

ATTACHMENT D

PLEASE RESPOND ELECTRONICALLY TO BRAD WYLAN 2ND FLOOR, 602-256-3322



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** January 12, 2023
From: Alan Stephenson
Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. PHO-1-22-Z-174-05-2 – 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 **February 15, 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 or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **January 22, 2023**.

DISTRIBUTION

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City Council (Stephanie Bracken), 11th Floor
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CED (Michelle Pierson), 20th Floor
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Light Rail (Joel Carrasco/Special TOD Only)
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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 (Alan Stephenson, Joshua Bednarek), 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 (Tricia Gomes, Adam Stranieri, Chase Hales), 2nd Floor
Village Planner (Anthony Grande, Desert View Village)
Village Planning Committee Chair (Steven Bowser, Desert View Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-22-Z-174-05

Council District: 2

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation 1 regarding general conformance with the site plan date stamped November 23, 2005. Modification of Stipulation 2 regarding general conformance with the elevations date stamped November 23, 2006. Modification of Stipulation 3 regarding parking structure architecture. Modification of Stipulation 4 regarding useable outdoor private space, patio, and balconies. Deletion of Stipulation 5 regarding vertical landscaping enhancements. Deletion of Stipulation 6 regarding general conformance with the site plan date stamped November 23, 2005 and an 882 unit maximum on Parcel 4HW. Deletion of Stipulation 8 regarding private trails. Deletion of Stipulation 15 regarding a crosswalk that connects the 404 wash corridor trail with the south side of Deer Valley Drive. Deletion of Stipulation 17 regarding a pedestrian bridge across the 404 Wash Corridor. Deletion of Stipulation 19 regarding view corridors to the south. Technical corrections to Stipulations 9, 10, 11, 12, 14, 16, and 18.

Owner	Applicant	Representative
Ari Astalos, Garden Deer Valley LLC 14545 North Frank Lloyd Wright Boulevard Scottsdale AZ 85260 (858) 232-7374 aria@gardencommunitiesca.com	Ed Bull, Burch and Cracchiolo PA 1850 North Central Avenue, Suite 1700 Phoenix AZ 85004 (602) 234-9913 ebull@bcattorneys.com	Ed Bull, Burch and Cracchiolo PA 1850 North Central Avenue, Suite 1700 Phoenix AZ 85004 P: (602) 234-9913 F: ebull@bcattorneys.com

Property Location: Northeast corner of Tatum Boulevard and Deer Valley Drive

Zoning Map: N-11 Quarter Section: 42-39 APN: 212-32-097A Acreage: 41.18

Village: Desert View

Last Hearing: CC RATIFICATION

Previous Opposition: No

Date of Original City Council Action: 05/03/2006

Previous PHO Actions:

Zoning Vested: S-1 DRSP (App R-4 DR

Supplemental Map No.:

Planning Staff: 083004

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	12/22/2022	22-0106114	Original Filing Fee

Signature of Applicant: _____

DATE: _____

Hearing Results

Planning Hearing Officer
Date: 02/15/2023 1000 AM

Planning Commission
Date: _____

City Council
Date: _____

Appealed?: _____
Action: _____

Appealed?: _____
Action: _____ Action: _____



BURCH & CRACCHIOLO

EDWIN C. BULL
DIRECT LINE: 602.234.9913
DIRECT FAX: 602.850.7913
EBULL@BCATTORNEYS.COM

December 27, 2022

VIA HAND-DELIVERY

Mr. Adam Stranieri
Planning Hearing Officer
City of Phoenix
Planning and Development Department
200 W. Washington St., 2nd Floor
Phoenix, Arizona. 85003

RE: PHO Stipulation Modification from Z-174-05-2
Northeast Corner of Tatum Boulevard and Deer Valley Drive

Dear Mr. Stranieri:

On behalf of Garden Communities (“Garden Communities”), who is the proposed developer of the property located at the northeast corner of Tatum Blvd and Deer Valley Dr (“Site”), we request the PHO’s action on 10 Zoning Stipulations from Z-174-05-2 to allow the development of a high-quality multifamily community close to the Desert Ridge Core area. *See Exhibit 1*, Aerial Map identifying the Site.

The Site is zoned R-4 (Multifamily Residence District). *See Exhibit 2*, Zoning Map. In 2006, the City Council approved R-4 zoning for the Site, subject to 19 zoning stipulations. *See Exhibit 3*, Zoning Approval Letter dated May 12, 2006. We are not requesting a Rezoning. Instead, we are requesting certain of the 2006 Stipulations be combined, certain 2006-era Stipulations be updated to 2023 expectations, and certain Stipulations be deleted because they cannot be implemented due to the Army Corps of Engineers’ 404 requirements and restrictions. Accordingly, we are requesting modification of 4 Stipulations, specifically, modification of Stipulations 1-4 and deletion of 6 Stipulations, specifically, deletion of Stipulations 5, 6, 8, 15, 17, and 19. We will submit site plans and elevations for administrative review following the completion of the PHO public process.

Requests

Stipulation No. 1 – Modification:

That development shall be in general conformance with the site plan date stamped November 23, 2005, with a maximum of 882 dwelling units as approved or modified by the **Planning and Development Services Department**.

- Rationale – The proposed multifamily community will provide a modern layout and design intended to engage residents and their guests in the many amenities and pedestrian connections provided throughout the development. Per discussions with senior City Staff, the City prefers to incorporate the 882 unit maximum into Stipulation 1 rather than a separate stipulation (Stipulation 6).

Stipulation No. 2 – Modification:

That development shall be in general conformance with the elevations date stamped November 23, 2006, with specific regard to the below items, as approved by the **Planning and Development Services Department**:

- a. ~~Landscape trellises shall be placed where there is 10 feet of open building facade (Exhibit 2).~~
- b. The portion of the Pavilions Phase II development located within 950 feet of Tatum Boulevard shall be limited to 38 feet building height.
- c. The remaining parcels shall be limited to 48 feet building height.

- Rationale – It is necessary and appropriate to update the elevations to portray a contemporary design with attractive elements and architectural details that will create visual interest and variety. The thoughtful design elements will create a welcoming community environment for its discerning residents. Landscape trellises will be replaced with landscaping appropriate for a desert environment. The desert landscaping will further water conservation goals by incorporating low water use plants.

It is also necessary to remove the reference to “Pavilions” because that designation is only associated with prior site plans. However, Garden Communities will honor the reduced building height within the approximate area previously identified as the “Pavilions Phase II.”

Stipulation No. 3 – Modification:

That, where visible, the parking structures on the ~~Mondrian~~ project shall be of complementary architecture to the primary residential structures, as approved by the **Planning and Development Services Department**.

- Rationale – This stipulation must be updated in accordance with the new site plan which does not include an area identified as the “Mondrian.” The “Mondrian” area was specific to the 2005 site plan. However, the intent behind the original stipulation will be honored by ensuring visible parking structures (if any) within the development are of

complementary architecture to the primary structures. The requested modification is effectively little more than a technical update, as only the language is changing, not the effect.

Stipulation No. 4 – Modification:

That the buildings **located west of the 404 wash identified as “Pavilions”** shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the **Planning and Development Services Department**.

- Rationale – This stipulation must be updated in accordance with the new site plan which does not include an area identified as “Pavilions.” However, the intent behind the original stipulation will be honored by ensuring the area previously identified as “Pavilions,” which is located west of the wash, will provide usable outdoor space for all units. The requested modification is effectively little more than a technical update as only the language is changing, not the effect.

Stipulation No. 5 – Deletion:

~~That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.~~

- Rationale – While vertical landscaping enhancements were not common when the 2005 site plan was designed and approved by the City, their use has fallen out of favor. Such enhancements require significant water and most developments are now landscaped with low water plants appropriate for a desert environment. Accordingly, the requested modification will allow the developer to provide a contemporary design that honors today’s water conservation efforts.

Stipulation No. 6 – Deletion:

~~That the development on Pareel 4HW as described below be limited to 882 units and be in general conformance with the zoning Site Plan date stamped November 23, 2005. That development shall be comprised of Mondrian Phase 1 and 2 and the Pavilions Phase 1 as depicted on the site plan. Any portion of the which is not included as part of the site plan as described above shall not be developed until a site plan is approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.~~

- Rationale – As discussed above, this Stipulation should be deleted because it is preferable and appropriate to incorporate the 882 dwelling unit maximum into Stipulation 1, in accordance with discussions with Senior City Staff, and to reflect the site plan changes in accordance with the modification to Stipulation 1. Any reference to the areas identified as “Mondrian Phase I and 2” and the “Pavilions Phase I” must be deleted because they are only identified as such in the 2005 site plan and will not be so identified in the current developer’s development. Garden Communities’ site plan incorporates a modern, updated design that meets the current market needs and, consequently, does not identify the same development areas as the 2005 site plan.

Stipulation No. 8 – Deletion:

~~That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.~~

- Rationale – Garden Communities has been advised that the Army Corps of Engineers is almost certainly going to deny a request for a trail within the 404 wash corridor. While a request has been made to the Army Corps of Engineers, similar requests on nearby properties have been denied.

Stipulation No. 15 – Deletion:

~~That a crosswalk with signage and safety lights shall be provided that connects the proposed 404 wash corridor trail with the south side of Deer Valley Drive, as approved or modified by the Street Transportation Department.~~

- Rationale – As discussed above and below in Stipulations 8 and 17, there will be no pedestrian trails within the 404 wash corridor. Given this restriction, there will be little (if any) need or interest in crossing the street at this location. Consequently, a signalized crossing at this location is neither necessary nor warranted.

Stipulation No. 17 – Deletion:

~~That a pedestrian bridge shall be provided across the 404 Wash Corridor to link the Pavilions development with the Mondrian Phase I Development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.~~

- Rationale – Garden Communities has been advised that the Army Corps of Engineers is almost certainly going to deny a request for a pedestrian bridge across the 404 wash corridor. Without the Army Corps of Engineers' permission, it is not possible for Garden Communities to construct the requested pedestrian bridge.

Stipulation No. 19 – Deletion:

~~That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.~~

- Rationale – This stipulation must be deleted in accordance with the modification to Stipulation 1 permitting the adoption of an updated site plan. However, the intent behind this stipulation will be honored. Garden Communities' site plan was designed with view corridors on the western side of the 404 wash in mind.

Looking at the site plan and elevations, attached as **Exhibit 4** and **Exhibit 5**, respectively, Garden Communities' proposed development will provide a quality development that will support and benefit the Desert Ridge area. The proposed multifamily community is a compatible use for this vacant Site located near the Desert Ridge Core area.

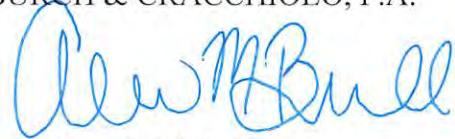
Re: Garden Communities – NEC of Tatum Blvd and Deer Valley Dr

December 27, 2022

Page | 5

Please contact Ali Bull (602-234-8747, abull@bcattorneys.com), Ricki Horowitz (602-234-8728, rhorowitz@bcattorneys.com), or me (602-234-9913, ebull@bcattorneys.com) if you have questions or need additional information. Thank you for your help and consideration.

Very truly yours,
BURCH & CRACCHIOLO, P.A.



Ed Bull and Ali Bull
For the Firm

EXHIBIT 1



DEER VALLEY AND
TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

Office of Rich Barber
Architects, LLC

Rich Barber
Architects, LLC

WorldHQ@ORBArch.com

REGISTERED ARCHITECT
SOCIETY OF ARIZONA
19213
Rich Barber
Architect
3000 N. 25th Street, Suite 200
Phoenix, Arizona 85016
Expires 3/31/2023

GARDEN
COMMUNITIES

A1.10

AERIAL VICINITY MAP

EXHIBIT 2

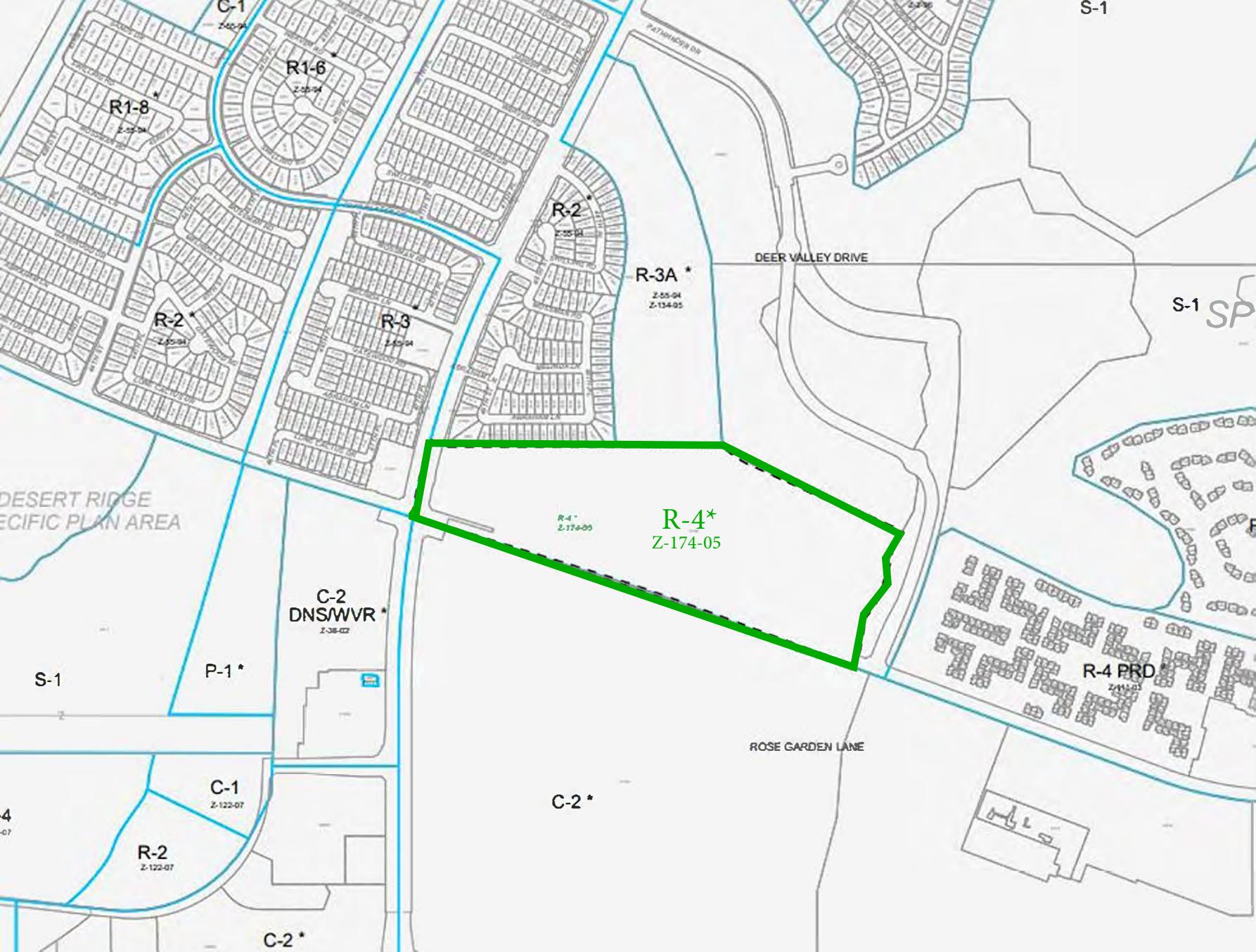


EXHIBIT 3



May 12, 2006

Mr. Michael Curley
Earl, Curley and Lagarde
3101 North Central Avenue, Suite 1000
Phoenix, Arizona

Re: Application Z-174-05-2

Dear Mr. Curley:

The Phoenix City Council, at its meeting held May 3, 2006, considered a request to rezone 41.17 acres from S-1 to R-4 located on the northeast corner of Deer Valley Drive and Tatum Boulevard for multi-family residential.

The Council granted this request with modification to Stipulation 6. The stipulations are as follows:

Stipulations

1. That development shall be in general conformance with the site plan date stamped November 23, 2005, as approved or modified by the Development Services Department.
2. That development shall be in general conformance with the elevations date stamped November 23, 2006, with specific regard to the below items, as approved by the Development Services Department:
 - a. Landscape trellises shall be placed where there is 10- feet of open building facade (Exhibit 2).
 - b. The Pavilions Phase II development shall be limited to 38 feet building height.
 - c. The remaining parcels shall be limited to 48 feet building height.

3. That, where visible, the parking structures on the Mondrian project shall be of complementary architecture to the primary residential structures, as approved by the Development Services Department.
4. That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.
5. That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.
6. That the development on Parcel 4HW as described below be limited to 882 units and be in general conformance with the zoning Site Plan date stamped November 23, 2005. That development shall be comprised of Mondrian Phase 1 and 2 and the Pavilions Phase 1 as depicted on the site plan. Any portion of the site plan which is not included as part of the site plan as described above shall not be developed until a site plan is approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.
7. That an eight-foot (8) wide multi-use trail shall be constructed along the north side of Deer Valley Road in accordance with the city of Phoenix standard trail detail, as approved by the Parks and Recreation Department.
8. That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.
9. That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.
10. That an internal pedestrian circulation pathway system shall be provided linking open spaces, amenities, parking areas, the dwelling structures, and the external pedestrian access points. These pathways shall be standard sidewalks, except where the path of travel crosses a parking lot or driveway, in which case the path shall be a minimum of 3.5 feet wide and constructed of pavers, decorative concrete, or other non-asphalt material, as approved by the Development Services Department.

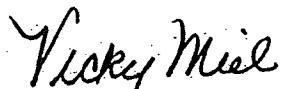
11. That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.
12. That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive, as approved by the Development Services Department.
13. That the subject site has the potential to contain archeological resources. The applicant shall submit an archeological survey or documentation of prior archaeological work, for review and approval by the City Archeologist prior to issuance of a grading permit. If additional archaeological monitoring, testing, and/or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archeologist.
14. That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development, as approved by the Development Services Department.
15. That a crosswalk with signage and safety lights shall be provided that connects the proposed 404 wash corridor trail with the south side of Deer Valley Drive, as approved or modified by the Street Transportation Department.
16. That no vehicular access shall be allowed to Tatum Boulevard unless emergency vehicle access is required by the Development Services Department.
17. That a pedestrian bridge shall be provided across the 404 Wash Corridor to link the Pavilions development with the Mondrian Phase I Development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.
18. That the applicant shall complete a traffic study as approved by the Street Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed, as approved by the Development Services Department.

19. That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.

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

If you require further assistance or information, please contact the Planning Department, Second Floor of Phoenix City Hall, 200 West Washington Street, or call (602) 262-7131.

Sincerely,



Vicky Miel
City Clerk

VM/em/Item7

cc: Planning Department
Development Services
Street Transportation
Records Management
Mr. Todd Cooley, Gray Development, 2555 E Camelback Rd. #1050

EXHIBIT 4

DEER VALLEY AND
TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

Office of Rich Barber
Architect
ORB

PRESIDENT
RICH BARBER
CERTIFIED ARCHITECT
NO. 15213
CONSTRUCTION
Expires 3/31/2023

GARDEN
COMMUNITIES

LEGAL DESCRIPTION

Tract 37, Block 4, STATE PLAT NO. 24 DESERT RIDGE AMENDED, according to Book 376 of Maps, Page 26, and Affidavit of Correction recorded April 12, 2004 in Recording No. 2004-0380549, both records of Maricopa County, Arizona, lying within Section 20, Township 4 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

DEVELOPMENT DATA WEST PARCEL

- Development and use of this site will conform with all applicable codes and ordinances.
- All new or relocated utilities will be placed underground.
- Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveways entrances will be maintained at a maximum height of 3'.
- Structures and landscaping within a triangle measuring 33' x 33' along the property line will be maintained at a maximum height of 3'.
- 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 property.
- Owners of property adjacent to public rights-of-way will have the responsibility for maintaining all landscaping located within the rights-of-way, in accordance with approved plans.
- All rooftop equipment and satellite dishes shall be screened to the height of the tallest building.
- All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment from eye level adjacent to all public streets.
- Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.
- All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.
- Gates are to remain open, or are to open automatically, between the hours of _____ and _____.

I consent the reproduction of this site plan provided that if modifications are made, the professionals who make such changes assume full responsibility and liability for the modified portions of the plan.

Rich Barber
SIGNATURE OF COPYRIGHT OWNER
RICH BARBER
PRINTED NAME OF COPYRIGHT OWNER

12/21/2022
DATE

Z-174-05-2 STIPULATIONS

- That development shall be in general conformance with the site plan date stamped November 23, 2005, as approved or modified by the Development Services Department.
- That development shall be in conformance with the elevations date stamped November 23, 2006, with specific regard to the below height requirements of the Development Services Department:
 - Landscape trellises shall be placed where there is 10 feet of open building facade (Exhibit 2).
 - The remaining parcels shall be limited to 48 feet building height.
- Those areas where vehicle, parking structures, and the Mondrian project shall be of complementary architecture to the primary residential structures as approved by the Development Services Department.
- That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.
- That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.
- The development on Parcel 4HW as described below will be limited to 882 units and be in general conformance with the zoning Site Plan date stamped November 23, 2005. That development shall be comprised of Mondrian Phase 1 and 2 and the Pavilions Phase 1 as depicted on the site plan. Any portion of the which is not included as part of the site plan as described above shall not be developed until a site plan is approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.
- That all off-street foot traffic and/or use trails shall be constructed along the north side of Deer Valley Road in accordance with the city of Phoenix standard trail details as approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.
- That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.
- That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.
- That a continuous paved pathway system shall be provided linking open spaces, amenities, parking areas, the dwelling structures, and the external pedestrian access points. These pathways shall be standard sidewalks, except where the path of travel crosses a parking lot or driveway, in which case the path shall be a minimum of 3.5 feet wide and constructed of pavers.
- That the subject site shall be connected to the street adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other improvements as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessible standards.
- That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive, as approved by the Development Services Department.
- That the subject site shall contain an archeological survey or documentation of prior archaeological work, for review and approval by the City Archaeologist prior to issuance of a grading permit. If additional archaeological monitoring, testing, or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archaeologist.
- That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development as approved by the Street Transportation Department.
- That a crosswalk with signs and safety lights shall be provided that connects the proposed 404 wash corridor trail with the south side of Deer Valley Drive, as approved by the Street Transportation Department.
- That no vehicular access shall be allowed to Tatum Boulevard unless emergency vehicle access is required by the Development Services Department.
- That a pedestrian bridge shall be provided across the 404 Wash Corridor to link the Pavilions development with the Mondrian Phase I Development, as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.
- That the applicant shall complete a traffic study as approved by the Street Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed, as approved by the Development Services Department.
- That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.

SOLID WASTE NOTES

TRASH/RECYCLE BIN:
Trash bins are housed in a single enclosure. Each enclosure is designed to house (2) 8yd refuse bins.

REQUIRED SOLID WASTE CAPACITY:
The required capacity for refuse is .5 cubic yards per dwelling unit.
379 units x .5 = 190 cu. yd.
Serviced twice per week = 190/2 = 95 cu. yd.

AVAILABLE REFUSE CONTAINERS ON SITE:
(6) Dual enclosure with capacity for (16) cubic yards each for a total max. of 96.

DEVELOPMENT DATA WEST PARCEL

ZONING:
EXISTING: R-4
PROPOSED: R-4

LOT AREA:
GROSS AREA: ± 918,222 SF ± 21.07 AC
NET AREA: ± 801,556 SF ± 18.40 AC

CONSTRUCTION TYPE:
BUILDING TYPES 1, 2, 3 & 4
BUILDING TYPE 8 (REC/LEASING/FITNESS) VA

SPRINKLER SYSTEM:
NFPA 13R & NFPA13

BUILDING HEIGHT:
PROPOSED 3 STORY: 40'-0" MAX.

SETBACKS:
STREET SETBK MIN. 20' MIN. 20'
INTERIOR SETBK MIN. 10' MIN. 10'

UNIT MIX:
UNIT TYPE RATIO QTY. AVG. SF.
STUDIO 8% 32 724
1 BEDROOM 25% 94 925
2 BEDROOM 49% 185 1,390
3 BEDROOM 18% 67 1,756
TOTAL 100% 378

DENSITY:
PROPOSED: 17.94 D.U. / GROSS ACRE (378 UNITS)

PARKING:
REQUIRED P.S./R.U. TOTAL
STUDIO 1.30 32 x 1.30 = 42
1 BEDROOM 1.50 95 x 1.50 = 141
2 BEDROOM 1.50 185 x 1.50 = 278
3 BEDROOM 2.00 67 x 2.00 = 134
TOTAL - 594
PROVIDED
PRIVATE GARAGE 227
SECURED PARKING 442
FUTURE RESIDENT 14
TOTAL 683 (1.80 PS/DU)

VICINITY MAP

LEGEND

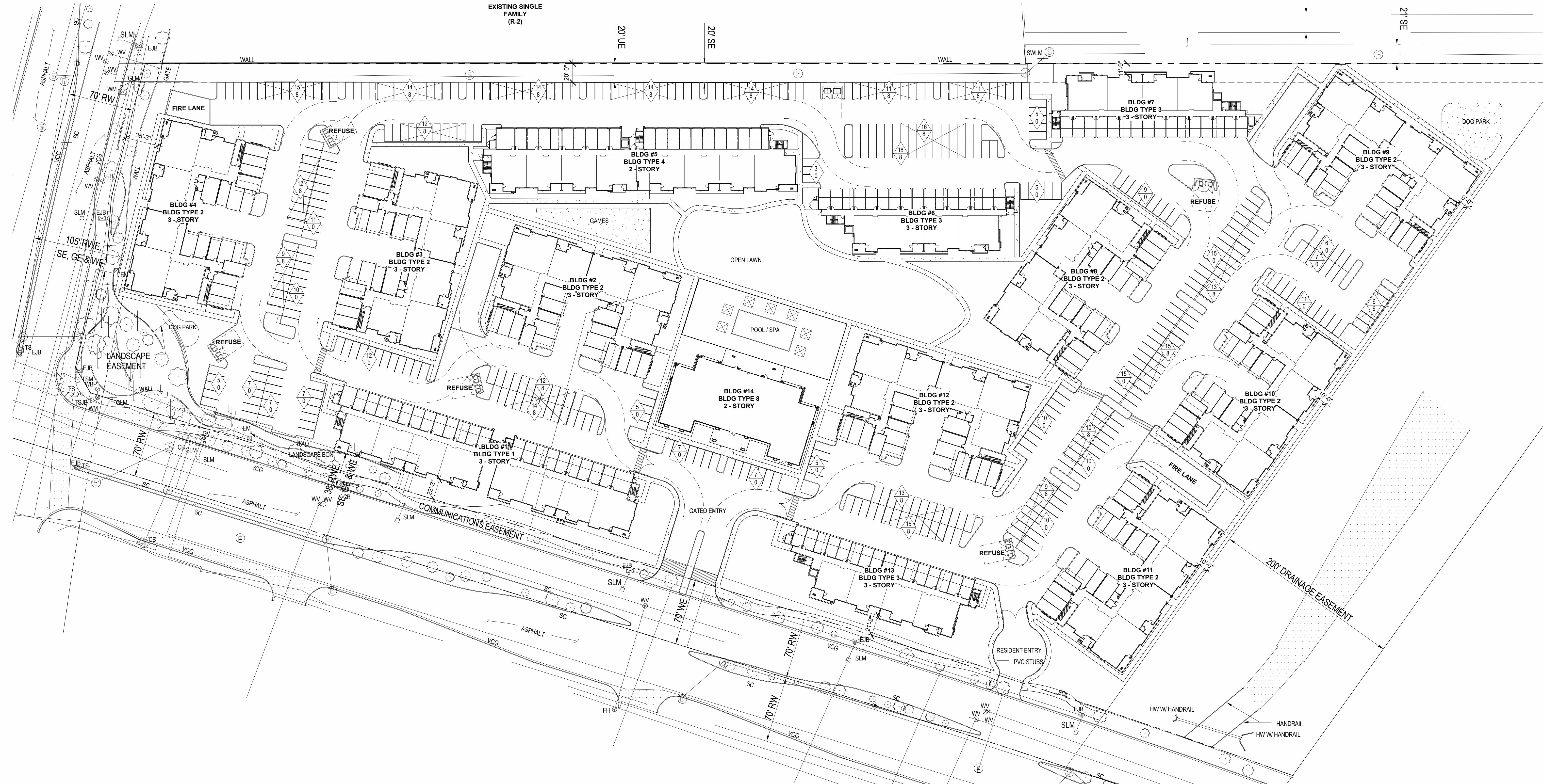
— DENOTES PROPERTY LINE

NO. OF PARKING SPACES

NO. OF COVERED SPACES

FIRE AND REFUSE VEHICLE
MANEUVERING SPACE.

