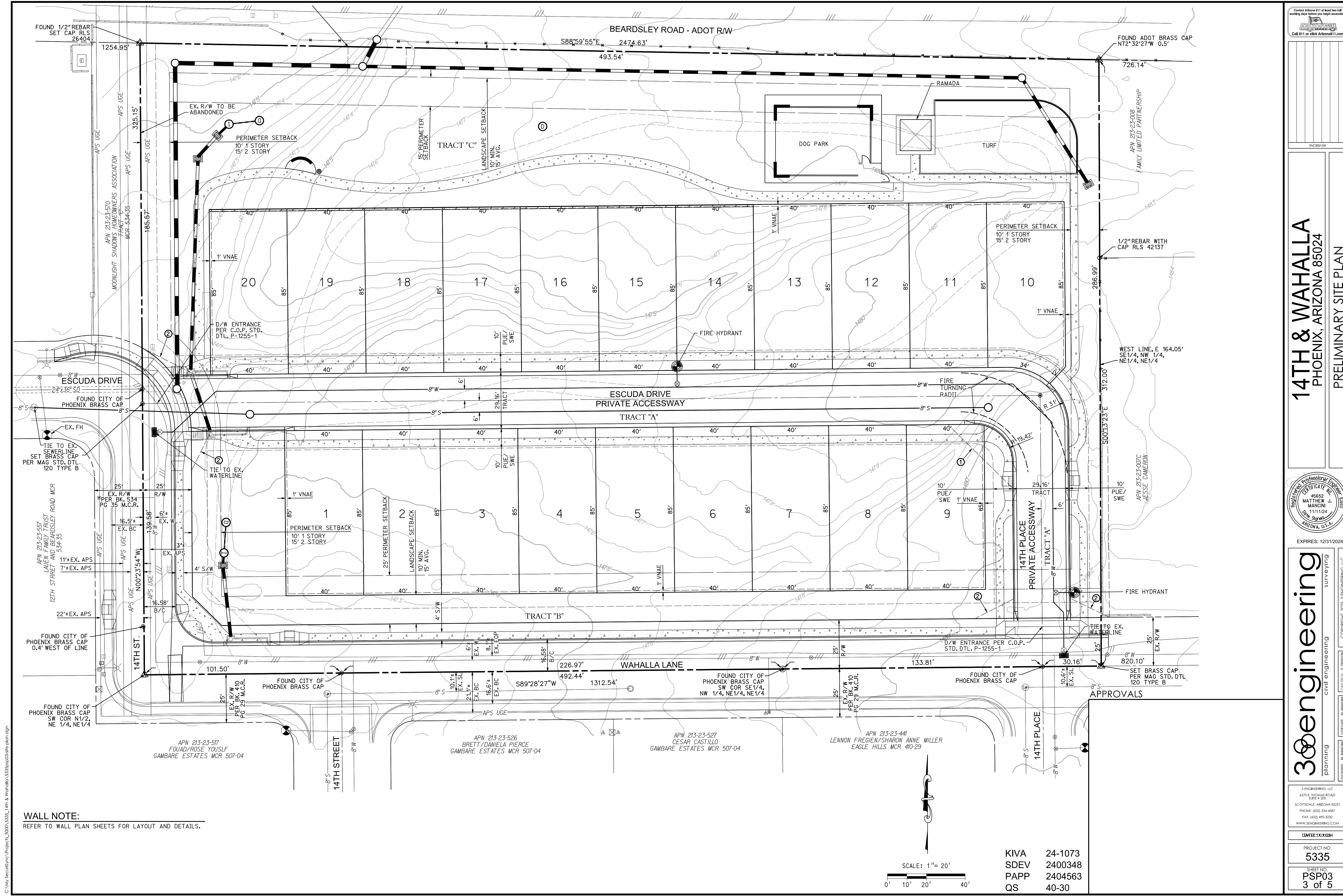
PROPERTY LINE SIDE: 10' (1 STORY), 15' (2-STORY)



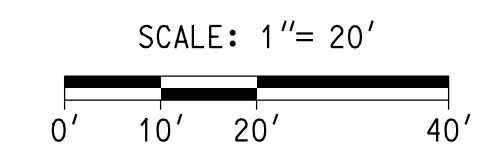
APPROVALS

KIVA	24-1073
SDEV	2400348
PAPP	2404563
QS	40-30

[illegible]



WALL NOTE:
REFER TO WALL PLAN SHEETS FOR LAYOUT AND DETAILS.



