

ATTACHMENT D

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



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

From: Joshua Bednarek
Planning & Development Department Director

Date: July 23, 2025

Subject: P.H.O. APPLICATION NO. PHO-4-25--Z-116-87-8 – 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 **August 20, 2025**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **July 30, 2025**.

DISTRIBUTION

Mayor's Office (Tony Motola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
City Council District 8 (council.district.8@phoenix.gov, Breon Robinson)
Aviation (Jordan D. Feld)
CED (Michelle Pierson), 20th Floor
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Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Todd Shackelford), 16th Floor
Public Transit (Skitch Kitchen)
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor
Planning and Development/Information Services (Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Teresa Garcia), 2nd Floor
Village Planner (Anthony Grande, Camelback East)
Village Planning Committee Chair (Mr. William Fischbach, Camelback East)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-4-25--Z-116-87-8

Council District: 8

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 1 regarding general conformance to the site plan date stamped April 14, 2006.

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Leslie Chatburn, Burch & Cracchiolo, P.A.	Other	1850 North Central Avenue, Suite 1700, Phoenix AZ 85004	602-234-8787		lchatburn@bcattorneys.com
4415 EM, LLC	Owner	4400 North Scottsdale Rd, Suite 91, Scottsdale, AZ 85251	480-341-0341		matt.bliss@bmflegacy.com
Ed Bull, Burch & Cracchiolo, P.A.	Representative	1850 North Central Avenue, Suite 1700 Phoenix AZ 85004	602-234-9913		ebull@bcattorneys.com
Ed Bull, Burch & Cracchiolo, P.A.	Applicant	1850 North Central Avenue, Suite 1700, Phoenix, AZ 85004	602-234-9913		ebull@bcattorneys.com
Madison Leake, Burch & Cracchiolo, P.A.	Other	1850 North Central Avenue, Suite 1700, Phoenix, AZ 85004	602-234-8791		mleake@bcattorneys.com

Property Location: Approximately 140 feet north of the northeast corner of 44th Street and Washington Street

Acreage: 2.19

Geographic Information

Zoning Map	APN	Quarter Section
F11	124-10-039	Q10-38
Village:		
Camelback East		

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

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

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: _____ DATE: _____

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,080.00	\$0.00		PHO (1-2 stipulations)



BURCH & CRACCHIOLO

BCATTORNEYS.COM

ED BULL
DIRECT LINE: 602.234.9913
E-MAIL: ebull@bcattorneys.com

MADISON LEAKE
DIRECT LINE: 602.234.8791
E-MAIL: mleake@bcattorneys.com

June 16, 2025

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

RE: PHO Request PHO-3-06—Z-116-87-8
4414 E. Monroe Street, Phoenix, AZ 85034
S of the SEC 44th Street & Monroe Street (the "Site")

Dear Mr. Easton:

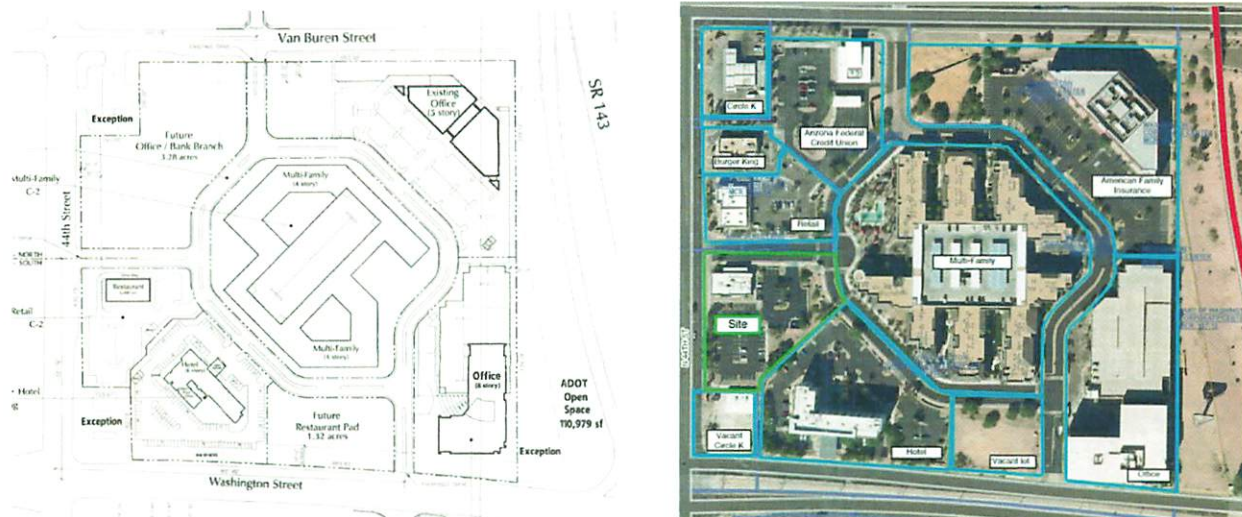
We respectfully request the PHO's approval to modify the previously approved site plan to allow for the development of a new restaurant building that will enhance the Site, the center, and the surrounding area. The overall Site comprises approximately 1.76 acres. See **Exhibit 1**, Aerial. The northern portion of the Site includes an existing ±5,000 square foot building currently operating as a marijuana dispensary, with the remainder of that area serving as excess parking. Concurrent with this request, we have also submitted a PHO application to administratively approve the proposed building elevations.

Z-116-87 Stipulations to be Modified

THAT DEVELOPMENT OF THE MASTER PLAN AND PARCELS 1, 2, 3, AND 4 BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATED ~~APRIL 14, 2006~~ 2025 AND THAT DEVELOPMENT OF PARCELS 5 AND 6 SUBMIT SITE PLANS TO BE ADMINISTRATIVELY APPROVED BY THE PLANNING HEARING OFFICER.

We are requesting approval to modify the previously approved site plan to allow for the development of a new building. See **Exhibit 2**, Site Plan. Over time, the center has evolved to accommodate different uses than originally anticipated and has had to adapt to remain viable. This portion of the center is particularly challenged by the adjacent former Circle K building, which has remained vacant for an extended period and has not successfully redeveloped.

Given the Site's proximity to the airport and SR 143, restaurants—particularly quick-service restaurants—are ideal and in high demand. As noted, the northern portion of the Site previously operated as a restaurant, and additional restaurant pads were originally anticipated but never developed. Similarly, while the southeast corner of 44th Street and Van Buren was initially designated for office or bank uses, it has since been developed with a Panera Bread, Burger King, and Circle K. The addition of a quick-service restaurant on this Site is not only sensible and viable, but will also strengthen the center by drawing more patrons to the area and supporting the viability of nearby uses. The proposed restaurant, situated near the intersection of two arterial roads, represents a logical and beneficial land use. It will provide additional dining options in a strategic location and make productive use of an underutilized portion of the Site. The comparison below illustrates the originally anticipated uses in 2006 (left) and the existing conditions today (right), for reference. See **Exhibit 3**, previously approved site plan.



The proposed development includes an approximately 2,172 square foot quick-service, drive-through restaurant. The site design incorporates pedestrian access from 44th Street, providing convenient connectivity for those using the nearby Light Rail stop, as well as a pedestrian connection to the broader center. See **Exhibit 4**, Pedestrian Connection Exhibit. The building elevations and landscaping have been thoughtfully designed to establish an attractive and welcoming presence for both patrons and passers-by. See **Exhibit 5**, Elevations, and **Exhibit 6**, Landscape Plan. The proposed elevations are consistent with the overall character of the center, while integrating a variety of colors and materials to create visual interest. In accordance with TOD (Transit-Oriented Development) standards, the design features significant windows and glazing along the street frontages to promote transparency and street-level activation.

This request to modify the stipulations is both appropriate and necessary to maximize the potential of this underutilized property and to support the long-term viability of the center. The

proposed building will be attractive, high quality, and a positive addition to the area as a whole. If you have questions or want to discuss any of the above, please contact Madison Leake (602-234-8791 or mleake@bcattorneys.com), or me (602-234-9913 or ebull@bcattorneys.com).

Very truly yours,

BURCH & CRACCHIOLO, P.A.