PARKING CORTPORT



SITE PLAN - WEST SIDE
SCALE: 1" = 50'-0"

OWNER REVIEW

DATE: 12/21/22 ORB #: 22-211

Autodesk Docs // 22-211 Deer Valley and Tatum Apartments//22-211 GC Deer Valley and Tatum.rvt

A1.10W
PRELIMINARY SITE
PLAN - WEST SIDE

EXHIBIT 5

DEER VALLEY AND
TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

Office of Rich Baron
Architects, LLC
WorldHQ@ORBArch.com

REGISTERED ARCHITECT
MARY
NICHOLSON
CONSTRUCTION
Expires 3/31/2023

GARDEN
COMMUNITIES



MATERIAL KEY NOTES:

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN
B - STUCCO FINISH - DUNN EDWARDS - DE6213 - PIGEON GRAY
C - STUCCO FINISH - NOT USED
D - STUCCO FINISH - DUNN EDWARDS - DE6378 - JET
E - CONCRETE BLOCK - ASH - BURNISHED
E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
F - STONE VENEER - CULTURED STONE - HEDDLE & CO.
K - MSC. METALS - DUNN EDWARDS - DE6350 - DARK ENGINE - MATTE
L - PLAIN SIDING - TRESPA - METEON - NW30 - TROPICAL PE
M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - ALAMEDA RANGE



PHO SUBMITTAL
DATE: 12/21/22 ORB #: 22-211

A3.10
BUILDING TYPE 1

MATERIAL KEY NOTES:

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
 B - STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"
 C - STUCCO FINISH - NOT USED
 D - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FRESH CREAM"
 E - CONCRETE BLOCK - ASH - BURNISHED
 E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
 F - STONE VENEER - CULTURED STONE - HEWN STONE - "TAUPE"
 K - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE - MATTE"
 L - PLANK SIDING - TRESPA - METRON - "MISTY MORN"
 M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"

DEER VALLEY AND TATUM APARTMENTS

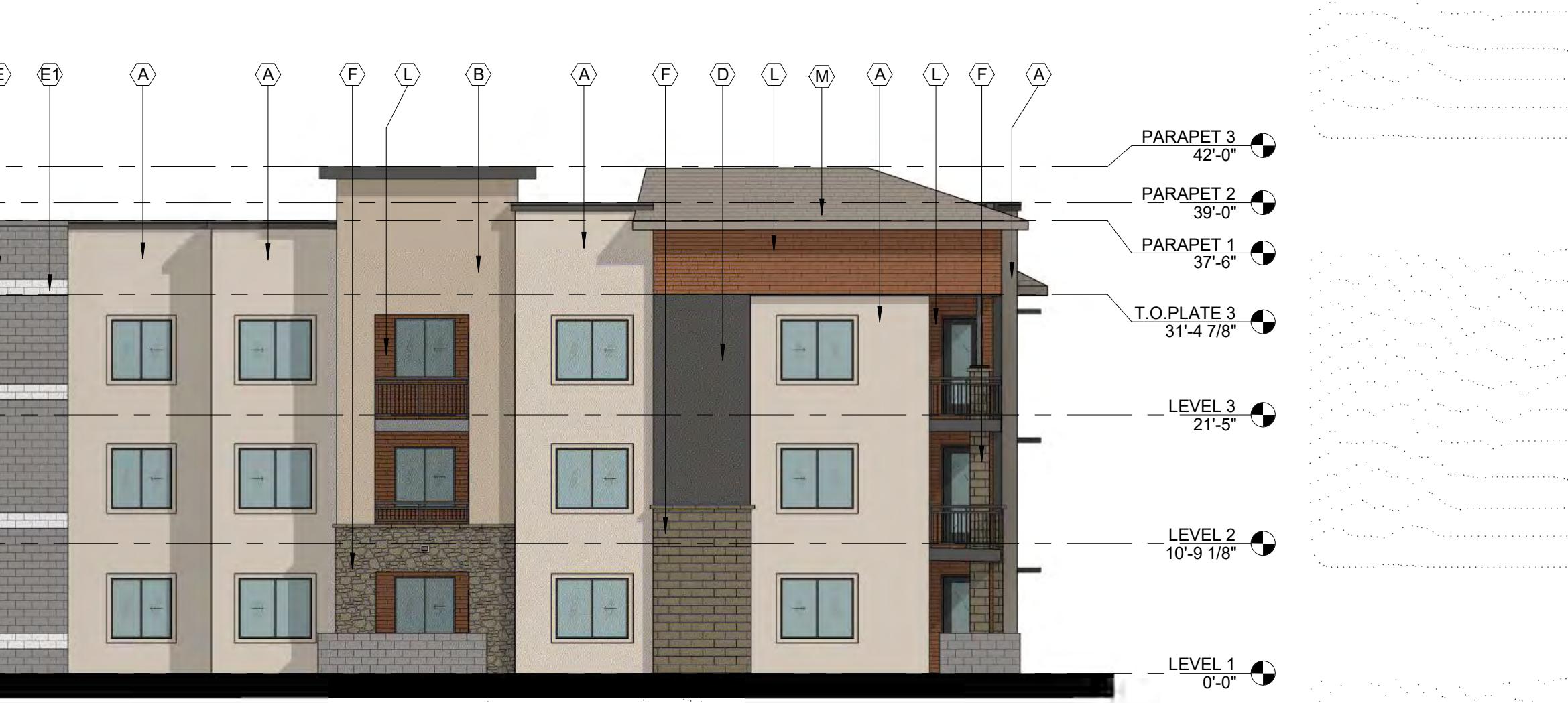
NEC OF DEER VALLEY DRIVE AND TATUM BLVD.

PHOENIX, ARIZONA 85050

Office of Rich Barber
Architects, LLC
WorldHQ@ORBArch.com

PRES. MARY
NORMAN
CONSTRUCTION
Expires 3/31/2023

GARDEN COMMUNITIES



PHO SUBMITTAL

DATE: 12/21/22 ORB #: 22-211

A3.20

BUILDING TYPE 2

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - HE GRAY
 B - STUCCO FINISH - DUNN EDWARDS - DE214 - PIGEON GRAY
 C - STUCCO FINISH - NOT USED
 D - STUCCO FINISH - DUNN EDWARDS - DE6378 - JET
 E - CONCRETE BLOCK - ASH - BURNISHED
 E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
 F - STONE - TURNED STONE - HEAVY STONE - TALUS
 G - MISC. METALS - DUNN EDWARDS - DE6330 - DARK ENGINE - MATTE
 L - PLANK SIDING - DARK ENGINE - MATTE
 M - CONCRETE ROOF TILE - EAGLE - BEL-AIR - 4884 - ALAMEDA RANGE

DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.

PHOENIX, ARIZONA 85050

Office of Rich Barber
 Architect, LLC
 WorldHQ@ORBArch.com

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 Rich Barber
 CONSTRUCTION
 Expires 3/31/2023

GARDEN COMMUNITIES



PHO SUBMITTAL

DATE: 12/21/22 ORB #: 22-211

A3.30

BUILDING TYPE 3

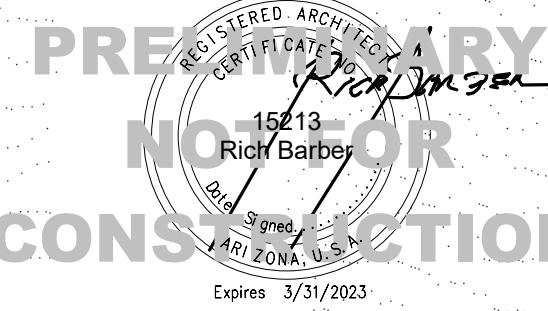


BLDG TYPE 4 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
B - STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"
C - STUCCO FINISH - NOT USED
D - STUCCO FINISH - DUNN EDWARDS - DE6217 - "BETT"
E - CONCRETE BLOCK - ASH - BURNISHED
E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
F - STONE VENEER - CULTURED STONE - HEWN STONE - TALUS
K - MISC. METALS - DUNN EDWARDS - DE6650 - "DARK ENGINE - MATTE"
L - PLANK SIDING - SPA - METEON - METEON TROPICAL LEAF
M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4984 - "ALAMEDA RANGE"



GARDEN COMMUNITIES



BLDG TYPE 4 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 4 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 4 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

PHO SUBMITTAL

DATE: 12/21/22 ORB #: 22-211

A3.40

BUILDING TYPE 4



BLDG TYPE 5 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:

A: STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
 B: STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"
 C: STUCCO FINISH - NOT USED
 D: STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
 E: CONCRETE BLOCK - ASH - BURNISHED
 E1: CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
 F: STONE VENEER - CULTURED STONE - HEWN STONE - "TALUS"
 K: MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE" - MATTE
 L: PLANK SIDING - TRESPA - METeon - NW30 - "TROPICAL IPE"
 M: CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"

GARDEN
COMMUNITIES

BLDG TYPE 5 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 5 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 5 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

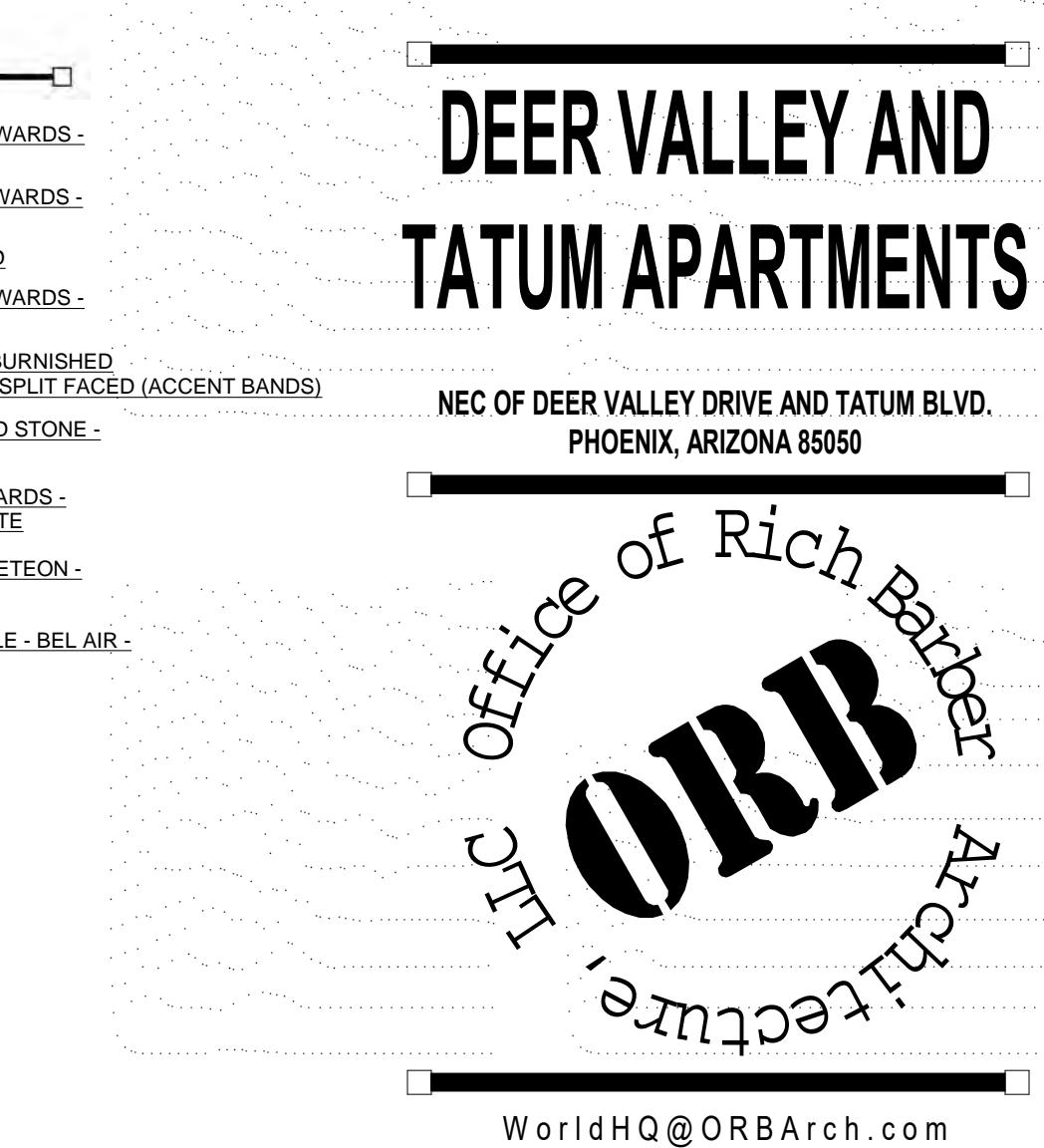
PHO SUBMITTAL

DATE: 12/21/22

ORB #: 22-211

A3.50

BUILDING TYPE 5



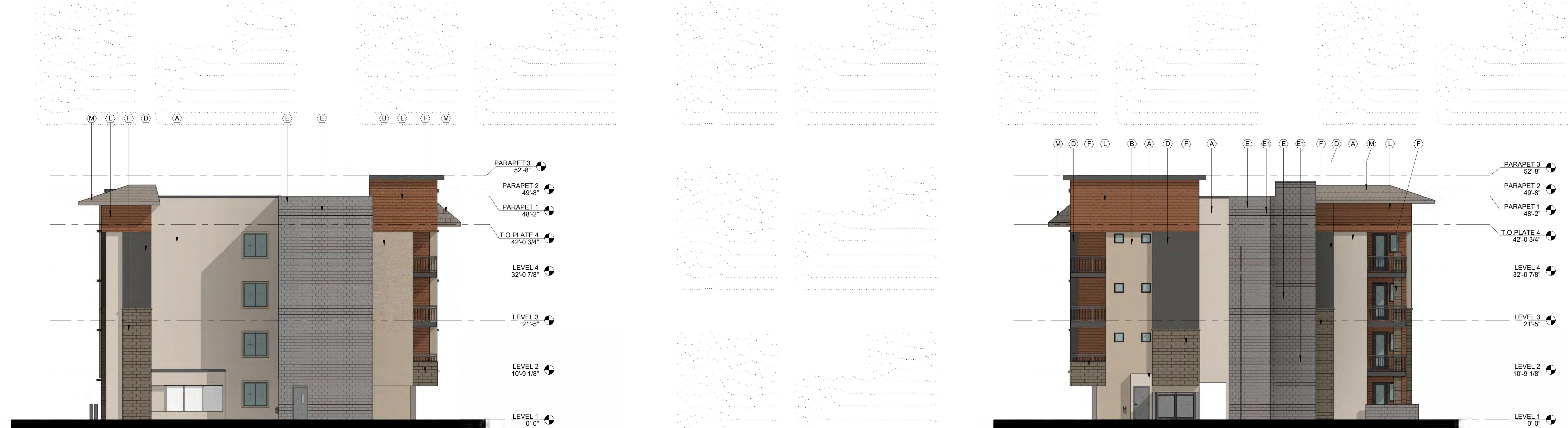
DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

Rich Barber
Architect
ORB
Architects, LLC

REGISTERED ARCHITECT
NORMAN
CONSTRUCTION
Expires 3/31/2023

GARDEN COMMUNITIES

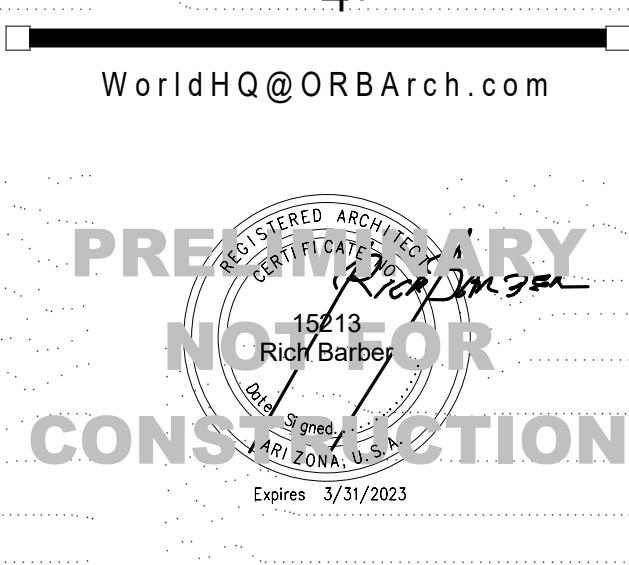




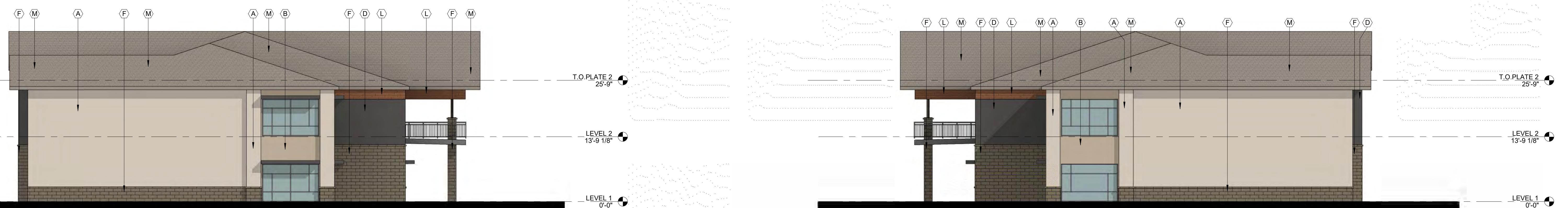
BLDG TYPE 8 - FRONT ELEVATION

MATERIAL KEY NOTES:	
A - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN	
B - STUCCO FINISH - DUNN EDWARDS - DE6214 - PIGEON GRAY	
C - STUCCO FINISH - NOT USED	
D - STUCCO FINISH - DUNN EDWARDS - DE6212 - METAL	
E - CONCRETE BLOCK - ASH - BURNISHED	
E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)	
F - STONE VENEER - CULTURED STONE - HEWn STONE - "TAUS"	
K - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE" - MATTE	
L - PLANK SIDING - TRESPA - METEON - NW30 - "TROPICAL IPE"	
M - CONCRETE ROOF TILE - EAGLE - BELAIR - 4884 - "ALAMEDA RANGE"	

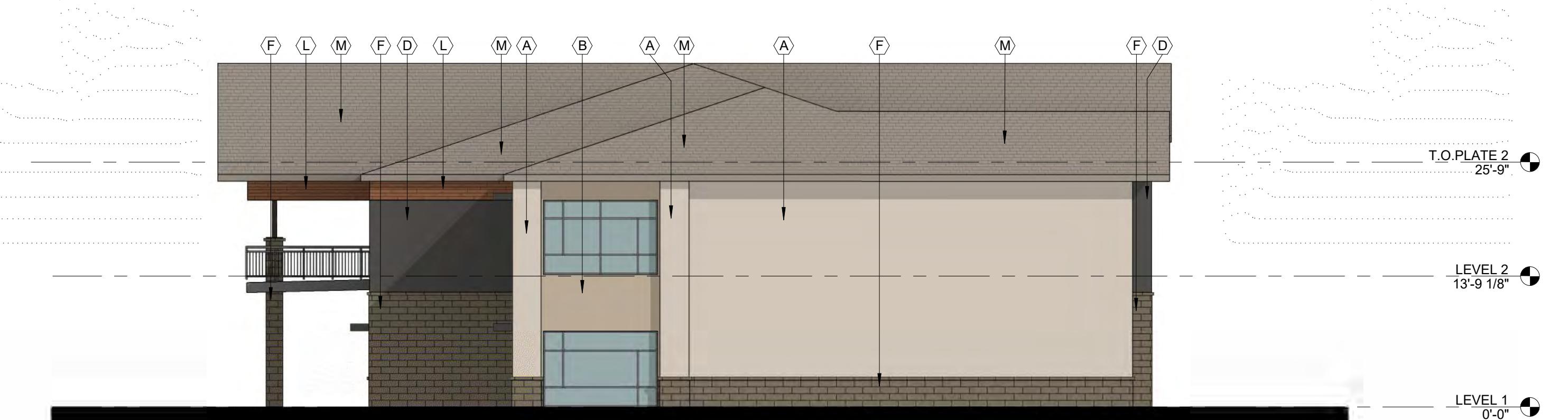
DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

GARDEN COMMUNITIES



BLDG TYPE 8 - LEFT ELEVATION



BLDG TYPE 8 - RIGHT ELEVATION



BLDG TYPE 8 - REAR ELEVATION

PHO SUBMITTAL

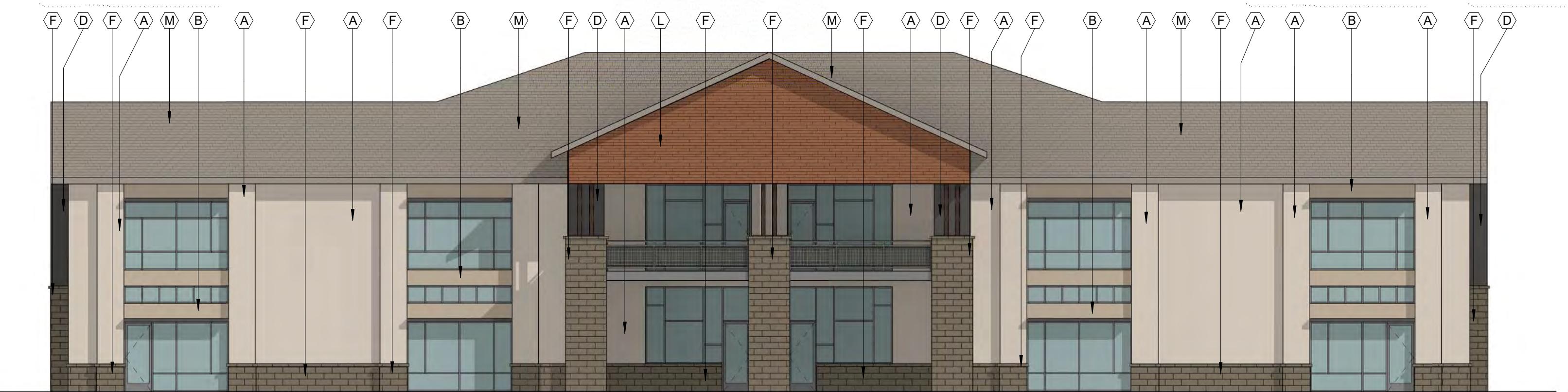
DATE: 12/21/22 ORB #: 22-211

A3.80

BUILDING TYPE 8

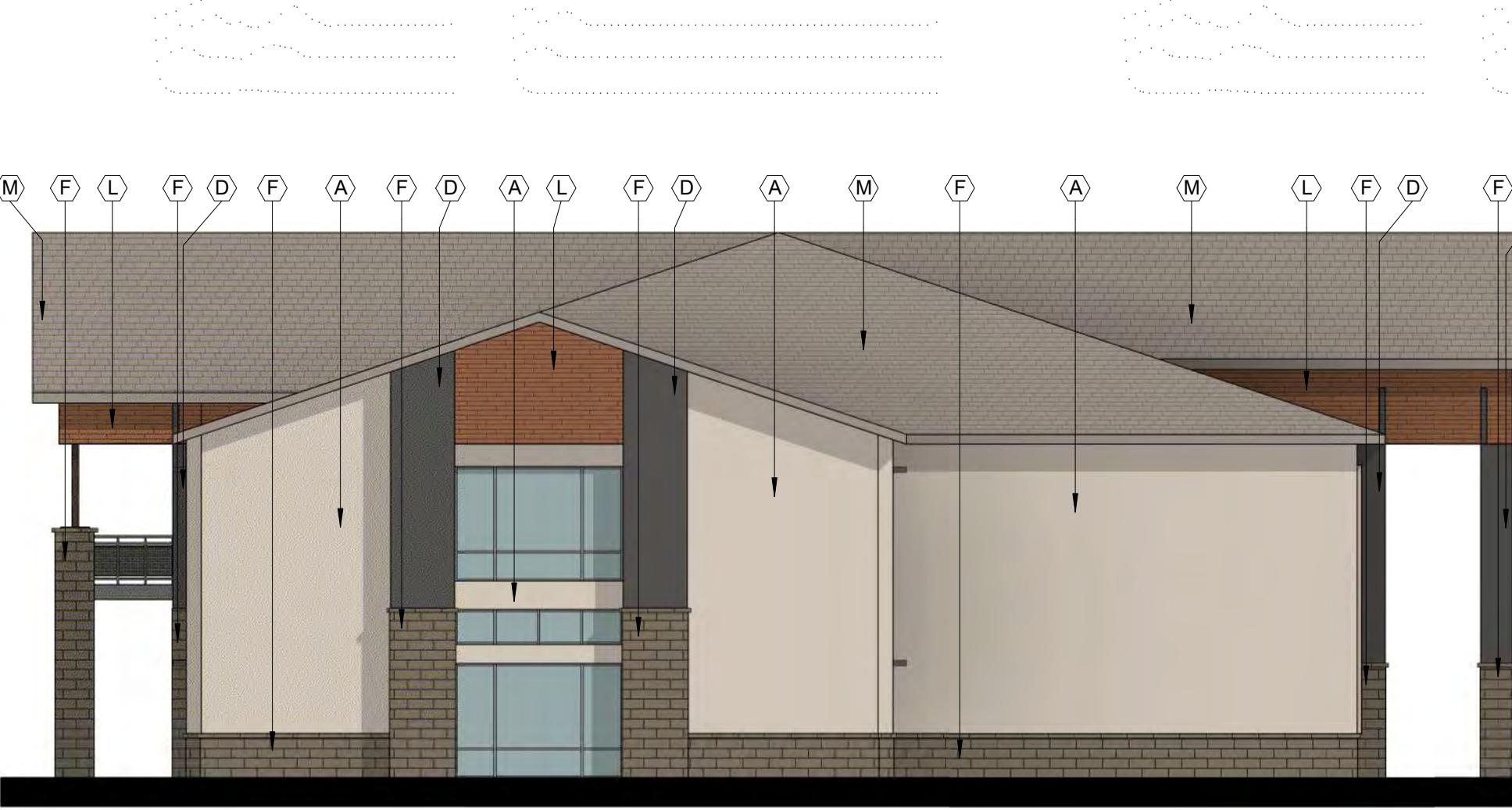
A - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN
 B - STUCCO FINISH - DUNN EDWARDS - DE6214 - PIGEON GRAY
 C - STUCCO FINISH - NOT USED
 D - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN
 E - CONCRETE BLOCK - ASH - BURNISHED
 E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
 F - STONE VENEER - CULTURED STONE - HEWN STONE - TALUS
 G - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE" - MATTE
 H - PLANK SIDING - TRESPA - METEON - NW30 - "TROPICAL IPE"
 I - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4984 - "ALAMEDA RANGE"

DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

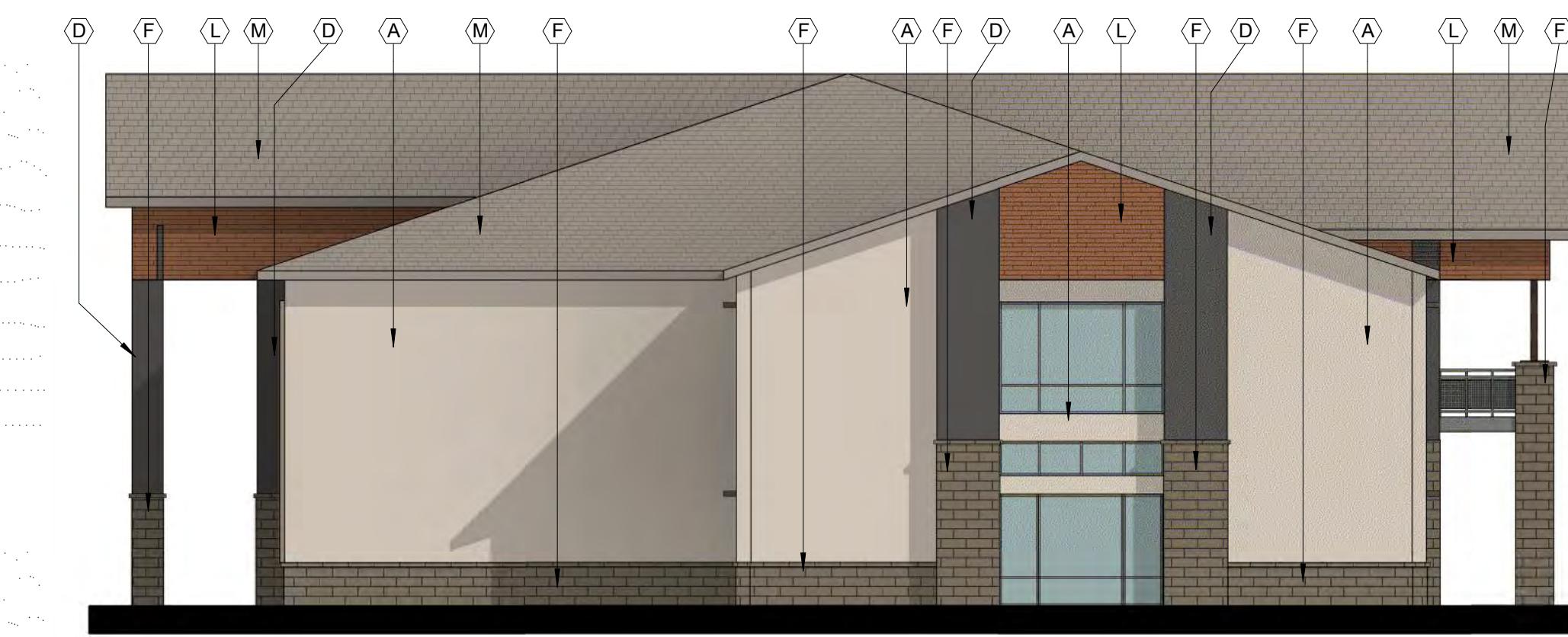
BLDG TYPE 9 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"

Architects
Rich Barber
Architects, LLC

BLDG TYPE 9 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 9 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 9 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

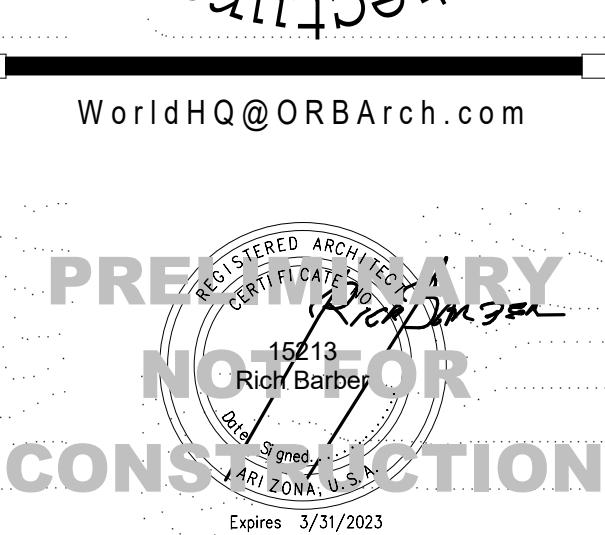
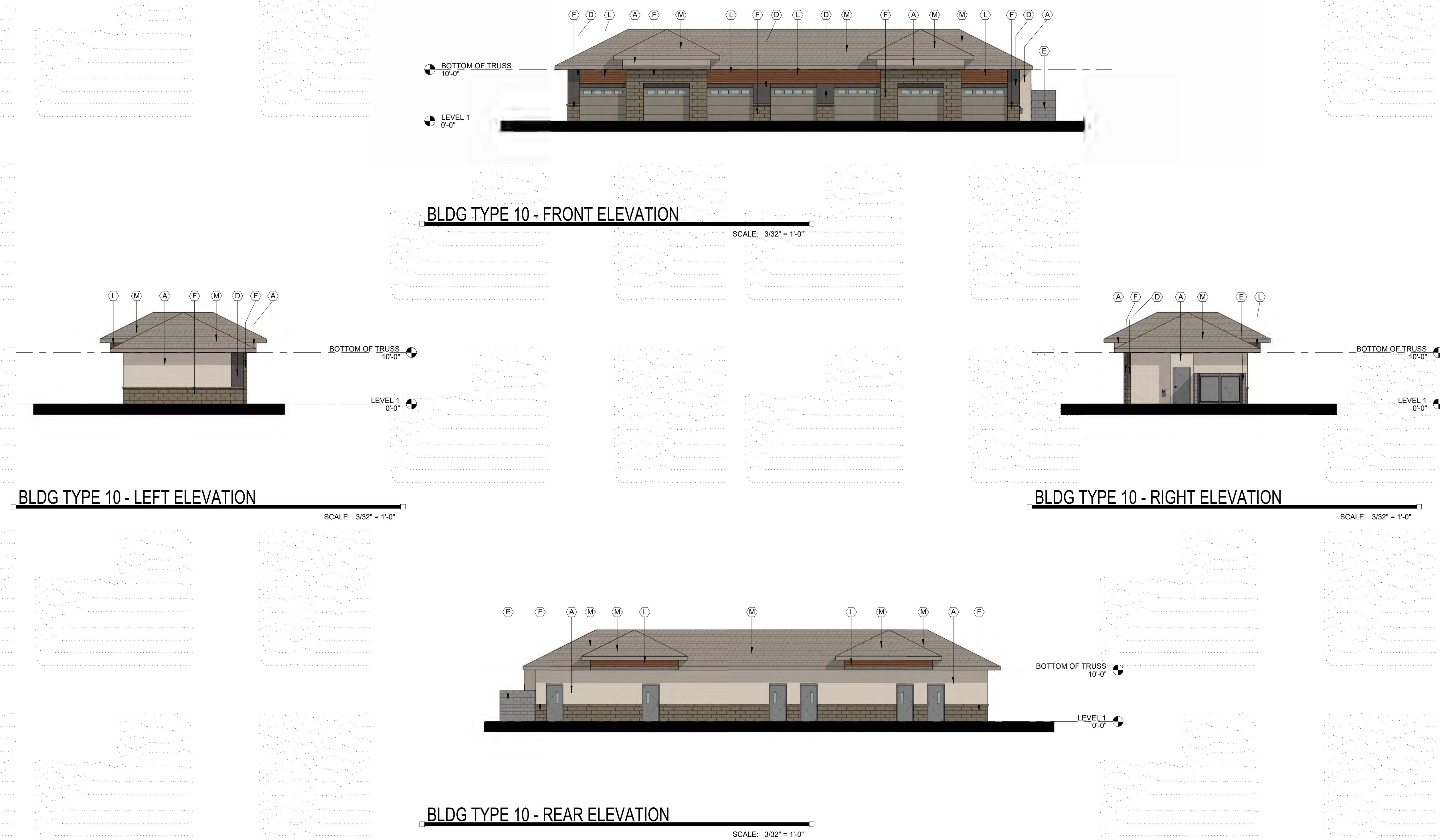
REGISTERED ARCHITECT
PROFESSIONAL
NICHOLAS
CONSTRUCTION
Expires 3/31/2023

GARDEN COMMUNITIES

PHO SUBMITTAL
DATE: 12/21/22 ORB #: 22-211A3.90
BUILDING TYPE 9

MATERIAL KEY NOTES:

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN
B - STUCCO FINISH - DUNN EDWARDS - DE6214 - PIGEON GRAY
C - STUCCO FINISH - NOT USED
D - STUCCO FINISH - DUNN EDWARDS - DE6215 - BROWN
E - CONCRETE BLOCK - ASH - BURNISHED
F - STONE VENEER - CULTURED STONE - HEWN STONE - TALUS
G - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE" - MATTE
H - PLANK SIDING - TRESPA - METEON - NW330 - "TROPICAL IPE"
I - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"

DEER VALLEY AND
TATUM APARTMENTSNEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050GARDEN
COMMUNITIESPHO SUBMITTAL
DATE: 12/21/22 ORB #: 22-211A3.95
BUILDING TYPE 10



CITY CLERK DEPARTMENT

May 12, 2006

Mr. Michael Curley
Earl, Curley and Lagarde
3101 North Central Avenue, Suite 1000
Phoenix, Arizona

Re: Application Z-174-05-2

Dear Mr. Curley:

The Phoenix City Council, at its meeting held May 3, 2006, considered a request to rezone 41.17 acres from S-1 to R-4 located on the northeast corner of Deer Valley Drive and Tatum Boulevard for multi-family residential.

The Council granted this request with modification to Stipulation 6. The stipulations are as follows:

Stipulations

Mod

1. That development shall be in general conformance with the site plan date stamped November 23, 2005, as approved or modified by the Development Services Department.

Mod

2. That development shall be in general conformance with the elevations date stamped November 23, 2006, with specific regard to the below items, as approved by the Development Services Department:

- a. Landscape trellises shall be placed where there is 10- feet of open building facade (Exhibit 2).
- b. The Pavilions Phase II development shall be limited to 38 feet building height.
- c. The remaining parcels shall be limited to 48 feet building height.

Mod 3. That, where visible, the parking structures on the Mondrian project shall be of complementary architecture to the primary residential structures, as approved by the Development Services Department.

Mod 4. That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.

Del 5. That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.

Del 6. That the development on Parcel 4HW as described below be limited to 882 units and be in general conformance with the zoning Site Plan date stamped November 23, 2005. That development shall be comprised of Mondrian Phase 1 and 2 and the Pavilions Phase 1 as depicted on the site plan. Any portion of the site plan which is not included as part of the site plan as described above shall not be developed until a site plan is approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.

7. That an eight-foot (8) wide multi-use trail shall be constructed along the north side of Deer Valley Road in accordance with the city of Phoenix standard trail detail, as approved by the Parks and Recreation Department.

Del 8. That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.

TC 9. That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.

TC 10. That an internal pedestrian circulation pathway system shall be provided linking open spaces, amenities, parking areas, the dwelling structures, and the external pedestrian access points. These pathways shall be standard sidewalks, except where the path of travel crosses a parking lot or driveway, in which case the path shall be a minimum of 3.5 feet wide and constructed of pavers, decorative concrete, or other non-asphalt material, as approved by the Development Services Department.

TC 11. 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.

TC 12. That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive, as approved by the Development Services Department.

13. That the subject site has the potential to contain archeological resources. The applicant shall submit an archeological survey or documentation of prior archaeological work, for review and approval by the City Archeologist prior to issuance of a grading permit. If additional archaeological monitoring, testing, and/or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archeologist.

TC 14. That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development, as approved by the Development Services Department.

Del 15. That a crosswalk with signage and safety lights shall be provided that connects the proposed 404 wash corridor trail with the south side of Deer Valley Drive, as approved or modified by the Street Transportation Department.

TC 16. That no vehicular access shall be allowed to Tatum Boulevard unless emergency vehicle access is required by the Development Services Department.

Del 17. That a pedestrian bridge shall be provided across the 404 Wash Corridor to link the Pavilions development with the Mondrian Phase I Development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.

TC 18. That the applicant shall complete a traffic study as approved by the Street Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed, as approved by the Development Services Department.

Del 19. That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.

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

If you require further assistance or information, please contact the Planning Department, Second Floor of Phoenix City Hall, 200 West Washington Street, or call (602) 262-7131.

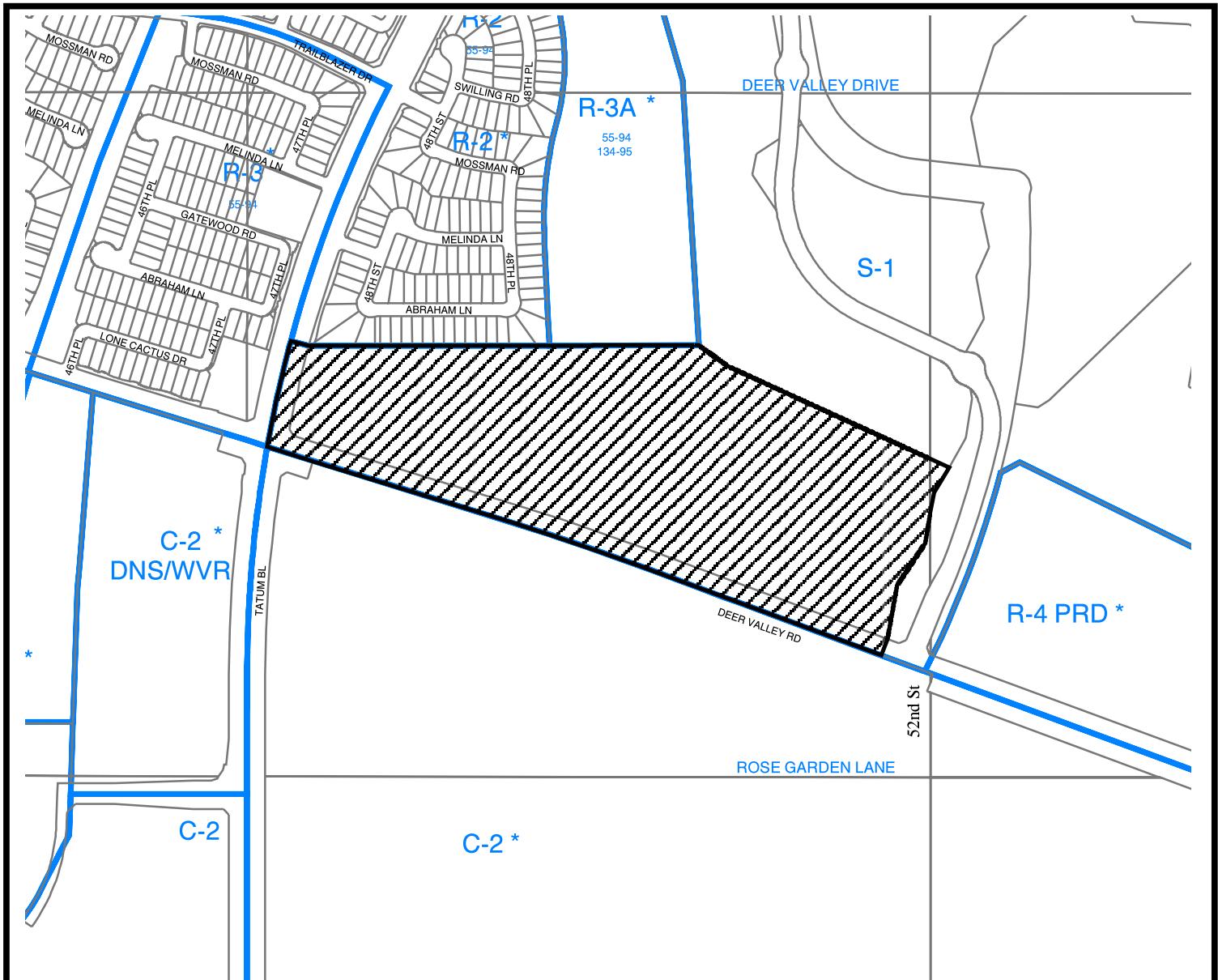
Sincerely,



Vicky Mel
City Clerk

VM/em/Item7

cc: Planning Department
Development Services
Street Transportation
Records Management
Mr. Todd Cooley, Gray Development, 2555 E Camelback Rd. #1050

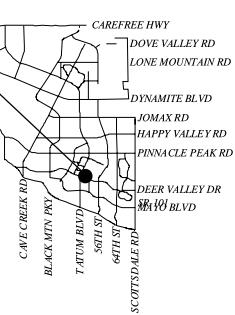


CITY OF PHOENIX PLANNING DEPARTMENT

Desert View Village

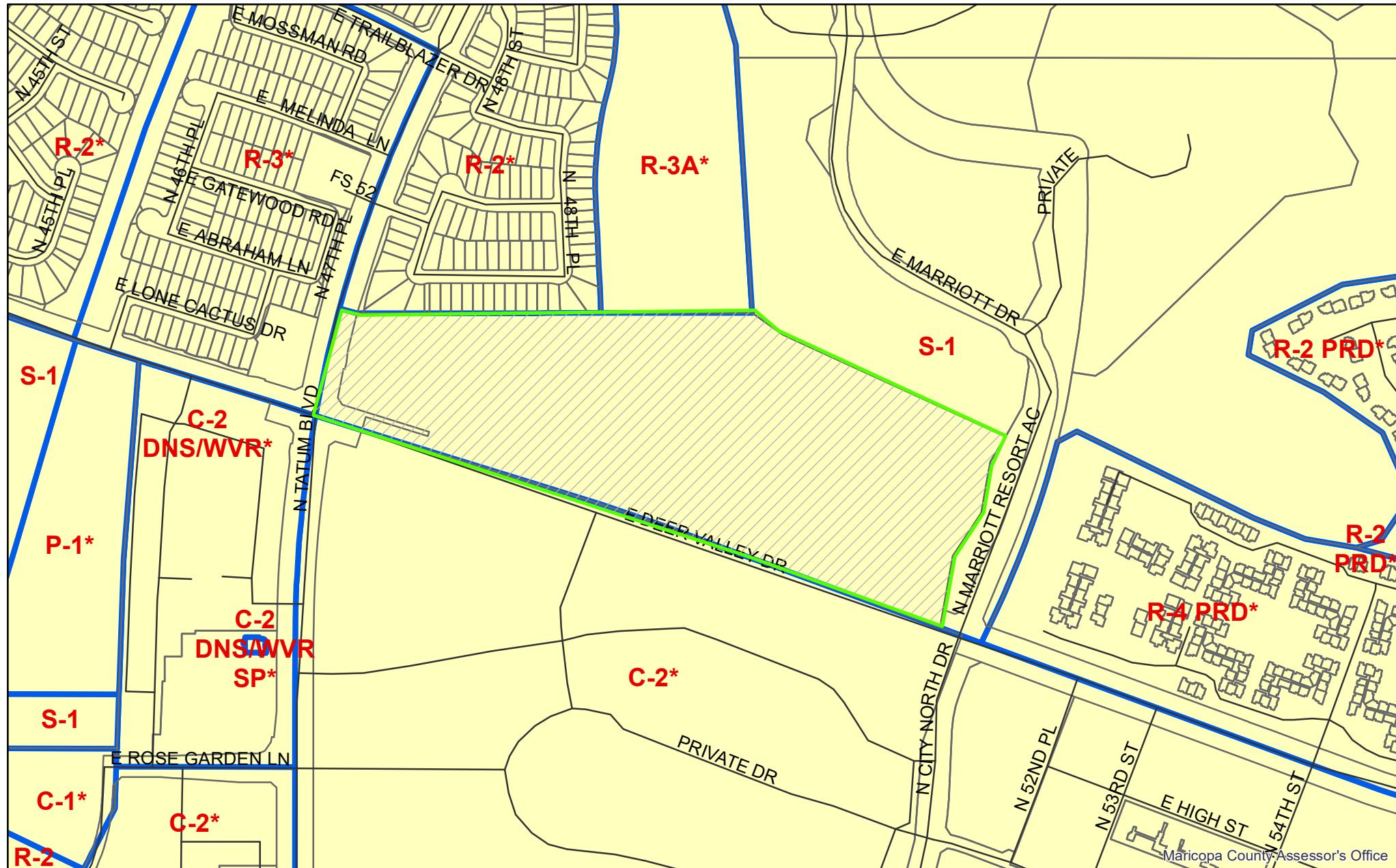
CITY COUNCIL DISTRICT: 2

Z-174-05



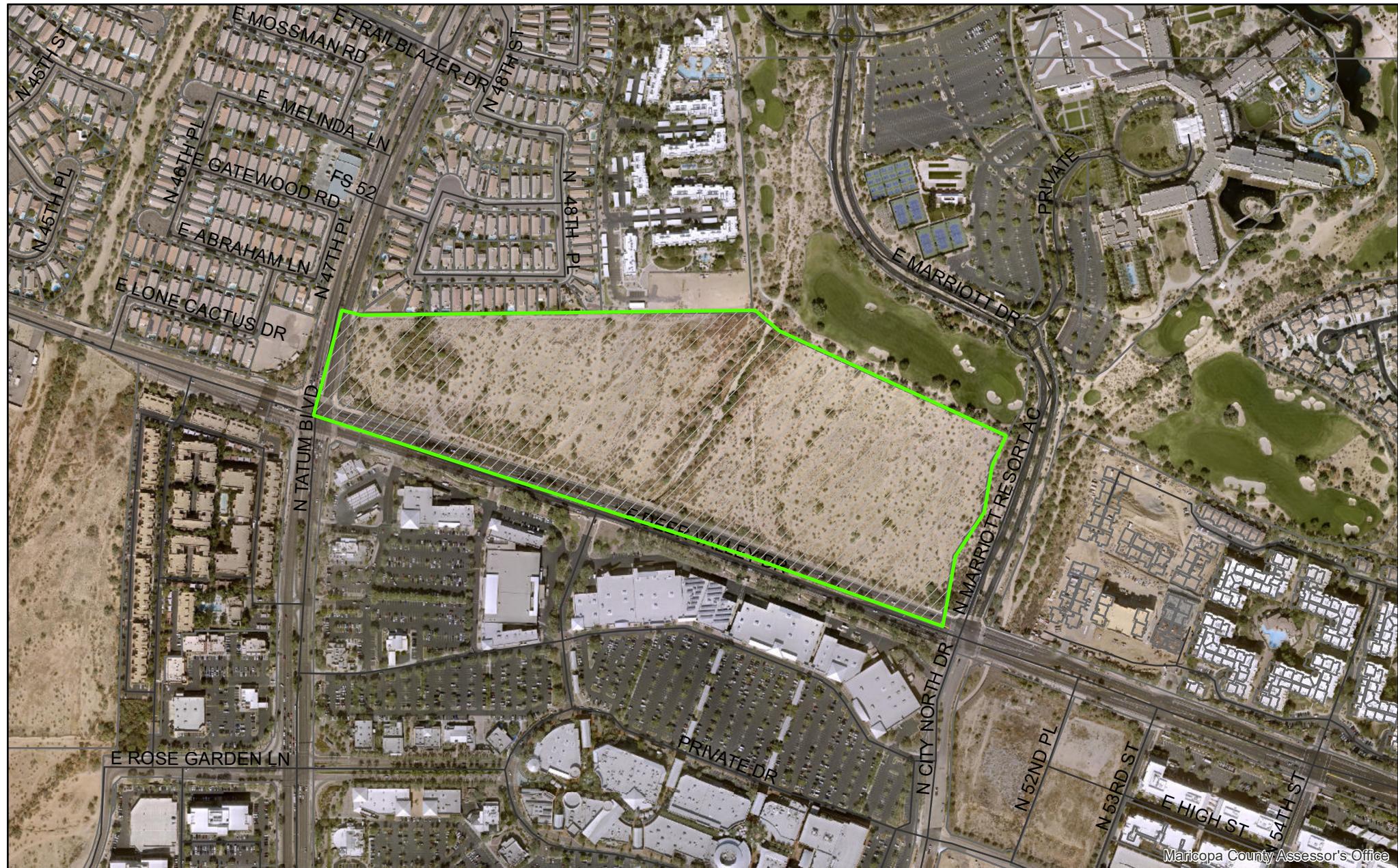
APPLICANT'S NAME: Earl, Curley, and Lagarde		REQUESTED CHANGE:	
APPLICATION NO. Z-174-05	DATE: 12-8-2005 REVISION DATES: [Blank]	FROM: S-1	TO: R-4
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 41.17 Acres		AERIAL PHOTO & QUARTER SEC. NO. Q42-39	ZONING MAP N11
MULTIPLES PERMITTED S-1 R-4		CONVENTIONAL OPTION 41 1194	
		* UNITS P.R.D. OPTION N/A 1253	