KIVA 24-1073
SDEV 2400348
PAPP 2404563
QS 40-30

14TH & WAHALLA
PHOENIX, ARIZONA 85024
PRELIMINARY SITE PLAN

300engineering
planning
civil engineering
surveying

REGISTERED PROFESSIONAL ENGINEER
MATTHEW J. MANCINI
11/11/24
ARIZONA, U.S.A.
EXPIRES: 12/31/2024

3 ENGINEERING, LLC
6370 E THOMAS ROAD
SUITE # 200
SCOTTSDALE, ARIZONA 85251
PHONE: (602) 334-4387
FAX: (602) 490-3230
WWW.3ENGINEERING.COM

DATE: 11/11/24

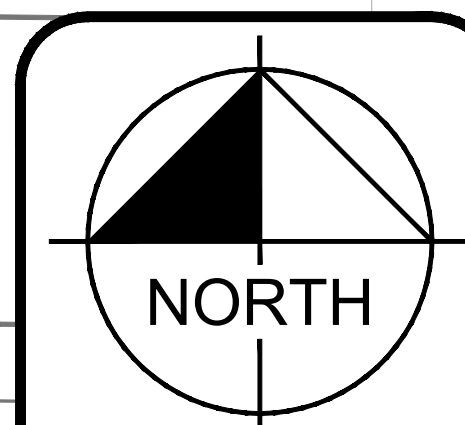
PROJECT NO.
5335

SHEET NO.
PSP03
3 of 5

KIVA 24-1073, SDEV 2400348, QS 40-30

ARIZONA STATE
ROUTE 101

LOOP
101

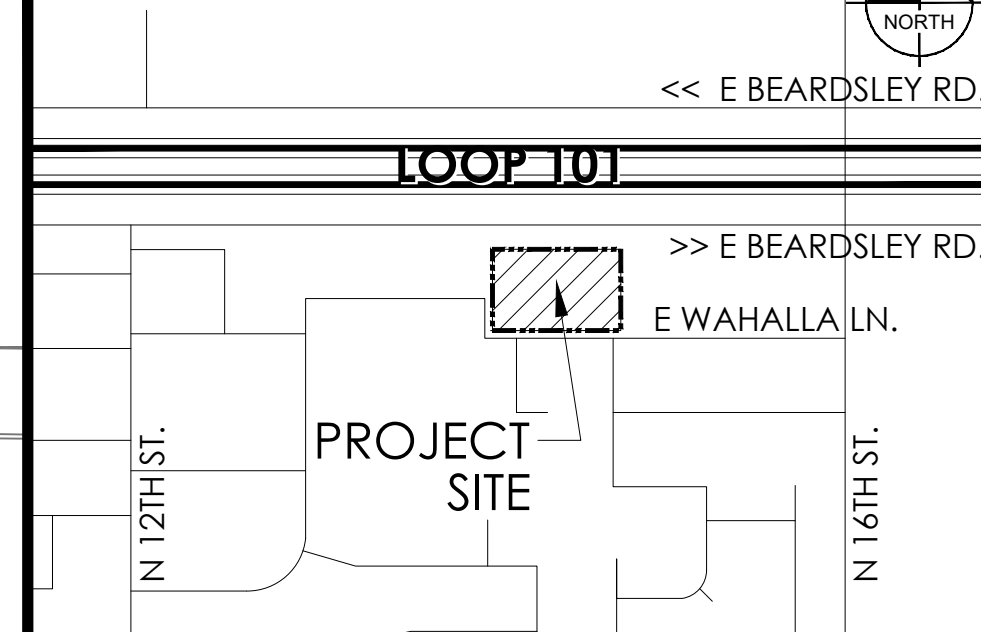


SITE PLAN SCALE
(1" = 30') :

