

# Attachment C

PLEASE RESPOND ELECTRONICALLY TO CHASE HALE 2ND FLOOR, 602-262-4544



## City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned  
**From:** Joshua Bednarek  
Planning & Development Department Director  
**Date:** March 13, 2023  
**Subject:** **P.H.O. APPLICATION NO. PHO-2-23—Z-98-05-7** – 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 **April 19, 2023**.
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 **March 20, 2023**.

### **DISTRIBUTION**

Mayor's Office (Tony Montola), 11th Floor  
City Council (Stephanie Bracken), 11th Floor  
Aviation (Jordan D. Feld )  
CED (Michelle Pierson), 20th Floor  
Fire Prevention (Aaron Conway), 2nd Floor  
Light Rail (Joel Carrasco/Special TOD Only)  
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor  
Parks & Recreation (Natasha Hughes), 16th Floor  
Public Transit (Michael Pierce)  
Street Transportation Department (Maja Brkovic, Alan Hilty, Chris Kowalsky), 5th Floor  
Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor  
Street Transportation - Floodplain Management (Kristina 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 (Adam Stranieri, Chase Hales), 2nd Floor  
Village Planner (Nayeli Luna Sanchez, Estrella Village)  
Village Planning Committee Chair (Parris Wallace, (Vice-Chair), Estrella Village)



# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

## APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-2-23--Z-98-05

Council District: 7

Request For: Stipulation Modification

**Reason for Request:** Modification of Stipulation 1 regarding general conformance with the site plan date stamped October 23, 2007. Deletion of Stipulation 2.B regarding shaded seating areas. Deletion of Stipulation 2.C regarding landscaping at 51st Avenue and Van Buren Street. Modification of Stipulation 2.D regarding landscaping at entrance drives. Deletion of Stipulation 3 regarding right-of-way dedication for 51st Avenue. Deletion of Stipulation 4 regarding right-of-way dedication for Van Buren Street. Deletion of Stipulation 5 regarding right-of-way dedication for 51st Avenue and Van Buren Street. Deletion of Stipulation 7 regarding transit infrastructure on 51st Avenue. Technical corrections to Stipulations 2 and 6.

Owner	Applicant	Representative
Phoenix Van Buren Properties LLC 5112 North 40th Street, Suite 105 Phoenix AZ 85018 (602) 840-4295 jharrisonjr@harrisonprops.com	Michael Buschbacher, Earl, Curley PC 3101 North Central Avenue, Suite 1000 Phoenix AZ 85012 (602) 265-0094 mbuschbacher@earlcurley.com	Taylor Earl, Earl, Curley PC 3101 North Central Avenue, Suite 1000 Phoenix AZ 85012 P: (602) 265-0094 F: tearl@earlcurley.com

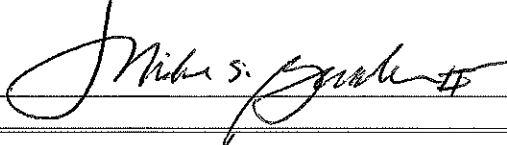
Property Location: Southeast corner of 51st Avenue and Roosevelt Street

Zoning Map: <u>F-5</u>	Quarter Section: <u>11-17</u>	APN: <u>103-32-510</u>	Acreage: <u>18.93</u>
Village: <u>Estrella</u>			
Last Hearing: <u>CC RATIFICATION</u>			
Previous Opposition: <u>No</u>			
Date of Original City Council Action: <u>10/12/2005</u>			
Previous PHO Actions: <u>01/16/2008</u>			
Zoning Vested: <u>A-1</u>			
Supplemental Map No.: <u>1119</u>			
Planning Staff: <u>083004</u>			

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

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

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,725.00	\$0.00	01/27/2023	23-0006584	Original Filing Fee

Signature of Applicant:  DATE: 10/13/2023

### Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>04/19/2023 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

**Project Narrative  
for  
51<sup>st</sup> Avenue Industrial Site**

**Phoenix Hearing Officer (PHO)  
Submittal**

**SEC of 51<sup>st</sup> Avenue & Roosevelt Street  
Phoenix, Arizona**

PREPARED FOR:  
Phoenix Van Buren Partners LLC

PREPARED BY

EARL & CURLEY, PC  
3101 N. Central AVENUE, SUITE 1000  
PHOENIX, AZ 85012  
(602) 265-0094

**Submitted:** January 27<sup>th</sup>, 2023  
**Revised:** March 6<sup>th</sup>, 2023

PHO-2-23--Z-98-05-7  
ECL: HARRISON/51<sup>st</sup> AVE

March 6, 2023

City of Phoenix,  
Planning and Development Department  
Zoning Section  
200 W Washington Street  
Phoenix, Arizona 85003

**Re: Planning Hearing Officer (PHO) Submittal Project Narrative for 51<sup>st</sup> Avenue Industrial Site, located on the SEC of 51<sup>st</sup> Avenue & Roosevelt Street**

**Introduction**

This project consists of a northern portion of the original zoning case Z-98-05. Specifically, the project includes all of APN 103-32-510 and a portion of 103-32-516 within the original zoning case boundary. This request will be further modifying the stipulations that pertain to zoning case Z-98-05 and its previous PHO modification. This request will be known as **PHO-2-23--Z-98-05**.

**Site Background**

The project went through the PHO Hearing process in 2007 and was approved and eventually ratified by City Council. This request is to modify the stipulations from PHO1-07—Z-98-05 to include the updated site plan for the north portion of the site, modify a landscape stipulation and remove past stipulations that have been completed. This proposed industrial development is located within the northern portion of a total of +/- 93 acres site located east of 51<sup>st</sup> Avenue from Roosevelt Street to just south of the McKinley Street alignment in the City of Phoenix. The north parcel is 13.04 acres and is APN 103-32-510. The south parcel is an approximately 4.89-acre portion of APN 103-32-516. The original zoning case included 93 acres. This project includes the northern part of the site consisting of approximately 17.93 acres. The site is currently trailer storage, with parking and circulation and is Zoned A-1, Light Industrial District.

The proposed project will consist of developing approximately 17.9 net acres with three buildings that combined would equal approximately 322,400 square feet. The buildings would be planned for Light Industrial uses. These uses would include associated truck parking, auto parking, landscape, and other on-site and off-site infrastructure improvements. Please see the draft conceptual site plan attached to this application.

**Proposed Development Overview**

The City of Phoenix land use designation for the property is industrial, which allows for the use of industrial developments which is appropriate for the region and the City. The property will remain Light Industrial, and no rezoning will be required for the intended use. This PHO request will be to modify stipulation 1 to update the site plan, associated with this development. It will also be to remove several stipulations that

have already been met by the previous development and will be to update landscape stipulation 2.B. that requests shaded seating areas for employees and customers.

The developer is submitting this Site Plan to provide the unique development characteristics needed to meet the current demand for industrial warehouse and manufacturing space in the area. Stipulation 2.B. is outdated and shaded seating areas are now required as part of the architecture to be integrated into the landscape as part of the overall design of the site. Stipulations 3 through 7 have been completed, occur mostly on the southern portion of the original rezone case and should be removed since they do not apply to the new site plan.

### **Project Scope**

Building A is proposed to be developed as a 71,525 sq. ft. industrial building with an east/west orientation. Building B is proposed to be 118,345 sq. ft. with a north/south orientation. Building C is proposed to be 130,275 sq. ft. also with a north/south orientation. The proposed building height is 42 ft. to the top of the parapet. The parapet will screen the mechanical units on the roof from view from the adjacent roadways and properties. The buildings will be tilt-up concrete construction with textured paint in neutral earth tone colors and architectural accents of form liner and glazing.

Parking areas are proposed on the outside perimeters of the buildings. 55 new parking spaces are proposed to serve Building 1, 77 new parking spaces are proposed for Building 2, and 159 new parking spaces are proposed for Building 3. This meets the City Code required 1/1000 sq. ft. and 1/2500 sq. ft. parking ratios. Landscape medians and end caps are proposed in the parking lot to break up the rows of parking.

Access to the parcels is proposed to be provided off of Roosevelt Street at the north end of the site and at the McKinley Street alignment on the south side of the new site. These access drives will allow trucks and passenger vehicles to circulate through the site safely.

Landscape streetscape improvements are proposed along the street frontage on both 51<sup>st</sup> Avenue and Roosevelt Street. Landscape design shall be developed to have a consistent look. The perimeter of the site shall incorporate the use of flowering desert shrubs, drought tolerant trees and groundcovers that will provide a sense of identity and be compatible with the environmental conditions of the area. Areas adjacent to the public right of way will be blended into the existing landscape edge treatment.

Our team has spent significant time during the past few months working on project research and determining the infrastructure requirements for the site. This written request will note the stipulations related to the previous PHO case and will show

mark-ups modifying and updating the original stipulations, to the new set of stipulation proposed with this PHO hearing. This will result in a comprehensive list of stipulations still in effect along with our proposed modifications to create **PHO-2-23-Z-98-05**.

### **PHO-1-07--Z-98-05 Stipulations Listing**

A list of the approved stipulations from PHO 1 has been included below for reference, please see the list below.