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



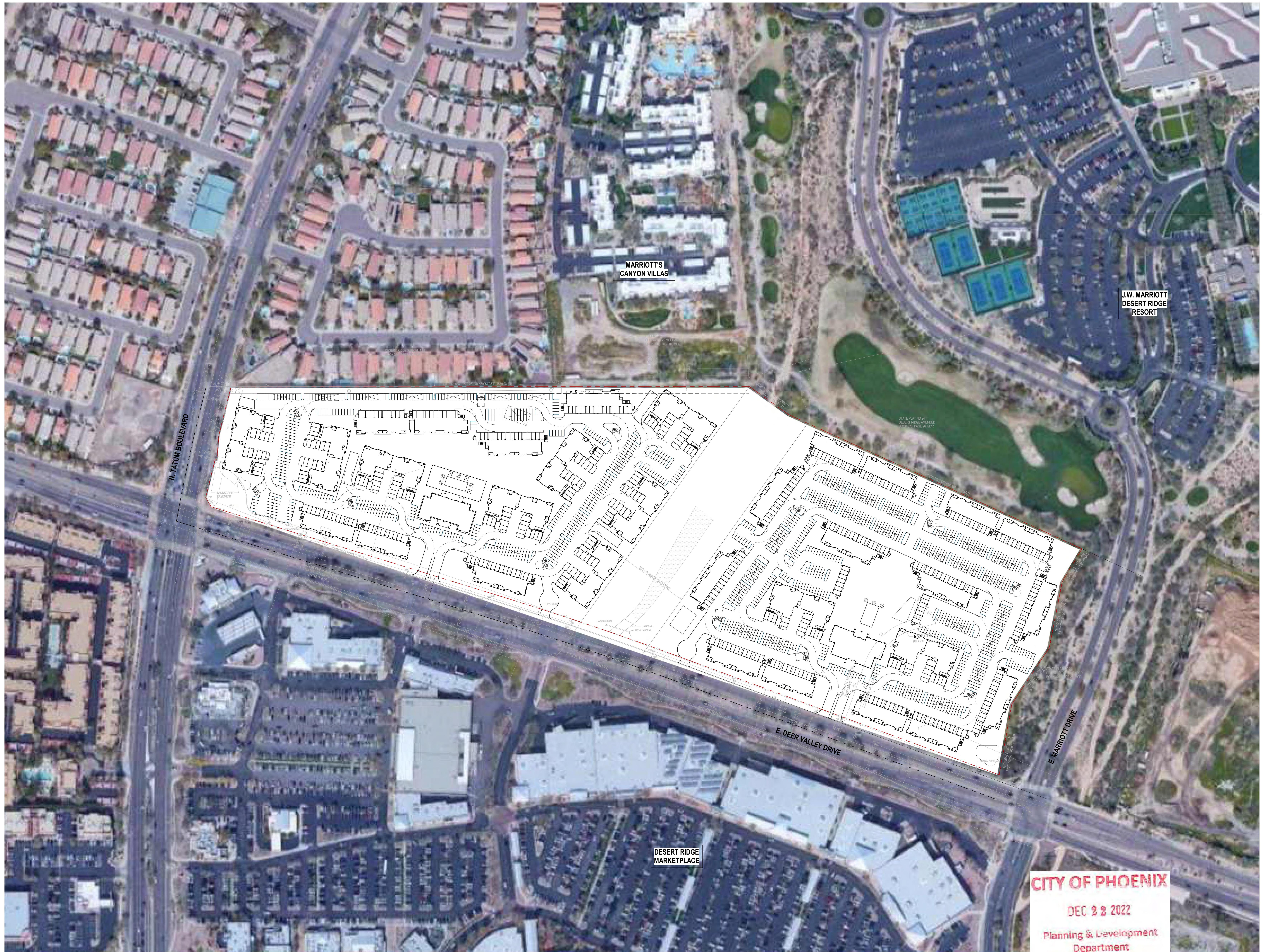
PHO-1-22-Z-174-05-2

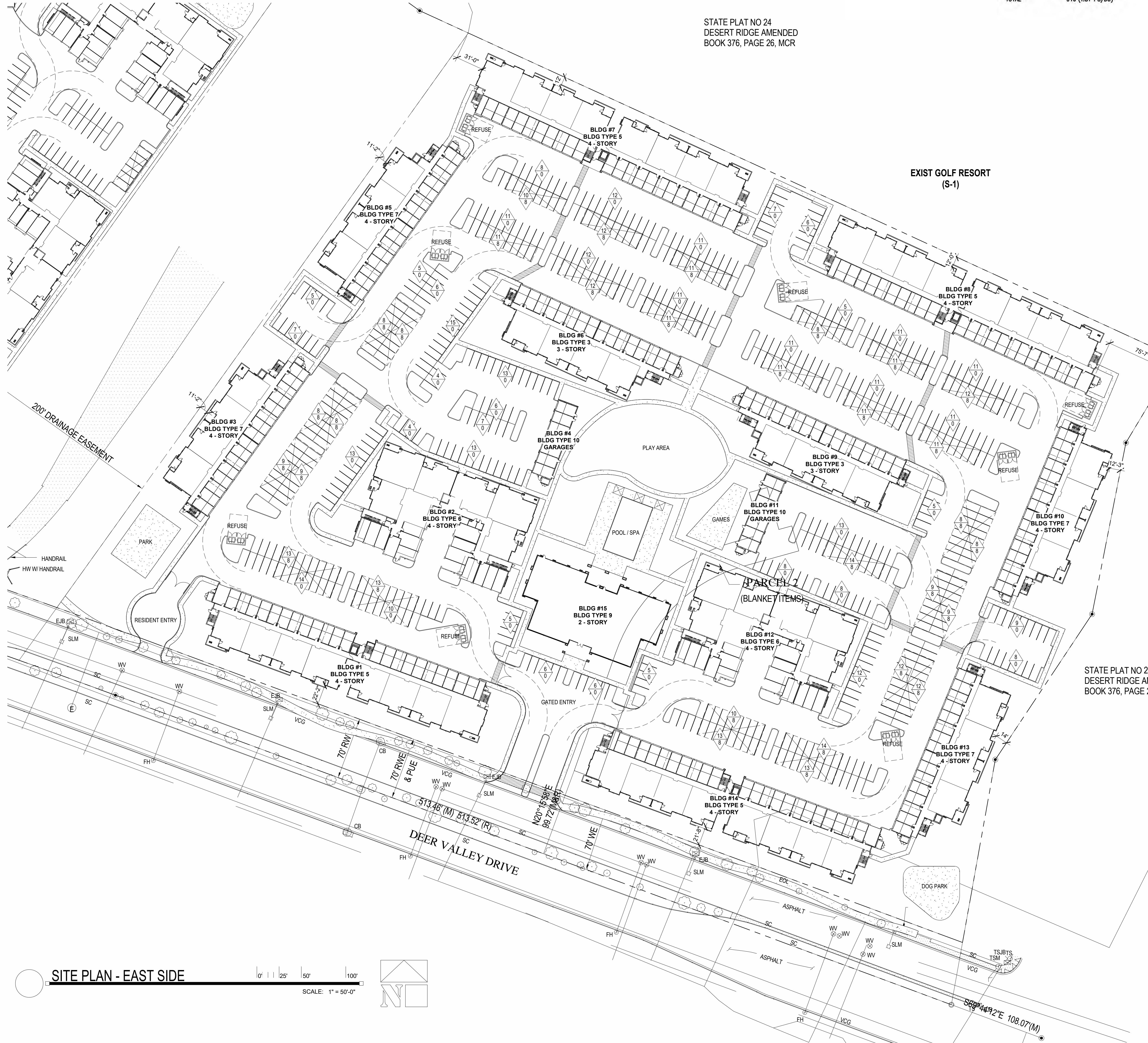
Property Location: Northeast corner of Tatum Boulevard and Deer Valley Drive



PHO-1-22-Z-174-05-2

Property Location: Northeast corner of Tatum Boulevard and Deer Valley Drive



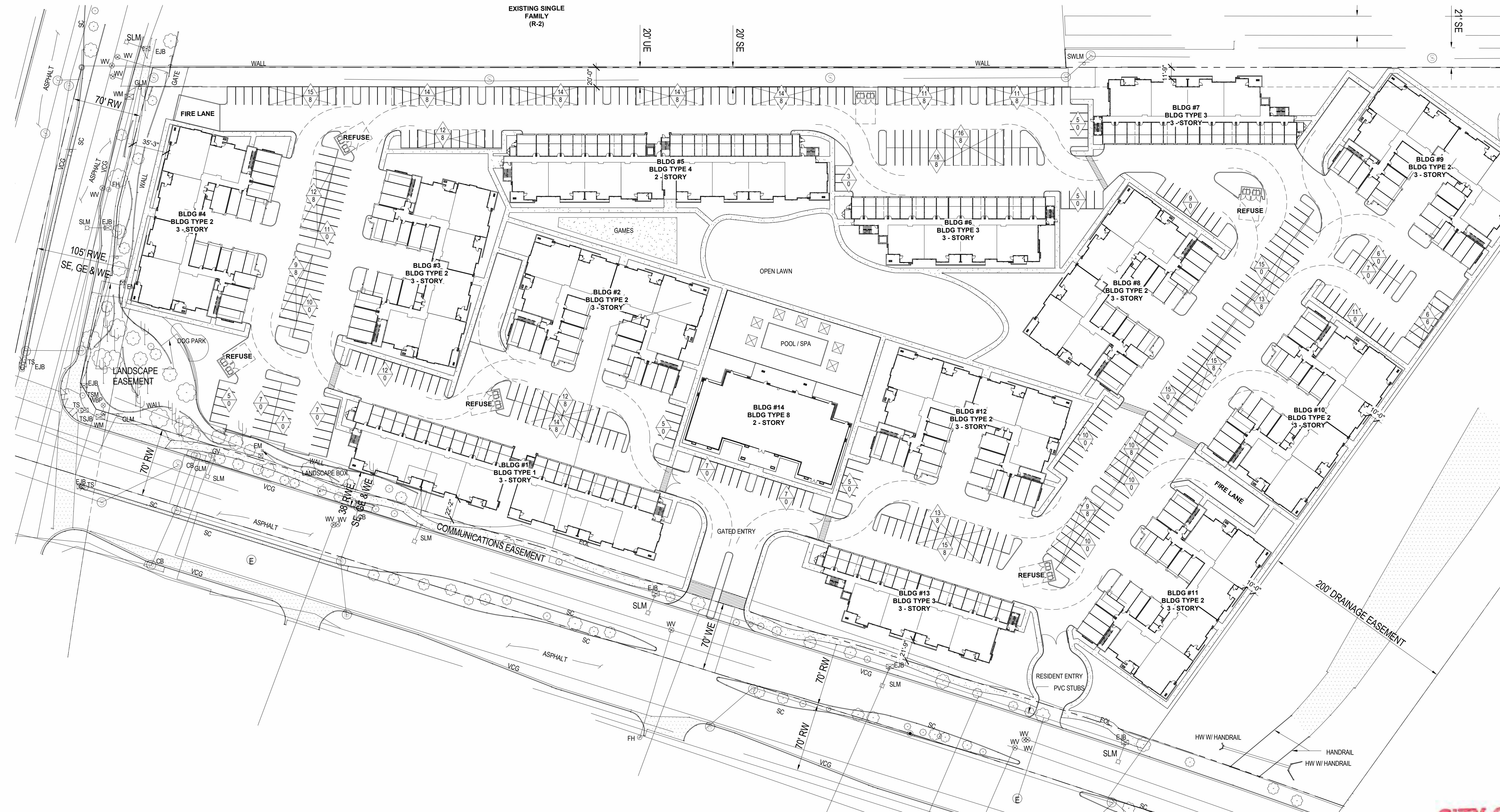


CITY OF PHOENIX
DEC 22 2022
Planning & Development
Department

OWNER REVIEW

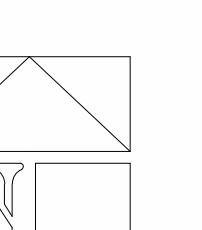
DATE: 12/21/22 ORB #: 22-21

A1.10E
PRELIMINARY SITE
PLAN - EAST SIDE



SITE PLAN - WEST SIDE

SCALE: 1" = 50'-0"



CITY OF PHOENIX

DEC 22 2022

Planning & Development
Department

OWNER REVIEW

DATE: 12/21/22 ORB #: 22-211

PRELIMINARY SITE

PLAN - WEST SIDE

LEGAL DESCRIPTION

Tract 37, Block 4, STATE PLAT NO. 24 DESERT RIDGE AMENDED, according to Book 376 of Maps, Page 26, and Affidavit of Correction recorded April 12, 2004 in Recording No. 2004-0380549, both records of Maricopa County, Arizona, lying within Section 20, Township 4 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

DEVELOPMENT DATA WEST PARCEL

- Development and use of this site will conform with all applicable codes and ordinances.
- All new or relocated utilities will be placed underground.
- Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveways entrances will be maintained at a maximum height of 3'.
- Structures and landscaping within a triangle measuring 33' x 33' along the property line will be maintained at a maximum height of 3'.
- 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 project.
- Owners of property adjacent to the public rights-of-way will have the responsibility for maintaining all landscaping located within the rights-of-way, in accordance with approved plans.
- All rooftop equipment and satellite dishes shall be screened to the height of the tallest building.
- All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment from eye level adjacent to all public streets.
- Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.
- All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.
- Gates are to remain open, or are to open automatically, between the hours of _____ and _____.

I consent the reproduction of this site plan provided that if modifications are made, the professionals who make such changes assume full responsibility and liability for the modified portions of the plan.

Rich Barber
SIGNATURE OF COPYRIGHT OWNER
RICH BARBER
PRINTED NAME OF COPYRIGHT OWNER

12/21/2022

Z-174-05-2 STIPULATIONS

- That development shall be in general conformance with the site plan date stamped November 23, 2005, as approved or modified by the Development Services Department.
- That development shall be in conformance with the elevations date stamped November 23, 2006, with specific regard to the below height requirements of the Development Services Department:
 - Landscape trellises shall be placed where there is 10 feet of open building facade (Exhibit 2).
 - The remaining parcels shall be limited to 38 feet building height.
- Those areas where vehicle parking structures are located, the Mondrian project shall be of complementary architecture to the primary residential structures as approved by the Development Services Department.
- That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.
- That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.
- The development on Parcel 4HW as described below is to be comprised of Mondrian Phase 1 and 2 and the Pavilions Phase 1 as depicted on the site plan. Any portion of the which is not included as part of the site plan as described above shall not be developed until a site plan is approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.
- That all off-street foot traffic and vehicle-use trails shall be constructed along the north side of Deer Valley Road in accordance with the city of Phoenix standard trail details and approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.
- That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.
- That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.
- The proposed linking pathway system shall be provided linking open spaces, amenities, parking areas, the dwelling structures, and the external pedestrian access points. These pathways shall be standard sidewalks, except where the path of travel crosses a parking lot or driveway, in which case the path shall be a minimum of 3.5 feet wide and constructed of pavers.
- The proposed driveway shall be located on the street adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other improvements as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessible standards.
- That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive, as approved by the Development Services Department.
- That the subject site shall contain a copy of an as-needed survey or documentation of prior archaeological work, for review and approval by the City Archaeologist prior to issuance of a grading permit. If additional archaeological monitoring, testing, or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archaeologist.
- That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II Development, as approved by the U.S. Army Corps of Engineers and approved by the Development Services Department.
- That the applicant shall complete a traffic study as approved by the Street Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed, as approved by the Development Services Department.
- That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.

SOLID WASTE NOTES

TRASH/RECYCLE BIN:
Trash bins are housed in a single enclosure. Each enclosure is designed to house (2) 8yd refuse bins.

REQUIRED SOLID WASTE CAPACITY:

The required capacity for refuse is .5 cubic yards per dwelling unit.
379 units x .5 = 190 cu. yd.
Serviced twice per week = 190/2 = 95 cu. yd.

AVAILABLE REFUSE CONTAINERS ON SITE:

(6) Dual enclosure with capacity for (16) cubic yards each for a total max. of 96.

DEVELOPMENT DATA WEST PARCEL

ZONING:

EXISTING: R-4
PROPOSED: R-4

LOT AREA:

GROSS AREA: ± 918,222 SF ± 21.07 AC
NET AREA: ± 801,556 SF ± 18.40 AC

CONSTRUCTION TYPE:

BUILDING TYPES 1, 2, 3 & 4
BUILDING TYPE 8 (RE/LEASING/FITNESS) VA

SPRINKLER SYSTEM:

NFPA 13R & NFPA13

BUILDING HEIGHT:

PROPOSED 3 STORY: 40'-0" MAX.

SETBACKS:

STREET SETBK MIN. 20' MIN. 20'
INTERIOR SETBK MIN. 10' MIN. 10'

UNIT MIX:

UNIT TYPE	RATIO	QTY.	Avg. SF.
STUDIO	8%	32	724
1 BEDROOM	25%	94	925
2 BEDROOM	49%	185	1,390
3 BEDROOM	18%	67	1,756
TOTAL	100%	378	

DENSITY:

PROPOSED: 17.94 D.U. / GROSS ACRE (378 UNITS)

PARKING:

REQUIRED	P.S./R.U.	TOTAL
STUDIO	1.30	32 x 1.30 = 42
1 BEDROOM	1.50	95 x 1.50 = 141
2 BEDROOM	1.50	185 x 1.50 = 278
3 BEDROOM	2.00	67 x 2.00 = 134
TOTAL	-	594

PROVIDED
PRIVATE GARAGE 227
SECURED PARKING 442
FUTURE RESIDENT 14
TOTAL 683 (1.80 PS/DU)

DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050



GARDEN COMMUNITIES

OWNER REVIEW

DATE: 12/21/22 ORB #: 22-211

PRELIMINARY SITE

PLAN - WEST SIDE

A1.10W

PRELIMINARY SITE

PLAN - WEST SIDE

DEER VALLEY AND
TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

Office of Rich Baron
Architects, LLC
WorldHQ@ORBArch.com

REGISTERED ARCHITECT
MARY
NICHOLSON
CONSTRUCTION
Expires 3/31/2023

GARDEN
COMMUNITIES



BLDG TYPE 1 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 1 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 1 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 1 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

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PHO-1-22-Z-174-05-2

A3.10

BUILDING TYPE 1



BLDG TYPE 2 - FRONT ELEVATION

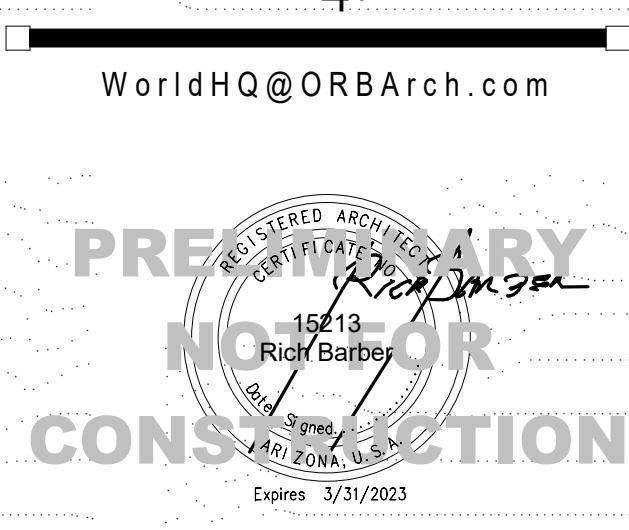
SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:	
A - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"	
B - STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"	
C - STUCCO FINISH - NOT USED	
D - STUCCO FINISH - DUNN EDWARDS - DE6215 - "CREAM"	
E - CONCRETE BLOCK - ASH - BURNISHED	
E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)	
F - STONE VENEER - CULTURED STONE - HEWN STONE - "TAUPE"	
K - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE - MATTE"	
L - PLANK SIDING - TRESPA - METEON - "MISTY BEIGE"	
M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"	

DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.

PHOENIX, ARIZONA 85050



GARDEN COMMUNITIES



BLDG TYPE 2 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 2 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 2 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

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A3.20

BUILDING TYPE 2

Hearing Date: February 15, 2023

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - HE GRAY
 B - STUCCO FINISH - DUNN EDWARDS - DE214 - PIGEON GRAY
 C - STUCCO FINISH - NOT USED
 D - STUCCO FINISH - DUNN EDWARDS - DE6378 - JET
 E - CONCRETE BLOCK - ASH - BURNISHED
 E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
 F - STONE - TURNED STONE - HEAVY STONE - TALUS
 G - MISC. METALS - DUNN EDWARDS - DE6330 - DARK ENGINE - MATTE
 L - PLANK SIDING - DARK ENGINE - MATTE
 M - CONCRETE ROOF TILE - EAGLE - BELAIR - 4884 - ALAMEDA RANGE

DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.

PHOENIX, ARIZONA 85050

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 Architect, LLC
 WorldHQ@ORBArch.com

PRES. MARY
 Rich Barber
 CONSTRUCTION
 Expires 3/31/2023

GARDEN COMMUNITIES



BLDG TYPE 3 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 3 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 3 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 3 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

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A3.30

BUILDING TYPE 3



DEER VALLEY AND TATUM APARTMENTS

NEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050

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ORB

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GARDEN COMMUNITIES

BLDG TYPE 4 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:

A - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
B - STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"
C - STUCCO FINISH - NOT USED
D - STUCCO FINISH - DUNN EDWARDS - DE6217 - "BETT"
E - CONCRETE BLOCK, ASH - BURNISHED E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
F - STONE VENEER - CULTURED STONE - HEWN STONE - TALUS
K - MISC. METALS - DUNN EDWARDS - DE6650 - "DARK ENGINE - MATTE"
L - PLANK SIDING - SPA - METEON - METEON TROPICAL LEAF
M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4984 - "ALAMEDA RANGE"



BLDG TYPE 4 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"

BLDG TYPE 4 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 4 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

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Architects, LLC

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Office of Rich Barber



BLDG TYPE 5 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:

A: STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
B: STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"
C: STUCCO FINISH - NOT USED
D: STUCCO FINISH - DUNN EDWARDS - DE6215 - "ASH"
E: CONCRETE BLOCK - ASH - BURNISHED
E1: CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
F: STONE VENEER - CULTURED STONE - HEWN STONE - "TALUS"
K: MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE" - MATTE
L: PLANK SIDING - TRESPA - METeon - NW30 - "TROPICAL IPE"
M: CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"

GARDEN COMMUNITIES

PRE-REGISTERED ARCHITECTURE
MARY
NICHOLSON
CONSTRUCTION
Expires 3/31/2023

BLDG TYPE 5 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 5 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"

CITY OF PHOENIX

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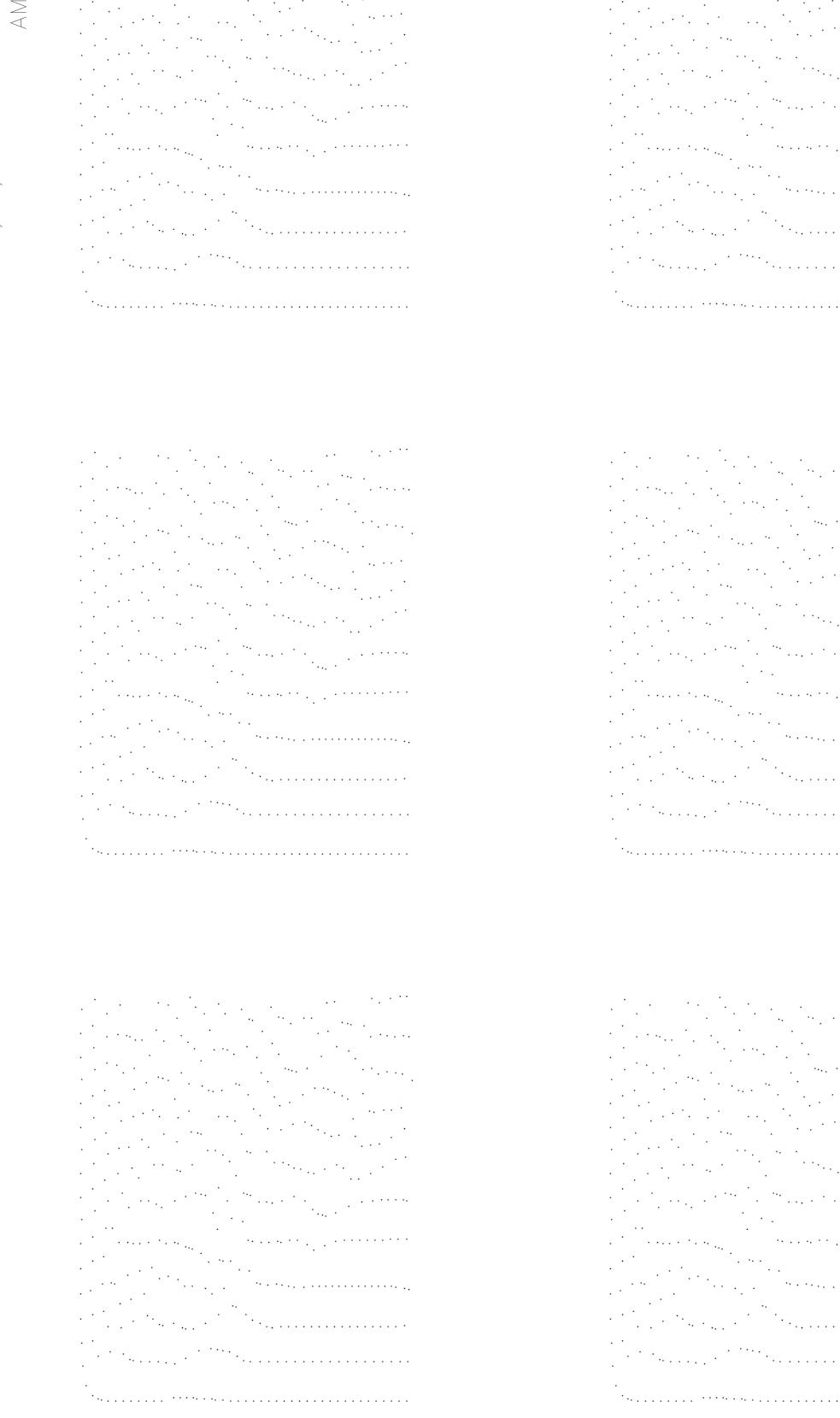
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BLDG TYPE 5 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

A3.50

BUILDING TYPE 5



BLDG TYPE 6 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 6 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"

BLDG TYPE 6 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 6 - REAR ELEVATION

SCALE: 3/32" = 1'-0"



MATERIAL KEY NOTES:

- A - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
- B - STUCCO FINISH - DUNN EDWARDS - DE6213 - "CONCRETE GRANITE"
- C - STUCCO FINISH - NOT USED
- D - STUCCO FINISH - DUNN EDWARDS - DE6378 - "SET"
- E - CONCRETE BLOCK - ASH - BURNISHED
- F - STONE VENEER - CULTURED STONE - HEWn STONE - "TAUS"
- G - STUCCO FINISH - DUNN EDWARDS - DE6350 - "DARK ENGINE - MATTE"
- H - STUCCO FINISH - DUNN EDWARDS - DE6350 - "TROPICAL IPE"
- I - PLANK SIDING - TRESPA - METEON - NW30 - "TROPICAL IPE"
- J - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"