0 15' 30' 60'

NOTE: THIS PLAN IS CONCEPTUAL & REQUIRES DETAILED PLANNING, ENGINEERING & CITY APPROVALS. DETAILED LANDSCAPE PLANS, WALL/FENCE PLANS & AMENITY DETAILS TO BE PROVIDED FOR REVIEW & APPROVAL AT PRELIMINARY SITE PLAN.

VICINITY MAP:



PROJECT DESCRIPTION:

PROPOSED REZONING FROM THE EXISTING R1-8 ZONING DISTRICT TO R-2 PRD IN ORDER TO ALLOW FOR A NEW HIGH-QUALITY RESIDENTIAL TOWNHOME STYLE FOR LEASE MULTI-FAMILY COMMUNITY. THIS PROPOSAL WILL INCLUDE A CENTRAL AMENITY AND PRIVATE STREETS.

NOTES: -DETAILED SITE PLAN, LANDSCAPE, ENGINEERING & FIRE PLANS TO BE PROVIDED PER SEPARATE SUBMITTAL.
-DRAINAGE EASEMENT TO BE DEDICATED AROUND OFFSITE FLOWS TO MAINTAIN HISTORICAL FLOW.
-AN AUTOMATIC FIRE SPRINKLER SYSTEM AND EMERGENCY ACCESS PERMIT SHALL BE REQUIRED BY SEPARATE SUBMITTAL.

TEAM:

OWNER/DEVELOPER:
HOH LAND LLC
11811 N. TATUM BLVD.,
STE #1051, PHOENIX, AZ 85028
CONTACT: WASEEM HAMADEH
EMAIL: WHAMADEH@HOHINVESTMENTGROUP.COM

LAND PLANNING/ENGINEERING:
KIMLEY-HORN
1001 W. SOUTHERN AVE.,
STE 131, MESA, AZ 85210
PLANNING: KEITH NICHTER
PHONE: 602.313.7206, EMAIL: KEITH.NICHTER@KIMLEY-HORN.COM
ENGINEERING: ZACH HILL
PHONE: 480.207.2669, EMAIL: ZACH.HILL@KIMLEY-HORN.COM

SITE PLAN DATA:

APN'S: 213-23-603, 213-23-604
GROSS LAND AREA: = 3.61 AC (157,251.6 S.F.)
NET LAND AREA: = 3.15 AC (137,214.0 S.F.)
VILLAGE: = DEER VALLEY
GENERAL PLAN LAND USE: = RESIDENTIAL 3.5-5 DU/AC
EXISTING ZONING: = R1-8 (4.5 DU/AC; 5.5 W/BONUS)
PROPOSED ZONING: = R-2 PRD
PROPOSED UNITS: = 30 UNITS
CONSTRUCTION TYPE: = IBC TABLE 601: TYPE VB
ALLOWED DENSITY (R-2): = 10.5 DU/AC, 12 W/ BONUS
PROPOSED DENSITY: = 8.31 DU/AC
MIN. LOT WIDTH/DEPTH REQ.: = NONE
MIN. PERIMETER STANDARDS: = 20' ADJACENT TO STREET;
MIN. REQUIRED: = 10' ADJ. TO PROPERTY LINE
PROPOSED: = 20' ADJACENT TO STREET;
MIN. BUILDING SETBACKS: = 10' FRONT;
MIN. REQUIRED: = 20' ADJ. TO PROPERTY LINE
PROPOSED: = 20' ADJACENT TO STREET;
MIN. REQUIRED: = 10' FRONT;
ALLOWED BUILDING HEIGHT: = 2 STORIES or 40'
PROPOSED BUILDING HEIGHT: = 2 STORIES (+/-26')
LOT COVERAGE ALLOWED: = 45%
LOT COVERAGE PROPOSED: = 45%
COMMON AREA REQ. (5%): = 0.18 AC (7,862 S.F.)
COMMON AREA PROPOSED: = 1.19 AC (51,930 S.F.) (33%)
PRIVATE O.S. PROPOSED: = 0.14 AC (6,336 S.F.)
REQUIRED PARKING:
1.5 PER 2 BED/2 PER 3 BED: = 49.5 SPACES (RESERVED)
0.5 PER 2 BED/1 PER 3 BED: = 19.5 SPACES (UNRESERVED)
PARKING PROVIDED
2 GARAGE SPACES PER UNIT: = 60 SPACES (RESERVED)
GUEST SPACES (1 PER UNIT): = 30 SPACES (UNRESERVED)
ADA PARKING REQ./PROV. = 2 SPACES