Ed Bull
Madison Leake
For the Firm

EXHIBIT 1



N 44TH ST

125-26-012A

125-27-086

EVAN BUREN ST

124-09-044N

124-09-053A

124-10-042B

124-10-045

124-10-049

124-10-041

124-09-044K

124-09-054A

124-10-050

124-09-044E

124-10-043

124-10-047

124-09-054A

124-10-041

SITE

124-10-044

124-10-040

124-10-043

124-09-052A

124-09-043J

WASHINGTON ST

VALLEY METRO RAIL
TRANSIT CTR AT
44TH ST & WASHINGTON
MCR 4882440

Red Mountain Ramp

Red Mountain Ramp

143

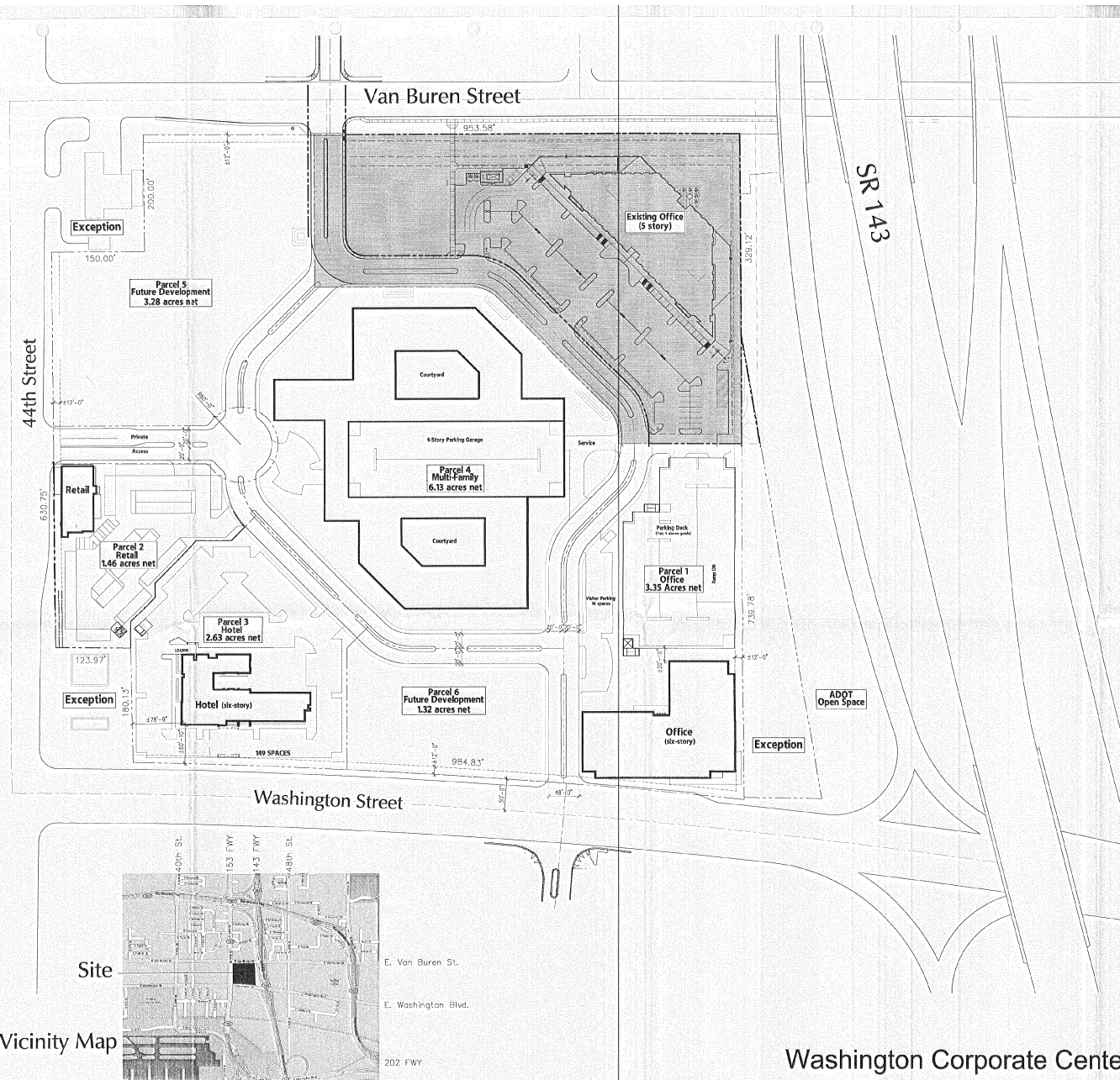
149 Ramp

EXHIBIT 2

EXHIBIT 3

Applicant
AIG Sun America
Douglas Tymins (contact)
2800 N. Central Ave. STE 2100
Phoenix, Arizona 85004
ph. 602.524.6430
fx. 602.744.3198 (att: Jennifer Jackson)

Design Professional
DFD CormoyerHedrick
Mike Edwards (contact)
2425 E. Camelback Rd. STE 400
Phoenix, Arizona 85016
ph. 602.381.4848
fx. 602.381.4844



Zoning	C2/MR
Parcel 1 - Office	
Parcel Area	3.35 Acres Net
Building Area	196,500 sf (188,600 tla)
Parking Required	688 spaces (3.5 / 1000 tla)
Parking Provided	800 spaces
Parcel 2 - Retail	
Parcel Area	1.46 Acres Net
Building Area	6,000 sf
Parking Required	72 spaces (1/50sf of dining)
Parking Provided	72 spaces
Parcel 3 - Hotel	
Parcel Area	2.63 Acres Net
Building Area	74,433 sf
Parking Required	143 spaces (1 per room)
Parking Provided	149 spaces
Parcel 4 - Multi-family	
Parcel Area	6.13 Acres Net
Building Area	341,260 sf
Parking Required	xxx spaces
Parking Provided	529 spaces
Parcel 5	
Parcel Area	3.39 Acres Net
Parcel 6	
Parcel Area	1.63 Acres Net
Private Access	
Tract Area	0.60 Acres Net
ADOT	
Open Space - ZA Case #27-03-6	
Open Space Area	110,979 sf

- Existing Office Building and Existing Private Drive

CITY OF PHOENIX
APR 1 & 2006
PLANNING DEPT.

Washington Corporate Center Master Plan

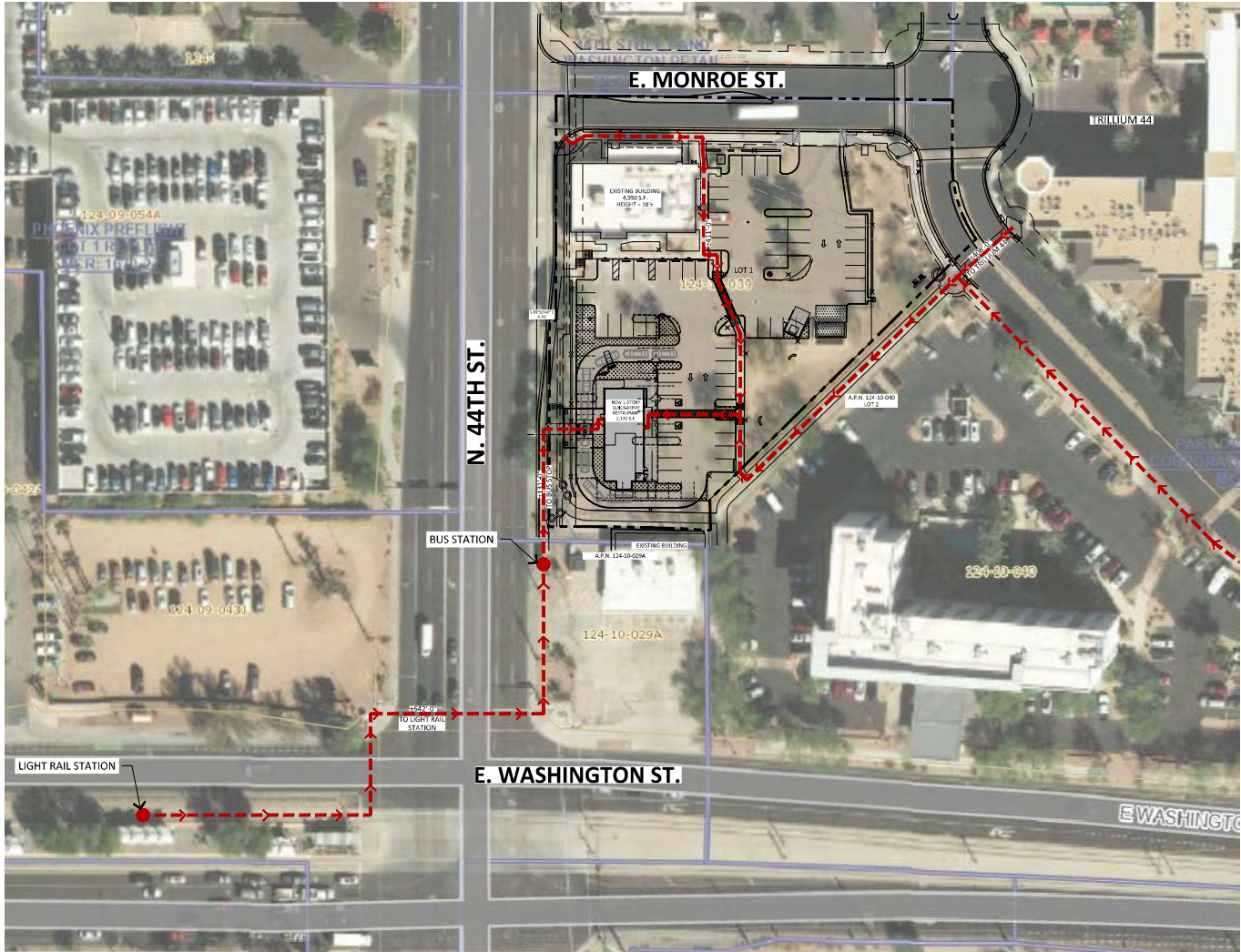
Washington Corporate Center
Phoenix, Arizona

06108
14.APR.06

All calculations are approximate and subject to change.

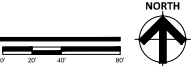
DFD CormoyerHedrick
architecture
interior architecture
space planning
facilities management
land planning
landscape architecture
graphic design

EXHIBIT 4



PEDESTRIAN CIRCULATION

SCALE: 1" = 40'-0"



LEGEND

- PEDESTRIAN CIRCULATION
- DISTANCE FROM LIGHT RAIL STATION TO 44TH ST. ENTRY ±1642'-0"
- DISTANCE FROM BUS STATION TO 44TH ST. ENTRY ±131'-0"
- DISTANCE FROM TRILLIUM 44 TO EAST ENTRY ±408'-0"



PRELIMINARY
DATE: 03-20-2025

NO.	DESCRIPTION
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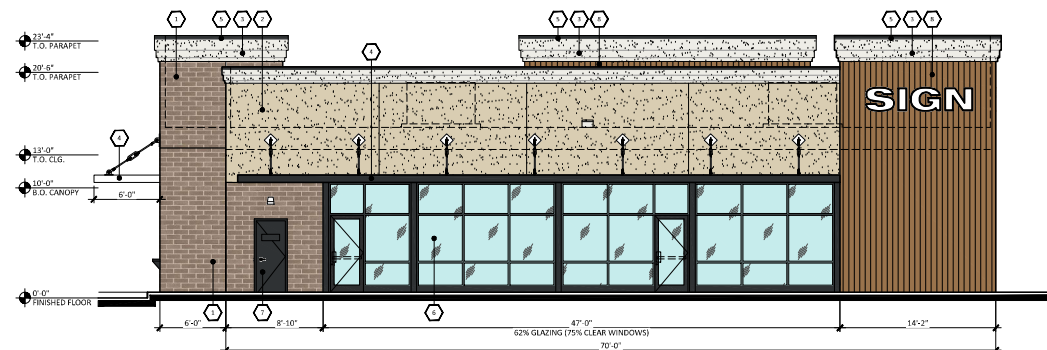
NVA: 06-98AA11
SDEV: 0601580
PAPP / FACTR: 2505709
LANDSCAPE: USPL FORTHCOMING
AUDR: FORTHCOMING
Q.S: 10-38
ZONING CASE NUMBERS: 2A-XX-YY
PHO: (T/R DETERMINED) 2-116-67-8