DEER VALLEY AND
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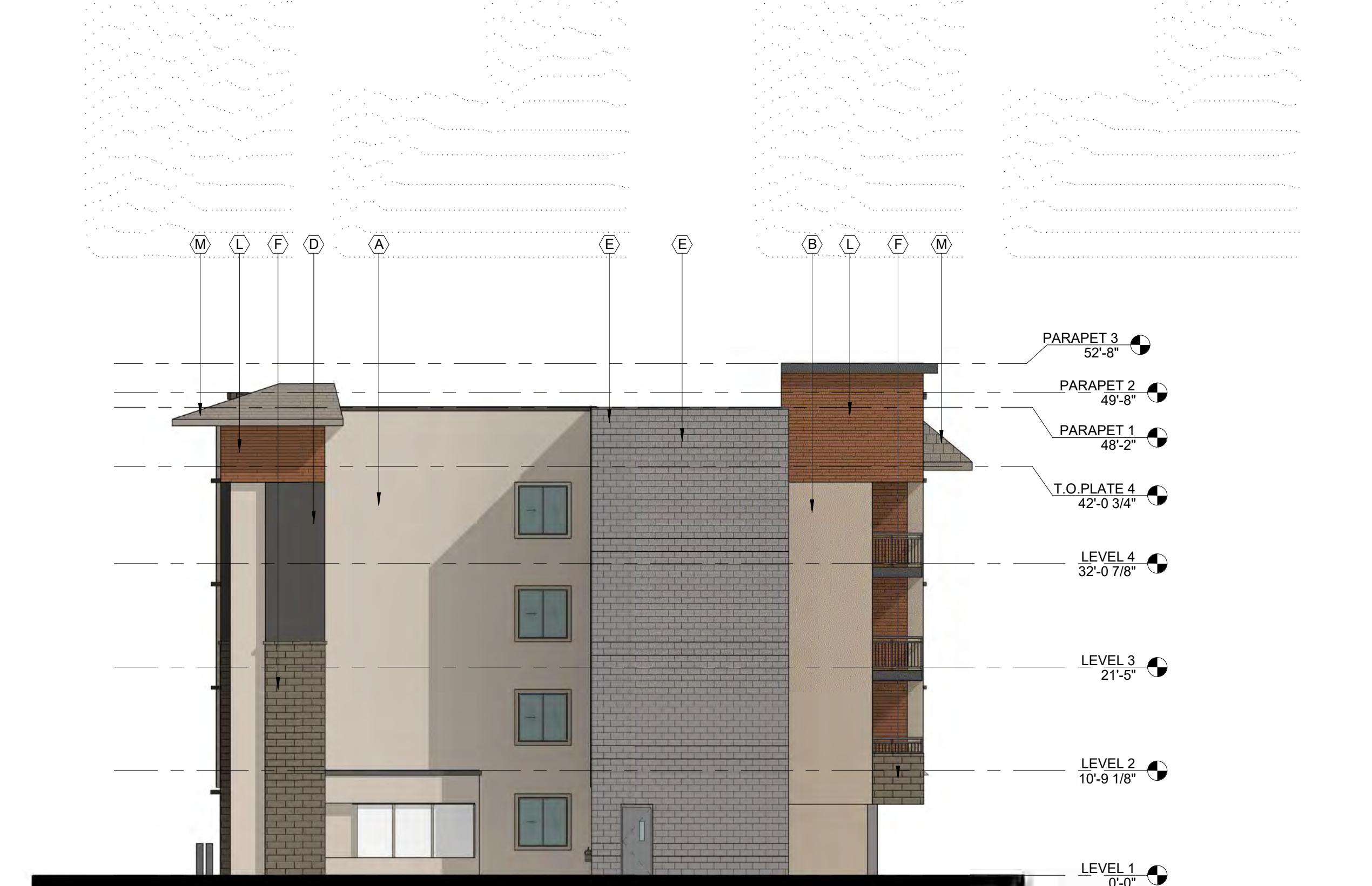
A3.60

BUILDING TYPE 6



BLDG TYPE 7 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 7 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 7 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



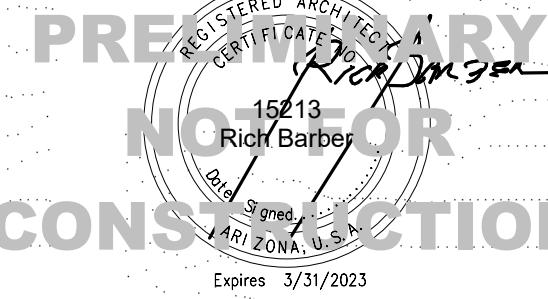
BLDG TYPE 7 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:

- A - STUCCO FINISH - DUNN EDWARDS - DE6213 - "FINE GRAIN"
- B - STUCCO FINISH - DUNN EDWARDS - DE6214 - "PIGEON GRAY"
- C - STUCCO FINISH - NOT USED
- D - STUCCO FINISH - DUNN EDWARDS - DE6278 - "SET"
- E - CONCRETE BLOCK - ASH - BURNISHED E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
- F - STONE VENEER - CULTURED STONE - HEWNS STONE - "TALUS"
- K - MISC. METALS - DUNN EDWARDS - DE6650 - "DARK ENGINE - MATTE"
- L - PLANK SIDING - TRESPA - METEON - NW30 - "TROPICAL LITE"
- M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4984 - "ALAMEDA RANGE"

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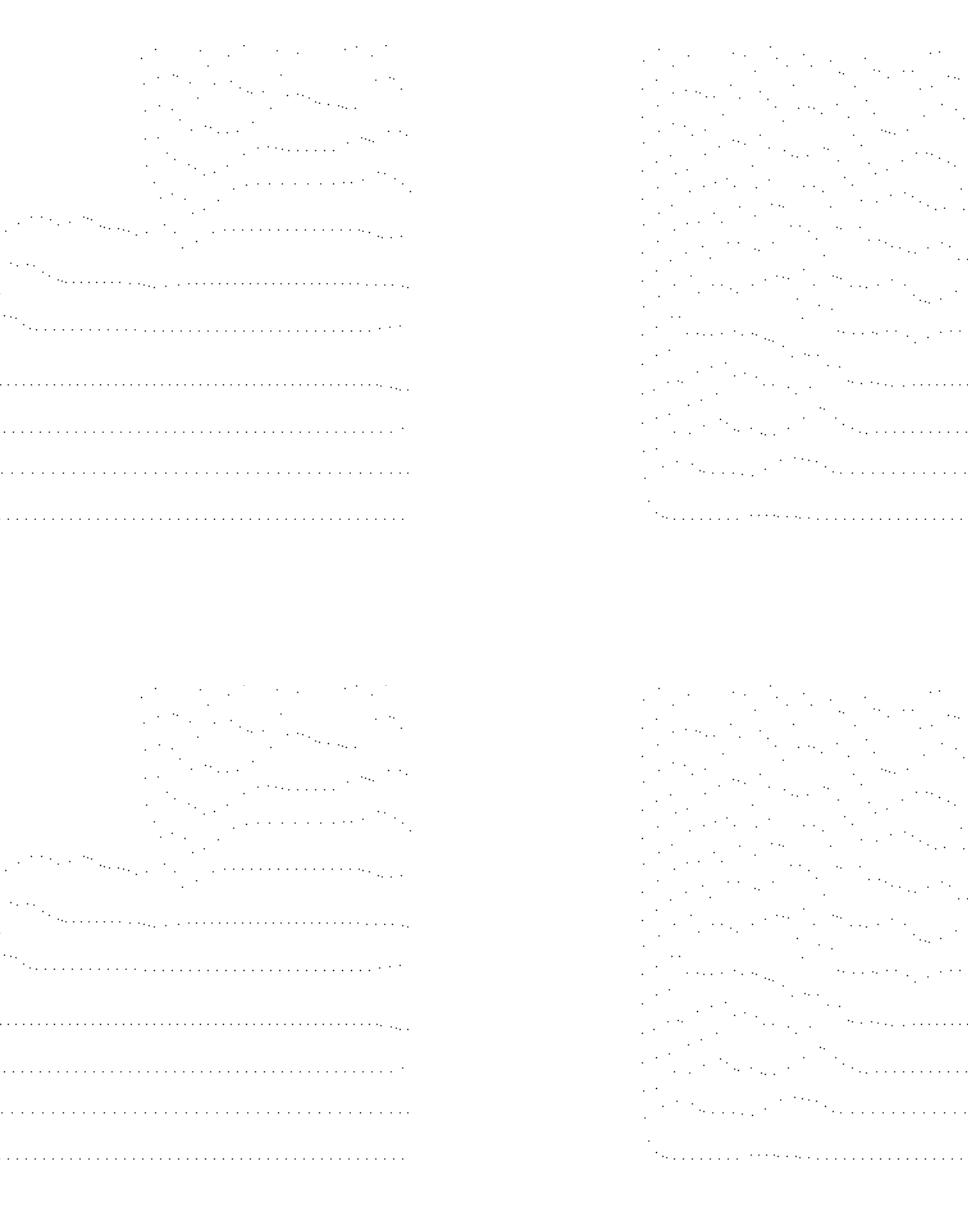
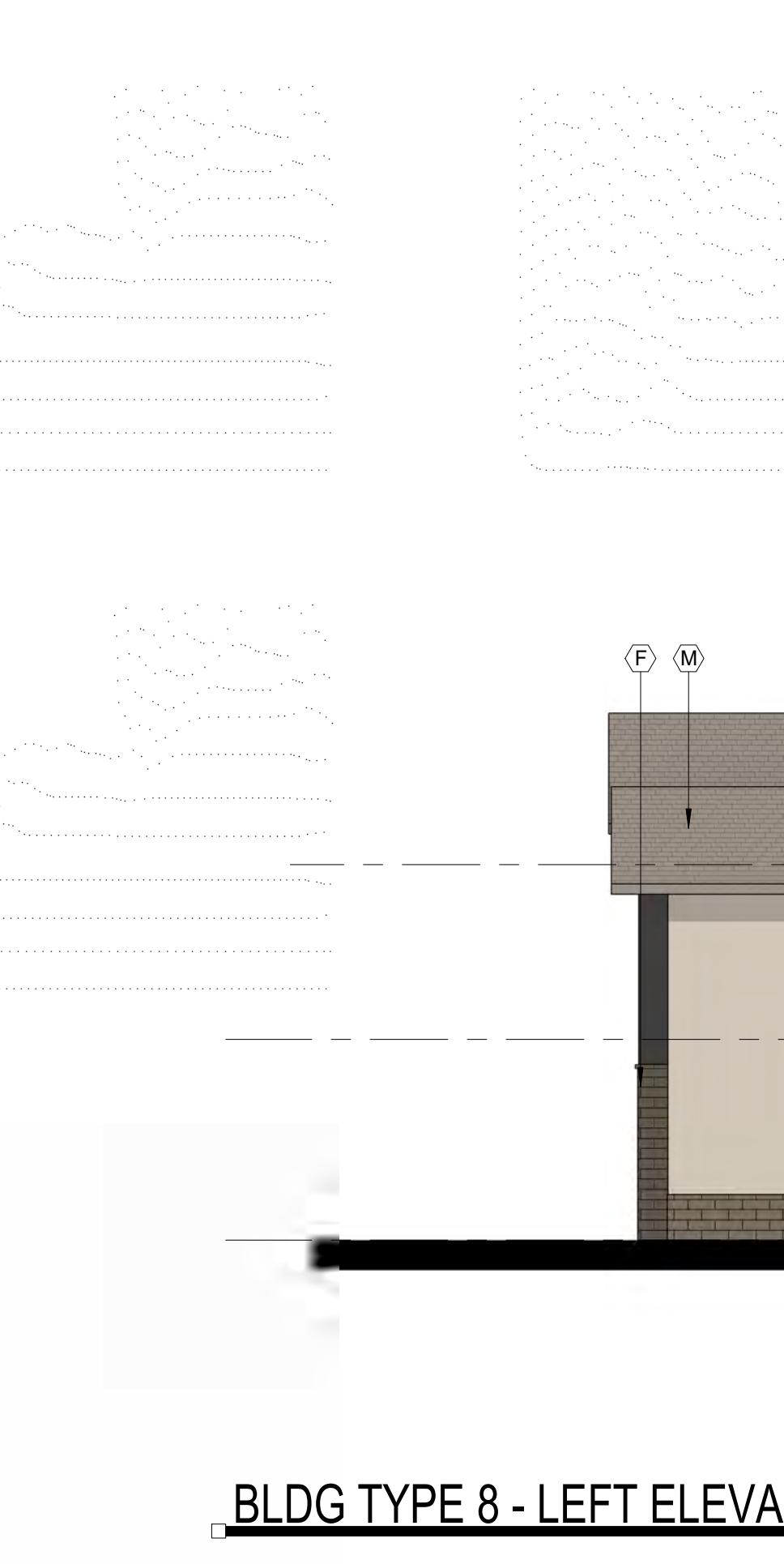
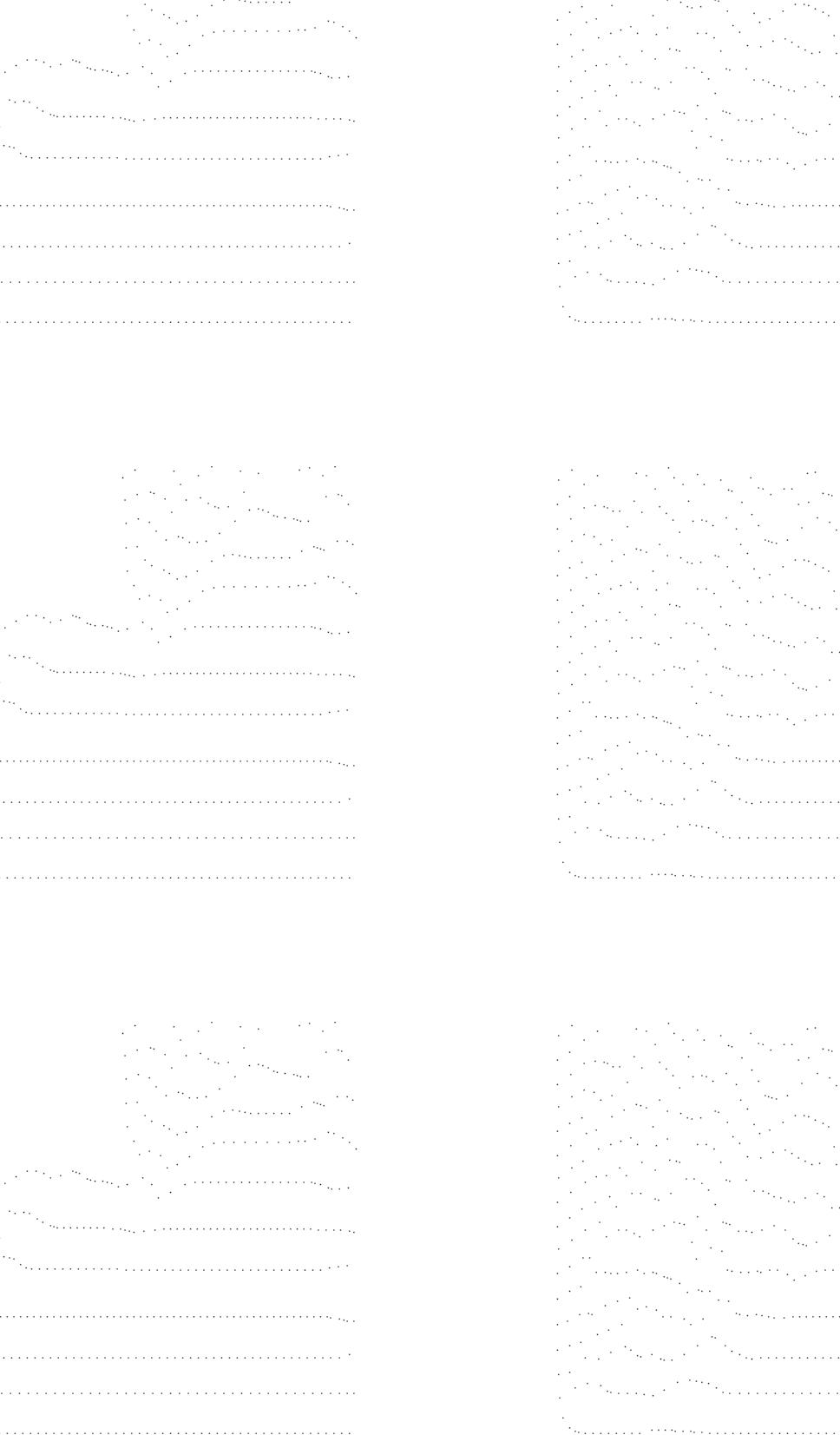
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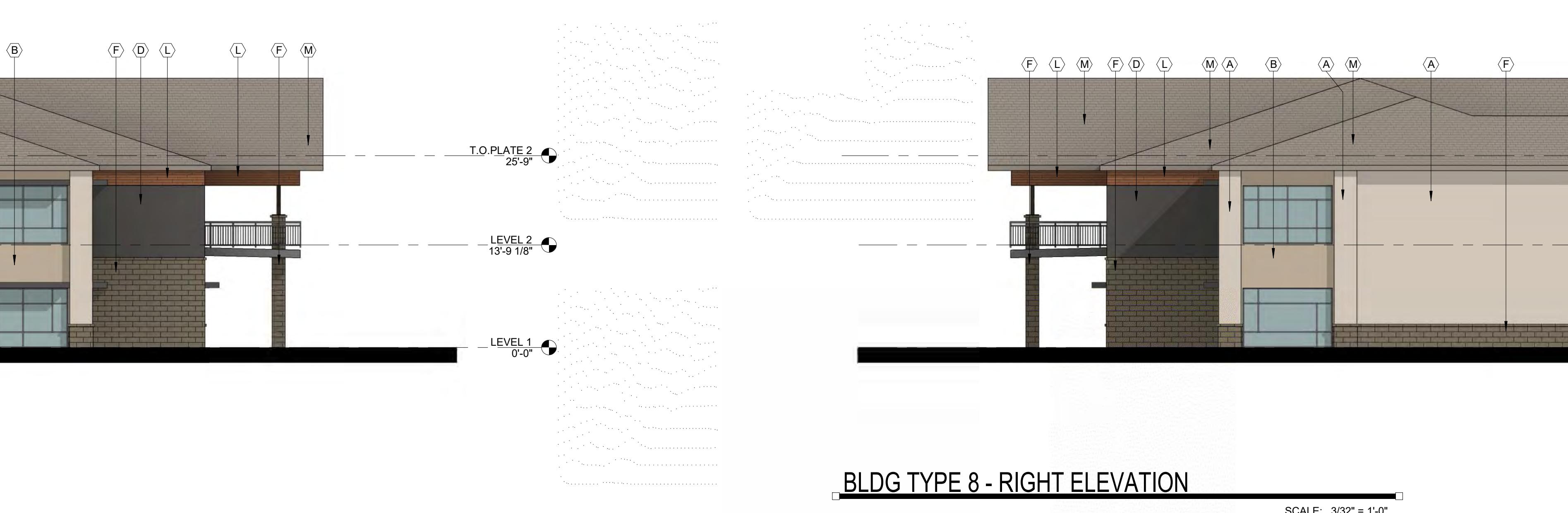
BUILDING TYPE 7





BLDG TYPE 8 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 8 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"

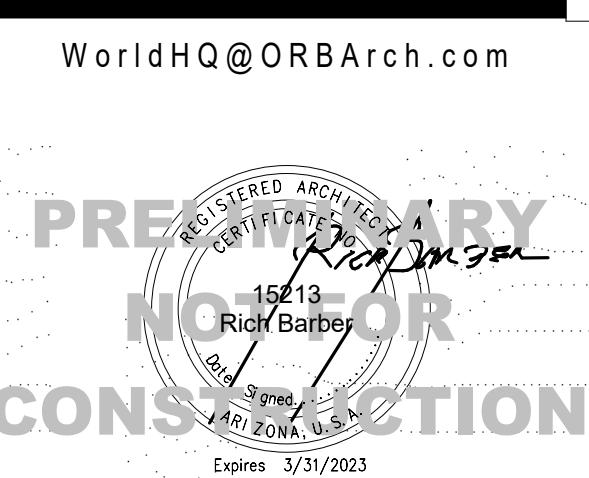


BLDG TYPE 8 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL KEY NOTES:

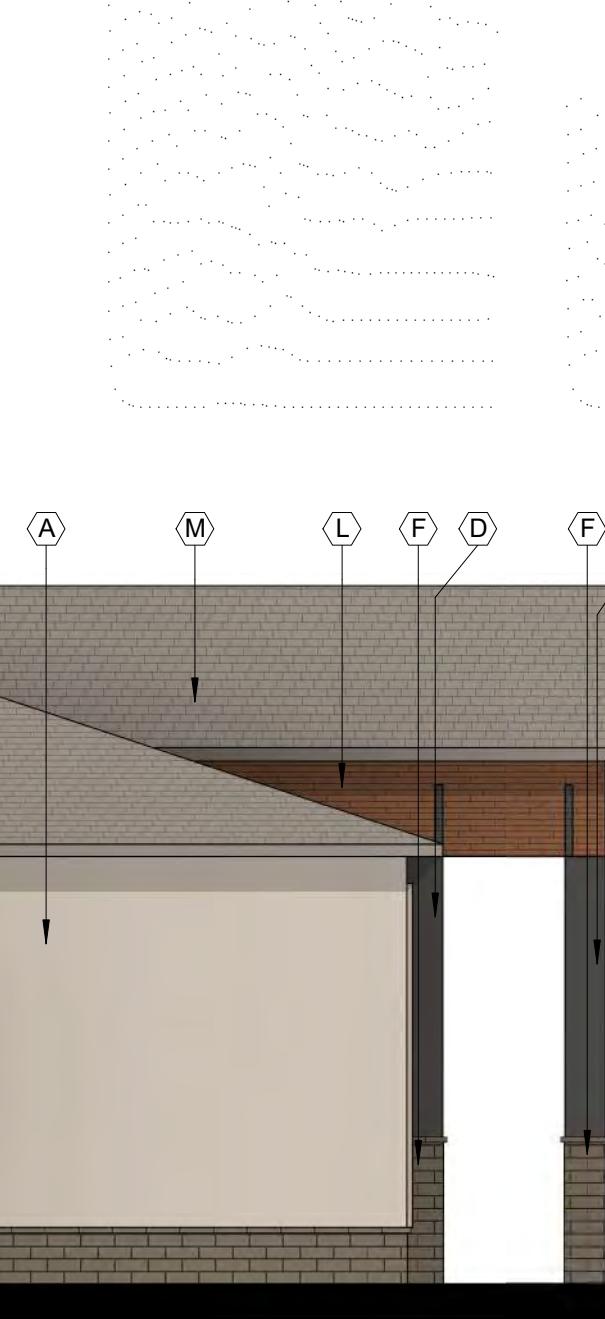
- A - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN
- B - STUCCO FINISH - DUNN EDWARDS - DE6214 - PIGEON GRAY
- C - STUCCO FINISH - NOT USED
- D - STUCCO FINISH - DUNN EDWARDS - DE6212 - METAL
- E - CONCRETE BLOCK - ASH - BURNISHED
- E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
- F - STONE VENEER - CULTURED STONE - HEWn STONE - "TAUS"
- K - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE" - MATTE
- L - PLANK SIDING - TRESPA - METEON - NW30 - "TROPICAL IPE"
- M - CONCRETE ROOF TILE - EAGLE - BELAIR - 4884 - "ALAMEDA RANGE"

DEER VALLEY AND
TATUM APARTMENTSNEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050GARDEN
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BUILDING TYPE 8



BLDG TYPE 9 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 9 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 9 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"

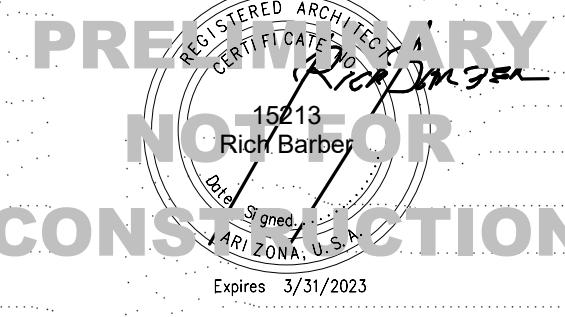
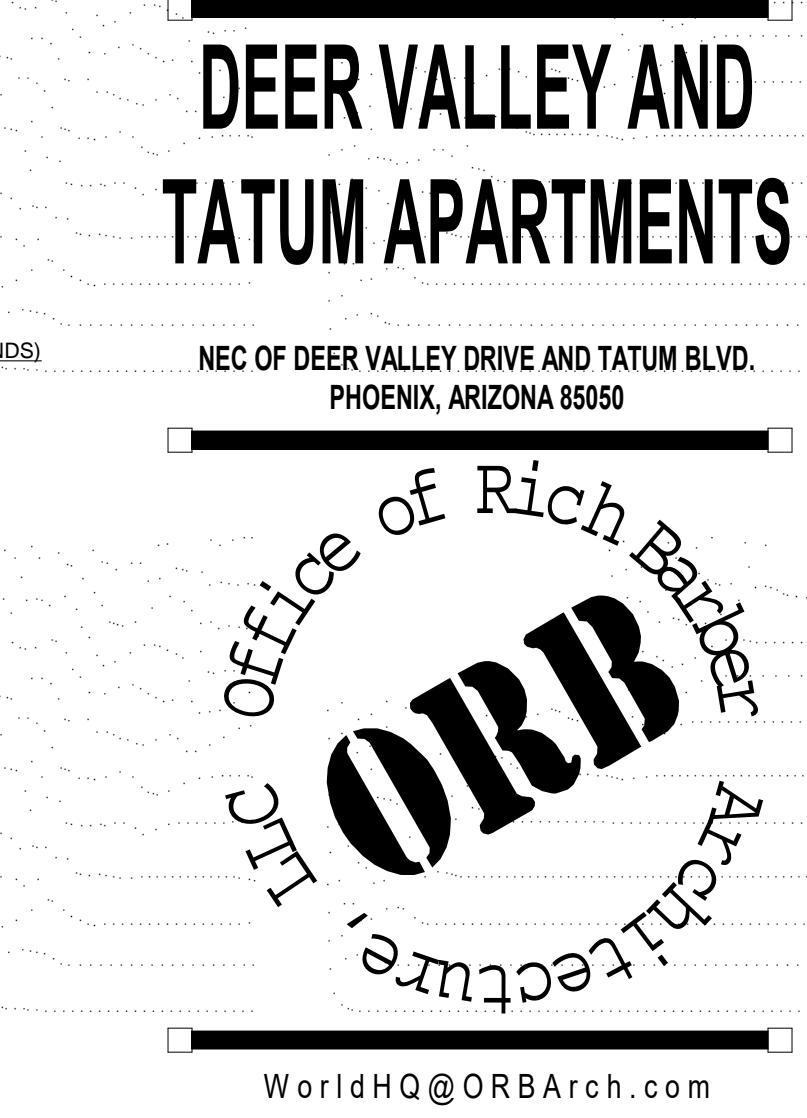