UNIT DATA:

FLOORPLAN	A	B	UNIT COUNTS
UNIT S.F.:	1,270 S.F.	1,467 S.F.	FLOORPLAN A UNITS - 21
BEDROOMS:	2 BEDS	3 BEDS	FLOORPLAN B UNITS - 9
BATHS:	2.5 BATHS	2.5 BATHS	TOTAL = 30 UNITS

FOUR-PLEX

THREE-PLEX

CITY OF PHOENIX

SEP 13 2023

Planning & Development
Department

Kimley»Horn

SCALE (H): AS SHOWN
SCALE (V):
DESIGNED BY: DS
DRAWN BY: DR
CHECKED BY: CK
DATE: 07/27/2023

UNION RESERVE (14TH ST. & WAHALLA LN.)
REZONING APPLICATION (PAPP# 23-45)
CONCEPTUAL SITE PLAN
PHOENIX, AZ

PROJECT NO.
18D
DRAWING NAME
CONCEPT, SITE PLAN
SHTOFTOT

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF OR IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

scheduled to hear this case on Dec. 5, 2023; however, there was no quorum.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.

Location

Northwest corner of 53rd Street and Dynamite Boulevard

Council District: 2

Parcel Address: 28255 N. 52nd St. and 5214, 5218, 5221, 5222, 5225, 5226, 5229, 5230, 5233, 5234, 5237, 5238, 5241, 5242 and 5246 E.

Silver Sage Lane

This item was continued to the March 6, 2024 City Council Formal Meeting.

**82 Amend City Code - Ordinance Adoption - Rezoning Application
Z-62-23-2 - Northeast Corner of 14th Street and Wahalla Lane
(Ordinance G-7225)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-62-23-2 and rezone the site from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential townhomes.

Summary

Current Zoning: R1-8

Proposed Zoning: R-2

Acreage: 3.88

Proposal: Multifamily residential townhomes

Owner: Waseem Hamadeh, HOC Land, LLC

Applicant/Representative: Keith Nichter, Kimley-Horn

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on Dec. 14, 2023, and recommended approval, per staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 7-0.

Location

Northeast corner of 14th Street and Wahalla Lane

Council District: 2

Parcel Address: 1414 E. Wahalla Lane

This item was adopted.

**83 Amend City Code - Ordinance Adoption - Rezoning Application
Z-59-23-4 - Approximately 125 Feet West of the Northwest Corner
of 31st Avenue and Virginia Avenue (Ordinance G-7230)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-59-23-4 and rezone the site from Ind. Pk. (Industrial Park) to A-1 (Light Industrial District) to allow industrial uses (meat processing, packaging, and sales).

Summary

Current Zoning: Ind. Pk.

Proposed Zoning: A-1

Acreage: 0.60

Proposal: Industrial uses (meat processing, packaging, and sales)

Owner: Gabriel Amavizca

Applicant/Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee was scheduled to hear this case on Dec. 13, 2023, for recommendation; however, there was no quorum.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.