### **STIPULATIONS**

#### **GENERAL CONFORMANCE**

- 1) The development shall be in general conformance with the site plan date stamped October 23<sup>rd</sup> 2007, **for the south 75.07 acres and January 18<sup>th</sup>, 2023 for the north 17.93 acres** as approved or modified by the Development Services Department.  
*(Rationale – A new site plan has changed significantly for the north portion of this project)*

#### **LANDSCAPE**

- 2) That the applicant shall provide a landscape plan to be administratively approved by the Planning Hearing Officer (PHO) prior to preliminary site plan approval with specific regard to the following as approved by the Development Services Department.
  - A That the perimeter landscape setbacks along 51<sup>st</sup> Avenue and Van Buren Street shall comply with the Commerce Park standards except the are along 51<sup>st</sup> Avenue generally between Polk Street and McKinley Street as shown on the site plan date stamped October 23, 2007 where A 1 landscape setbacks shall be applicable.
  - ~~B That shaded seating areas shall be provided for employees and customers in accessible and convenient locations.  
*(Rationale – The site plan review process requires shaded areas to be provided for customers and employees in accessible and convenient locations.)*~~
  - ~~C That the 51<sup>st</sup> Avenue/Van Buren Street corner shall be developed with a 75-foot by 75-foot enhanced landscape area using the landscape palette from the Estrella Village Arterial Street Landscaping Program.~~

***(Rationale – This deletion is because the enhanced corner was previously constructed.)***

- D ~~That the customer entrance drive on Van Buren Street and all entry Drives on 51<sup>st</sup> Avenue shall be developed with 50-foot by 50-foot enhanced landscape areas located on both sides of the driveway entrance using the landscape palette from the Estrella Village Arterial Street Landscaping Program except for the area along 51<sup>st</sup> Avenue generally between Polk Street and McKinley Street which shall provide entry landscape areas as shown on the site plan date stamped October 23, 2007 and that the Conceptual Landscape Plan for the enhanced landscape areas shall be approved administratively by the Planning Hearing Officer.~~

**That the entry Drives on 51<sup>st</sup> Avenue from McKinley Street and Roosevelt Street shall be developed with 50-foot by 50-foot enhanced landscape areas located on both sides of the driveway entrance using the landscape palette from the Estrella Village Arterial Street Landscaping Program except for the area along 51<sup>st</sup> Avenue generally between Roosevelt Street and McKinley Street which shall provide entry landscape areas as shown on the site plan date stamped January 18<sup>th</sup>, 2023.**

***(Rationale – A new site plan has changed significantly for this project and an updated landscape plan has been submitted with this PHO hearing that addresses the new areas associated with this site plan.)***

- E That the existing landscape setback along Roosevelt Street shall be enhanced with new plant material using the Estrella Village Arterial Street Landscaping Program. The landscaping quantity shall be based on the landscape program guidelines on page one.

## STREETS

- ~~3) That right of way totaling 50 feet shall be dedicated for the east half of 51<sup>st</sup> Avenue.~~

***(Rationale – This deletion is because the right of way was previously dedicated. )***

- ~~4) That right of way totaling 50 feet shall be dedicated for the north half of Van Buren Street.~~

***(Rationale – This deletion is because the right of way was previously dedicated. )***

- ~~5) That a 21-foot by 21-foot right of way triangle shall be dedicated at the northeast corner of 51<sup>st</sup> Avenue and Van Buren Street.~~

***(Rationale – This deletion is because the right of way was previously dedicated. )***

- 6) That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlight, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.

**TRANSIT**

~~7) The following transit infrastructure improvements shall be provided:~~

- ~~A — Two transit stop locations north of Van Buren Street east side of 51<sup>st</sup> Avenue and north of Fillmore Street east side of 51<sup>st</sup> Avenue.~~
- ~~B — Transit Accessory pads P1261 located north of Van Buren Street east side of 51<sup>st</sup> Avenue and P1260 located north of Fillmore Street and east of 51<sup>st</sup> Avenue.~~
- ~~C — Transit Bus Bay P1256 located on the east side of 51<sup>st</sup> Avenue north of Van Buren Street.~~

***(Rationale – This deletion is because the transit improvements A, B & C were previously constructed.)***

**AVIATION**

8) That the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of Phoenix Sky Harbor International Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.

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

**Requested Stipulation Modifications**

The revised stipulations above are no longer relevant to the site with our proposal, update language per comments from transportation, or are requested to be modified to provide entitlements typically requested for A-1 Light Industrial zoning project in accordance with today's market demands. We appreciate your consideration of our request.

Thank you,

*Michael S Buschbacher*

Michael S. Buschbacher II, AICP  
**Principal Planner**



January 22 2008

M Curley/Earl, Curley & Lagarde PC  
3101 North Central Avenue Suite 1000  
Phoenix AZ 85012

RE Z 98-05-7 - Northeast corner of 51<sup>st</sup> Avenue and Van Buren Street

Dear Applicant

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 B 1 of the Zoning Ordinance, has on January 16, 2008 concurred with the recommendation of the Planning Hearing Officer and has ratified application Z-98-05-7 for modification to stipulation 1 regarding general conformance to site plan modification to stipulation 2A regarding perimeter landscape setbacks modification to stipulation 2D regarding customer entrance drive

#### STIPULATION

#### GENERAL CONFORMANCE

Mod

- 1 That the development shall be in general conformance with the site plan date stamped October 23 2007 as approved or modified by the Development Services Department

#### LANDSCAPE

TC

- 2 That the applicant shall provide a landscape plan to be administratively approved by the Planning Hearing Officer (PHO) prior to preliminary site plan approval with specific regard to the following as approved by the Development Services Department

- A That the perimeter landscape setbacks along 51<sup>st</sup> Avenue and Van Buren Street shall comply with the Commerce Park standards except the area along 51<sup>st</sup> Avenue generally between Polk Street and McKinley Street as shown on the site plan date stamped October 23, 2007 where A 1 landscape setbacks shall be applicable

- Del (B) That shaded seating areas shall be provided for employees and customers in accessible and convenient locations
- Del (C) That the 51<sup>st</sup> Avenue/Van Buren Street corner shall be developed with A 75-foot by 75-foot enhanced landscape area using the landscape palette from the Estrella Village Arterial Street Landscaping Program
- Mod (D) That the customer entrance drive on Van Buren Street and all entry Drives on 51<sup>st</sup> Avenue shall be developed with 50-foot by 50-foot enhanced landscape areas located on both sides of the driveway entrance using the landscape palette from the Estrella Village Arterial Street Landscaping Program except for the area along 51<sup>st</sup> Avenue generally between Polk Street and McKinley Street which shall provide entry landscape areas as shown on the site plan date stamped October 23 2007 and that the Conceptual Landscape Plan for the enhanced landscape areas shall be approved administratively by the Planning Hearing Officer
- E That the existing landscape setback along Roosevelt Street shall be enhanced with new plant materials using the Estrella Village Arterial Street Landscaping Program The landscaping quantity shall be based on the landscaping program guidelines on page one

#### STREETS

- Del (3) That right-of-way totaling 50 feet shall be dedicated for the east half of 51<sup>st</sup> Avenue
- Del (4) That right-of-way totaling 50 feet shall be dedicated for the north half of Van Buren Street
- Del (5) That a 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast corner of 51<sup>st</sup> Avenue and Van Buren Street
- TC (6) That the developer shall construct all streets adjacent to the development with paving curb gutter sidewalk, curb ramps streetlights, landscaping and other incidentals as per plans approved by the Development Services Department All improvements shall comply with all ADA accessibility standards

#### TRANSIT

- Del (7) That the following transit infrastructure improvements shall be provided
  - A Two transit stop locations north of Van Buren Street east side of 51<sup>st</sup> Avenue and north of Fillmore Street east side of 51<sup>st</sup> Avenue

- B Transit Accessory pads P1261 located north of Van Buren Street east side of 51<sup>st</sup> Avenue and P1260 located north of Fillmore Street and east of 51<sup>st</sup> Avenue
- C Transit Bus Bay P1256 located on the east side of 51<sup>st</sup> Avenue north of Van Buren Street

AVIATION

- 8 That the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of Phoenix Sky Harbor International Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.

