



Zoning Map: N-8
Quarter Section: 42-29

Property Location: Area that requires a Supp Map/ Case:89-04/Zoning: A-1



City of Phoenix
PLANNING DEPARTMENT

SCANNED

November 16, 2004

KeyBank National Association & Geupel Family LP
127 Public Square, 18th Floor
Cleveland, OH 44114

Dear Applicant:

RE: Z-89-04-2 Southeast corner of 7th Street and Deer Valley Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on November 3, 2004, concurred in the recommendation of the Planning Commission and the Zoning Hearing Officer and has ratified application Z-89-04-2 from RE-43 to A-1 (154.09 acres), C-2 (5.86 acres), on approximately 159.95 acres, subject to the following stipulations:

Stipulations:

1. That the development shall be in general conformance to the site plan date stamped July 29, 2004 with specific regard to the landscape setback, open space tracts on the hillside and the wash, and single loaded street adjacent to the hillside and wash, as may be modified by stipulations below, and as approved or modified by the Development Services Department.
2. That a minimum 20-foot landscape setback shall be provided adjacent to the residential development along the south property line.
3. That landscaping shall be provided per the landscape plan date stamped July 29, 2004, with regards to landscape palette and density, as approved by the Development Services Department. No driveways, drives, parking or other uses shall be permitted in the 20 foot landscape setback along the south property line.
4. That no development shall occur on Tracts A and B, depicted as open space. Tracts A and B shall be platted as open space tracts of approximately 27 acres and 36 acres, respectively, and shall be dedicated to the City upon final plat approval per the applicant's letter (Exhibit A).
5. That at time of site plan/plat approval, the Development Services Department shall encourage single loaded street access adjacent to the hillside open space and adjacent to the open space on the south side of Cave Creek Wash.
6. That a 25-foot public trail easement shall be provided within Cave Creek Wash and within that easement, an 8-foot multi-use trail shall be provided along the top of the south bank of Cave Creek Wash in accordance with the City of Phoenix

standard trail detail as approved by the Parks and Recreation Department.

7. That subject to appropriate 404 or other permits, Cave Creek Wash shall be treated as a natural amenity per plans approved by the Development Services Department. Structural improvements within the wash shall be designed to blend with the natural setting through use of stain, materials, and landscaping.
8. That rights-of-way shall be dedicated and improvements provided as follows:
 - a. Right-of way totaling 65 feet shall be dedicated for the south half of Deer Valley Drive.
 - b. Right-of way totaling 65 feet shall be dedicated for the east half of 7th Street.
 - c. Right-of way totaling 30 feet shall be dedicated for the north half of Rose Garden Lane.
 - d. A 21 foot by 21 foot right-of-way triangle shall be dedicated at the southeast corner of 7th Street and Deer Valley Drive.
 - e. Sufficient right-of-way shall be dedicated to accommodate a bus bay on Deer Valley Drive at 7th Street.
 - f. Right-of-way and construction of a transit pad, per detail P-1262, shall be provided on northbound 7th Street north of Lone Cactus Drive. (Road)
 - g. The developer shall construct 7th Street south of Cave Creek Wash adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the city if developer receives building permits for such development south of Cave Creek Wash prior to the city's going to bid for such street improvements. The developer shall construct or place funds in escrow for construction of Deer Valley Road north of Cave Creek Wash adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the city only if developer receives building permits for such development north of Cave Creek Wash prior to the city's going to bid for such street improvements. All improvements shall comply with all ADA accessibility standards.
 - h. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department (602) 262-6193. This form is a requirement of the EPA to meet clean air quality requirements.

SCANNED

SCANNED

9. That no buildings shall be located within 100 feet of the south property line.
10. That building and landscape setbacks along 7th Street and Deer Valley Drive shall conform to General Commerce Park standards. (Section 626.H.1.e.)
11. That no outdoor storage shall be permitted on property north of Cave Creek Wash unless screened by a minimum 6-foot wall. Material stored outdoors shall not be visible above the wall.
12. That no outdoor storage shall be permitted on property north of Cave Creek Wash unless screened by a minimum 6-foot wall. Material stored outdoors shall not be visible above the wall.
13. That prior to final site plan approval, the property owner shall record documents that disclose to purchasers or occupants of the property the existence and operational characteristics of Deer Valley Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
14. That the applicant file Federal Aviation Form 7460, Notice of Proposed Construction or Alteration with the Federal Aviation Administration prior to any development or construction on site.
15. That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705.F.2 of the Zoning Ordinance.
16. That there shall be no parking of vehicles (including trailers, cars, and trucks) with commercial signage between the street and building façade along 7th Street and Deer Valley Drive.

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

Sincerely,



Bernadine Alling
Planner II

- cc: City Clerk
Files
Bernadine Alling (email)
Ben Leonard, Public Transit (email)
Kelly Kvetko, Site Planning(email)
Kenneth Black (email)
Mike B. Withey, Withey, Anderson & Morris, 2525 E. Biltmore Circle, Suite. A-212, Phoenix, AZ, 85016
- Jay Neville (email)
Book
Dave Barrier, DSD (email)
Victor Morrison-Vega, NSD (email)
Bob Luxton, Sign Enf. (email)
Lynn West (email)