Location

Approximately 125 feet west of the northwest corner of 31st Avenue and Virginia Avenue

12. **Application #:** **Z-62-23-2**
 From: R1-8
 To: R-2
 Acreage: 3.88
 Location: Northeast corner of 14th Street and Wahalla Lane
 Proposal: Multifamily residential townhomes
 Applicant: Keith Nichter, Kimley-Horn
 Owner: Waseem Hamadeh, HOC Land, LLC
 Representative: Keith Nichter, Kimley-Horn

Ms. Racelle Escobar stated that Item No. 12 is Z-62-23-2 a request to rezone 3.88 acres at the northeast corner of 14th Street and Wahalla Lane from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential townhomes.

The Deer Valley Village Planning Committee recommended approval, per the staff recommendation by a 9 to 0 vote.

Staff recommends approval, per the Deer Valley Village Planning Committee recommendation.

Chairman Gaynor asked Mr. Keith Nichter if he wished to speak.

Mr. Nichter responded no, and to proceed.

Chairman Gaynor asked for discussion. There was none. He entertained a motion.

Commissioner Perez made a MOTION to approve Z-62-23-2, per the Deer Valley Village Planning Committee recommendation.

Commissioner Jaramillo SECONDED.

There being no further discussion, Chairman Gaynor called for a vote and the MOTION Passed 7-0 (Absent: Mangum).

Stipulations:

1. The development shall be in general conformance with the site plan date stamped September 13, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. Maximum building height shall be 30 feet.
3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

4. Landscape areas and retention areas shall be planted with minimum 2-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. The vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - b. The entry driveway surface shall be constructed of decorative pavers, stamped, or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum 75% shade, as approved by the Planning and Development Department.
8. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
9. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
 - a. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the amenity area and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.
 - c. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.

- d. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - e. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- 10. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 20% shall be EV Capable.
 - 11. The property owner shall record documents that disclose to prospective purchasers of property within the developments the existence of noise from the SR 101 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
 - 12. Prior to final site plan approval, the developer shall provide a qualified engineer’s report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.
 - 13. A noise wall shall be provided along or near the north property line, as approved by the Arizona Department of Transportation and the Planning and Development Department.
 - 14. A Red Border Letter shall be submitted to ADOT for this development prior to preliminary site plan approval.
 - 15. Complete dedications and construct knuckle design along at the terminus of 14th Street, as approved by the Street Transportation Department.
 - 16. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
 - 17. The property owner shall record documents that disclose the existence, and operational characteristics of 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.

18. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and 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 approval.
19. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
20. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
21. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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.

Ms. DiLeo asked for clarity on how the reduction of the 5-foot setback would impact the landscape plan.

Mr. Freeman said the assumption of the setback was this was Commerce Park zoning next to residential zoning, but added this request was not for Commerce Park zoning. **Mr. Braden Lopez-Biggs** said the residential zoning is outside of the City's jurisdiction, and he doubts that it would be developed as residential. **Mr. Diepholz** said that most likely the neighboring properties would be annexed into the City of Phoenix from the County. Mr. Diepholz said the likelihood of getting city services to a property that would be residential is unlikely. Mr. Diepholz explained the subject property was annexed and given the equivalency zoning of S-1 and the General Plan calls for the Commerce Park use. Mr. Diepholz said that if neighboring properties go to CP/GCP the landscape requirement would go away.

Mr. Lopez-Biggs asked about the users looking at the space. **Mr. Locher** said all the interests were coming from A-1 users.

Mr. Diepholz said General Plan designation did not take into consideration TSMC since it was completed approximately 10 years ago. And the outlook for the area changed in the last several years.

PUBLIC COMMENT

None.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION DISCUSSION, AND VOTE

MOTION

Trilese DiLeo motioned to recommend approval of Z-26-23-1 subject to the stipulations, with a deletion of Stipulation No. 2 regarding a minimum 5-foot landscape setback on the north and west sides of the property. **Braden Lopez-Biggs** seconded the motion.