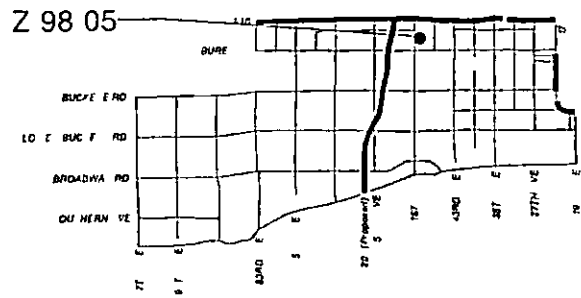
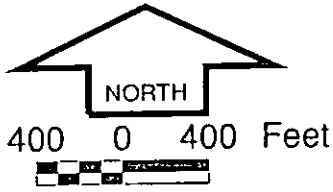
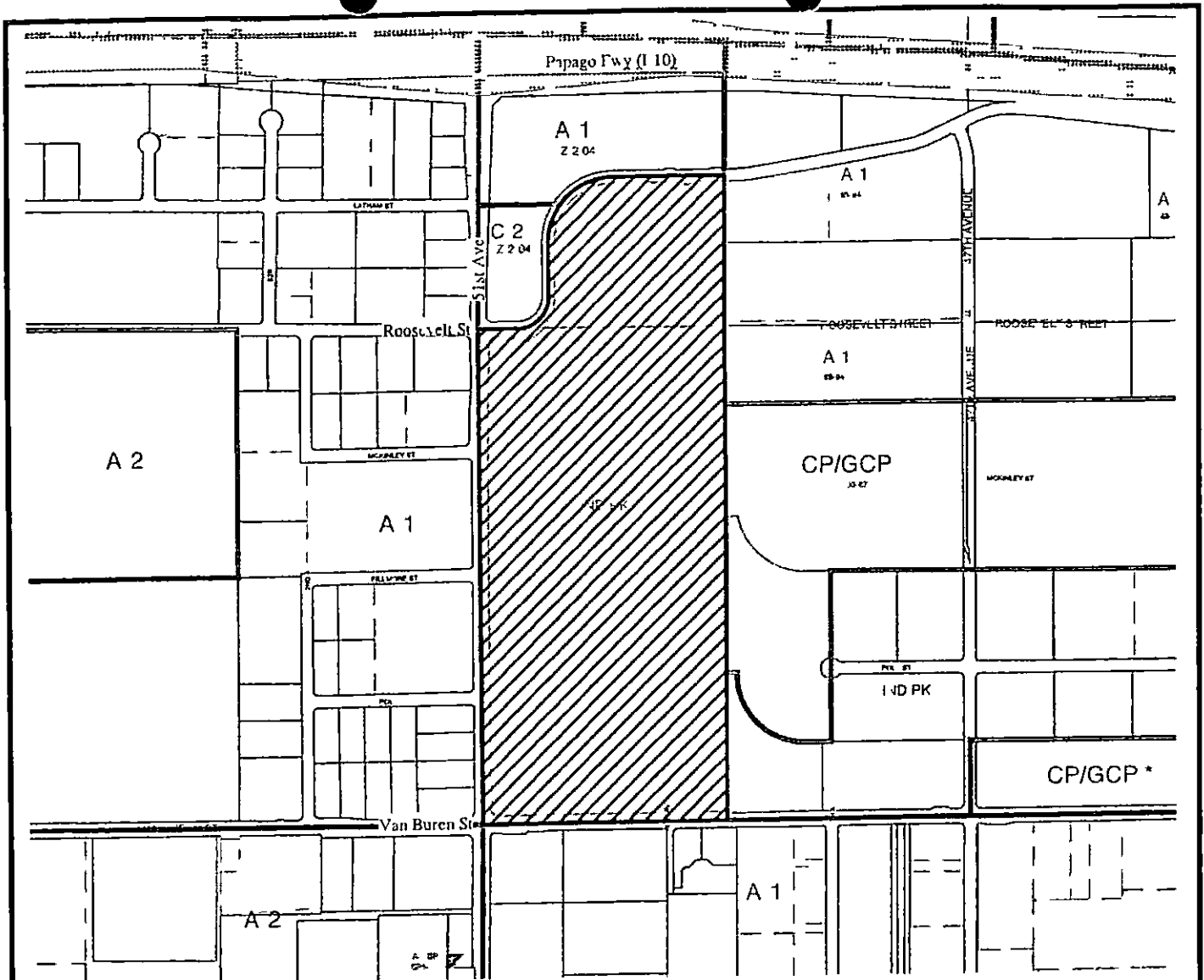
Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,



Carol Johnson AICP  
Planning Manager

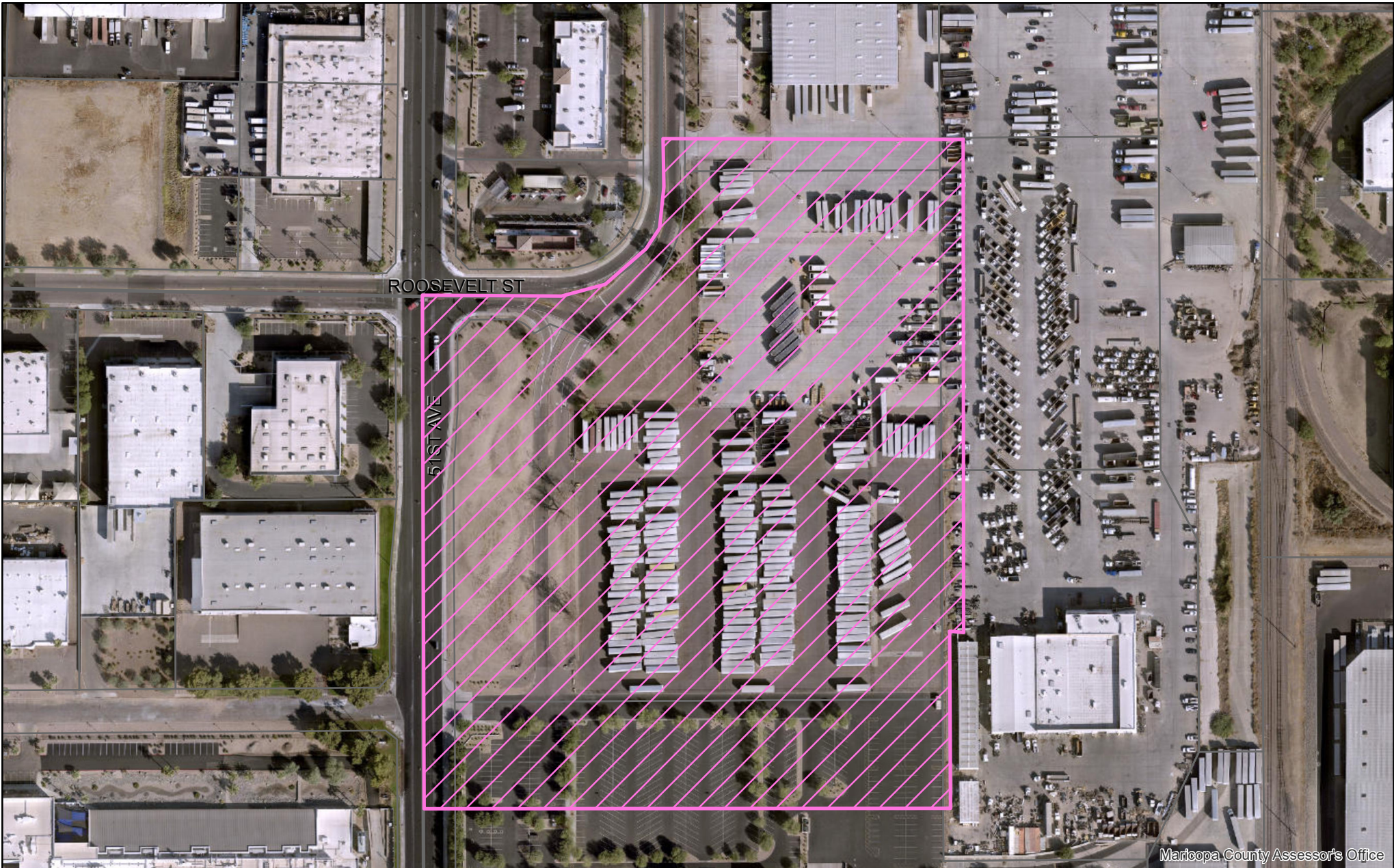
cc Book Case File  
J Harrison/Phoenix Van Buren Partners 5112 N 40<sup>th</sup> Street Suite 105 Phoenix AZ 85018  
Kelly Walker Racelle Escolar Jay Neville Dave Barrier E J Hyncik Public Transit (Sent electronically)



CITY OF PHOENIX PLANNING DEPARTMENT  
**Estrella Village**  
 CITY COUNCIL DISTRICT 7

APPLICANT'S NAME <b>Earl, Curley, and Lagarde</b>		REQUESTED CHANGE FROM <b>Ind Pk</b> TO <b>A 1</b>	
APPLICATION NO <b>Z 98 05</b>	DATE <b>6-29 2005</b>	REVISION DATES	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS A PROJ <b>98.95 Acres</b>	AERIAL PHOTO & QUARTER SEC NO <b>Q11 17</b>	ZONING MAP <b>F5</b>	
MULTIPLES PERMITTED	CONVENTIONAL OPTION	UNITS P R D OPTION	