BLDG TYPE 9 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

Proposed Elevations

MATERIAL KEY NOTES:	
A - STUCCO FINISH - DUNN EDWARDS - DE6213 - FINE GRAIN	
B - STUCCO FINISH - DUNN EDWARDS - DE6214 - PIGEON GRAY	
C - STUCCO FINISH - NOT USED	
D - STUCCO FINISH - DUNN EDWARDS - DE6215 - CEDAR	
E - CONCRETE BLOCK - ASH - BURNISHED	
E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)	
F - STONE VENEER - CULTURED STONE - HEWN STONE - TALUS	
K - MISC. METALS - DUNN EDWARDS - DE6350 - "DARK ENGINE - MATTE	
L - PLANK SIDING - TRESPA - METEON - NW30 - TROPICAL IPE	
M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4984 - ALAMEDA RANGE	



GARDEN COMMUNITIES

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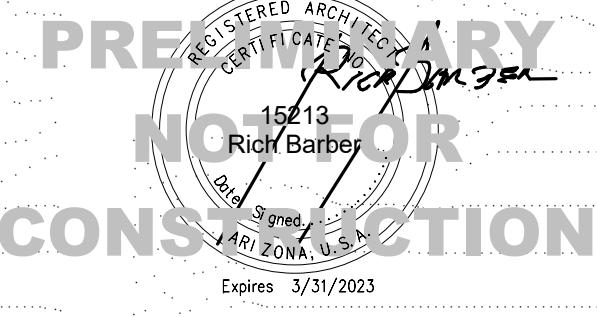
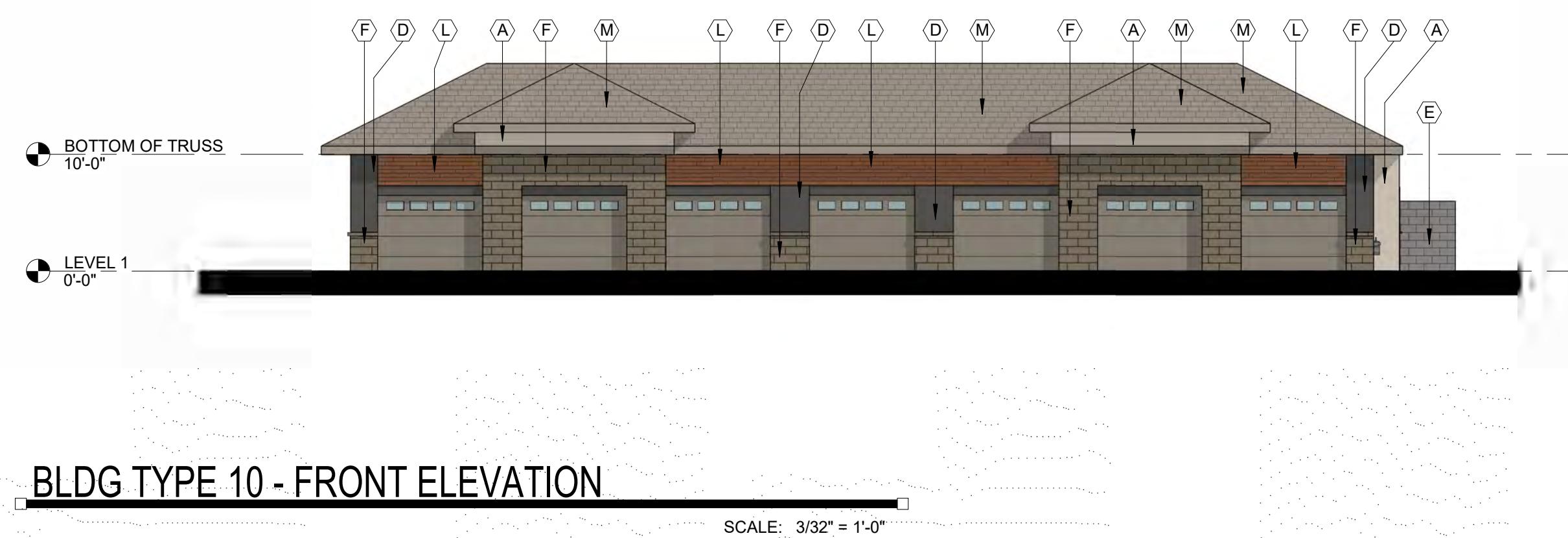
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BUILDING TYPE 9

Hearing Date: February 15, 2023

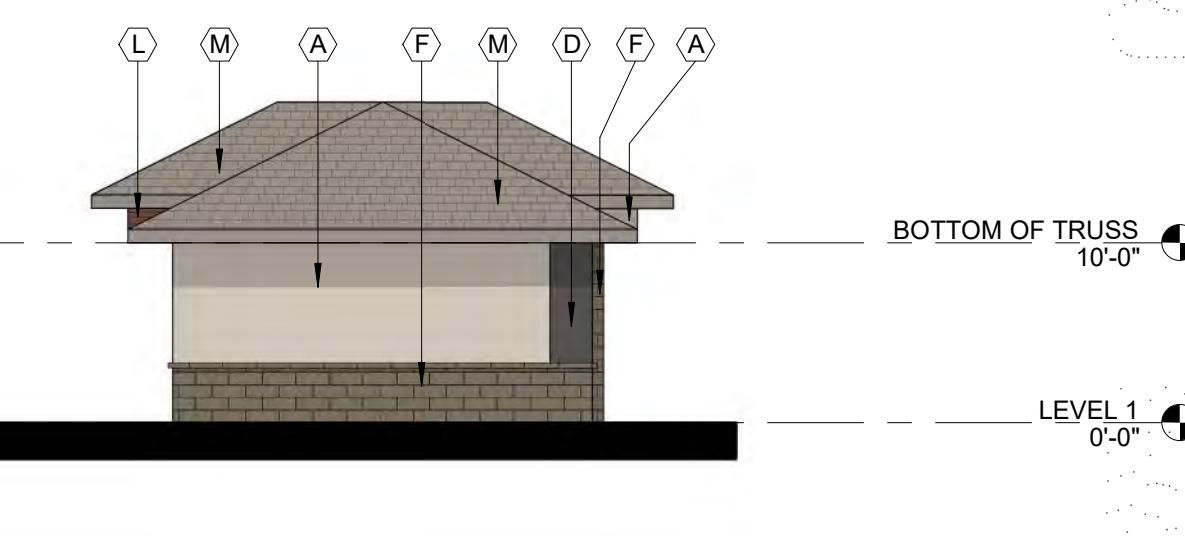
MATERIAL KEY NOTES:

- A - STUCCO FINISH - DUNN EDWARDS - DEB213 - FINE GRAIN
- B - STUCCO FINISH - DUNN EDWARDS - DEB214 - PIGEON GRAY
- C - STUCCO FINISH - NOT USED
- D - STUCCO FINISH - DUNN EDWARDS - DEB215 - BROWN
- E - CONCRETE BLOCK - ASH - BURNISHED
- E1 - CONCRETE BLOCK - ASH - SPLIT FACED (ACCENT BANDS)
- F - STONE VENEER - CULTURED STONE - HEWN STONE - TALUS
- K - MISC. METALS - DUNN EDWARDS - DEB550 - "DARK ENGINE" - MATTE
- L - PLANK SIDING - TRESPA - METEON - NW530 - "TROPICAL IPE"
- M - CONCRETE ROOF TILE - EAGLE - BEL AIR - 4884 - "ALAMEDA RANGE"

DEER VALLEY AND
TATUM APARTMENTSNEC OF DEER VALLEY DRIVE AND TATUM BLVD.
PHOENIX, ARIZONA 85050Office of Rich Barber
Architects, LLCGARDEN
COMMUNITIES

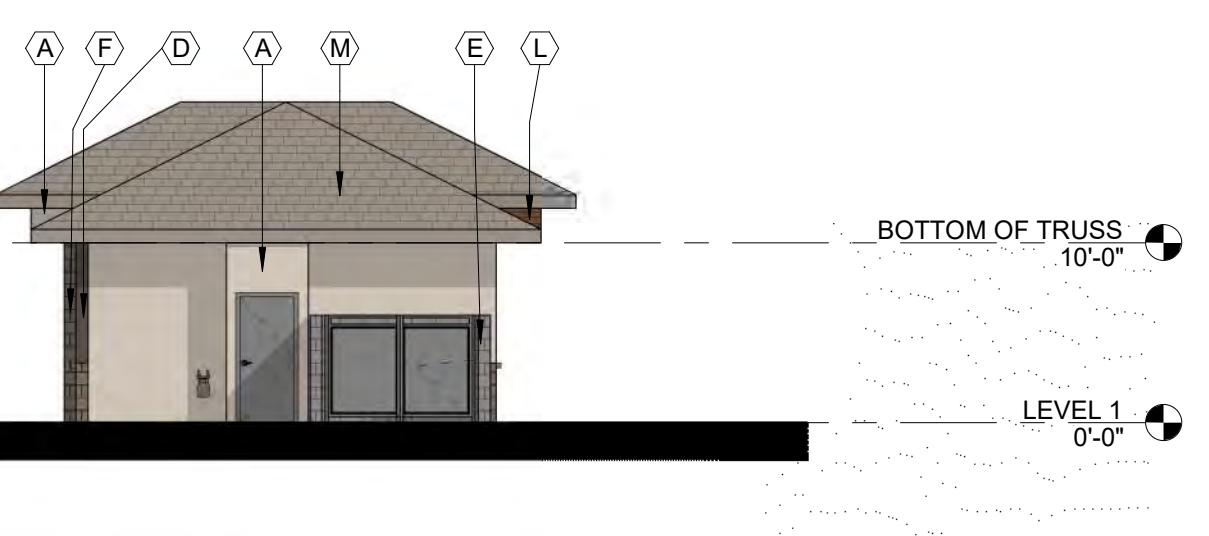
BLDG TYPE 10 - FRONT ELEVATION

SCALE: 3/32" = 1'-0"



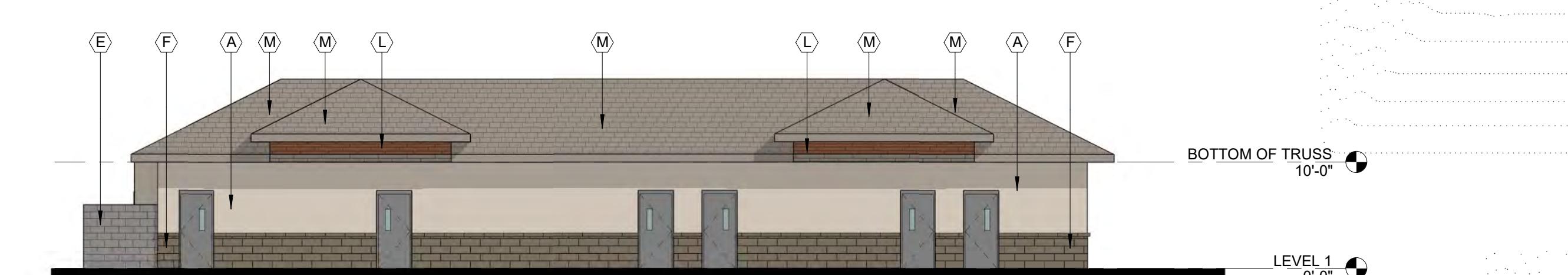
BLDG TYPE 10 - LEFT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 10 - RIGHT ELEVATION

SCALE: 3/32" = 1'-0"



BLDG TYPE 10 - REAR ELEVATION

SCALE: 3/32" = 1'-0"

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Department

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A3.95

BUILDING TYPE 10

Proposed Elevations

Hearing Date: February 15, 2023

PROJECT DATA

PROJECT NAME: DESERT RIDGE
PROJECT ADDRESS: DEER VALLEY DR. & TATUM BLVD.
PHOENIX, AZ 85050

PROJECT DESCRIPTION: 3 NEW MULTIFAMILY PROJECTS LOCATED
AT THE NORTH EAST CORNER OF TATUM
BLVD. AND DEER VALLEY ROAD.

APPLICABLE CODES: 2003 IBC W/ CITY OF PHX AMEND.
2003 IMC & UPC
APARTMENTS: R-2
PARKING STRUCTURE: S-2

ZONING: S-1
EXISTING: R-4
PROPOSED: VACANT
EXISTING LAND USE: MULTIFAMILY
PROPOSED LAND USE: 48' (4 STORY)
PROPOSED MAX. HEIGHT: MONDRIAN DESERT RIDGE: I

SITE AREA:
GROSS AREA: 13.8 ACRES / 601,336 SF
NET AREA: 11.7 ACRES / 509,566 SF

DENSITY:
MAX. ALLOWABLE: 32 UNITS/ACRE
PROPOSED: 441 UNITS
TOTAL NUMBER OF UNITS: 50.0 %
ALLOWABLE LOT COVERAGE: 33.4 %
PROVIDED: 652
PARKING REQUIRED: 699
PARKING PROVIDED: 699

BUILDING AREA:
LEVEL 1: 132,032 SF
LEVEL 2: 133,534 SF
LEVEL 3: 133,465 SF
LEVEL 4: 221,140 SF
TOTAL: 620,175 SF

MONDRIAN DESERT RIDGE: I
SITE AREA:
GROSS AREA: 8.43 ACRES / 367,125 SF
NET AREA: 7.72 ACRES / 356,422 SF

DENSITY:
MAX. ALLOWABLE: 32 UNITS/ACRE
PROPOSED: 26 UNITS/ACRE
TOTAL NUMBER OF UNITS: 50.0 %
ALLOWABLE LOT COVERAGE: 32.3 %
PROVIDED: 435
PARKING REQUIRED: 435
PARKING PROVIDED: 435

BUILDING AREA:
LEVEL 1: 84,315 SF
LEVEL 2: 86,001 SF
LEVEL 3: 86,001 SF
LEVEL 4: 140,525 SF
TOTAL: 396,842 SF

PAVILIONS AT DESERT RIDGE: I
SITE AREA:
GROSS AREA: 7 ACRES / 303,952 SF
NET AREA: 6.5 ACRES / 283,017 SF

DENSITY:
MAX. ALLOWABLE: 32 UNITS/ACRE
PROPOSED: 224 UNITS/ACRE
TOTAL NUMBER OF UNITS: 50.0 %
ALLOWABLE LOT COVERAGE: 39.7 %
PROVIDED: 360
PARKING REQUIRED: 455
PARKING PROVIDED: 455

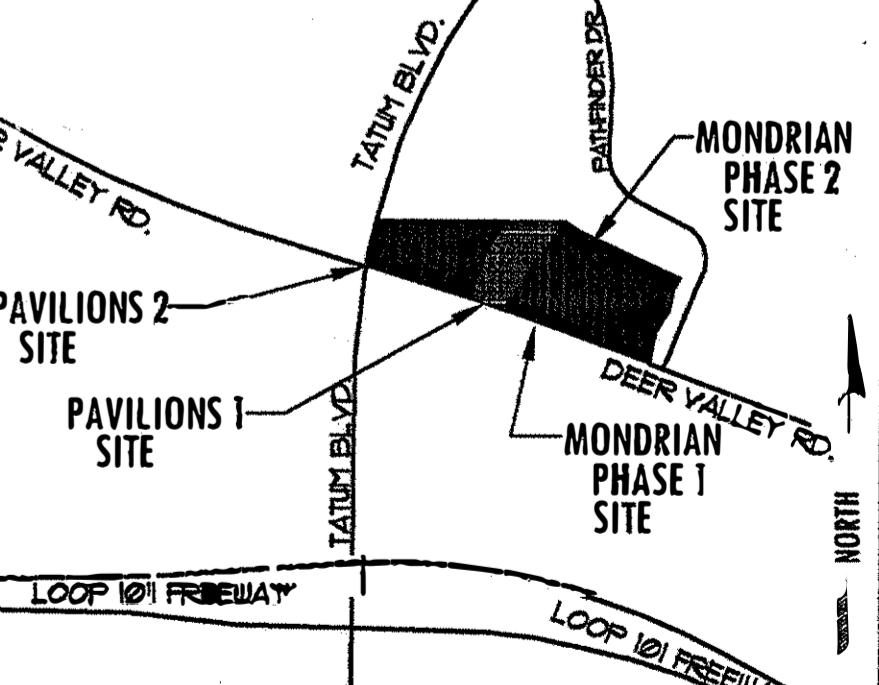
BUILDING AREA - EACH:
LEVEL 1: 6,901 SF
LEVEL 2: 7,035 SF
LEVEL 3: 5,352 SF
TOTAL: 19,288 SF

PAVILIONS AT DESERT RIDGE: 2
SITE AREA:
GROSS AREA: 11.9 ACRES / 517,901 SF
NET AREA: 9.6 ACRES / 419,499 SF

DENSITY:
MAX. ALLOWABLE: 32 UNITS/ACRE
PROPOSED: 19 UNITS/ACRE
TOTAL NUMBER OF UNITS: 50.0 %
ALLOWABLE LOT COVERAGE: 36.9 %
PROVIDED: 366
PARKING REQUIRED: 366
PARKING PROVIDED: 380

BUILDING AREA - EACH:
LEVEL 1: 7,988 SF
LEVEL 2: 8,143 SF
LEVEL 3: 6,195 SF
TOTAL: 22,326 SF

VICINITY MAP



OWNER
GRAY DEVELOPMENT GROUP
2555 E. CAMELBACK ROAD, SUITE 1050
PHOENIX, ARIZONA 85016
CONTACT: TODD COOLEY
PLANNING DEPT.

CITY OF PHOENIX
NOV 2 2005
PHOENIX, ARIZONA 85016
CONTACT: TODD COOLEY
PLANNING DEPT.

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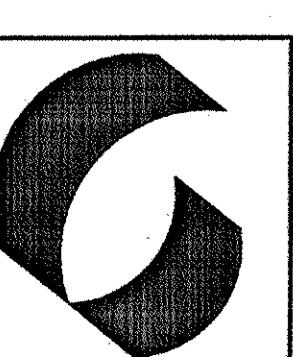


Date: 11-8-05
Revisions:

Parady Gray Architects, PLLC
2555 East Camelback Road
Phoenix, Arizona 85016
602.954.0109

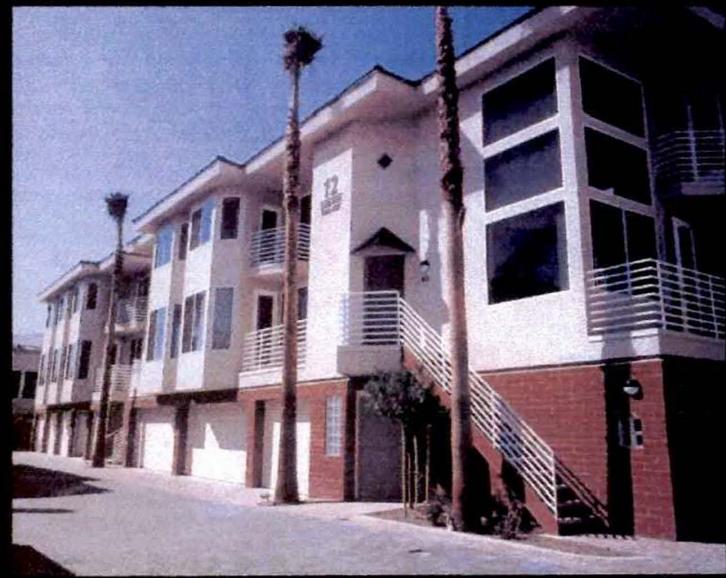
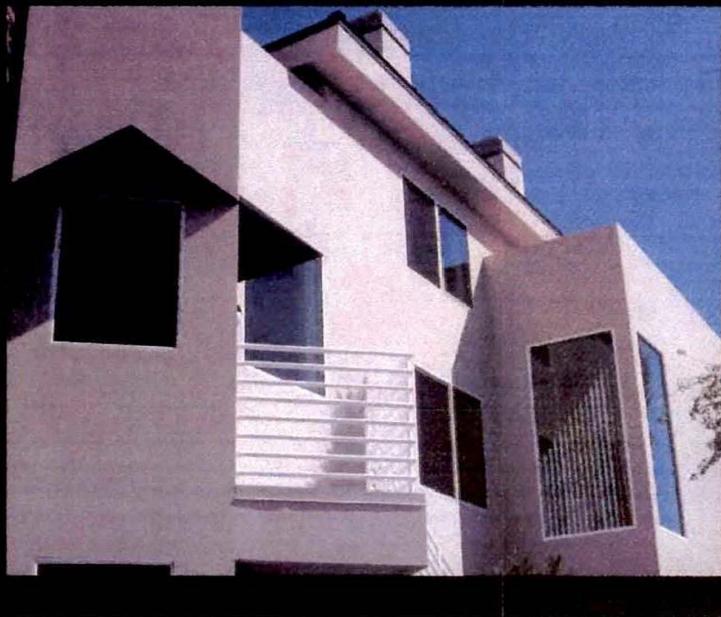


DESERT RIDGE PHASE 1
PHOENIX, ARIZONA
another residential community by Gray Development Group



Gray Development Group
2555 East Camelback Road Suite 1050
Phoenix, Arizona 85016 602.954.0109

PAVILLIONS DESERT RIDGE



CITY OF PHOENIX

NOV 23 2005

Stipulated Elevations

Hearing Date: February 15, 2023



Gray Development Group
2555 East Camelback Road Suite 1030
Phoenix, Arizona 85016 602.954.0109

MONDRIAN DESERT RIDGE
PHOENIX, ARIZONA
another residential community by Gray Development Group

CITY OF PHOENIX



Paredy Gray Architects, PLLC
2555 East Camelback Road Suite 1030
Phoenix, Arizona 85016 602.954.0109



NOV 23 2005

PLANNING DEPT.

Stipulated Elevations

Hearing Date: February 15, 2023

PHO-1-22-Z-174-05-2



CITY OF PHOENIX

NOV 23 2005

PLANNING DEPT.



Gray Development Group
7155 East Camelback Road, Suite 1050
Phoenix, Arizona 85016 602.954.8709

MON DRIAN DESERT RIDGE
PHOENIX, ARIZONA
another residential community by Gray Development Group



Parody Gray Architects, PLLC
7155 East Camelback Road, Suite 1050
Phoenix, Arizona 85016 602.954.8709





Z-174-05-2
Exhibit 2
1/27/2006

Hearing Date: February 15, 2023

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Mr. Thomson explained the neighboring 12 acres located behind this property, backed up to the canal. The west side of this property had two-story apartment houses which wrapped around one third of the back end of the property. Another apartment complex to the west had all two-story units and on the east side Engle homes was in the process of building all two-story houses to the canal. This meant there would be a two-story development located on both the west side wrapping around the back end of the property and on the east side with a 350-foot view corridor to South Mountain.

Mr. Thomson understood 30% of the dwelling units would be proposed for single-story homes and as a result his site plan had 18 single-story homes with the two-story dwelling units wrapping around the apartments. The one-story dwelling units would be located along Baseline Road with the corridor to the back. He puzzled over the opposition to having all two-story houses and did not see a reference in the Zoning Ordinance which did not allow this. He felt everything had been done to comply with what the neighbors wanted; the South Mountain Village Planning Committee voted unanimously for approval; and he received rave reviews from the Planning Department. He complied with the South Mountain Village Planning Committee request to provide 30% single-story lots in the subdivision and accommodate view corridors. He pointed out that with single-story houses placed next to two-story houses there would be no view. He thought a 50% figure did not make sense for this piece of property and noted it was surrounded by two stories which would create a canyon effect.

Mr. Johnson stated his motion was on the floor and called for the question.

MOTION CARRIED 6-1, with Mr. Mattox casting the dissenting vote.

<u>ITEM 7</u>	<u>DISTRICT 2</u>	<u>NORTHEAST CORNER OF DEER VALLEY DRIVE AND TATUM BOULEVARD APPLICANT: EARL, CURLEY, AND LAGARDE OWNER: GRAY DEVELOPMENT - TODD COOLEY REPRESENTATIVE: EARL, CURLEY, AND LAGARDE</u>
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Application: Z-174-05-2 –Appealed by Opposition
From: S-1
To: R-4
Acreage: 41.17

May 3, 2006

Location: Northeast corner of Deer Valley Drive and Tatum Boulevard
Proposal: Multi-Family Residential
Staff: Approved, subject to stipulations.
VPC Action: Deer Valley – March 7, 2006 – Approved with modified and additional stipulations. Vote 8-2-1
PC Action: April 5, 2006 – Approved, subject to stipulations in the memo dated April 5, 2006 with a modification to Stipulation 6 to allow 1,162 units. Vote 9-0

Stipulations

1. That development shall be in general conformance with the site plan date stamped November 23, 2005, as approved or modified by the Development Services Department.
2. That development shall be in general conformance with the elevations date stamped November 23, 2006, with specific regard to the below items, as approved by the Development Services Department:
 - a. Landscape trellises shall be placed where there is 10 feet of open building facade (Exhibit 2).
 - b. The Pavilions Phase II development shall be limited to 38 feet building height.
 - c. The remaining parcels shall be limited to 48 feet building height.
3. That, where visible, the parking structures on the Mondrian project shall be of complementary architecture to the primary residential structures, as approved by the Development Services Department.
4. That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.
5. That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.
6. That the development shall be limited to a maximum of 1,162 882 dwelling units.
7. That an eight-foot (8) wide multi-use trail shall be constructed along the north side of Deer Valley Road in accordance with the City of Phoenix standard trail detail, as approved by the Parks and Recreation Department.

May 3, 2006

8. That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.
9. That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.
10. That an internal pedestrian circulation pathway system shall be provided linking open spaces, amenities, parking areas, the dwelling structures, and the external pedestrian access points. These pathways shall be standard sidewalks, except where the path of travel crosses a parking lot or driveway, in which case the path shall be a minimum of 3.5 feet wide and constructed of pavers, decorative concrete, or other non-asphalt material, as approved by the Development Services Department.
11. 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 (ADA) accessibility standards.
12. That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive, as approved by the Development Services Department.
13. That the subject site has the potential to contain archeological resources. The applicant shall submit an archeological survey or documentation of prior archaeological work, for review and approval by the City Archeologist prior to issuance of a grading permit. If additional archeological monitoring, testing, and/or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archeologist.
14. That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development, as approved by the Development Services Department.
15. That a crosswalk with signage and safety lights shall be provided that connects the proposed 404 wash corridor trail with the south side of Deer Valley Drive, as approved or modified by the Street Transportation Department.