VOTE:

9-0, motion to recommend approval of Z-26-23-1 subject to the stipulations, with a deletion of Stipulation No. 2 regarding a minimum 5-foot landscape setback on the north and west sides passes with Committee Members DiLeo, Field, Freeman, Greenberg, Herber, Lopez-Biggs, Novak, Romero, and Grossman in favor.

7. **Z-62-23-2**: Presentation, discussion, and possible recommendation regarding a request to rezone 3.88 acres located at the northeast corner of 14th Street and

Wahalla Lane **from** R1-8 (Single-Family Residence District) **to** R-2 (Multifamily Residence District) to allow multifamily residential townhomes.

One member of the public registered to speak on this request.

STAFF PRESENTATION

Matteo Moric, staff, provided an overview of the rezoning case. Mr. Moric showed a map of the site's location and stated the surrounding area's zoning was R1-8, and the site was next to residential neighborhoods and a school. Mr. Moric explained the proposed R-2 zoning was not consistent with the General Plan but was less than 10 acres and still considered residential traditional lots, therefore, a general plan amendment would not be required.

Mr. Moric indicated the applicant was proposing 30 townhome units with ample open space just south of Beardsley Road and the Outer Loop Freeway. Mr. Moric then stepped through staff requested stipulations.

APPLICANT PRESENTATION

Keith Nichter, applicant with Kimley-Horn, identified the location of the site as being west of 16th Street within the Outer Loop Freeway Specific Area Plan. Mr. Nichter said this was a great opportunity for infill development and pointed out the existing freeway walls and the Beardsley Frontage Road. Mr. Nichter emphasized there would be no access to the frontage road from the project, but access would be provided internally off Wahalla Lane.

Mr. Nichter explained Wahalla Lane was not a finished road, and as part of this project street improvements would be made which support was expressed by the neighbors. Mr. Nichter said the traditional lot land use designation recommends a few density categories which are acceptable, and R-2 is one of those categories. Mr. Nichter noted R-2 is a nice single-family transitional use and the proposed zoning allows higher density, but they are proposing 7.73 dwelling units per acre. Mr. Nichter said the site is an odd remnant parcel and from an access standpoint it has a weird street jog at the southwest corner, and stated a typical single-family product would put all lots fronting Wahalla Lane

Mr. Nichter noted there was some R-2 zoned properties to the west, and a PUD to the east for an attached product with 30 units as well. Mr. Nichter felt it would be beneficial to have a smaller product and have large open space buffers which surround the property and allow multifamily style town homes. Mr. Nichter said essentially it is a difference of 10 units. Mr. Nichter said they must build new roadways internal to the product with large landscape setbacks and additional open space. Mr. Nichter added some of the units would front onto the open space and turn their garages internal to the site. Mr. Nichter mentioned this allows a diverse

residential mix and provides a transition from the 101 Freeway and most importantly provides a nice visual transition. Mr. Nichter said they exceed all the development standards of R-2 and R1-8 zoning standards.

Mr. Nichter said they provided additional parking from the minimum and added the increase in open space by one acre. Mr. Nichter noted they are providing each unit with a small private yard and a southwest contemporary architecture that would be respectful of the surrounding heights. He showed the floor plans with each unit having a two-car garage and the units having second story balconies. Mr. Nichter noted all citizen participation requirements were met and mentioned the neighbors talked about a lot of school kids in the area who walked to school and were looking forward to the improvements and connectivity. Mr. Nichter also indicated the neighbors informed him of drainage issues in which he said could be addressed in the next stages of the development process. He added a couple nearby residents reached out to him to see when they would start selling the units so they could downsize and not have to maintain their yards.

QUESTIONS FROM THE COMMITTEE AND APPLICANT RESPONSE

Keith Greenberg asked what a Red Border Letter was per a requested stipulation. **Mr. Moric** responded that it was a notification to ADOT of projects near the freeway so ADOT could understand any impacts or potential impacts to the freeway.

Trilese DiLeo asked where the parking was located. **Mr. Nichter** highlighted the parking locations and noted there would also be garage spaces.