44TH STREET RETAIL
NEC OF 44TH ST. AND WASHINGTON ST.
PHOENIX, AZ 85034
MINOR COMMERCIAL PRE-APPLICATION

design by: RWK
drawn by: MM
checked by: RM

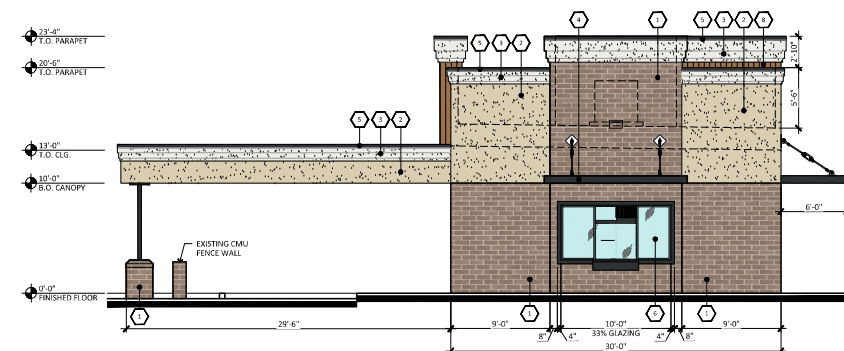
SP1.1
project #: 24060

EXHIBIT 5



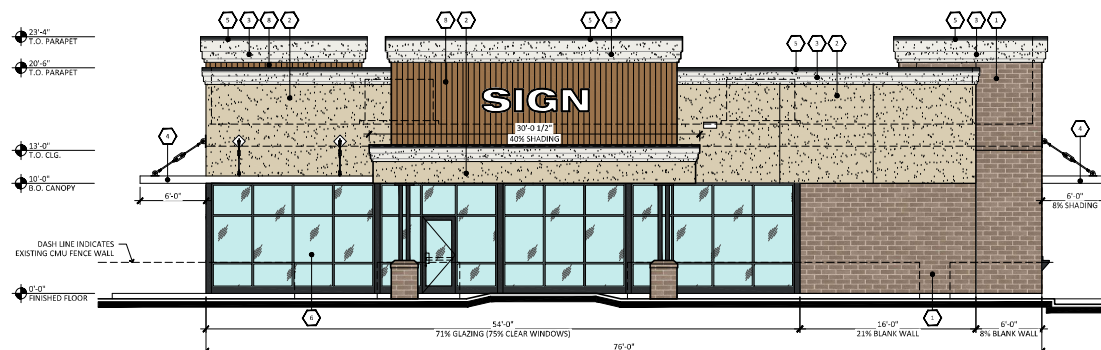
EAST ELEVATION

SCALE: 3/16" = 1'-0"



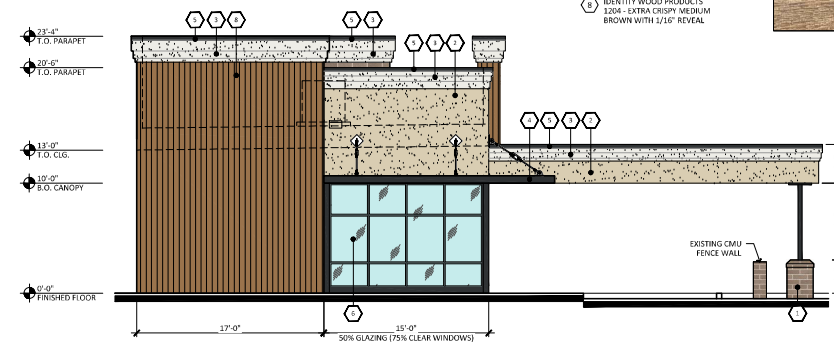
SOUTH ELEVATION

SCALE: 3/16" = 1'-0"



WEST ELEVATION (44TH STREET)

SCALE: 3/16" = 1'-0"



NORTH ELEVATION

SCALE: 3/16" = 1'-0"

MATERIAL AND FINISH SCHEDULE

- 3.5/8" x 11.5/8" FACE BRICK
MANUF: GLEN-GERY
COLOR: DUNES GREY VELOUR
- SMOOTH FACE STUCCO SYSTEM
SHERWIN WILLIAMS
R09W143 (SOFTER TAN)
- SMOOTH FACE STUCCO SYSTEM
SHERWIN WILLIAMS
R09W1005 PURE WHITE
- METAL CANOPY
AIXINEX 770-704-7140
RAL7021 MATTE BLACK
- METAL CORING
PAC CLAD OR EQUAL TO MATCH
RAL7021 MATTE BLACK STEEL
- ANODIZED ALUMINUM STOREFRONT SYSTEM
WITH LOW EXTERIOR GLAZING
DARK BRONZE
- METAL DOOR FRAME
RAL7021 MATTE BLACK STEEL
- WOOD CLADDING
IDENTITY WOOD PRODUCTS
2204 - EXTRA CRISPY MEDIUM
BROWN WITH 1/16" REVEAL

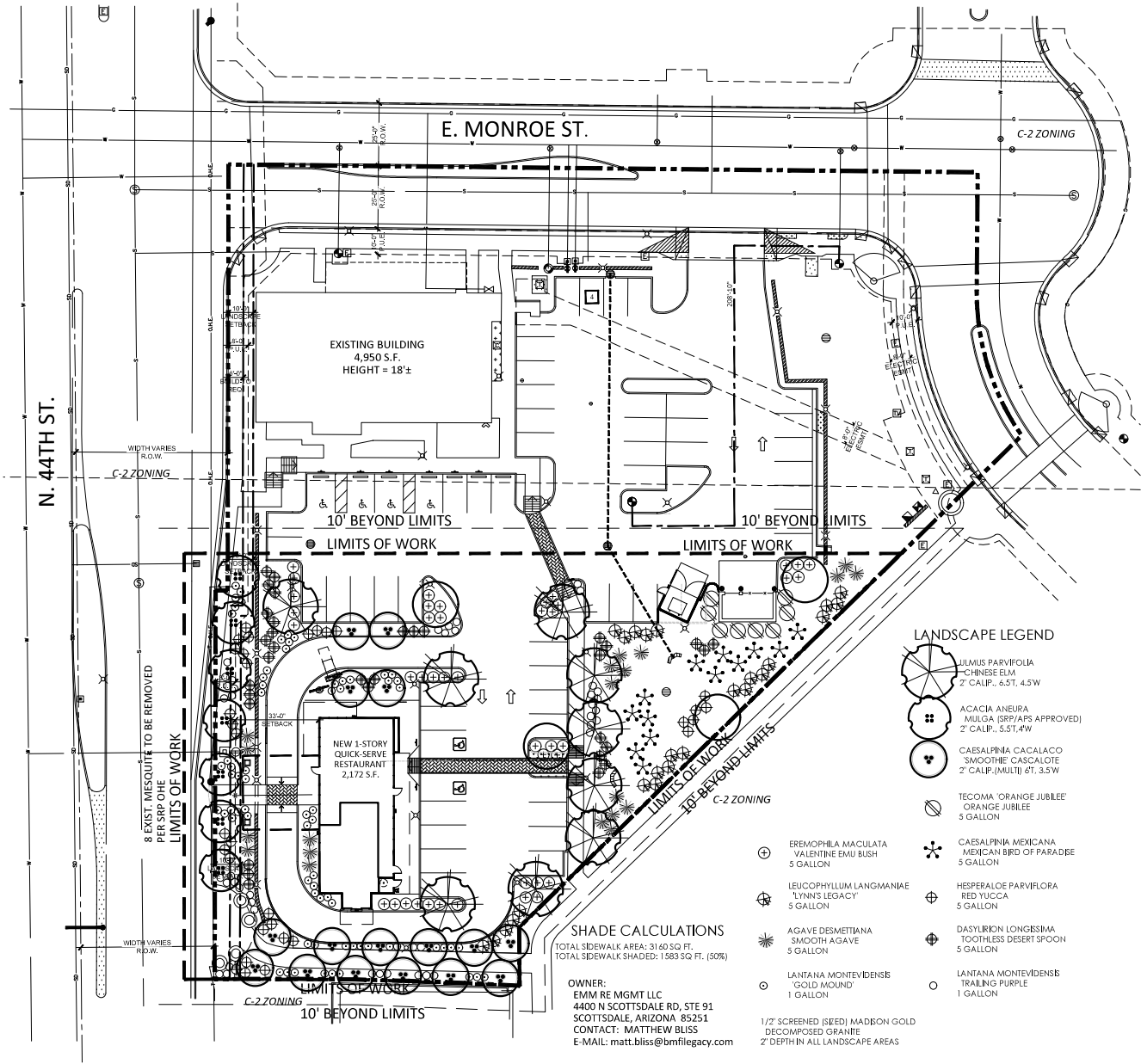


IRKAA
ARCHITECTS
1000 N. CENTRAL AVENUE, SUITE 100
PHOENIX, AZ 85004
602.955.3100

PRELIMINARY
DATE: 03-20-2025

ELEVATIONS
1. EAST ELEVATION
2. SOUTH ELEVATION
3. WEST ELEVATION (44TH STREET)
4. NORTH ELEVATION
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EXHIBIT 6



CITY OF PHOENIX GENERAL LANDSCAPE NOTES:
THE CITY OF PHOENIX GENERAL NOTES ARE THE ONLY NOTES APPROVED ON THIS PLAN. ADDITIONAL GENERAL NOTES GENERATED BY THE SEALANT AND PLACED ON THE PLANS ARE NOT APPROVED AS PART OF THIS PLAN AND ARE NOTED AS SUCH ON THE PLANS.