Maximum Units Allowed with P R D Bonus

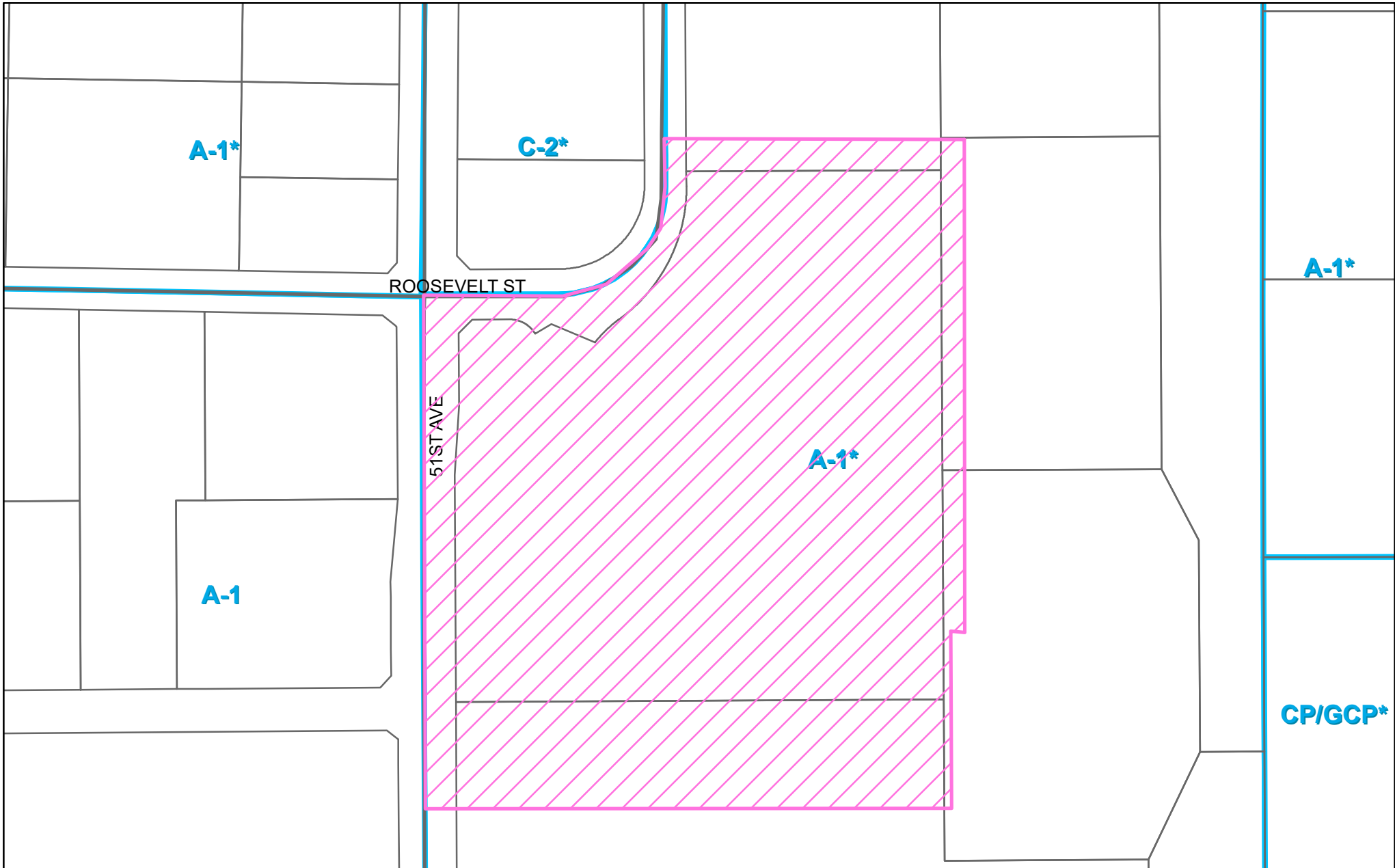


Maricopa County Assessor's Office

PHO-2-23--Z-98-05-7

**Property Location: Southeast corner of 51st Avenue and Roosevelt Street**



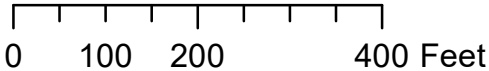


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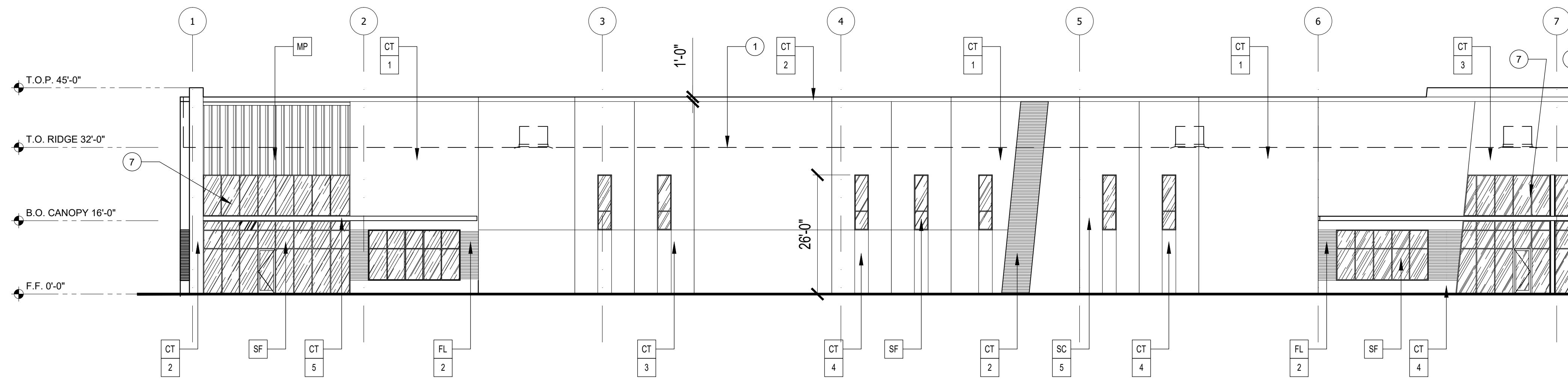
**Property Location: Southeast corner of 51st Avenue and Roosevelt Street**



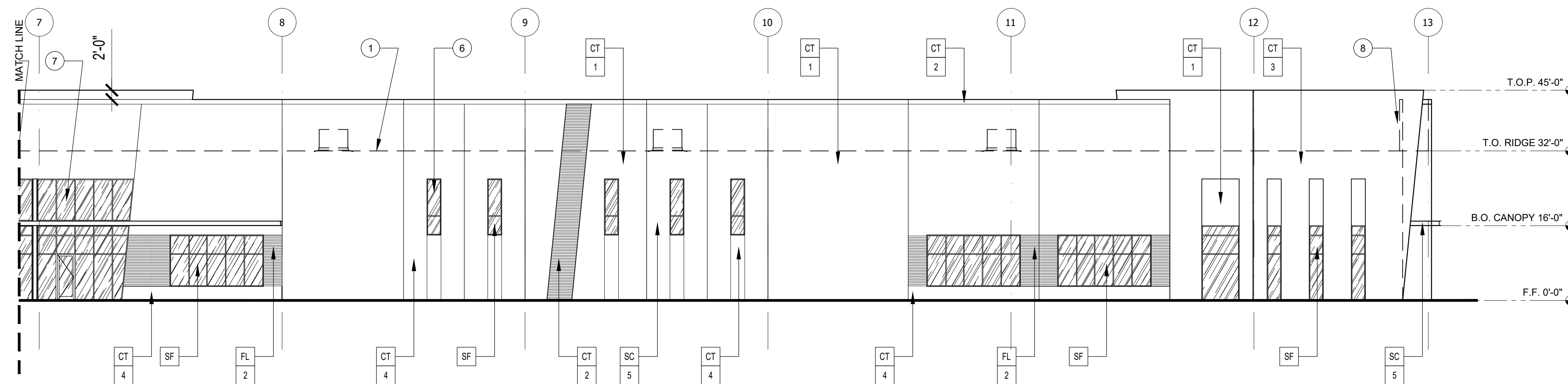
**Planning & Development Department**



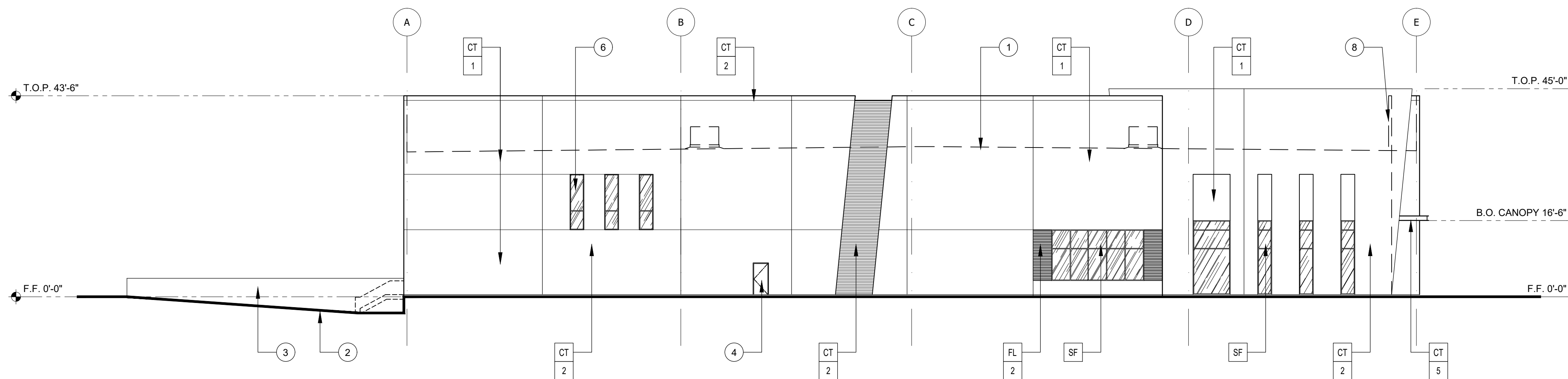




WEST ELEVATION  
SCALE: 1/16" = 1'-0"



WEST ELEVATION  
SCALE: 1/16" = 1'-0"



NORTH ELEVATION  
SCALE: 1/16" = 1'-0" PHO-2-23--Z-98-05

Proposed Conceptual Elevations

Hearing Date: April 19, 2023

**MATERIALS**

- CT CONCRETE TILT PANEL PAINTED
- FL CONCRETE FORM LINER PAINTED
- MP METAL PANEL SYSTEM  
MBCI SIGNATURE 300 "MIDNIGHT BRONZE"