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16. That no vehicular access shall be allowed to Tatum Boulevard unless emergency vehicle access is required by the Development Services Department.
17. That a pedestrian bridge shall be provided across the 404 Wash Corridor to link the Pavilions development with the Mondrian Phase I development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.
18. That the applicant shall complete a traffic study as approved by the Street Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed, as approved by the Development Services Department.
19. That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.

Planning Director Debra Stark advised this was a request to rezone 41.17 acres from S-1 to R-4 for a multi-family residential development located at the northeast corner of Deer Valley Road and Tatum Boulevard and discussion would focus on density. The applicant requested approval to construct 1,162 dwelling units in the development. She noted the Desert View Village Planning Committee recommended approval of this item with a cap of 882 dwelling units and the Planning Commission recommended approval per the applicant's request.

Ms. Neely confirmed the applicant was present and asked for a brief overview including the type of community outreach conducted to gain support from the community; whether a traffic study had been conducted in the development or the surrounding area; and the number of homes used to obtain the information. In addition, she questioned whether the developer intended the development to house owner-occupied condominiums or multi-family apartment type uses.

Mr. Bruce Gray, Gray Development Group, 2555 East Camelback, felt discussion would be quicker if the neighbors were allowed to speak first and he could respond. In response, Mayor Gordon deferred to Ms. Neely as to who should speak first.

Ms. Neely felt strongly with regards to this case and staff's work on it and was prepared to make a motion; however, she wanted Mr. Gray to have the opportunity to express his views.

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Mr. Gray noted that in addition to responding to Ms. Neely's questions he also had some prepared comments. He felt a great deal of time had been spent with respect to community outreach in the neighborhood and his office had participated in homeowners association meetings as recently as the previous week. Time had been spent talking to the neighbors, neighborhood leaders and leaders of the homeowners associations. With respect to traffic, he stated a specific traffic study for this project had not been prepared as Planning Department staff had advised the development was within the range of units designated for the parcel as part of the Specific Plan and, therefore, an independent traffic study was not required. Traffic repeatedly came up as a concern and the issue was mitigated as a result of the various projects completing the infrastructure to 56th Street, 64th Street, etc. He stated, "There was a real bottleneck on Tatum." With respect to the type of housing offered, he noted there would be a combination of both condominiums and rental housing and thought this had been contemplated as part of the Specific Plan. He also thought the precise breakdown of condominiums and rental housing would be approximately 50/50 with the ratio of for-sale products greater than 50. This was a challenging project as part of a 41-acre master plan which would have a three-to five-year build out. A part of their objective was to anticipate the final phases of the project which could be several years away and he felt they had done a good job. In response to Mr. Gray, Ms. Neely agreed.

Mr. Gray thought this zoning application was ultimately an interpretation of the wording of the Desert Ridge Specific Plan. He felt the Plan was a good, solid document; however, there was more than one way to interpret the same words. The Plan went to extraordinary lengths to clearly spell out every aspect to effectively plan for a city within a city for more than 59,000 people which was approximately the size of present day Flagstaff. He also believed the Plan recognized that future Desert Ridge residents would oppose and object to change. This application was not asking for anything more than the Desert Ridge Specific Plan anticipated and specifically allowed.

The Desert Ridge Specific Plan gave a builder a choice of three or more zoning categories and a density range with a precise minimum and maximum number of units. Mr. Gray pointed out the Plan clearly stated future market conditions should determine the precise housing category on individual parcels provided they fell into one of several pre-approved zoning categories and did not exceed the pre-set maximum number of units or result in an increase in the number of units for an entire super-block. He thought this application satisfied all of those qualifications. He explained this application was requesting R-4 zoning and 1,162 dwelling units and the Specific Plan allowed for R-4 zoning with 1,275 units. The Specific Plan requirements could not be exceeded on the

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parcel without an amendment or master developer approval. He pointed out that with an amendment and master developer they would be entitled to 1,389 units.

Mr. Gray stated this should have been a streamlined zoning process as they fell within the allowed density range and met height, set-back and other requirements. He was a local architect and land planner who had lived in the Valley for 30 years. He was a champion of high quality, high density housing as the best defense against urban sprawl and his goal was to put as much housing as possible in the urban core areas adjacent to centers of intense employment. He also recognized that high density housing only belonged in a handful of locations in the city and thought less than 1% of the town justified that kind of intensity. He thought this kind of opportunity was rare and there was a need to maximize and take full advantage so as to not under develop. He felt this site had been planned for this type of use and was, therefore, requesting the high-density housing. This site was planned for the highest density because it was located immediately across the street from the highest concentration of commercial development in Arizona outside of downtown Phoenix. Mr. Gray noted the area was greater than the entire Camelback Corridor and extended from SR 51 to Scottsdale Road. He concluded with the following bullet points:

- This was part of the Desert Ridge Superblock 4 and the current build out for Superblock 4 would result in a shortfall of fees to the City for reimbursement of infrastructure of \$4 million.
- Page 6.23 of the Specific Plan allowed for 2,957 dwelling units. The total number of units in the area was 2,730.
- This project was half of another parcel which had previously been approved for 31 units per acre and they were asking for 28 units per acre. He did not feel 28 units per acre were considered intense for an area which would eventually have more intensity than all of downtown Phoenix.
- The company appointed by the State Land Department as the Master Developer of Desert Ridge interpreted and enforced the Specific Plan on behalf of the Master Plan and he pointed out they were also their most immediate competition.

Ms. Neely felt this process has been contentious but knew Mr. Gray had been out there and should work with the neighborhood. She stated staff had recommended 882 dwelling units and Mr. Gray wanted 1,182. She questioned what he could actually live with.

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Mr. Gray thought that was a fair question but explained Gray Development also had an investment partner. The attorneys for the investment partner had been a part of the process and argued there was an entitlement to 1,275 dwelling units which was their allowed ceiling. They had tried to stay below that figure and the 1,162 figure had been arrived at over the course of a year of planning and discussion. He advised that all parties felt 1,162 was the minimum.

Ms. Neely stated she was prepared to make a motion and would like to make comments followed by input from the community. She read Stipulation 6 into the record as follows:

Stipulation 6 That the development on Parcel 4HW as described below be limited to 882 units and be in general conformance with the zoning site plan stamp dated November 23, 2005. The development shall be comprised of Mondrian Phase I and II and the Pavilions Phase I as depicted on the site plan. Any portion of the site plan which is not included as part of the site plan as described above shall not be developed until a site plan is approved pursuant to the procedures outlined in the Desert Ridge Specific Plan.

MOTION was made by Ms. Neely, **SECONDED** by Mr. Johnson, that Item 7 be granted per staff's recommendation subject to the stipulations listed below:

Stipulations

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2. That development shall be in general conformance with the elevations date stamped November 23, 2006, with specific regard to the below items, as approved by the Development Services Department:
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 - b. The Pavilions Phase II development shall be limited to 38 feet building height.
 - c. The remaining parcels shall be limited to 48 feet building height.
3. That, where visible, the parking structures on the Mondrian project shall be of complementary architecture to the primary residential structures, as approved by the Development Services Department.

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4. That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.
5. That all buildings shall feature vertical landscaping enhancements as shown in Exhibit 2, as approved by the Development Services Department.
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7. That an eight-foot (8) wide multi-use trail shall be constructed along the north side of Deer Valley Road in accordance with the City of Phoenix standard trail detail, as approved by the Parks and Recreation Department.
8. That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.
9. That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.
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12. That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive, as approved by the Development Services Department.
13. That the subject site has the potential to contain archeological resources. The applicant shall submit an archeological survey or documentation of prior archaeological work, for review and approval by the City Archeologist prior to issuance of a grading permit. If additional archeological monitoring, testing, and/or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archeologist.
14. That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development, as approved by the Development Services Department.
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17. That a pedestrian bridge shall be provided across the 404 Wash Corridor to link the Pavilions development with the Mondrian Phase I development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.
18. That the applicant shall complete a traffic study as approved by the Street Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed, as approved by the Development Services Department.
19. That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south, as approved by the Development Services Department.

Ms. Neely stated her office heard from numerous members of the Desert Ridge community who had concerns regarding this request. Gray Development was a good developer, was in many communities and produced a good product. She had concerns, however, regarding the 1,162 dwelling units and was in agreement with the Village Planning Committee and staff. She noted Mr. Gray

May 3, 2006

was a good member of the community and asked the master developer, the neighborhood, and Mr. Gray to work together developing and moving forward with his designs. She knew Mr. Gray would provide a quality product and had done a great job in the past. She also appreciated the Desert View Village Planning Committee for their recommendations and staff's work with Mr. Gray on this application and hoped to see positive results.

Mayor Gordon submitted the following speaker comment cards for the record:

In opposition to speak

Bradley Hugh Cotton	5350 East Marriott Drive
James Davis	4311 East Kirkland Road
Claudia B. Garza	22825 North 55th Street
Daniel Klutznick	22402 North 53rd Place
Don McCann	22611 North 55th Street
Bob Newman	22817 North 55th Street
Michael Scheurich	7615 North Dove Avenue

In opposition not to speak

Richard N. Beynton	4827 East Robin Lane
Marcy E. Edwards	5350 East Mamott Drive
Robert Inerman	22619 North 55th Street
Lance Jones	5219 East Kelton Lane
Dee Mooney	22444 North 55th Street
Les Moskowitz	22637 North 55th Street
Mark Thompson	22420 North 54th Place

In opposition to speak only if necessary

Donnita and Chris Sengers	4419 East Robin Lane
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Mayor Gordon thanked Ms. Collins for her volunteer work on the Village Planning Committee and her courage to come forward and speak before the Council.

Ms. Maureen Collins, 4833 East Swilling Road, Chair of the Desert View Village Planning Committee, was present with regards to the issue of increasing the density. She explained the Village was not against density. She believed Gray Development was a good corporate citizen and a good citizen to the community but did not agree with the shifting of density even within a super block at a developer's will. The increase in density was of heightened sensitivity

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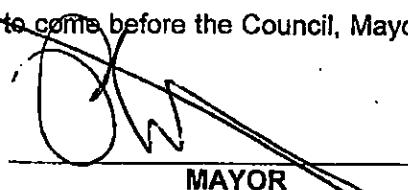
because Tatum Boulevard and Deer Valley Road were already at capacity. The Village agreed to the flexibility of increasing to 882 units and was comfortable with that number. She noted the Village Planning Committee did have two dissenters who did not agree with capping.

Ms. Collins stated the density increase had become a detriment to the quality of life by adding traffic issues. She noted this was not an opportunity for the City to collect fees and that the developer had been aware of the density limit when the land was purchased. She clarified that the Desert View Village Planning Committee was in support of the project; it looked great and there were many issues Gray Development had compromised on. However, the Village had been concerned with the number of dwelling units and she expressed her appreciation for the motion.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

There being no further business to come before the Council, Mayor Gordon declared the meeting adjourned.


MAYOR

ATTEST:



CITY CLERK

0503zmin.doc/MP/em

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the recessed meeting of the City Council of the City of Phoenix held on the 3rd day of May, 2006. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 30th day of May, 2006.



City Clerk



Application #: Z-174-05-2
From: S-1
To: R-4
Acreage: 41.17
Location: Northeast corner of Deer Valley Drive and Tatum Boulevard
Proposal: Multi-family residential
Applicant: Earl, Curley, and Lagarde
Owner: Gray Development (Todd Cooley)
Representative: Earl, Curley, and Lagarde

Mr. Alan Stephenson presented application Z-174-05-2, a request for rezoning from S-1 to R-4 for 41.17 acres located on the northeast corner of Deer Valley Drive and Tatum Boulevard. The revised staff recommendation supported the request with stipulations outlined in the April 5, 2006 memo.

The request was designated for higher density residential by the Desert Ridge Specific Plan. However staff only supported 882 dwelling units for the parcel, not the 1162 units the applicant requested. Overall the Desert Ridge Specific Plan had not developed to the maximum overall density permitted by the plan. However, a significant amount of density had been zoned and planned since the original adoption of the Desert Ridge Specific Plan.

Mr. Stephenson showed an overheard depicting some of the changes since the 1990 adoption of the Plan. The recently approved Specific Plan changes in Desert Ridge allowed for approximately 1,500 dwelling units, the majority of which are single-family, but there were also multi-family units. The Paradise Ridge rezoning PCD, directly east of this area, (south of the Loop 101 between 56th Street and 64th Street) allows for approximately 6,530 multi-family dwelling units. Within the Chauncy Ranch Development, approved in Maricopa County, there are approximately 1,200 multi-family apartments that exist. There are also additional residential units within some Mixed Use projects in this area that are planned including the City North Project, at the southwest corner of 56th Street and Deer Valley Drive, and within the Palacidine Development, which was the Paradise Ridge Westcor area at the Loop 101 and 64th Street, as well as the southwest corner of Tatum and Deer Valley Drive. Staff believes that additional units are not warranted because of these changes.

Mr. Stephenson stated the Desert Ridge Village Planning Committee (VPC) heard this request in March and voted to approve the request 8-2-1, with the stipulations that limited the density to 882 dwelling units. There were approximately 50 people in attendance with 26 cards submitted in opposition.

Mr. Stephenson clarified that as part of the materials the Commission received the Arizona State Land Department Public Auction Notice stating that up to 882 dwelling units may be constructed on the parcel. The development standards for this parcel (4H, 4HW, this piece, and 4HE) note that the 882 dwelling units equates to 21.5 dwelling units per acre and the density range permitted in this parcel was 15 to 25 dwelling units.

The staff recommendation of 882 dwelling units was firmly in the middle of the density range permitted as part of the Specific Plan for this parcel.

Speaking in support:

Mr. Mike Curley, with the law firm of Earl, Curley & Lagarde, 3101 North Central Avenue, stated he represented Bruce Gray of Gray Development. From a locational and multi-family standpoint this property had outstanding attributes. He noted the parcel being dealt with was immediately north of the Desert Ridge Market Place, near a future mixed use core, and near other uses. Most outstanding locational attribute was immediately across the Loop-101. South of the 101 was approximately 2,000 acres designated for employment, which translated to about 25 million square feet of employment.

The overall specific plan allowed the parcel to be developed at a four-story, 32 units per acre density. The applicant tried to respect some single-family to the north and rather than take advantage right at the western end of the property and developing per the specific plan to basically have lower density where this site interfaced with single-family. Basically this project was going to be 19 units per acre, three stories, and then as it transitions further away from the single-family there would be higher density.

Mr. Curley stated that the village recommendation was 882 units, which translated into 21 units per acre. What the applicant was asking came to 1162 units at 28 units per acre. His position was that the density asked for was justified on traditional land use analysis. The 29 units per acre was a relatively modest density compared to densities being contemplated in the downtown area and close to light rail stops. The second basis for the justification was that this was bought with the specific plan designation of 882 units. What was also bought was the bundle of rights that was incorporated in the specific plan.

Mr. Curley stated the Desert Ridge Specific Plan has a density transfer mechanism. The authors of the Specific Plan recognized that change was inevitable. At its inception it was important for the Specific Plan to reach the densities targeted for that plan. Superblock IV came in under the targeted density in the specific plan. The subdivisions built out already came in at about 600 units less than what was targeted for in the Specific Plan, which was a concern of the city. In the discussions with the city they identified that was a major problem because all the infrastructure being built in Desert Ridge, the water, the sewer, the police, the fire, the libraries, was all premised that the development community would pay for the infrastructure with impact fees. If the density is less than what was targeted for in the Specific Plan, then the development community for Desert Ridge would not be paying for their own infrastructure. The City would lose approximately 3.5 million dollars of lost impact fees if the additional units are to be granted. In anticipation that some of the projects would develop out at less than what the plan calls for this Density Transfer Mechanism was put into the Specific Plan and he believed they had a right to utilize that Density Transfer. Staff indicated that the developer had properly used the Density Transfer Mechanism. From a density standpoint he felt there was a compelling public policy reason why the density that was lost in the other

developments within Superblock IV was in everyone's best interest for that density to be recaptured.

Mr. Curley stated that from a legal standpoint he had devoured the Specific Plan document in the past few months and believed the zoning was supposed to be an implementation of the specific plan and the density that was being sought was within the parameter outlined by the Specific Plan. He acknowledged that staff had been in contact with the City of Phoenix Law Department regarding the legal entitlement for the densities provided in the Specific Plan. He stated there might be some differences in the interpretation. What there should not be a difference on was the idea that the density the applicant was requesting was contemplated by the Specific Plan and something that should be supported. Regarding the traffic issues and the discussions that Tatum was subject to traffic problems, his response to that was that Desert Ridge was a Master Plan and from its infrastructure standpoint was still in its infancy stage. Tatum Boulevard was the only north/south street that goes through Desert Ridge. Eventually 56th Street to the east and 64th Street to east would go from the Loop 101 up to Happy Valley Road, Jomax, and Deer Valley would connect all the way to the east to Scottsdale Road. When that circulation system was finalized there would be completed circulation system in concert with the densities that were originally sought.

Mr. Curley noted that there had been a change on the staff report. For over a year he had been working with staff and it had been articulated to him that there was a danger to the extent that the density being developed was less than what the plan contemplated. As of a month ago staff had supported the 1162 density and he did not know why that changed.

Mr. Amery asked how much more vacant land was there left after this within Superblock IV. Mr. Stephenson indicated on a map the remaining vacant lands of Superblock IV which consisted of the southeast corner of Tatum and Pinnacle Peak, and another strip going to the golf course, which consisted of approximately 205 acres.

In response to Mr. Hart's inquiry as to infrastructure, Mr. Stephenson stated the infrastructure was done on a more regional basis that would include land outside the Specific Plan, such as changes in Paradise Ridge that added multi-family after the Specific Plan called for the number of units. There were other vacant lands that would develop and contribute money for infrastructure that has density and that was not directly within the Specific Plan area.

Dr. Kelchner asked if the open space on Superblock 4 was a golf course. Mr. Curley responded yes.

Dr. Kelchner asked if the golf course was half of the north side of this parcel. Deer Valley Road was to the south, a major road to the east with some industrial or commercial. Mr. Curley stated that Tatum Boulevard was to the west and to the south was Desert Ridge, and 5A was the Core North property that would be developed as an intense mixed use development.

Dr. Kelchner asked if everything to the south across the street would be mixed use. Mr. Curley responded that directly across the street was the Desert Ridge Market Place.

Dr. Kelchner asked if the portion to the north of this parcel was golf course and residential. Mr. Curley responded yes, and that residential was where they tried to transition to have their lowest intensity, lower height project based on 19 units per acre. He noted that the north portion of the property was time share associated with the hotel.

Mr. Keuth asked if the 715 unutilized units were in the whole Superblock 4 or just the part of Superblock 4 that was currently built out. Mr. Stephenson responded it was within the entire superblock, but reserving the number of units that were for the vacant parcels so the remaining portion of parcel 4L and 4M had units associated with it that was not affected by the 715.

Mr. Hart asked if Marriott owned the surrounding area around the golf course. Mr. Stephenson stated that Marriott owned the RH and had time share that operate in conjunction with the resort hotel.

Mr. Keuth asked what the density of the time shares was: Mr. Stephenson it was a higher density, but did not know the exact density.

Speaking in Opposition:

Mr. Daniel Klutznick, 22402 North 53rd Place, stated he represented the Northeast Phoenix Partners, the master developer for the 5,700 acre community of Desert Ridge. He noted the Specific Plan was a long complex document. He stated that Mr. Grey argued that he had the ability as of right to increase its parcel by 25 percent based on a clause in the first sentence of chapter 4I of the Specific Plan and through the second phase planning process outlined in that same chapter. He stated that Mr. Gray ignored the first part of the sentence in chapter 4 that stated that this right was qualified "as set forth elsewhere in the Specific Plan". That elsewhere was chapter 6. The second sentence in that chapter stated clearly that these rights apply to the Arizona State Land Department, the City of Phoenix, and the Master Developer of Desert Ridge. The Specific Plan also said that all property was subject to the Master Declaration, which described who was eligible to perform second phase planning under the Specific Plan. The Master Declaration said that secondary planning may only be performed by the Arizona State Land Department, the purchaser of the first parcel sale within a Superblock, or the Master Developer. Mr. Klutznick stated that Mr. Gray was neither of those parties and therefore had no rights as a secondary planner under the Specific Plan and no right to increase its parcel size as it stated. Further the Master Declaration stated that all secondary planning was subject to the approval of the Master Developer and that no application for zoning or rezoning would be filed without the prior written consent of the Master Developer and the Board of Directors of the Desert Ridge Community Association. Submittals by Mr. Gray were made the previous month and both were denied.

Mr. Wally Neal, 4636 East Kirkland, regarding the concept of density transfer noted that this was the basis used by the developer in support of higher density for the Gray Development. He felt that density transfer had zero legitimate application anywhere at the intersection of Tatum and Deer Valley. During the AM and PM commutes now it was commonly a two light circle queue to get through the intersection. At the southwest corner of Tatum and Deer Valley 326 apartment residents were in the final stages of construction. A half mile to the east, 1,500 residents were presently under construction on the north side of Deer Valley Road. Adding what Mr. Gray wanted would put more new residents adjacent or near by the intersection of Tatum and Deer Valley Road.

Mr. Elliott Lerman, 4048 East Williams Drive, felt the density should be held to 882.

Ms. Claudia Garza, 22825 North 55th Street, stated there were wash corridors running through every parcel in Desert Ridge and not every developer had been given the opportunity to build what they wanted. She stated that this project was not in the best interest of everyone in Desert Ridge.

Ms. Marcia Edwards, 5350 East Marriott Drive, spoke on behalf of JW Marriott Desert Ridge Resort and stated Marriott was opposed to an increase in dwelling units, anything over 882 units for the entire parcel.

Mr. Nick Merris, 22231 North 51st Street, stated the development should be limited to 882 units. In talks with the developer he found there was no compromise on the part of the Gray Development group.

Speaking in rebuttal:

Mr. Curley stated this site was adjacent to a freeway corridor and from a land use standpoint he would argue that if they came in with an 18 to 20 units per acre, the City would be justified in saying that was a squander of an opportunity to provide some denser housing in an area that was not going to impact adjacent single-family. He did not think there was any question that the density transfer was an allowable mechanism. He had reviewed it extensively with staff and there had been two memos from staff that the Density Transfer Mechanism was a very well defined equation that was delineated in the Specific Plan to accommodate situations like this where you have an underutilization of the Superblock. Regarding the circulation system the infrastructure was specifically designed to accommodate the density talked about and the infrastructure and the roadway system was at its infancy stage. There would be major arterials that would be traversing both north/south and east/west that did not exist at present. He noted that the Marriott Hotel was originally planned for 200 units and was now 905 units.

Mr. Bruce Gray, 2555 East Camelback, stated that this project was only half of this particular parcel (4H), the other 50 acre half was to the east of Marriott Drive so this parcel was split and Statesman was developing the 50 acres across the street. They went through the same process and increased their density by 28.5 percent. North Phoenix Partnership (NPP), the Master Developer, approved that increase. The City

approved 31.6 units per acre and yet this case was a debate on whether or not to approve 28 units per acre across from the most intense piece of development in the entire City north of Bell Road. He noted another developer across the street was proposing a density of well over 30 units per acre yet that developer objected to his proposal. Mr. Gray said that there was a range for every parcel and he was well within that range. There was a base of 882 and a cap of 1275 units.

Ms. Gallegos stated another development used the same process and received more units in a density transfer. Mr. Gray stated he was asking for a 24 percent increase on the adjacent parcel. The other half of his parcel was an increase of a little over 28 percent.

Ms. Gallegos asked Mr. Gray if that was through the same process he was trying to do. Mr. Gray yes.

Mr. Stephenson clarified that they were going through the rezoning process to request it. They did not go through the same process with the State Land Department and with the Master Developer. In this rezoning request they were coming forward and if looking at the range within the Specific Plan it did say 15 to 25 was the range. If you increase it you could go up to the 32. With Statesman as part of the zoning case, the City agreed that 32 were appropriate. Given the 32 dwelling units per acre happened, the Specific Plan Amendment change, and approved other density things that had been approved within this general area, staff was not in support of their additional density above the 882.

Ms. Gallegos asked if the process used to apply for them was the same as the process for the other one. Mr. Stephenson responded for the rezoning process, yes, but not with ASLD or the Master Developer. At the rezoning process staff could work through and decide what density was appropriate and at that time with Statesman staff agreed that density was appropriate. This time staff did not agree with the request for additional density via the growth mechanism.

Mr. Gray stated he could submit a copy of the document signed by the Arizona State Land Department Commissioner, the then managing partner of NPP, and David Richert of the City of Phoenix. What concerned Mr. Gray was that the Klutznick group brought out their other partners and they were managing a process they did not fully understand.

Dr. Kelchner asked staff to confirm that within the Specific Plan there was a mechanism to increase density through one portion of the Specific Plan, but that was not the same as getting to the point where other parcels within this Block had left over density that they did not use and transferring their density into a project and increasing it even further. Mr. Stephenson responded that the Specific Plan, allows for density transfers from within the entire superblock area.

Dr. Kelchner stated that was what they were doing now but it was not what the other block did before when they met certain criteria for increasing the density without using

any other density from the rest of the block. Mr. Stephenson stated they did not use unused density of the built parcels, they used density from unbuilt parcels in the Specific Plan.

Mr. Stephenson stated that the time share was rezoned to R-3A in 1995. He believed the density on that was 11 dwelling units per acre. 250 units were under construction on the site. It would be allowed to develop more under the R-3A but they did not go forward and submit site plans to develop additional units.

Mr. Garcia stated that regardless of density transfer, they were still asking for more density. He noted that on the east side they just asked for it and the staff approved it. He did not understand what the difference was between that parcel and this parcel.

Mr. Amery stated that it was all laid out and it would cost a certain amount to do things and there was still, after this development, 200 acres left. If that 700 number was not put in then the City goes backwards on how they designed it in order for the developers to pay for the infrastructure and the City would have to pay the difference. He did not want to see the city getting down to the last 50 acres and tell the developer they would have to go 50 to an acre and pay for it because otherwise the city would be going backwards on the deal. At some point that range needed to be looked into and he did not know that 1162 would be overreaching towards what was remaining, but at the same time he did not want to see it stripped down to where the last piece came in and you have to do it at an unrealistic density in order to pick up those 700 in the last few acres.

Ms. Johnson stated she heard the neighbor's complaints about growing pains and you hear it all over. It comes down to setting up the right infrastructure for the future and for future development. It was having the foresight to putting that in place and she understood the importance of the Impact fees and density needed to be looked at as an option at the growth rate that the city was at.

Mr. Keuth made a MOTION to approve Z-174-05-2 with stipulations from the April 4, 2006 memo, eliminate stipulation six, and stipulated to 1162 maximum units.

Mr. Amery SECONDED.

There being no further discussion Dr. Kelchner called for a vote and the MOTION PASSED by a vote of 9-0.