Ricardo Romero asked about the price and **Mr. Nichter** said it would be based on market conditions.

Will Novak asked if the community was to be gated. **Mr. Nichter** said it was planned to be open, and **Mr. Novak** asked about the amenity space. Mr. Nichter said it was not going to be a pool, but some other amenity to be determined such as a fire pit or play area. Mr. Nichter added some of the areas would probably be turf but not the whole site.

Ms. DiLeo questioned if there would be parking along Wahalla Lane. **Mr. Nichter** indicated that since it was the City of Phoenix local street, people could park on it. Mr. Nichter added that only one house in front of the subject site fronted Wahalla Lane.

Mr. Freeman asked if there were any traffic studies for 16th Street since people would be getting on the freeway there. **Mr. Nichter** said with the low amount of proposed units, only 10 additional, the added traffic would not even be noticed.

Chair Grossman said there are an elementary and high school nearby which was nice.

PUBLIC COMMENT

Sharon Willeel, neighbor, asked about ingress and egress to and from the property. **Mr. Nichter** said the traffic ingress and egress lines up with 14th Street and 14th Place along Wahalla Lane.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION DISCUSSION, AND VOTE

MOTION

Al Field motioned to recommend approval of Z-62-23-2 per the staff recommendation. **Gregory Freeman** seconded the motion.

VOTE:

9-0, motion to recommend approval of Z-62-23-2 per the staff recommendation passes with Committee Members DiLeo, Field, Freeman, Greenberg, Herber, Lopez-Biggs, Novak, Romero, and Grossman in favor.

8. Discussion and possible recommendation regarding the 2024 meeting schedule for the Deer Valley Village Planning Committee.

Chair Grossman stated it was brought to the attention of staff that there was a conflict with the current schedule with another Village Planning Committee. **Keith Greenberg** liked the 3rd Tuesday of the month.

Motion

Gregory Freeman motioned to recommend approval of the 2024 calendar for the 3rd Tuesday of each month. **Braden Lopez-Biggs** seconded the motion.

VOTE:

9-0, motion to recommend approval of the 2024 calendar for the 3rd Tuesday of each month passes with Committee Members DiLeo, Field, Freeman, Greenberg, Herber, Lopez-Biggs, Novak, Romero, and Grossman in favor.

9. Discussion and possible recommendation regarding nominations and elections of Chair and Vice Chair for 2024.

Mr. Freeman and **Ms. DiLeo** expressed their interests in being Chair of the Committee.

Motion

Ricardo Romero nominated and motioned to elect Trilese DiLeo as Chair of the Deer Valley Village Planning Committee. **Keith Greenberg** seconded the motion.

Vote:

9-0, motion to elect Trilese DiLeo as Chair of the Deer Valley Village Planning Committee passes with Committee Members DiLeo, Field, Freeman, Greenberg, Herber, Lopez-Biggs, Novak, Romero, and Grossman in favor.

Motion

Ricardo Romero nominated and motioned to elect Gregory Freeman as Vice Chair of the Deer Valley Village Planning Committee. **Keith Greenberg** seconded the motion.

Vote:

9-0, motion to elect Gregory Freeman as Vice Chair of the Deer Valley Village Planning Committee passes with Committee Members DiLeo, Field, Freeman, Greenberg, Herber, Lopez-Biggs, Novak, Romero, and Grossman in favor.

10. **INFORMATION ONLY:** Presentation and discussion regarding the 2023 Deer Valley Village Annual Report.

This item was not heard.

11. **INFORMATION ONLY:** Presentation and discussion regarding the Village Planning Committee (VPC) Handbook and best meeting practices.
Presentation by staff.

This item was not heard.

12. Public comments concerning items not on the agenda.

None.

13. Staff update on cases recently reviewed by the Committee.

None.

14. Committee member announcements, requests for information, follow up, or future agenda items.

None.

15. Adjournment.

Meeting adjourned at 8:53 pm.