**CANOPY**

- SC 12" STEEL CHANNEL W/ B-DECK PAINTED

**STOREFRONT**

- SF DK BRONZE ANODIZED ALUMINUM  
W/ SOLAR BAND "GRAY" GLAZING

**PAINT SCHEDULE**

- 1 SHERWIN WILLIAMS - SW 7016  
"MINDFUL GRAY" LRV - 48
- 2 SHERWIN WILLIAMS - SW 7019  
"GAUNTLET GRAY" LRV - 17
- 3 SHERWIN WILLIAMS - SW 7570  
"MINERAL GRAY" LRV - 70
- 4 SHERWIN WILLIAMS - SW 7018  
"DOVETAIL" LRV - 26
- 5 SHERWIN WILLIAMS - SW 7069  
"IRON ORE" LRV - 6

**KEY NOTES**

- 1 ROOF LINE BEYOND.
- 2 RECESS TRUCK DOCK BEYOND.
- 3 REQUIRED FALL PROTECTION TO BE PROVIDED @ CONC. WALL, TYPICAL.
- 4 HOLLOW METAL DOOR PAINTED TO MATCH ADJACENT WALL.
- 5 OVERHEAD DOOR PAINTED TO MATCH ADJACENT WALL.
- 6 VERTICAL WINDOW FOR WAREHOUSE ILLUMINATION
- 7 SPANDREL GLASS
- 8 WALL BEYOND

**CITY OF PHOENIX**

JAN 27 2023  
Planning & Development  
Department



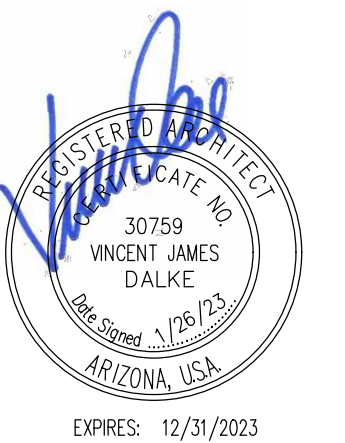
2039 E RICE DR., TEMPE  
AZ, 85283  
480-589-3793  
VINCE@DALKEDESIGNGROUP.COM

515 PROJECT  
51ST AVENUE & VAN BUREN  
PHOENIX, AZ 85043

NUMBER REVISION DATE

NUMBER	REVISION	DATE

SEAL



SHEET TITLE  
PRELIM EXT ELEVATIONS

ISSUE DATE 1/26/2023  
DRAWN DMP  
CHECKED BY VJD  
PROJECT NUMBER -

DRAWING NO.

4.1

REV







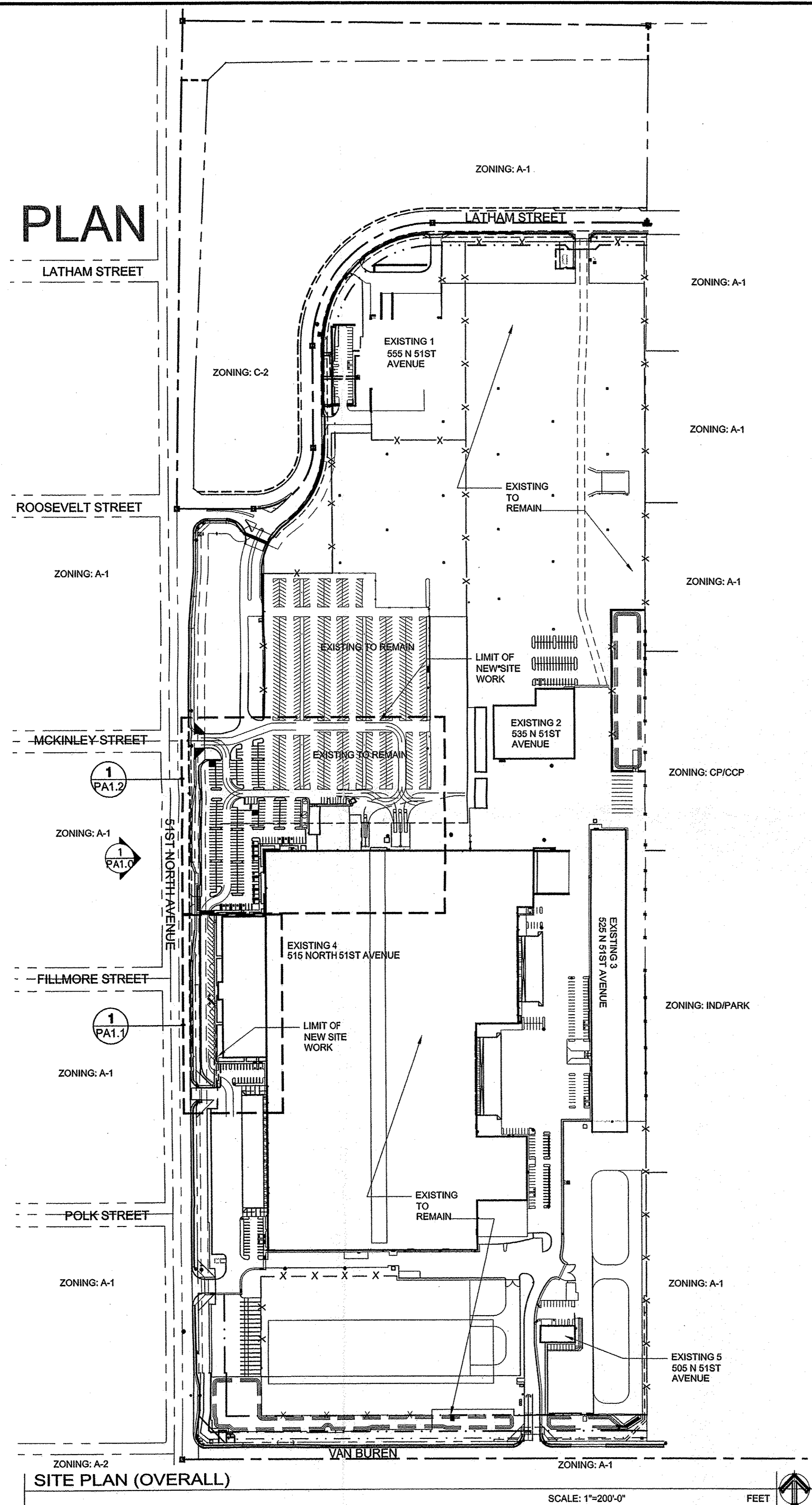




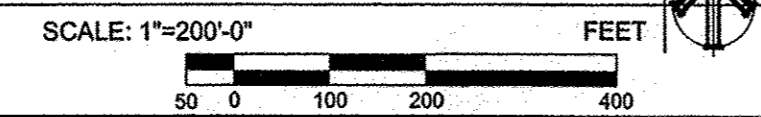




# PLAN



SITE PLAN (OVERALL)



## GENERAL NOTES

- GN1. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
- GN2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
- GN3. STRUCTURES AND LANDSCAPING WITHIN THE VISIBILITY TRIANGLE MEASURED, BACK 10' FROM PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAY ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'-0".
- GN4. ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE THE SITE.
- GN5. OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY OF MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHT-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
- GN6. AFTER FINAL APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY DSD PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 602-262-6981 AND REQUEST A DESIGN REVIEW INSPECTION.
- GN7. ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
- GN8. ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL AND ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.
- GN9. TYPICAL EXISTING PARKING SPACES ARE 8'-6"x18'-0".
- GN10. BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS. INSPECTED BY THE BUILDING SAFETY SECTION OF THE DEVELOPMENTAL SERVICES DEPARTMENT.
- GN11. ALL RAMPS MUST MEET ADA ACCESSIBILITY GUIDELINES (ADAAG) STANDARDS: 2% MAX CROSS SLOPES AND 12:1 MAX LONGITUDINAL SLOPES, TRUNCATED DOMES AS DETECTABLE WARNINGS ARE REQUIRED ON ALL ON-SITE RAMPS PER ADAAG SECTION 4.7.7 TRUNCATED DOMES AS DETECTABLE WARNINGS ARE ALSO REQUIRED ON ALL ON-SITE WALKS THAT CROSS OR ADJOIN A VEHICULAR WAY PER ADAAG SECTION 4.29.5.
- GN12. MAXIMUM NOISE LEVEL OF 55 DECIBELS (NORMAL SPEAKING VOICE) AT PROPERTY LINE.
- GN13. SITE LANDSCAPING, WALLS, AND LIGHTS TO MATCH IN PHASED PROJECTS.
- GN14. PROVIDE 8 S.F. OF REFLECTIVE MATERIAL ON BOTH SIDES OF ALL VEHICULAR GATES.
- GN15. THIS PROPERTY IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
- GN16. THE EXISTING STRUCTURES MUST COMPLY WITH THE CHANGE OF OCCUPANCY PROVISIONS IN THE CITY OF PHOENIX CONSTRUCTION CODE PRIOR TO USE.
- GN17. ALL SIGNAGE REQUIRES A SEPARATE REVIEW AND PERMIT.
- GN18. ALL NEW SANITARY SEWER LINES WITHIN THE SITE SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE OR THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) AQUIFER PROTECTION PROGRAM (APP) GENERAL PERMIT 4.01 IN ACCORDANCE WITH ARIZONA ADMINISTRATIVE CODE TITLE 18 CHAPTER 18, CHAPTER 9, SECTION E301 (AAC R18-9-E301) WHICHEVER IS APPLICABLE.
- GN19. THE SANITARY SEWER COLLECTION SYSTEM WITHIN THIS PROJECT WILL BE A PRIVATE SYSTEM, OWNED AND MAINTAINED BY THE PROPERTY OWNER (S) OR ASSOCIATION. THE SYSTEM WILL BE REVIEWED AND INSPECTED BY THE BUILDING SAFETY SECTION OF THE DEVELOPMENTAL SERVICES DEPARTMENT.
- GN20. ALL ON-SITE WATER LINES, INCLUDING THOSE REQUIRED FOR FIRE PROTECTION SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE. THE WATER DISTRIBUTION SYSTEM, INCLUDING FIRE PROTECTION, WITHIN THIS PROJECT WILL BE A PRIVATE SYSTEM, OWNED AND MAINTAINED BY THE PROPERTY OWNER (S) OR ASSOCIATION. THE SYSTEM WILL BE REVIEWED AND INSPECTED BY THE BUILDING SAFETY SECTION OF THE DEVELOPMENTAL SERVICES DEPARTMENT.
- GN21. OUTDOOR STORAGE SHALL BE NO HIGHER THAN 12'.
- GN22. NO PARKING OR LOADING AREAS IN REQUIRED SETBACKS ADJACENT TO PUBLIC STREETS.