STIPULATIONS:

1. That development shall be in general conformance with the site plan date stamped November 23, 2005, as approved or modified by the Development Services Department.

2. That development shall be in general conformance with the elevations date stamped November 23, 2006 with specific regard to the below items as approved by the Development Services Department:
 - A. Landscape trellises shall be placed where there is 10-feet of open building facade (exhibit 2).
 - B. The Pavilions Phase II development shall be limited to 38 feet building height.
 - C. The remaining parcels shall be limited to 48 feet building height.
3. That, where visible, the parking structures on the Mondrian project shall be of complementary architecture to the primary residential structures, as approved by the Development Services Department.
4. That the buildings identified as "Pavilions" shall provide usable outdoor private space, patio and/or balcony for 100% of the units, as approved by the Development Services Department.
5. That all buildings shall feature vertical landscaping enhancements as shown in exhibit 2, as approved by the Development Services Department.
6. That the development shall be limited to a maximum of 1,162 882 dwelling units.
7. That an eight-foot (8) wide multi-use trail shall be constructed along the north side of Deer Valley Road in accordance with the city of Phoenix standard trail detail as approved by the Parks and Recreation Department.
8. That private trails (with a dedicated public use easement) shall be provided within the 404 wash corridor and along the entire north property line east of the 404 wash, as approved by the Development Services Department.
9. That vegetation along the wash shall be preserved in place if feasible, or re-vegetated with natural plant materials, as approved by the Development Services Department.
10. That an internal pedestrian circulation pathway system shall be provided linking open spaces, amenities, parking areas, the dwelling structures, and the external pedestrian access points. These pathways shall be standard sidewalks, except where the path of travel crosses a parking lot or driveway, in which case the path shall be a minimum of 3.5 feet wide and constructed of pavers, decorative concrete, or other non-asphalt material, as approved by the Development Services Department.
11. That the developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidental as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.

12. That one (1) bus bay (P1256-2) and one (1) transit pad (P1262) shall be dedicated and constructed along the north side of Deer Valley Drive as approved by the Development Services Department.
13. That the subject site has the potential to contain archeological resources. The applicant shall submit an archeological survey or documentation of prior archaeological work, for review and approval by the City Archeologist prior to issuance of a grading permit. If additional archaeological monitoring, testing, and/or data recovery is necessary, the developer shall complete tasks as determined and required by the City Archeologist.
14. That a minimum 20-foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development as approved by the Development Services Department.
15. That a crosswalk with signage and safety lights shall be provided that connects the proposed 404 wash corridor trail with the south side of Deer Valley Drive as approved or modified by the Streets Transportation Department.
16. That no vehicular access shall be allowed to Tatum Boulevard unless emergency vehicle access is required by the Development Services Department.
17. That a pedestrian bridge shall be provided across the 404 Wash corridor to link the Pavilions development with the Mondrian Phase I development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.
18. That the applicant shall complete a traffic study as approved by the Streets Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed as approved by the Development Services Department.
19. That the site plan for the Pavilions Phase II development along the northern most property line shall be redesigned to provide additional view corridors to the south as approved by the Development Services Department.

Application #: **Z-174-05-2 (Forwarded from 2/21/06 ZHO)**
From: S-1
To: R-4
Acreage: 41.17
Location: Northeast corner of Deer Valley Drive and Tatum Boulevard
Proposal: Multi-family residential
Applicant: Earl, Curley, and Lagarde
Owner: Gray Development (Todd Cooley)
Representative: Earl, Curley, and Lagarde

Mr. Alan Stephenson presented application Z-174-05-2, a request for R-4 zoning at the northeast corner Tatum Boulevard and Deer Valley Drive. Staff supported the request subject to stipulations. The Desert View Village Planning Committee reviewed the request on March 7, 2006 and recommended approval 8-2-1 subject to modified staff stipulations and additional stipulations. Staff had prepared a memo that reflected the stipulations as recommended by the committee. Approximately 50 people in opposition were in attendance at the village meeting.

Mr. Alan Stephenson stated staff recommended approval of the request per a memo that was handed out at the afternoon briefing. The memo spelled out the stipulations that were approved by the Desert View Village Planning Committee. The stipulations that differ from the staff report relate to the density of the project which would be limited to 882 units versus the previous 1162 units. There were also building height stipulations as well as a number of other issues such as pedestrian improvements for Deer Valley Drive and the 404 wash, as well as a traffic study and some street improvements that would be done as part of that study. He noted the Desert View Village Planning Committee (VPC) voted on March 7, 2006 to approve this request by a vote of 8-2-1. There were approximately 50 people in attendance with 26 cards submitted in opposition. Nine persons spoke in opposition with concerns about traffic, density, view sheds, and perceived decline in the quality of life. There was one person who spoke in support of the request at the village. The VPC had additional concerns about the development due to density and site integration with the existing single-family development to the north. They also had concerns about the remaining development potential of a vacant parcel on the site plan currently earmarked as a potential hotel site, but had no buildings on it as part of the site plan. Additional questions were asked about the unused 260 dwelling units within Superblock IV.

Mr. Keuth asked what the density was. Mr. Stephenson responded with the 882 units that were recommended by staff and the VPC would be 21.5 units to the acre.

Speaking in support:

Mr. Bruce Gray, 2555 East Camelback, stated he was the owner of the property. He stated he was of the opinion that he was not processing through this case as the Specific Plan required. The discussion at the VPC was lengthy and there were strong opinions expressed from those surrounding the site. His overall conclusion was that the Specific Plan for Desert Ridge tried to accomplish some very straight forward

concepts. The execution of that was very complex. There was not a consensus with his interpretation of document. His interpretation of the Specific Plan from the VPC hearing was "that the scope of comment from the VPC shall be as to consistency with the Desert Ridge Specific Plan. That the intent of the plan was not to treat this as an ordinary zoning case". If you were within the perimeters that were outlined for each parcel, his understanding that it was effectively by right and if you fall within that range for zoning, for density, for all of the things outlined per parcel, it a fairly automatic procedure. He felt that before he could respond to the VPC recommendations he wanted to make sure he was handling this correctly.

Mr. Keuth stated that the fact that there were differing opinions from the applicant and the city, the opinion of the Law Department would be in order. He was not sure what rules to play by and wanted clarification before moving forward.

Mr. Grey stated there was a need to have the city attorney weigh in and they would like an interpretation before taking the next step.

Mr. Keuth made a **MOTION** to continue application Z-174-05-2 to the April 5, 2006 Planning Commission hearing to get an opinion from the City Attorney's office.

Mr. Hart **SECONDED**.

Mr. Keuth commented if the interpretation was consistent should this go back to the village given that interpretation for any consideration. Mr. Stephenson stated that the next Desert View VPC meeting would take place on April 3, 2006.

There being no further discussion Dr. Kelchner called for a vote and the **MOTION PASSED** by a vote of 7-0.

REPORT OF ZONING HEARING OFFICER ACTION
February 21, 2006

ITEM NO: 2

DISTRICT NO: 1

SUBJECT:

Application #: **Z-147-05-1**

Location: Northwest corner of 35th Avenue and Pinnacle Vista

Request: S-1 To: R1-18 Acreage: 5.06

Proposal: Single-Family Residential

Applicant: Kent Elssmann

Owner: Kent Elssmann

Representative: Mark Sidler

ACTIONS:

Zoning Hearing Officer Recommendation: Continuance to the March 6, 2006
Zoning Hearing Officer Hearing without fee.

Village Planning Committee (VPC) Recommendation: The Deer Valley
Village Planning Committee reviewed this case on December 15, 2005 and
recommended denial by a vote of 16-0.

Staff Recommendation: Approval, subject to stipulations.

ZHO HEARING HIGHLIGHTS:

Staff- No staff presentation was requested.

Applicant- The applicant was present but did not speak.

Opposition- The following submitted cards but did not speak:

Mr. Mitch Grayer, 28022 North 35th Avenue, Phoenix, AZ 85085

Ms. Samantha GoreLove, 27813 North 37th Avenue, Phoenix, AZ 85085

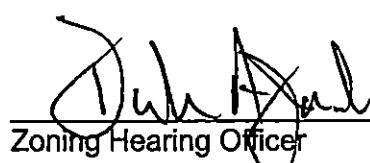
Mr. Ed Weathersby, 28015 North 37th Avenue, Phoenix, AZ 85085

Mr. Kevin Anthony Nawrot, 3520 West McArthur Road, Phoenix, AZ 85085

Ms. Tricia M. Nawrot, 3520 West McArthur Road, Phoenix, AZ 85085
Mr. Brian Swanson, 3545 West McArthur Road, Phoenix, AZ 85085
Ms. Denise Swanson, 3545 West McArthur Road, Phoenix, AZ 85085
Ms. Teresa Stucker, 3535 West McArthur Road, Phoenix, AZ 85085
Mr. Jo Woods, 3535 West McArthur Road, Phoenix, AZ 85085
Mr. Veerachart Murphy, 3441 West Pinnacle Vista Drive, Phoenix, AZ 85085
Mr. Mike Perkins, 3211 West Bajada Drive, Phoenix, AZ 85085
Mr. Joseph J. Charnoki, 3620 West McArthur Road, Phoenix, AZ 85085
Ms. Diane Adams, 4024 West Topeka, Phoenix, AZ 85308
Mr. Larry Balcom, 27207 North 35th Avenue 85085
Ms. Dianne Edgar, 3330 West Pinnacle Vista Drive, Phoenix, AZ 85085
Mr. Dean Adams, 27521 North 35th Avenue, Phoenix, AZ 85085
Mr. Ken Hightower, 27624 North 37th Avenue, Phoenix, AZ 85085
Ms. Lori Spreitzer, 27840 North 33rd Avenue, Phoenix, AZ 85085
Mr. Harold E. Winters, 3231 West Dynamite Boulevard, Phoenix, AZ 85085
Mr. Richard A. Rezzonico 27636 North 37th Avenue, Phoenix, AZ 85085
Mr. Marni Pingree, 28040 North 37th Avenue, Phoenix, AZ 85085
Mr. Claude D. Brown, 27603 North 39th Avenue, Phoenix, AZ 85085
Ms. Rosalie Treiber, 27603 North 39th Avenue, Phoenix, AZ 85085
Mr. Dan Johnson, 27618 North 35th Avenue, Phoenix, AZ 85085
Mr. J. Scott Horney, 26725 North 31st Avenue, Phoenix, AZ 85085
Mr. Leigh Arthur, 3610 West Pinnacle Vista Drive, Phoenix, AZ 85085
Mr. Robert Arthur, 3610 West Pinnacle Vista Drive, Phoenix, AZ 85085
Mr. Mark Mester, 6316 West Desert Hills, Glendale, AZ 85304
Mr. Jo A. Horney, 26725 North 31st Avenue, Phoenix, AZ 85085
Ms. Becky Patton, 3805 West Dynamite Boulevard, Phoenix, AZ 85085
Mr. Joseph E. Patton, 3805 West Dynamite Boulevard, Phoenix, AZ 85085
Mr. Curtis Arthur, 27526 North 33rd Avenue, Phoenix, AZ 85085
Ms. Mah Rohref, 27511 North 35th Avenue, Phoenix, AZ 85085
Mr. Todd Pease, 27604 North 35th Avenue, Phoenix, AZ 85085
Mr. Jerome Lamb, 3605 West McArthur Road, Phoenix, AZ 85085
Ms. Paula Sunderland, 3224 West Molly Lane, Phoenix, AZ 85085
Ms. Debbie O'Neal, 27809 North 37th Avenue, Phoenix, AZ 85085
Ms. Leesa L. Montague, 3542 West McArthur Road, Phoenix, AZ 85085
Mr. Tim Montague, 3542 West McArthur Road, Phoenix, AZ 85085
Ms. Peggy Arthur, 27526 North 33rd Avenue, Phoenix, AZ 85085

ZHO- Mr. Doug Jorden recommended continuance to the March 6, 2006 Zoning Hearing Officer Hearing due to re-posting issues. Mr. Doug Jorden noted that this is the second time the applicant has failed on posting issues and the neighbors are very upset.

The applicant, Mr. Kent Elssmann, stated that he would post the property properly.


Zoning Hearing Officer

3-13-06
Date

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

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160571

Desert View Village Planning Committee
Minutes
Tuesday, March 7, 2006
Paradise Valley Community Center
Multipurpose Room
17402 North 40th Street
Phoenix, Arizona

PRESENT

Jerry Barlow
Sean Bodkin
Steven Bowser
Deanna Chew
Maureen Collins
Toni Eberhardt
Jim Kunkel
Jim Lee
Bob Newman
Lynn Pleskoff
Thom Von Hapsburg

EXCUSED

Charles Schmidt
Phil Barker

STAFF

Alan Stephenson
Jacob Zonn
Sarah Kerr

1. Call to order.

Meeting was called to order at 7:05 p.m. by Maureen Collins. A quorum of 11 was present.

2. Review and approval of the minutes of February 7, 2006.

Jim Kunkel made a motion to approve the minutes. Jerry Barlow seconded the motion.
Approved, Unanimous, Vote: 11-0

3. Presentation, discussion and possible recommendation on Z-174-05-2. A request to rezone approximately 41 acres located on the northeast corner of Tatum Boulevard and Deer Valley Drive. The request is for R-4 from S-1 for multi-family development.
Presentation by Mike Curley of Earl, Curley and Lagarde.

Deanna Chew declared a conflict of interest.

Alan Stephenson presented the staff report. This rezoning request encompasses the west half of Parcel 4H as identified in the Desert Ridge Specific Plan. The site is subject to regulations provided in the Desert Ridge Specific Plan (as amended). The proposed development is a mix of mid-rise multi-family residential products, to be built in four phases. The dwellings will range from studios to four bedroom apartments, for a total of 1,162 units.

When parcel 4H was split, the number of units was allocated between Parcel 4HE and 4HW. The owner of 4H, Statesman, has utilized 1,568 dwelling units, shifting 318 units from 4HW (see case Z-11-03) and Parcel 4. That shift in the number of units resulted in 707 units available for development on Parcel 4HW. Superblock 4 permits up to 5,328

1

dwelling units across the entire Superblock area; so far, only 4,613 units have been approved. There are currently 715 un-utilized dwelling units available to possibly transfer through the rezoning process, with Grey Development (the owner) requesting to use 455 for this project. After this transfer, there will be 260 dwelling units remaining for use in Superblock 4 for density transfers.

The goal of both the General Plan and the Desert Ridge Specific Plan is to provide for vital, active cores. By encouraging the development of higher densities in proximity to the core areas, the larger population supports more intensive retail opportunities. Without the critical mass of nearby residents, the unique shopping, restaurant, and other opportunities do not occur as there is not enough variety in demanded services to support larger numbers of businesses.

The site is accessed from Deer Valley Road, with each development phase having its own primary access point. Automotive circulation is segmented into each individual phase, preventing cross parking and related cut-through traffic concerns. Pedestrian connectivity is provided to the wash corridor by a trail and bridge on the northern boundary of the site.

The request is consistent with both the General Plan Land Use Map and the Desert Ridge Specific Plan land use designations and implements multiple goals and policies of both plans.

Natural washes will be preserved and trail connections will be provided within this proposed development.

The request expands diversity of housing opportunities by adding a variety of residential unit types and sizes to the village housing stock.

Staff recommends approval with stipulations.

Committee members asked for clarification on transfer of density, and if the development would exceed the cap.

Mike Curley, Earl, Curly and Lagarde, 3130 S. Central gave an overview of the Desert Ridge Specific Plan requirements for the site, as well as the proposed site plan and elevations. Gray Development likes to build near travel corridors. This proposed project is for multi-family but they will not have much interface. Up to four stories is allowed on the western portion of the site. The overall density is 28 units per acre. The additional density will help provide for the necessary infrastructure to service this area. Trails are planned through out the site.

Master Plan's change over time, density transfer is discussed in the Specific Plan. The city wants development to pay for infrastructure, if the density lags infrastructure (impact fees) lag.

Mike Curley introduced Bruce Gray, President of Gray Development. Bruce Gray commented that Desert Ridge is set up for a density range. We are building within the plan for this parcel. Infrastructure is planned according to density.

Committee members asked for detail where the transfer of units would be from. Mike Curley gave a brief explanation. Bruce Gray stated that two transfers were done, one by Gray and one by Statesman. Gray Development is taking density from another site that has been developed.

Sean Bodkin asked about the impact to the homes on the north, what is the buffer? Bruce Gray stated that in the Specific Plan the buffer is 2/3 density on the east of the site. Mike Curley commented that the buffer on the north is 40 feet, bushes, trees, wall are already there.

Toni Eberhardt asked if all the units are for sale. Bruce Gray replied that on the west side all units will be for sale, the east side is for rent.

Sean Bodkin asked if a traffic study had been done. Is there any potential mitigation? Bruce Gray said the traffic studies were done in advance, when the master plan was done.

Maureen Collins asked if the trail would have a bridge. Bruce Gray said there is no bridge; it was conceptual. Alan Stephenson said it could be added as a stipulation, if requested by the village.

Judy Oksner, 4507 E. Hamblin, spoke in opposition. She does not support this project, the applicant needs to work better with the community. Responsibility and quality of life need to be balanced, 400 more rentals aren't going to help.

Joe McCormick, 22627 N. 45th Place, Phoenix, AZ, spoke in opposition. He has been a resident since 1991 and there have been many changes to the Specific Plan. The changes have benefited the developers not the homeowners. Traffic plans were designed in 1991; this project won't help the traffic. We look to the village planning committee to protect our interests.

Sean Bodkin asked Joe McCormick what he envisioned for this corner. Joe McCormick said he is not against multi family. Will the infrastructure support it?

Bruce Brazis, 4807 E. Patrick Lane, Phoenix, AZ, 85054 spoke in opposition. He would like to see more effort with integration. The three large buildings along the property line next to the homes create a privacy issue. A sewer line does run through this property.

Donald McCann, 22611 N. 55th Street, Phoenix, AZ spoke in opposition. He is opposed to the increase in density. The City Council has sent a message to developers that zoning is not set, to allow higher density is unfair to everyone.

Claudia Garza, 22825 N. 55th Street, Phoenix, AZ 85054 spoke in opposition. Mr. Gray has indicated that quality of project has not been an issue; density is the issue. They are asking for 32% increase in density. What benefit does this bring to the valley? Infrastructure will be stretched very thin. She asked the village planning committee NOT to approve this project.

Frank Garza, 22825 N. 55th Street, Phoenix, AZ spoke in opposition. Growth has been consistent with the plan. Where is the benefit to Desert Ridge? The developer knew what the limits were, why ask for an increase.

Marci Edwards, representing J.W. Marriott (Steve Hart, General Manager), 5350 E. Marriott Dr., Phoenix, AZ 85054 spoke in opposition. J.W. Marriott and Spas are opposed to density increase.

Elliott Lerman, 4048 E. Williams Dr., Phoenix, AZ 85050 spoke in opposition. Traffic will have a big impact on the area; keep the density down. Would like to see a real buffer.

Dee Mooney, 22444 N. 55th Street, Phoenix, AZ 85054 spoke in opposition. She supported the previous speakers. The parcel on the corner may later be developed into condominiums; it will create another increase in density. There are not enough entrances and exits. This is not a pedestrian friendly area.

Kathleen Donahoe, 15123 E. McDonald Dr., Paradise Valley, AZ spoke on behalf of Wyck Chew, resident of Tatum Highlands, in favor of this project. She read a letter from Wyck Chew stating his support for the Gray the plan. He feels this plan is a positive, progressive plan that falls well within the guidelines of the original Desert Ridge Master Plan.

Daniel Klutznick, President of the Board of Directors, 14614 N. Kierland, commented that this parcel is not in the core; it is adjacent. Gray Development disagrees with the Master Developer on whether the plans have to be submitted to the Master Developer and Board of Directors for approval. We do not approve the proposed density.

Mr. Stephenson clarified that the CCR'S and discussions between the applicant and the master developer are not relevant to the question before the committee. He stated that those are separate matters not enforced by the city.

The following citizens in attendance were opposed but did not wish to speak:

Tom Thorkelson, 22805 N. 55th Street, Phoenix, AZ 85054
Jack and Bonnie Saba, 4716 E. Hamblin Dr., Phoenix, AZ 85050
Wally and Patricia Neal, 4636 E. Kirkland, Phoenix, AZ 85050
Mark Freidman, 4803 E. Kirkland Road, Phoenix, AZ 85054
Barbara Burner, 4810 E. Abraham Lane, Phoenix, AZ 85054
Michael Haskins, 4815 E. Abraham Lane, Phoenix, AZ 85054
James Davis, 4311 E. Kirkland Road, Phoenix, AZ 85050
Howard Tikka, 4520 E. Weaver Road, Phoenix, AZ 85050
Douglas R. and Renee R. Adams, 22245 N. 54th Way, Phoenix, AZ 85054
Ed Codey, 4608 E. Sands, Phoenix, AZ 85050
Rich Hopkins, 4815 E. Robin Lane, Phoenix, AZ
Jay M. Polk, 5536 E. Via Montoya Drive, Phoenix, AZ 85054
Les Moskovitz, 22637 N. 55th Street, Phoenix, AZ 85054
Loren York, 4015 E. Kirkland Road, Phoenix, AZ 85050

Amara I., 4047 E. Abraham, Phoenix, AZ 85084, was opposed but did not wish to speak.
Comments written on speaker card: 1) Too much traffic already, 2) Reduce Density,

- 3) Provide more setback, 4) Put restrictions on rental if approved, 5) Improve Tatum or contribute.

Mike Curley spoke in rebuttal. Density is a complex issue, this is an area approved for the allowed density of 880 units. The infrastructure does lag behind for the development. The existing plan allows up to four stories, we are under that and entitled to 32 units per acre. The density transfer is allowable by the specific plan.

Bruce Gray commented that Gray Development is doing precisely what is allowed within the Specific Plan. We are within those parameters and asking for what is allowed. Daniel Klutznick and his brother reviewed the plans several months ago.

Daniel Klutznick stated that the density was shifted prior to Gray Development owning the land.

Steven Bowser commented that the inter-connected arterial roadways are missing. Multi family does not have peak hours, so the trip generation is different.

Sean Bodkin made a motion to approve the request with modified staff stipulations, and six additional stipulations:

Modified:

2. That development shall be in general conformance with the elevations date stamped November 23, 2006 with specific regard to the below items as approved by the Development Services Department:
 - a. Landscape trellises shall be placed where there is 10 feet of open building façade (exhibit2).
 - b. The Pavilions Phase II development shall be limited to 38 feet building height.
 - c. The remaining parcels shall be limited to 48 feet building height.
6. That development shall be limited to a maximum of 882 dwelling units.

Added:

14. That a minimum 20 foot landscape buffer shall be provided along the northern most property line within the Pavilions Phase II development as approved by the Development Services.
15. That a crosswalk with signage and safety lights shall be provided to connect the proposed 404 wash corridor trail with the south side of Deer Valley Drive as approved or modified by the Streets Transportation Department.
16. That no vehicle access shall be allowed to Tatum Boulevard unless emergency vehicle access is required by the Development Services Department.
17. That a pedestrian bridge shall be provided across the 404 Wash corridor to link the Pavilions development with the Mondrian Phase I development as may be modified by the U.S. Army Corps of Engineers and approved by the Development Services Department.
18. That the applicant shall complete a traffic study as approved by the Streets Transportation Department. Any necessary street improvements required by the traffic study (resulting from the increase in density) shall be constructed as approved by the Development Services Department.

19. That the site plan for the Pavilions Phase II development (along the northern most property line) shall be redesigned to provide additional view corridors to the south as approved by the Development Services Department.

Jim Kunkel seconded the motion. **Approved, Vote: 8-2-1 (declared conflict of interest)**

4. Presentation and discussion on an update of the Tatum East/West Land Use Study. This study is being undertaken by the Arizona State Land Department (ASLD) for land that is bounded by Cave Creek Road on the west, Pinnacle Peak Road on the south, Scottsdale Road on the east and an irregular boundary of Jomax and Dynamite Boulevard on the north. Presentation by URS Corporation.

This request will be brought back in April.

No action taken.

5. Presentation, discussion and possible action on proposed eminent domain legislation currently being discussed within the Arizona Legislature. Presentation by Alan Stephenson.

Alan Stephenson will send out an e-mail to the committee asking them to oppose eminent domain and regulatory takings.

No action was taken.

6. Presentation, discussion and possible recommendation on the 2006 village work program.

This request will be brought back in April.

No action taken.

7. Presentation and discussion on the joint Planning Commission/Village Planning Committee Workshop. Presentation by Maureen Collins.

This request will be brought back in April.

No action taken.

8. Presentation, discussion and possible recommendation to nominate a Desert View Village Planning Committee member for a Continuous Learning Institute award.

Maureen Collins nominated Lynn Pleskoff for the Continuous Learning Institute award for her work with the Transit subcommittee on the neighborhood circulator.

No action was taken.

9. Subcommittee Update:

Judy Oksner asked if the footprint could be expanded, opposed to the additional height. There are already traffic issues in this area.

Dee Mooney, 22444 N. 55th St., Phoenix, AZ 85054, spoke in opposition. She is president of their homeowners association and has been involved in several zoning projects. The height is set at 40 feet and she does not want it to change. She felt that Life Care Services could use the entire site. Increasing the height will open the door for more buildings to increase their height. Are we looking at the long-term effect?

Toni Eberhardt made a motion to approve the request with the language attached to the February 7, 2006 letter from Stephen Earl. Charles Schmidt seconded the motion.

Approved, Vote: 7-3-1 conflict of interest.

5. Presentation, discussion and possible recommendation on Z-174-05-2. A request to rezone approximately 41 acres located on the northeast corner of Tatum Boulevard and Deer Valley Drive. The request is for R-4 from S-1 for multi-family development. Presentation by Mike Curley of Earl, Curley and Lagarde. This request is scheduled for the February 21, 2006 Zoning Hearing Officer meeting.

Applicant submitted a letter requesting to continue this application to the March 7, 2006 meeting.

No action was taken.

6. Presentation, discussion and possible recommendation on the 2006 village work program.

Toni Eberhart no longer in attendance.

Steven Bowser made a motion to continue this item to the March 7, 2005 meeting. Jerry Barlow seconded the motion. Approved, Unanimous, Vote: 10-0

7. Presentation, discussion and possible recommendation to nominate a Desert View Village Planning Committee member for a Continuous Learning Institute award.

Alan Stephenson urged the village planning committee members to submit their nomination forms for the Continuous Learning Institute award.

8. Subcommittee Update:

- a. Transportation – Jim Kunkel announced the next meeting of the Sonoran Parkway is scheduled for February 22, 2005, 7:30 p.m. at the Paradise Valley Community Center. Public open house meetings are scheduled for March 29 and 30, 2006, location of the meetings to be announced in the future. The final Sonoran Parkway Committee meeting is tentatively planned for April 26, 2006.
- b. Green Building Principles – No report
- c. Trails – No report