THE DESIGN ON THESE PLANS IS ONLY APPROVED BY THE CITY IN SCOPE AND NOT IN DETAIL. CONSTRUCTION QUANTITIES ON THESE PLANS ARE NOT VERIFIED BY THE CITY. APPROVAL OF THESE PLANS ARE FOR PERMIT PURPOSES ONLY AND SHALL NOT PREVENT THE CITY FROM REQUIRING CORRECTION OF ERRORS IN THE PLANS WHERE SUCH ERRORS ARE SUBSEQUENTLY FOUND TO BE IN VIOLATION OF ANY LAW, ORDINANCE, HEALTH, SAFETY, OR OTHER DESIGN ISSUES.

CONSTRUCTION WITHIN THE RIGHT-OF-WAY SHALL CONFORM TO THE LATEST APPLICABLE MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) UNIFORM STANDARD SPECIFICATIONS AND DETAILS AND THE LATEST CITY OF PHOENIX SUPPLEMENT TO THE MAG UNIFORM STANDARD SPECIFICATIONS AND DETAILS.

FINAL BUILDING PERMIT CANNOT BE OBTAINED UNTIL BONDING OR APPROVED ASSURANCES ARE PROVIDED FOR THE LANDSCAPING WITHIN THE RIGHT-OF-WAY.

NO PLANT SUBSTITUTIONS, TYPE, SIZE, OR QUANTITY, OR DEVIATIONS FROM THE APPROVED LANDSCAPE OR IRRIGATION PLANS ARE ALLOWED WITHOUT PRIOR APPROVAL FROM THE CITY OF PHOENIX LANDSCAPE SECTION AT 602-262-7811.

ALL PLANT MATERIAL AND SPECIFICATIONS SHALL CONFORM TO THE ARIZONA NURSERYMAN ASSOCIATION STANDARDS.

ALL RIGHT-OF-WAY AND CITY-REQUIRED (PERIMETER, RETENTION, AND PARKING) PLANT MATERIAL SHALL BE IN COMPLIANCE WITH THE DEPARTMENT OF WATER RESOURCES LOW WATER USE PLANT LIST. HERE IS A LINK: https://new.azwater.gov/sites/default/files/media/PhoenixMAA_4MP_LWUPL.pdf

CONTACT THE PARKS AND RECREATION DEPARTMENT FORESTRY SUPERVISOR AT 602-262-4862 TO VERIFY OWNERSHIP OF ANY PLANT MATERIAL IN THE PUBLIC R.O.W. PRIOR TO ANY PLANT RELOCATIONS OR REMOVALS. OBTAIN WRITTEN PERMISSION FROM THE PARKS AND RECREATION DEPARTMENT PRIOR TO THE RELOCATION OR REMOVAL OF ANY CITY PLANT MATERIAL OR EQUIPMENT.

CONTACT THE STREET TRANSPORTATION DEPARTMENT, HORTICULTURIST AT 602-262-6284 PRIOR TO THE RELOCATION OR REMOVAL OF EXISTING PLANT MATERIAL IN THE A.D.O.T. R.O.W. THAT IS ON THE CITY'S SIDE OF THE SOUND WALL. OBTAIN WRITTEN PERMISSION FROM THE STREET TRANSPORTATION DEPARTMENT PRIOR TO THE RELOCATION OR REMOVAL OF ANY PLANT MATERIAL OR EQUIPMENT.

ALL EXISTING TREES AND SHRUBS IN RIGHT-OF-WAY DESIGNATED TO REMAIN BUT ARE DAMAGED OR DESTROYED WILL BE REPLACED IN LIKE SIZE AND KIND BY THE CONTRACTOR.

THE PROPOSED IRRIGATION SYSTEM SHALL INCLUDE ANY MODIFICATIONS REQUIRED TO TIE INTO THE EXISTING CITY OF PHOENIX IRRIGATION SYSTEM IN RIGHT-OF-WAY TO THE PROPOSED SYSTEM. ALL THOUGH IRRIGATION SYSTEMS IN THE RIGHT-OF-WAY SHALL BE MAINTAINED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CAPING AND/OR ABANDONING EXISTING IRRIGATION TO PLANT MATERIALS AND PROVIDING NEW IRRIGATION TO THE EXISTING PLANT MATERIAL IN THE RIGHT-OF-WAY PER THE APPROVED PLAN.

WALLS ARE NOT APPROVED AS PART OF THE LANDSCAPE PLAN BUT ARE SHOWN FOR REFERENCE ONLY.

TREES ADJACENT TO PEDESTRIAN WALKWAYS SHOULD HAVE A MINIMUM CANOPY CLEARANCE OF SIX FEET EIGHT INCHES (6' 8") PER SECTION 507 TAB A.B.A.3.1.10 OF THE CITY OF PHOENIX ZONING ORDINANCE.

PVC PIPE LATERALS ARE REQUIRED A MAXIMUM OF FIVE FEET (5') OF POLY TUBING OFF OF THE PVC PIPE LATERAL IS ALLOWED. NO POLY TUBING LATERALS ARE ALLOWED.

PLANT QUANTITIES AND CALIPER SIZES PER THE ZONING REQUIREMENTS FOR THIS SITE PROVIDED IN THE LEGEND ON THE APPROVED PLANS ARE REQUIRED TO BE INSTALLED IN THE FIELD. ANY DEVIATIONS FROM THE PLAN WILL REQUIRE A REVISION TO THE APPROVED PLAN.

NOTE: MINIMUM CALIPER SIZE IS A ZONING REQUIREMENT. IF THE MINIMUM CALIPER CANNOT BE MET AT BOX SIZE THAT IS SPECIFIED, THEN THE BOX SIZE MUST BE INCREASED TO MEET CALIPER REQUIREMENTS.

PLAN APPROVAL IS VALID FOR 1 YEAR (12 MONTHS). PRIOR TO PLAN APPROVAL EXPIRATION, ALL ASSOCIATED PERMITS SHALL BE PURCHASED OR THE PLANS SHALL BE RESUBMITTED FOR EXTENSION OF PLAN APPROVAL. THE EXPIRATION, EXTENSION, AND RESUBMITTING OF LANDSCAPE PLANS AND PERMITS SHALL FOLLOW THE SAME GUIDELINES AS THOSE INDICATED IN THE PHOENIX BUILDING CONSTRUCTION CODE ADMINISTRATIVE PROVISIONS SECTION 105.3 FOR BUILDING PERMITS.

MISC. LANDSCAPE NOTES THESE NOTES ARE NOT REVIEWED OR APPROVED BY THE CITY OF PHOENIX.
- THE ENTIRE SITE WILL BE MAINTAINED IN ACCORDANCE WITH PHOENIX STANDARDS.
- TREES ADJACENT TO PEDESTRIAN WALKWAYS SHOULD HAVE A MIN. CANOPY OF 6'-8".
- USE PVC LATERALS WITH A MAXIMUM A 5' OF POLY TUBING OFF OF PVC. NO POLY LATERALS WILL BE ACCEPTED.
- PLANT QUANTITIES AND CALIPER SIZES PROVIDED ON THE APPROVED PLAN AND IN THE LEGEND ARE REQUIRED TO BE INSTALLED IN THE FIELD.
- ALL NEW AND DISTURBED LANDSCAPE AREAS WILL RECEIVE A 2" TOP DRESS OF MATCHING DECOMPOSED GRANITE (MIN. 1/2" MINUS).
- PLANT MATERIAL WITHIN THE CITY OF PHOENIX RIGHT-OF-WAY TRIANGLES IF EXISTING WILL BE MAINTAINED AT A MAXIMUM 24" IN HEIGHT. TREES WILL BE MAINTAINED WITH A 7' MINIMUM CLEAR CANOPY.
- NO PLANT SUBSTITUTIONS, TYPE, SIZE OR QUANTITY DEVIATIONS FROM THE APPROVED LANDSCAPE OR IRRIGATION PLANS WITHOUT PRIOR APPROVAL FROM THE CITY OF PHOENIX LANDSCAPE SECTION AT (602) 262-7811.
- NO SLOPES ARE GREATER THAN 4:1.
- THERE IS NO OVERHEAD POWER LINES ON SITE.
- NO SALVAGED PLANT MATERIAL.

LANDSCAPE LEGEND
JUNIPUS PARVIFOLIA
CHINESE ELM
2" CALIP., 6.5T, 4.5W
ACACIA ANEURA
MULGA (SRP/APS APPROVED)
2" CALIP., 5.5T, 4W
CAESALPINIA CACALACO
SMOOTH CASCALOTE
2" CALIP. (MULTI) 4T, 3.5W
TECOMA 'ORANGE JUBILEE'
ORANGE JUBILEE
5 GALLON
CAESALPINIA MEXICANA
MEXICAN BIRD OF PARADISE
5 GALLON
HESPERALOE PARVIFLORA
RED YUCCA
5 GALLON
DASYLIRON LONGESIMA
TOOTHLESS DESERT SPOON
5 GALLON
LANTANA MONTEVIDENSIS
TRAILING PURPLE
1 GALLON
EREMOPHILA MACULATA
VALENTINE EMU BUSH
5 GALLON
LEUCOPHYLLUM LANGMANIAE
LYNN'S LEGACY
5 GALLON
AGAVE DESMETTIANA
SMOOTH AGAVE
5 GALLON
LANTANA MONTEVIDENSIS
'GOLD MOUND'
1 GALLON
1/2" SCREENED (SEED) MADBON GOLD
DECOMPOSED GRANITE
2" DEPTH IN ALL LANDSCAPE AREAS

LANDSCAPE ARCHITECT	CITY OF PHOENIX	DATE
ESTIMATED RIGHT-OF-WAY COST \$	ESTIMATED S.F. OF LANDSCAPE IN RIGHT-OF-WAY	
MAINTENANCE BY: () CITY (X) OWNER	TOTAL ACRES (OR PORTIONS) LANDSCAPED AREAS	
SQUARE FOOTAGE OF TURF	DATE OF PRELIMINARY SITE PLAN APPROVAL	

KIVA: 06-984A11
SDEV: 0601580
PAPP / FACT: 2402215
ZONING: C-2 M-R
QS: Q10-38
ZA-209-07, ZA-548-21
LSIS:
LSPL:

T.J. McQUEEN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE
URBAN DESIGN
SITE PLANNING

10446 N. 74th Street, Suite 150
Scottsdale, Arizona 85258
P: (602) 258-4300
F: (602) 258-4300
EMAIL: tjm@tjmcqueen.com

LANDSCAPE PLAN

SCALE: 1" = 20'-0"

NORTH

OWNER:
EMM RE MGMT LLC
4400 N SCOTTSDALE RD, STE 91
SCOTTSDALE, ARIZONA 85251
CONTACT: MATTHEW BLISS
E-MAIL: matt.bliss@bmflegacy.com

44TH STREET RETAIL

4415 E MONROE STREET PHOENIX AZ 85034
N OF NEC OF 44TH ST AND WASHINGTON ST
DATE: 05.05.25 (PRELIMINARY)

La.01

RKAA# 24060.00



City of Phoenix
PLANNING DEPARTMENT

June 12, 2006

Ed Bull/Burch & Cracchiolo
702 East Osborn Road, Suite 200
Phoenix, AZ 85014

Dear Applicant:

RE: Z-116-87-8 - Approximately 187 feet east of the northeast corner of 44th Street and Washington Street

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.1 of the Zoning Ordinance, has on June 7, 2006, concurred with the recommendation of the Planning Hearing Officer and has ratified application Z-116-87-8 for: 1) Modification of stipulation 1 regarding general conformance to the site plan, 2) Deletion of stipulation 4 regarding retail space, 3) Deletion of stipulation 5 regarding parking, 4) Deletion of stipulation 6 regarding landscaping and streetscape plans, 5) Deletion of stipulation 7 regarding the landscape setback, 6) Deletion of stipulation 8 regarding public art, 7) Deletion of stipulation 9 regarding materials, 8) Deletion of stipulation 10 regarding construction of roadways, 9) Deletion of stipulation 11 regarding assigned parking, 10) Deletion of stipulation 12 regarding a traffic system management program, 11) Deletion of stipulation 13 regarding mass transit, 12) Deletion of stipulation 14 regarding on-site property manager, 13) Modification of stipulation 15 regarding right-of-way dedications, 14) Deletion of stipulation 17 regarding a triangular landscape setback, 15) Deletion of stipulation 18 regarding perimeter landscaping, 16) Deletion of stipulation 19 regarding a building setback, 17) Deletion of stipulation 20 regarding general conformance to the site plan, 18) Deletion of stipulation 21 regarding right-of-way dedications, and 19) Deletion of stipulation 22 regarding construction of streets.

STIPULATION

- Mod ① That development of the master plan and parcels 1, 2, 3, and 4 be in general conformance to the site plan dated April 14, 2006 and that development of parcels 5 and 6 submit site plans to be administratively approved by the planning hearing officer.
2. That office and commercial development on the total site not to exceed an F.A.R. of 1.0 (exclusive of the two hotel structures). The P.A.R may be increased to a maximum of 1.15 (exclusive of the two hotel structures) with the provision of the following improvements/amenities:
- a. Additional F.A.R. of 0.05 with the provision of a minimum 30,000 square foot "centralized" retail facility incorporated into a pedestrian plaza.

- b. Additional F.A.R of 0.05 with the inclusion of Parcel "N" (the Exxon Parcel) and 0.05 with the inclusion of Parcel "O" (the Circle K Parcel) into the final design. The final design shall incorporate the uses, if retained, to provide internal access from within the site and provide landscaping and amenities generally in compliance with the Gateway Guidelines.
3. That structures be limited to 12-stories, not to exceed 150 feet exclusive of unoccupied roof areas, subject to approval of a variance from the Sky Harbor Airport Zoning Ordinance for structures that exceed a mean elevation of 1,278 feet above sea level.
4. That a minimum 10,000 square feet of gross retail space be provided. Such retail space shall be exclusive of retail banking but inclusive of the existing convenience retail located at the immediate northeast corner of 44th Street and Washington Street and /or the immediate southeast corner of 44th Street and Van Buren Street if and to the extent that such convenience retail is integrated into the master plan with landscaping and pedestrian connections.
5. That surface parking shall be screened from streets and private drives in accordance with sections 507 tab a.ii.a.6 (6.1.3) and 662.k.interim transit-oriented zoning overlay district one (TOD-1).
6. That a master landscaping, streetscape and pedestrian circulation plan shall be submitted for review to the 44th Street corridor subcommittee of the Camelback East Village Planning Committee and administrative approval by the Planning Hearing Officer and the Development Services Department. Such plan shall establish circulation within the development and to/from the 44th Street and Washington Street light rail station. Pedestrian amenities such as seating and adequate shading shall be emphasized.
7. That the developers shall provide art features that are visible and accessible to outdoor pedestrians within the project. The art shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval.
8. That all structures within the master planned site and parcels 1 -6, are to include elements of compatible materials and colors as approved by the Development Services Department. Any reflective glass used within the development shall be limited to a maximum 20 percent reflectivity.
9. That carpooling and public transit programs shall be encouraged through placement of appropriate signs in the lobbies of the office, hotel, and residential developments.
10. That bicycle storage facilities will be provided on-site.

11. That additional right-of-way dedications will be determined by the Development Services Department at the time of preliminary site plan review and that the developer shall construct all streets adjacent to and the private access way within the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the city. all improvements shall comply with ADA accessibility standards.
12. That the City of Phoenix Archeologist (4619 E Washington Street Phoenix 85034) be notified of site plan review meetings conducted by the Development Services Department, in order to ensure consider architectural compatibility with the Pueblo Grande Museum and Archeology Park.
13. That building elevations, on a building by building basis, shall be submitted to the Planning Hearing Officer for administrative review prior to such building's preliminary site plan approval by the Development Services Department.

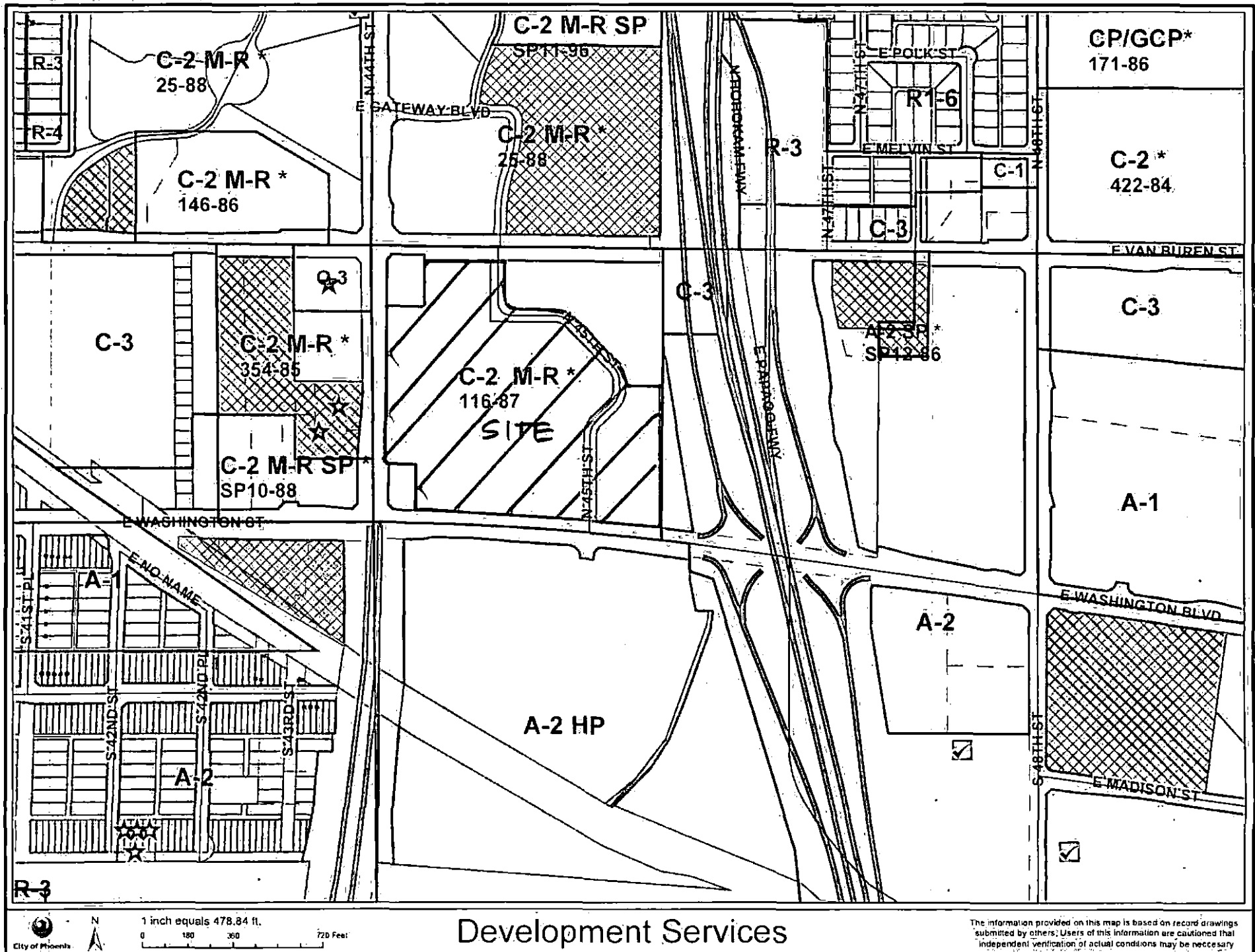
Development and use of the site is subject to compliance with all applicable codes and ordinances.