## ZONING STIPULATIONS

- GENERAL CONFORMANCE:
1. THAT THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JULY 18, 2005 AS APPROVED OR MODIFIED BY THE DSD.
- LANDSCAPE:
2. THAT THE APPLICANT SHALL PROVIDE A LANDSCAPE PLAN TO BE ADMINISTRATIVELY APPROVED BY THE (PHO), PRIOR TO PRELIMINARY SITE PLAN APPROVAL, WITH SPECIFIC REGARD TO THE FOLLOWING AS APPROVED BY THE DSD:
    - A. THAT PERIMETER LANDSCAPE SETBACKS ALONG 51ST AVENUE AND VAN BUREN SHALL COMPLY WITH THE COMMERCE PARK STD. S.
    - B. THAT SHADED SEATING AREAS SHALL BE PROVIDED FOR EMPLOYEES AND CUSTOMERS IN ACCESSIBLE AND CONVENIENT LOCATIONS.
    - C. THAT THE 51ST AVE/VAN BUREN CORNER SHALL BE DEVELOPED WITH A 75' X 75' ENHANCED LANDSCAPE AREA USING THE PALETTE FROM THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM.
    - D. THAT THE CUSTOMER ENTRANCE DRIVE ON VAN BUREN AND ALL ENTRY DRIVES ON 51ST AVENUE SHALL BE DEVELOPED WITH 50' X 50' ENHANCED LANDSCAPE AREAS LOCATED ON BOTH SIDES OF THE DRIVEWAY ENTRANCE USING THE PALETTE FROM THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM.
    - E. THAT THE EXISTING LANDSCAPING SETBACK ALONG ROOSEVELT STREET SHALL BE ENHANCED WITH NEW PLANT MATERIALS USING THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM. THE LANDSCAPING QUANTITY SHALL BE BASED ON THE LANDSCAPING PROGRAM GUIDELINES ON PAGE ONE.
- STREETS:
3. THAT R.O.W. TOTALING 60' SHALL BE DEDICATED FOR THE EAST HALF OF 51ST.
  4. THAT R.O.W. TOTALING 60' SHALL BE DED. FOR THE N. 1/2 OF VAN BUREN.
  5. THAT A 21' X 21' R.O.W. TRIANGLE BE DEDICATED AT THE NORTHEAST CORNER OF 51ST AVENUE AND VAN BUREN.
  6. THAT THE DEVELOPER SHALL CONSTRUCT ALL STREETS ADJACENT TO THE DEVELOPMENT WITH PAVING, CURB, GUTTER, SIDEWALK, CURB RAMPS, STREETLIGHTS, LANDSCAPING AND OTHER INCIDENTALS AS PER PLANS APPROVED BY THE DSD. ALL IMPROVEMENTS SHALL COMPLY WITH ALL ADA ACCESSIBILITY STANDARDS.
- TRANSIT:
7. THAT THE FOLLOWING TRANSIT INFRASTRUCTURE IMPROVEMENTS BE PROVIDED:
    - A. TWO TRANSIT STOP LOCATION OF VAN BUREN EAST SIDE OF 51ST AVE. AND NORTH OF FILLMORE ST. EAST SIDE OF 51ST AVE.
    - B. TRANSIT ACCESSORY PADS: P1261 LOCATED NORTH OF VAN BUREN EAST SIDE OF 51ST AVENUE; AND P1260 LOCATED NORTH OF FILLMORE STREET AND EAST OF 51ST AVENUE.
    - C. TRANSIT BUS BAY: P1258 LOCATED ON THE EAST SIDE OF 51ST AVENUE NOR OF VAN BUREN.
- AVIATION:
7. THAT THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF THE PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT. THE FORM AND CONTENT SHALL BE REVIEWED/APPROVED BY THE CITY ATTORNEY.

## PROJECT DATA

OWNER: HARRISON PROPERTIES, INC.  
 OWNER REPRESENTATIVE: JIM HARRISON, SR.  
 515 NORTH 51ST AVENUE  
 PHOENIX, ARIZONA, 85043  
 (602) 840 4295  
 (602) 840 8508 FAX

ARCHITECT: DIETRICH ARCHITECTURAL GROUP, INC.  
 7373 NORTH SCOTTSDALE ROAD, SUITE B180  
 SCOTTSDALE, ARIZONA 85253  
 (480) 948 8911 OFFICE  
 (480) 948 3501 FAX

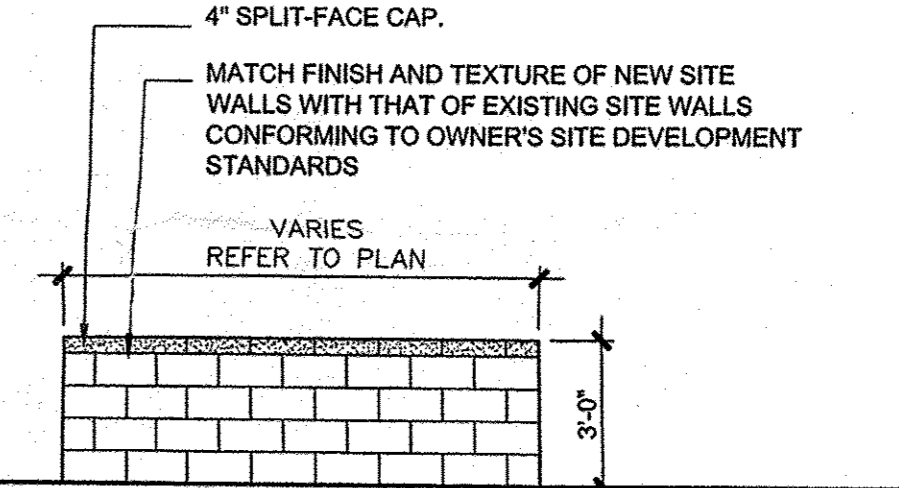
LEGAL DESCRIPTION: SEE ATTACHED LEGAL DESCRIPTION SHEET  
 ZONING: IND/PARK, Z-98-05-7 (APPROVED 10/13/05)  
 CONSTRUCTION TYPE: EXISTING BUILDINGS: TYPE III-B, SPRINKLERED UNLIMITED AREA  
 OCCUPANCY: GROUP F1: MANUFACTURING  
 GROUP B: OFFICE  
 TOTAL SITE AREA: GROSS AREA: 4,310,262 SF  
 98.95 ACRES  
 NET AREA: 4,047,159.6 SF  
 92.91 ACRES  
 TOTAL LOT COVERAGE: 949,310 SF (BLDG. AREA) 22.02% COVERAGE  
 4,310,262 SF (LAND AREA)  
 BUILDING HEIGHT: MAX: 56' PROPOSED HEIGHT: NO CHANGE TO EXISTING  
 PROJECT DESCRIPTION: THIS PROJECT CONSISTS OF DEMOLITION OF SOME EXISTING SITE WORK AND CONSTRUCTION OF NEW ENTRY DRIVE, TRUCK LOADING AREA, PARKING. PROJECT TO INCLUDE NEW GRADING AND DRAINAGE, LANDSCAPING, MECHANICAL, PLUMBING, AND ELECTRICAL UPGRADES. BUILDING #4 ELEVATION ENHANCEMENTS TO IMPROVE ENTRY APPEARANCE, TENANT IMPROVEMENT IN PART OF BUILDING 4 FOR ARIZONA INDUSTRIES FOR THE BLIND AND D.E.S. DISABILITIES SERVICES ADMINISTRATION.

## SITE INFORMATION

EXISTING BUILDING AREAS:

EXISTING - 1:	41,717 SF (A.F.E.S.)
EXISTING - 2:	48,110 SF (A.F.E.S.)
EXISTING - 3:	81,800 SF (A.F.E.S.)
EXISTING - 4:	771,389 SF (A.F.E.S.)
EXISTING - 5:	6,294 SF (A.F.E.S.)

TOTAL EXISTING BUILDING AREA: 949,310 SF  
 NO NEW SQUARE FOOTAGE IS PROPOSED.



## SCREEN WALL ELEVATION

1/4" = 1'-0"

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

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN FOR THE FUTURE AMENDMENTS PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECT WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE PLAN.

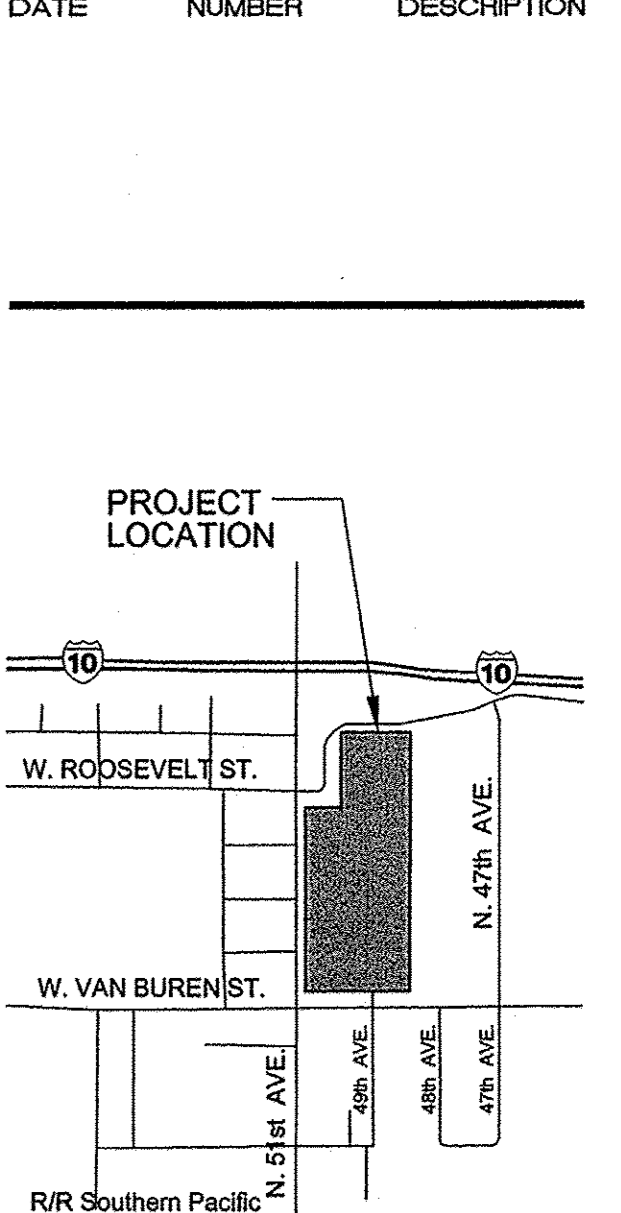
SIGNATURE OF COPYRIGHT OWNER: \_\_\_\_\_

PRINTED NAME OF COPYRIGHT OWNER: DAVID D. DIETRICH

AMND: -  
 SDEV: 0600257  
 KIVA NUMBER: 06-900A1  
 QS #: 11-12, 12-17

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DATE	NUMBER	DESCRIPTION



N.T.S.  
 VICTORY MAP  
 CONSULTANT

BUILDER  
 PROJECT TITLE

D.E.S. RELOCATION

515 NORTH 51ST AVENUE  
 PHOENIX, ARIZONA 85043

PRE-APPLICATION  
 SUBMITTAL  
 OVERALL SITE PLAN

DRAWING INFORMATION	
DESIGNED BY: SD	CAD FILE: 02207-PRE-APP-PA10
DRAWN BY: JLK	PROJECT: 02207
SCALE: AS SHOWN	DATE: 10/12/07

PRELIMINARY  
 NOT FOR CONSTRUCTION  
 10/12/07  
 dieterich architectural group, inc.

dieterich architectural group, inc  
 7373 N. SCOTTSDALE RD. - SUITE B180 SCOTTSDALE, ARIZONA 85253  
 T 480 / 948 8911 F 480 / 948 3501

SEAL/SIGNATURE  
 SHEET NUMBER

PA10

REPORT OF PLANNING HEARING OFFICER ACTION  
Carol Johnson AICP Hearing Officer  
Racelle Escolar Planner I Assisting

December 05 2007

ITEM NO 1

DISTRICT NO 7

SUBJECT

Application # Z-98-05-7  
Zoning A-1 Q S 11-17  
Location Northeast corner of 51<sup>st</sup> Avenue and Van Buren Street  
Acreage 98 95  
Request Modification to stipulation 1 regarding general conformance to site plan modification to stipulation 2A regarding perimeter landscape setbacks modification to stipulation 2D regarding customer entrance drive  
Applicant M Curley/Earl Curley & Lagarde PC  
Owner J Harrison/Phoenix Van Buren Partners  
Representative M Curley/Earl Curley & Lagarde PC

**ACTIONS**

Planning Hearing Officer Recommendation The Planning Hearing Officer recommended approval to modify stipulations

Village Planning Committee (VPC) Recommendation The Estrella Village Planning Committee chose not to review this case

**DISCUSSION** Mr. Mike Curley, 3101 North Central Avenue, Suite 1000 described the property as approximately a 100-acre site with over a million square feet that had been used to produce copper wire. The site was vacated a number of years ago and has remained vacant for several years. The site is of high priority to Councilman Lingner as well as the Economic Development Department to place back into operation for employment. Over the past couple years the property owners have invested several million dollars into the property in order to regenerate the site. There have been a number of tenants that have occupied the site since the current owners purchased the property. The owners now have an opportunity to place a significant employer on the site: the Arizona Department of Economic Security and the Arizona Industries for the Blind. The proposed tenants will occupy approximately 300,000 square feet and have 375 employees. The city has been very helpful in procuring the proposed tenants and assisting the property developers in preparing the property. The proposed tenants will occupy the site in February assuming all improvements are completed and the zoning stipulation modification is approved.



Mr. Curley further explained that when they initially rezoned the property to A 1 they had agreed to develop the site along 51<sup>st</sup> Avenue with Commerce Park standards. This was prior to knowing the needs of the currently proposed tenants. The proposed tenants are requiring two items: a bus bay because they anticipate that many of their employees will take the bus, and secondly immediate parking adjacent to the building. In order to accommodate parking needs they will need to reduce the landscape areas along 51<sup>st</sup> Avenue between McKinley Street and Polk Street. Mr. Curley presented an exhibit showing the proposed parking and circulation areas and stated that the area between McKinley Street and Polk Street is the only area to be modified.

Mr. Curley stated that another item they need some relief from is the 50-foot by 50-foot enhanced landscape areas located at the driveways between McKinley Street and Polk Street. Mr. Curley pointed out and described the proposed landscape areas. Mr. Curley stated that the intent is not to eliminate these landscape areas, but just to reduce them in order to accommodate for parking and circulation for the proposed tenants.

The Planning Hearing Officer stated that she has reviewed the request and finds it to be reasonable. However, when a reduced landscape area is allowed, there is much more consideration placed on increased plant density; therefore, the Planning Hearing Officer will modify the request to include that the Planning Hearing Officer be required to administratively review the Landscape Plan.

### FINDINGS

No comment cards were submitted for this request.

**DECISION** The Planning Hearing Officer recommended approval to modify stipulations with an additional modification to stipulation 2D.

### STIPULATIONS

#### GENERAL CONFORMANCE

- 1 That the development shall be in general conformance with the site plan date stamped ~~July 18, 2005~~ October 23, 2007 as approved or modified by the Development Services Department.

#### LANDSCAPE

- 2 That the applicant shall provide a landscape plan to be administratively approved by the Planning Hearing Officer (PHO) prior to preliminary site plan approval, with specific regard to the following as approved by the Development Services Department:
  - A That the perimeter landscape setbacks along 51<sup>st</sup> Avenue and Van Buren Street shall comply with the Commerce Park standards.

except the area along 51<sup>st</sup> Avenue generally between Polk Street and McKinley Street as shown on the site plan date stamped October 23, 2007 where A 1 landscape setbacks shall be applicable

- B That shaded seating areas shall be provided for employees and customers in accessible and convenient locations
- C That the 51<sup>st</sup> Avenue/Van Buren Street corner shall be developed with A 75 foot by 75-foot enhanced landscape area using the landscape palette from the Estrella Village Arterial Street Landscaping Program
- D That the customer entrance drive on Van Buren Street and all entry Drives on 51<sup>st</sup> Avenue shall be developed with 50-foot by 50 foot enhanced landscape areas located on both sides of the driveway entrance using the landscape palette from the Estrella Village Arterial Street Landscaping Program, except for the area along 51<sup>st</sup> Avenue generally between Polk Street and McKinley Street which shall provide entry landscape areas as shown on the site plan date stamped October 23, 2007 and that the Conceptual Landscape Plan for the enhanced landscape areas shall be approved administratively by the Planning Hearing Officer
- E That the existing landscape setback along Roosevelt Street shall be enhanced with new plant materials using the Estrella Village Arterial Street Landscaping Program The landscaping quantity shall be based on the landscaping program guidelines on page one

#### STREETS

- 3 That right-of-way totaling 50 feet shall be dedicated for the east half of 51<sup>st</sup> Avenue
- 4 That right-of way totaling 50 feet shall be dedicated for the north half of Van Buren Street
- 5 That a 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast corner of 51<sup>st</sup> Avenue and Van Buren Street
- 6 That the developer shall construct all streets adjacent to the development with paving curb gutter sidewalk curb ramps streetlights landscaping and other incidentals as per plans approved by the Development Services Department All improvements shall comply with all ADA accessibility standards

#### TRANSIT

- 7 That the following transit infrastructure improvements shall be provided

- A Two transit stop locations north of Van Buren Street east side of 51<sup>st</sup> Avenue and north of Fillmore Street east side of 51<sup>st</sup> Avenue
- B Transit Accessory pads P1261 located north of Van Buren Street east side of 51<sup>st</sup> Avenue and P1260 located north of Fillmore Street and east of 51<sup>st</sup> Avenue
- C Transit Bus Bay P1256 located on the east side of 51<sup>st</sup> Avenue north of Van Buren Street

#### AVIATION

- 8 That the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of Phoenix Sky Harbor International Airport The form and content of such documents shall be reviewed and approved by the City Attorney

Upon request this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability This publication may be made available through the following auxiliary aids or services large print Braille audiotape or computer diskette Contact Theresa Damiani regarding ADA 602 262 6368/voice 602 534 5500 City TTY Relay



January 16, 2008

Location: Northeast corner of 51st Avenue and Van Buren Street;  
Acreage: 98.95

Planning Hearing Officer recommended approval to modify stipulations.