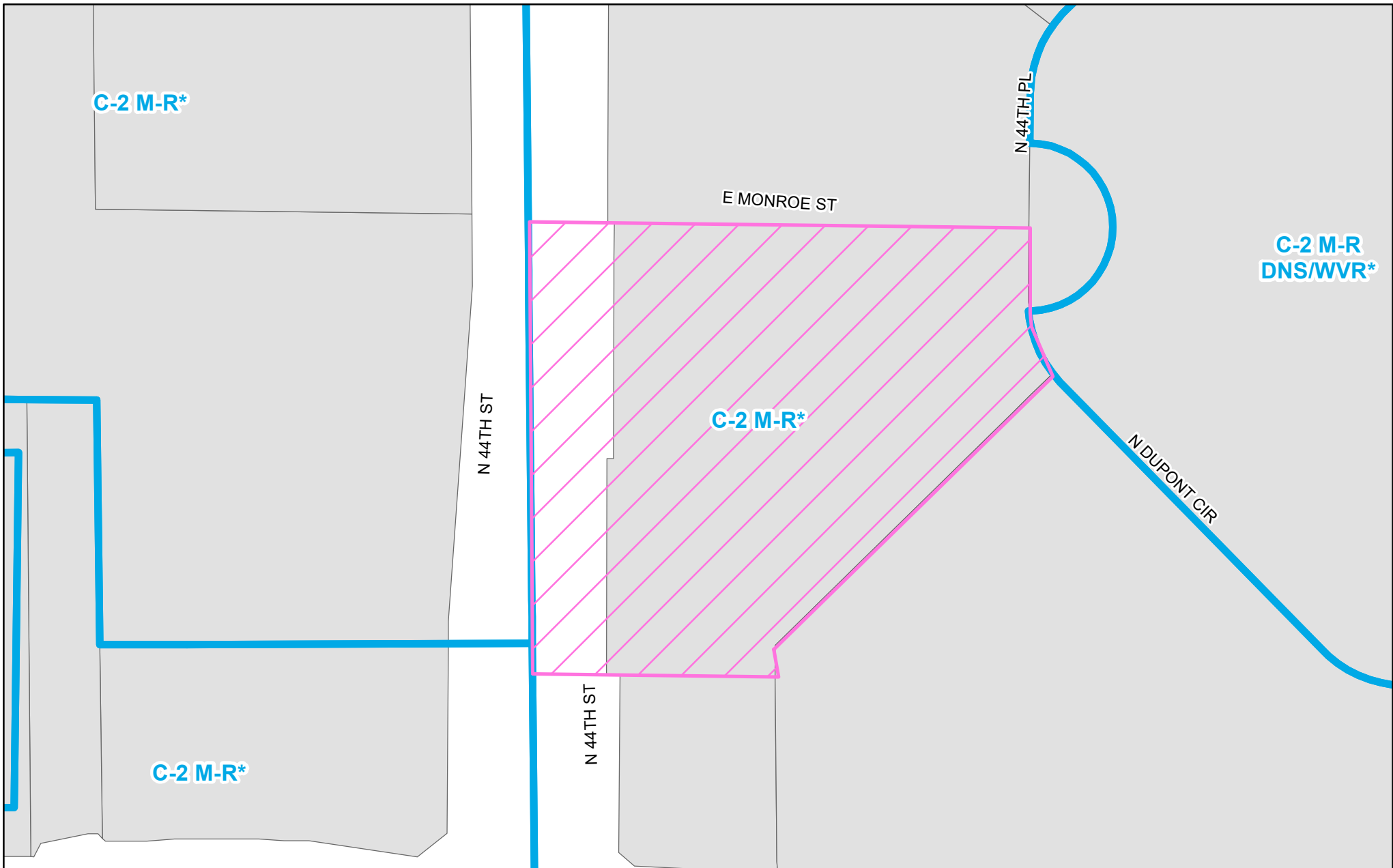
Sincerely,



Donna Stevens
Planner III

cc: Kelly Walker (Sent electronically) Racelle Escolar (Sent electronically)
Jay Neville (Sent electronically) Shawn Stevens (Sent electronically)
Dave Barrier (Sent electronically) Molly Monserud (Sent electronically)
E.J. Hyncik, Public Transit (Sent electronically)
Book Case File
Doug Tymins/AIG Sun America, Inc. 877 North Gainey Center Drive, Suite 205 Scottsdale AZ
85258
Ed Bull/Burch & Cracchiolo 702 East Osborn Road, Suite 200 Phoenix AZ 85014





PHO-4-25--Z-116-87-8

Property Location: Approximately 140 feet north of the northeast corner of
44th Street and Washington Street

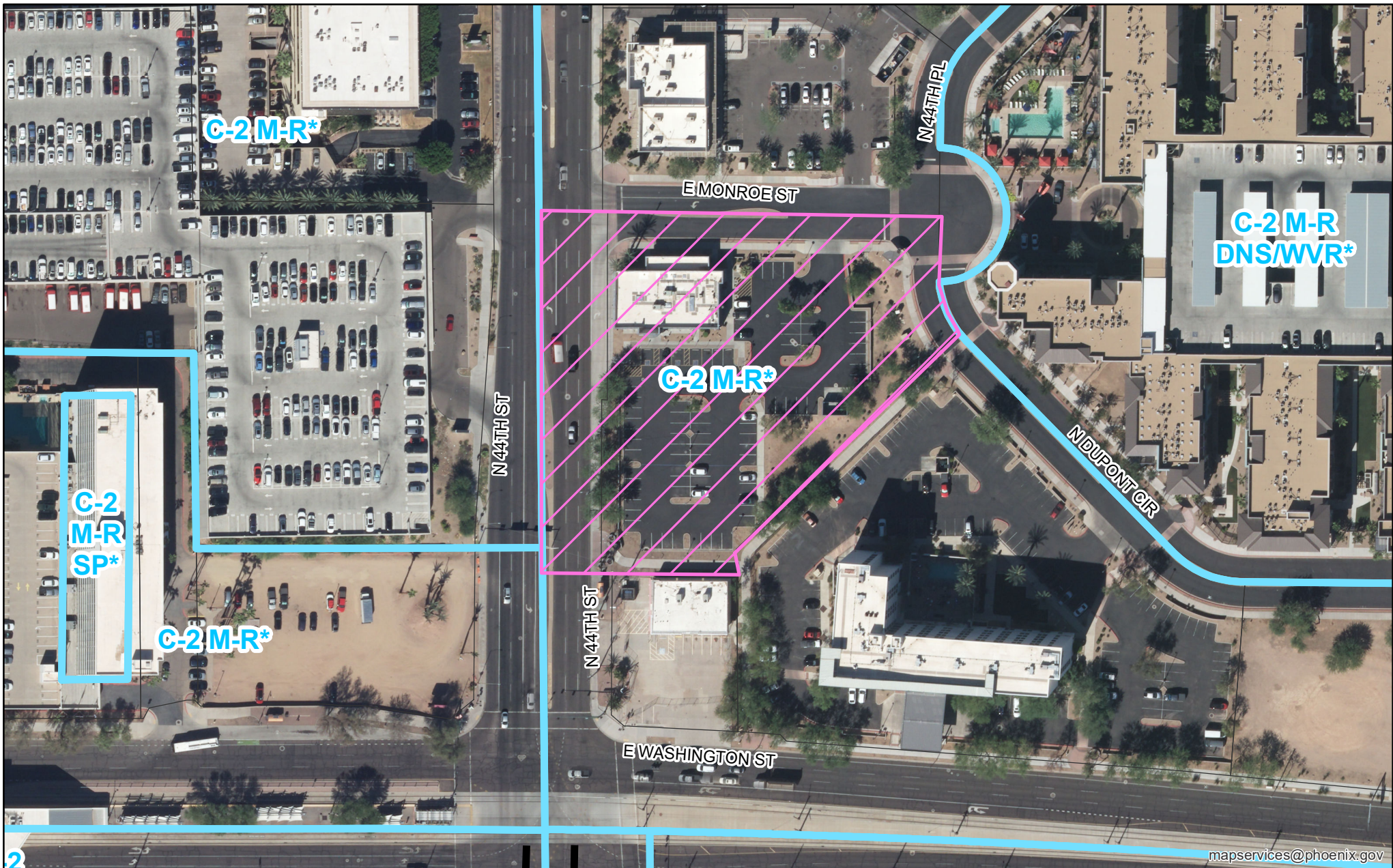


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 45 90 180 Feet





44TH STREET RETAIL
4415 E. MONROE STREET
PHOENIX, AZ 85034



RKAA
ARCHITECTS
2233 EAST THOMAS ROAD, PHOENIX, ARIZONA 85016
602-955-3900
RKAA.com

PRELIMINARY
DATE: 03-20-2025

COVER SHEET

NOTICE OF ALTERNATE BILLING ON PAYMENT CYCLE:
THIS CONTRACT MAY ALLOW THE OWNER TO REQUIRE
THE SUBMISSION OF BILLING ON ESTIMATES IN
BILLING CYCLES OTHER THAN THIRTY DAYS. THIS
CONTRACT MAY ALLOW THE OWNER TO MAKE PAYMENT
ON A 15 DAY BILLING CYCLE. THE OWNER'S
CERTIFICATION AND APPROVAL OF BILLING AND
ESTIMATES, A WRITTEN DISCRIPTION OF EACH OTHER
BILLING CYCLE APPLICABLE TO THE PROJECT IS
AVAILABLE FROM OWNER OR DESIGNATED AGENT.
NAME: TAMAR HENRY, LLC
ADDRESS: 4415 E. MONROE STREET, STE 101
ADDRESS: 2233 EAST THOMAS RD, PHOENIX, AZ 85016
CONTACT: MATTHEW BODS
E-MAIL: MATTHEW.BODS@RKAA.COM

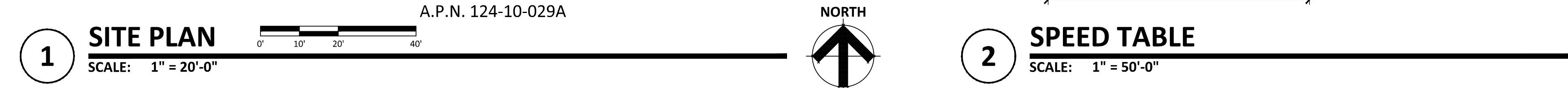
44TH STREET RETAIL
4415 E. MONROE STREET
NEC OF 44TH ST. AND WASHINGTON ST.
PHOENIX, AZ 85034
MINOR COMMERCIAL PRE-APPLICATION