Estrella Village Planning Committee chose not to review this case.

### Stipulations

#### GENERAL CONFORMANCE

1. That the development shall be in general conformance with the site plan date stamped ~~July 18, 2005~~ October 23, 2007, as approved or modified by the Development Services Department.
2. That the applicant shall provide a landscape plan to be administratively approved by the Planning Hearing Officer (PHO), prior to preliminary site plan approval, with specific regard to the following, as approved by the Development Services Department:
  - a. That the perimeter landscape setbacks along 51st Avenue and Van Buren Street shall comply with the Commerce Park standards, except the area along 51st Avenue generally between Polk Street and McKinley Street as shown on the site plan date stamped October 23, 2007, where A-1 landscape setbacks shall be applicable.
  - b. That shaded seating areas shall be provided for employees and customers in accessible and convenient locations.
  - c. That the 51st Avenue/Van Buren Street corner shall be developed with a 75-foot by 75-foot enhanced landscape area using the landscape palette from the Estrella Village Arterial Street Landscaping Program.

January 16, 2008

- d. That the customer entrance drive on Van Buren Street and all entry drives on 51st Avenue shall be developed with 50-foot by 50-foot enhanced landscape areas located on both sides of the driveway entrance using the landscape palette from the Estrella Village Arterial Street Landscaping Program, except for the area along 51st Avenue generally between Polk Street and McKinley Street which shall provide entry landscape areas as shown on the site plan date stamped October 23, 2007, and that the Conceptual Landscape Plan for the enhanced landscape areas shall be approved administratively by the Planning Hearing Officer.
  - e. That the existing landscape setback along Roosevelt Street shall be enhanced with new plant materials using the Estrella Village Arterial Street Landscaping Program. The landscaping quantity shall be based on the landscaping program guidelines on page one.
3. That right-of-way totaling 50 feet shall be dedicated for the east half of 51st Avenue.
  4. That right-of-way totaling 50 feet shall be dedicated for the north half of Van Buren Street.
  5. That a 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast corner of 51st Avenue and Van Buren Street.
  6. That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as per plans approved by the Development Services Department. All improvements shall comply with all Americans with Disabilities Act (ADA) accessibility standards.

#### TRANSIT

7. That the following transit infrastructure improvements shall be provided:
  - a. Two transit stop locations: north of Van Buren Street east side of 51st Avenue and north of Fillmore Street east side of 51st Avenue.

January 16, 2008

- b. Transit accessory pads: P1261 located north of Van Buren Street east side of 51st Avenue and P1260 located north of Fillmore Street and east of 51st Avenue.
- c. Transit Bus Bay P1256 located on the east side of 51st Avenue north of Van Buren Street.

#### AVIATION

- 8. That the property owner shall record documents that disclose to purchasers of the property within the development the existence and operational characteristics of Phoenix Sky Harbor International Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.

DISTRICT 1  
27420 NORTH 35TH AVENUE  
APPLICANT: DEBRA  
MERKLE - A TO Z PERMIT  
PURSUER  
OWNER: CLIFFORD AND  
JUDITH FOUGHT  
REPRESENTATIVE: DEBRA  
MERKLE - A TO Z PERMIT  
PURSUER

---

- B. Application: OS-9-07-1  
Request: To allow an offsite constructed dwelling unit.  
Location: 27420 North 35th Avenue; Acreage: 1.035

Planning Hearing Officer recommended approval with stipulations.

Deer Valley Village Planning Committee chose not to review this case.

#### Stipulations

- 1. That the site shall be in general conformance with the site plan date stamped December 5, 2007, with specific regard to the front porch and garage.
- 2. The driveway shall be dust proofed according to City of Phoenix standards.

January 16, 2008

3. That prior to final site plan approval, the property owner shall record documents that disclose the existence and operational characteristics of Phoenix 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.

DISTRICT 8  
JESSE OWENS PARKWAY  
AND WESTERN CANAL  
APPLICANT: FELICIANO  
VERA - SILVER DOLLAR  
DEVELOPMENT, LLC  
OWNER: SILVER DOLLAR  
DEVELOPMENT, LLC  
REPRESENTATIVE:  
FELICIANO VERA - SILVER  
DOLLAR DEVELOPMENT, LLC

C. Application: Z-208-86-8

Request: Deletion of Stipulation 1 regarding rezoning application.  
Deletion of Stipulation 2 regarding general conformance to a site plan and rezoning.  
Deletion of Stipulation 3 regarding site plan review and approval.  
Deletion of Stipulation 4 regarding conditional approval.  
Deletion of Stipulation 5 regarding a landscaped setback.  
Deletion of Stipulation 6 regarding tree sizes and materials.  
Deletion of Stipulation 7 regarding landscaping along Central Avenue.  
Deletion of Stipulation 8 regarding parking and landscaping.  
Deletion of Stipulation 9 regarding interior parking lot landscaping.  
Deletion of Stipulation 10 regarding drive-through facilities.  
Deletion of Stipulation 11 regarding a pedestrian and bike trail.  
Deletion of Stipulation 12 regarding rooftop mechanical units.  
Deletion of Stipulation 13 regarding building height.  
Deletion of Stipulation 14 regarding signage.



January 16, 2008

Deletion of Stipulation 15 regarding Fremont Drive alignment.

Deletion of Stipulation 16 regarding traffic signals.

Deletion of Stipulation 17 regarding right lanes.

Deletion of Stipulation 18 regarding construction of an internal loop road and bridge.

Deletion of Stipulation 19 regarding general conformance to site plans.

Deletion of Stipulation 20 regarding walls or fencing.

Location: Northwest corner of Jesse Owens Parkway and Western Canal; Acreage: 4.09

Planning Hearing Officer recommended approval with modifications.

South Mountain Village Planning Committee chose not to review this case.

#### Stipulations

1. That the development shall be in general conformance to the site plan and elevations date stamped December 5, 2007, as approved or modified by the Development Services Department.
2. That the intersection of Central Avenue with Jesse Owens Parkway is to align with Fremont Drive (one-quarter mile point) to the west of Central Avenue or offset no more than a half street width to the south of that alignment. This is imperative in order to coordinate the traffic signals and minimize delay for traffic on Central Avenue.
3. That future signalization of Jesse Owens Parkway with Central Avenue and Baseline Road will be at the expense of the developer. Traffic signals will not be installed until the warrants are met.
4. That right lanes will be required on Baseline Road at Jesse Owens Parkway and on Central Avenue at Jesse Owens Parkway.
5. That construction of an internal loop road and bridge over the Western Canal be provided by the applicant/property owner with cooperation and support by the City of Phoenix in the first phase of development.

January 16, 2008

**MOTION** was made by Mr. Mattox, **SECONDED** by Mrs. Williams, that Item 15 be granted per the agenda recommendation. **MOTION CARRIED.**

**ITEM 16**

**DISTRICT 7**

**PUBLIC HEARING -  
PROPOSED 27TH AVENUE  
AND VINEYARD ROAD  
ANNEXATION**

---

The Council heard request for a public hearing, as required by Arizona Revised Statutes, Section 9-471, on the proposed 27th Avenue and Vineyard Road Annexation. This public hearing allowed the City Council to gather community comment regarding this annexation proposal. The City Council would not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation would be considered at a later date.

This annexation was requested by the property owners to obtain City services and conformed to current City policies regarding annexation of property prior to extension of City services. The proposed annexation area included 18.56 acres (0.029 square miles) and the population was estimated to be 12. The general boundaries of the area were Vineyard Road alignment on the north, Maldonado Road alignment on the south, 27th Avenue on the east, and 29th Avenue alignment on the west.

Mayor Gordon declared the public hearing open. It was noted a speaker card was submitted by Mr. Robert LaGronoe, in favor and only to speak if necessary. There being no one present wishing to speak, Mayor Gordon declared the public hearing closed.

**ITEM 17**

**DISTRICT 7**

**PUBLIC HEARING -  
PROPOSED 37TH AVENUE  
AND LYDIA LANE  
ANNEXATION**

---

The Council heard request for a public hearing, as required by Arizona Revised Statutes, Section 9-471, on the proposed 37th Avenue and Lydia Lane Annexation. This public hearing allowed the City Council to gather community comment regarding this annexation proposal. The City Council would not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation would be considered at a later date.

This annexation was requested by the property owners to obtain City services and conformed to current City policies regarding annexation of property prior to extension of City services. The proposed annexation area included 14.433 acres (0.023 square miles) and the population was estimated to be 3.