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PROPERTY OF RKAA ARCHITECTS, INC. AND MAY NOT BE
REPRODUCED OR REPRODUCED IN ANY MANNER
WITHOUT WRITTEN PERMISSION OF THE
OWNER OR ARCHITECT.

design by: **RWK**
drawn by: **MM**
checked by: **RH**

GO.0
project #: **24060**

GENERAL NOTES	SITE PLAN NOTES	PROJECT NARRATIVE	SITE DATA	DRAWING INDEX
1. THE PROJECT AND ITS DEVELOPMENT WILL BE BUILT IN ONE PHASE. 2. G.C. TO VERIFY UNUSED DRIVEWAYS AND REPLACE ANY BROKEN OR OUT-OF-GRADE CURB, GUTTER, AND SIDEWALKS ON ALL STREETS. 3. G.C. TO VERIFY THAT ALL EXISTING SIDEWALKS, CURB RAMPS, AND DRIVEWAYS ARE COMPLYING WITH THE CURRENT ADA GUIDELINES. 4. 503.2.1 DIMENSIONS. FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20 FEET (6096 MM), EXCLUSIVE OF SHOULDERS, EXCEPT FOR APPROVED SECURITY GATES IN ACCORDANCE WITH SECTION 503.6, AND AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 14 FEET (4267 MM).	1. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY. 2. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES. 3. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND. 4. 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'. 5. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33' X 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'. 6. 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 OF THE SITE. 7. 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. 8. ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT. 9. 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. 10. BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE. 11. ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN. I CONSENT TO 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. SIGNATURE OF COPYRIGHT OWNER PRINTED NAME OF COPYRIGHT OWNER DATE	THE NEW 2,172 S.F. GROUND UP TYPE V-B QUICK SERVE RESTAURANT WILL BE BUILT USING WOOD FRAMING AND TRUSSES IN COMPLIANCE WITH ALL REGULATIONS ADOPTED BY CITY AND JURISDICTION. THE PROJECT WILL NOT HAVE ANY PATIO NOT AN OUTDOOR DINING AND SEATING DUE TO THE RESTRICTION OF THE SITE. THE PROPOSED DEVELOPMENT WILL PROMOTE GROWTH OF EMPLOYMENT AND SERVICES TO THE SURROUNDING COMMUNITY, WHILE PRESERVING THE ATTRACTIVE APPEARANCE THAT PROVIDES PHOENIX WITH A SENSE OF PLACE.	ADDRESS4415 E. MONROE ST., PHOENIX, AZ 85034 APN124-10-039 GROSS SITE ACREAGE95,464 S.F. / 2.19 AC NET SITE ACREAGE76,946 S.F. / 1.76 AC ZONING DISTRICTC-2 / M-R REZONING CASEZ-116-87 ZA CASEZA-209-07 KIVA PROJECT06-984A11 SDEV0601580 PAPP / FACT2500709 Q-S10-38 PHO-3-06Z-116-87-8 OVERLAY DISTRICTTOD DISTRICT - GATEWAY TRANSIT OVERLAY DISTRICT (TOD-1) REGULATORY 44TH STREET CORRIDOR SPECIFIC PLAN CONSTRUCTION TYPETYPE V-B WITH FIRE ALARM SPRINKLER SYSTEM BUILDING AREA EXISTING BUILDING4,950 S.F. NEW PROPOSED BUILDING2,172 S.F. TOTAL BUILDING AREA7,122 S.F. REFER TO SHEET SP1.0 FOR SITE DATA	GENERAL G0.0COVER SHEET SITE SP1.0SITE PLAN SP1.1PEDESTRIAN CIRCULATION ARCHITECTURAL A1.0FLOOR PLAN A4.0ELEVATIONS A4.1COLORED ELEVATIONS VICINITY MAP SCALE: N.T.S.
STIPULATIONS	ARCHEOLOGY NOTES	LEGAL DESCRIPTION		
PHO-3-06--Z-116-87-8 STIPULATIONS: 1. THAT DEVELOPMENT OF THE MASTER PLAN AND PARCELS 1, 2, 3, AND 4 BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATED APRIL 14, 2006 AND THAT DEVELOPMENT OF PARCELS 5 AND 6 SUBMIT SITE PLANS TO BE ADMINISTRATIVELY APPROVED BY THE PLANNING HEARING OFFICER. 2. THAT OFFICE AND COMMERCIAL DEVELOPMENT ON THE TOTAL SITE NOT TO EXCEED AN F.A.R. OF 1.0 (EXCLUSIVE OF THE TWO HOTEL STRUCTURES). THE P.A.R. MAY BE INCREASED TO A MAXIMUM OF 1.15 (EXCLUSIVE OF THE TWO HOTEL STRUCTURES) WITH THE PROVISION OF THE FOLLOWING IMPROVEMENTS/AMENITIES: A. ADDITIONAL F.A.R. OF 0.05 WITH THE PROVISION OF A MINIMUM 30,000 SQUARE FOOT "CENTRALIZED" RETAIL FACILITY INCORPORATED INTO A PEDESTRIAN PLAZA. B. ADDITIONAL F.A.R. OF 0.05 WITH THE INCLUSION OF PARCEL "N" (THE EXXON PARCEL) AND 0.05 WITH THE INCLUSION OF PARCEL "O" (THE CIRCLE K PARCEL) INTO THE FINAL DESIGN. THE FINAL DESIGN SHALL INCORPORATE THE USES, IF RETAINED, TO PROVIDE INTERNAL ACCESS FROM WITHIN THE SITE AND PROVIDE LANDSCAPING AND AMENITIES GENERALLY IN COMPLIANCE WITH THE GATEWAY GUIDELINES. 3. THAT STRUCTURES BE LIMITED TO 12-STORIES, NOT TO EXCEED 150 FEET EXCLUSIVE OF UNOCCUPIED ROOF AREAS, SUBJECT OF TO APPROVAL OF A VARIANCE FROM THE SKY HARBOR AIRPORT ZONING ORDINANCE FOR STRUCTURES THAT EXCEED A MEAN ELEVATION OF 1,278 FEET ABOVE SEA LEVEL. 4. THAT A MINIMUM 10,000 SQUARE FEET OF GROSS RETAIL SPACE BE PROVIDED. SUCH RETAIL SPACE SHALL BE EXCLUSIVE OF RETAIL BANKING BUT INCLUSIVE OF THE EXISTING CONVENIENCE RETAIL LOCATED AT THE IMMEDIATE NORTHEAST CORNER OF 44TH STREET AND WASHINGTON STREET AND /OR THE IMMEDIATE SOUTHEAST CORNER OF 44TH STREET AND VAN BUREN STREET IF AND TO THE EXTENT THAT SUCH CONVENIENCE RETAIL IS INTEGRATED INTO THE MASTER PLAN WITH LANDSCAPING AND PEDESTRIAN CONNECTIONS. 5. THAT SURFACE PARKING SHALL BE SCREENED FROM STREETS AND PRIVATE DRIVES IN ACCORDANCE WITH SECTIONS 507 TAB A.II.A.6 (6.1.3) AND 662.K INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE (TOD-1). 6. THAT A MASTER LANDSCAPING, STREETScape AND PEDESTRIAN CIRCULATION PLAN SHALL BE SUBMITTED FOR REVIEW TO THE 44TH STREET CORRIDOR SUBCOMMITTEE OF THE CAMELBACK EAST VILLAGE PLANNING COMMITTEE AND ADMINISTRATIVE APPROVAL BY THE PLANNING HEARING OFFICER AND THE DEVELOPMENT SERVICES DEPARTMENT. SUCH PLAN SHALL ESTABLISH CIRCULATION WITHIN THE DEVELOPMENT AND TO/FROM THE 44TH STREET AND WASHINGTON STREET LIGHT RAIL STATION. PEDESTRIAN AMENITIES SUCH AS SEATING AND ADEQUATE SHADING SHALL BE EMPHASIZED. 7. THAT THE DEVELOPERS SHALL PROVIDE ART FEATURES THAT ARE VISIBLE AND ACCESSIBLE TO OUTDOOR PEDESTRIANS WITHIN THE PROJECT. THE ART SHALL BE ADMINISTRATIVELY APPROVED BY THE PLANNING HEARING OFFICER PRIOR TO PRELIMINARY SITE PLAN APPROVAL. 8. THAT ALL STRUCTURES WITHIN THE MASTER PLANNED SITE AND PARCELS 1 -6, ARE TO INCLUDE ELEMENTS OF COMPATIBLE MATERIALS AND COLORS AS APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT. ANY REFLECTIVE GLASS USED WITHIN THE DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM 20 PERCENT REFLECTIVITY. 9. THAT CARPOOLING AND PUBLIC TRANSIT PROGRAMS SHALL BE ENCOURAGED THROUGH PLACEMENT OF APPROPRIATE SIGNS IN THE LOBBIES OF THE OFFICE, HOTEL, AND RESIDENTIAL DEVELOPMENTS. 10. THAT BICYCLE STORAGE FACILITIES WILL BE PROVIDED ON-SITE. 11. THAT ADDITIONAL RIGHT-OF-WAY DEDICATIONS WILL BE DETERMINED BY THE DEVELOPMENT SERVICES DEPARTMENT AT THE TIME OF PRELIMINARY SITE PLAN REVIEW AND THAT THE DEVELOPER SHALL CONSTRUCT ALL STREETS ADJACENT TO AND THE PRIVATE ACCESS WAY WITHIN THE DEVELOPMENT WITH PAVING, CURB, GUTTER, SIDEWALK, CURB RAMPS, STREETLIGHTS, LANDSCAPING AND OTHER INCIDENTALS AS PER PLANS APPROVED BY THE CITY. ALL IMPROVEMENTS SHALL COMPLY WITH ADA ACCESSIBILITY STANDARDS. 12. THAT THE CITY OF PHOENIX ARCHEOLOGIST (4619 E WASHINGTON STREET PHOENIX 85034) BE NOTIFIED OF SITE PLAN REVIEW MEETINGS CONDUCTED BY THE DEVELOPMENT SERVICES DEPARTMENT, IN ORDER TO ENSURE CONSIDER ARCHITECTURAL COMPATIBILITY WITH THE PUEBLO GRANDE MUSEUM AND ARCHEOLOGY PARK. 13. THAT BUILDING ELEVATIONS, ON A BUILDING-BY-BUILDING BASIS, SHALL BE SUBMITTED TO THE PLANNING HEARING OFFICER FOR ADMINISTRATIVE REVIEW PRIOR TO SUCH BUILDING'S PRELIMINARY SITE PLAN APPROVAL BY THE DEVELOPMENT SERVICES DEPARTMENT.				



PARCEL NUMBER:	124-10-039
EXISTING ZONING:	C-2 (INTERMEDIATE COMMERCIAL) / M-R (MID-RISE)
ZONING OVERLAY:	TRANSIT OVERLAY DISTRICT (TOD-1)
CONSTRUCTION TYPE:	TYPE V-B WITH FIRE ALARM SPRINKLER SYSTEM
SITE NET AREA:	1.76 ACRES (76,946 S.F.)
SITE GROSS AREA:	2.19 ACRES (95,464 S.F.)

PER SEC. 662.1 A.

TABLE 1: STANDARDS TOD-1 SETBACKS

STREET SETBACKS

IF DISTANCE FROM STATION:	0—1,000 FEET
THEN MAX. BUILDING SETBACK:	6 FEET

*WHERE GROUND LEVEL RETAIL USES ARE PRESENT, SETBACK MAY BE INCREASED UP TO 12 FEET FOR OUTDOOR SEATING, PATIO DINING, OR RETAIL SALES BY SECURING A USE PERMIT.

*WHERE THERE ARE EXISTING OR PROPOSED EASEMENTS THAT RESTRICT CONSTRUCTION THAT ARE GREATER THAN THE BUILD-TO-LINES, THE MEASUREMENTS SHALL BE FROM THE EASEMENT LINE.

PER SEC. 662. I. TABLE 1. INTERIOR SETBACKS
BUILDING HEIGHT = 0-30'-0"; ABUTS C-2: 0'-0"

PER SEC. 662, TABLE 2	
DISTANCE FROM THE STATION	±642.00 LINEAR FEET
MINIMUM BUILDING FRONTAGE REQ.	50%
BUILDING FRONTAGE PROVIDED	42%

PER SEC. 662.1.2.A.	
MINIMUM CLEAR WINDOW REQ. FRONTING A STREET	60%
CLEAR WINDOW PROVIDED FRONTING A STREET	SEE ELEVATION (A4.0)

LANDSCAPE PARKING REQUIREMENT: 7,695 S.F. / 76,946 S.F. = 10%
LANDSCAPE PARKING PROVIDED: 10,066 S.F. / 76,946 S.F. = 13%

BUILDING AREA:
EXISTING BUILDING: 4,950 S.F.
NEW PROPOSED BUILDING : 2,172 S.F.

PER SEC. 662.1.3.b
TOTAL BUILDING AREA: 7,122 S.F.
MAXIMUM SITE COVERAGE 75%
SITE COVERAGE PROVIDED 9.26 %
MAXIMUM ALLOWABLE F.A.R. 1.0
F.A.R. PROVIDED 7,122 S.F. / 76,946 S.F. = 0.093

PER SEC. 623. E.4.a.	
MAX. ALLOWABLE BLDG HEIGHT	2 STORIES / 30'-0"
PROPOSED BLDG HEIGHT	1 STOREY / 23'-4"

TOTAL PARKING REQUIRED:

(SECTION 702.C - PHOENIX MUNICIPAL CODE)
EXISTING BUILDING: 4,950 S.F. AT 1 PER 300 S.F.: 17 SPACES

NEW BUILDING: 2,172 S.F.	
KITCHEN/STORAGE: 1/3 OF AREA = 724 S.F.:	N/A
SEATING : 2/3 OF AREA = 1,448 S.F. AT 1 PER 50 S.F. :	29 SPACES
<u>TOTAL REQUIRED:</u>	<u>46 SPACES</u>

TOTAL PARKING PROVIDED:	58 SPACES
ACCESSIBLE SPACES REQUIRED:	4 SPACES
ACCESSIBLE SPACES PROVIDED:	6 SPACES

TOTAL BIKE RACK REQUIRED PER SEC. 662.L.3.a:	1 SPACE / 2,000 S.F. 2 BICYCLE SPACES
TOTAL BIKE RACK PROVIDED:	3 BICYCLE SPACES

MINIMUM QUEUING DISTANCE
REQUIRED FOR DRIVE-THROUGH RESTAURANTS: 150'
OF QUEUING SPACE PER
PICK-UP WINDOW

(SECTION 702.B.6.b - PHOENIX MUNICIPAL CODE)
QUEUING LENGTHS SHALL BE A LINEAR MEASUREMENT FOR THE POINT OF SERVICE.

LANDSCAPE PARKING REQUIREMENT: 7,695 S.F. / 76,946 S.F. = 10%
LANDSCAPE PARKING PROVIDED: 10,066 S.F. / 76,946 S.F. = 13%

	PROPERTY LINE
<i>O.H.E.</i>	EXISTING OVERHEAD ELECTRIC LINE TO REMAIN
<i>G</i>	EXISTING UNDERGROUND GAS LINE TO REMAIN
<i>S</i>	EXISTING UNDERGROUND SEWER LINE TO REMAIN
<i>SD</i>	EXISTING UNDERGROUND STORM WATER LINE TO REMAIN
<i>T</i>	EXISTING UNDERGROUND TELEPHONE LINE TO REMAIN
<i>W</i>	EXISTING UNDERGROUND WATER LINE TO REMAIN



ARCHITECT:
RKAA ARCHITECTS, INC.
2233 EAST THOMAS ROAD
PHOENIX, ARIZONA 85016
CONTACT: RANDY HAISLET
PHONE: (602) 955-3900

OWNER:
EMM RE MGMT LLC
4400 N SCOTTSDALE RD, STE 91
SCOTTSDALE, ARIZONA 85251
CONTACT: MATTHEW BLISS
E-MAIL: matt.bliss@bmflegacy.com

1. EXISTING TRASH ENCLOSURE W/ CONCRETE PAVING TO REMAIN, G.C. TO ENSURE THAT EXISTING TRASH ENCLOSURE COMPLIES WITH COP STANDARDS
2. EXISTING LANDSCAPED STORM WATER RETENTION AREA TO REMAIN
3. EXISTING CONCRETE SPILLWAY TO REMAIN
4. EXISTING ELECTRIC FACILITIES EASEMENT
5. EXISTING LIGHT POLE TO BE RELOCATED
6. EXISTING A.D.A. ACCESSIBLE CONCRETE RAMP TO REMAIN - G.C. TO REBUILD A.D.A RAMP WHERE CONCRETE CURB IS REBUILT
7. EXISTING PAINTED CROSSWALK TO BE RECONSTRUCTED WITH DECORATIVE PAVERS
8. RELOCATED LIGHT POLE AND BASE
9. EXISTING MASONRY SCREEN WALL TO REMAIN
10. EXISTING ART INSTALLATION TO REMAIN
11. EXISTING MASONRY SCREEN TO BE REMOVED
12. 11' NEW STANDARD PARKING SPACES
13. NEW A.D.A. ACCESSIBLE CURB RAMP, MAX. SLOPE 1:12
14. 2 NEW A.D.A. PARKING W/ PAINTED A.D.A. PARKING SIGN
15. NEW A.D.A. ACCESSIBLE PARKING SIGN POST
16. NEW FIRE DEPARTMENT CONNECTION PER COP FIRE CODE SECTION 507.5.2.8.
17. NEW FIRE RISER ROOM
18. NEW WALL PACK LIGHT @ 10'-0" A.F.F.
19. NEW STANDARD WAY-FINDING ARROW, UNDER SEPARATE PERMIT
20. EXISTING CONCRETE HEADWALL TO REMAIN
21. NEW DRIVE-THROUGH MENU BOARD, UNDER SEPARATE PERMIT
22. NEW ORDER BOARD, UNDER SEPARATE PERMIT
23. NEW DRIVE-THROUGH PICK-UP WINDOW
24. NEW WATER BACK FLOW DEVICE
25. NEW 1" WATER METER
26. FIRE TRUCK TURNING RADIUS (35'-0" INSIDE RADIUS, 55'-0" OUTSIDE RADIUS)
27. NEW TRASH ENCLOSURE W/ CONCRETE PAVING AND 6" CMU SCREEN WALL PER CITY OF PHOENIX CODE CHAPTER 27 "SOIL WASTE" AND THE TECHNICAL REQUIREMENTS OF CITY OF PHOENIX OPERATIONAL COLLECTION EQUIPMENT.
28. NEW BIKE RACK, PER SEC.662.1.3.a. SEE SITE DATA FOR REQUIRED AND PROVIDED
29. NEW DRIVE-THRU CANOPY WITH COLUMNS
30. HATCH INDICATES NEW 6" HIGH CONCRETE CURB WITH DECORATIVE PAVERS
31. NEW 6'-0" W/ DECORATIVE PAVING PEDESTRIAN CROSSWALK
32. NEW CONCRETE SIDEWALK
33. NEW METAL CANOPY
34. 10x20 VISIBILITY TRIANGLE
35. NEW PRIVATE FIRE HYDRANT - 112'-2" LINEAR FEET FROM NEW FDC
36. COLLECTION VEHICLE TURNING RADIUS WITH A MINIMUM OF 16' WDC, TURNING RADIUS: 44' OUTSIDE TURNING RADIUS AND 28'6" INSIDE TURNING RADIUS
37. EXISTING FIRE HYDRANT TO REMAIN
38. SPEED TABLE WITH DECORATIVE PAVING / ELEVATED SIDEWALK, RE: 2/SP1.0

NOTICE OF ALTERNATE BILLING OR PAYMENT: THIS CONTRACT MAY ALLOW THE OWNER THE SUBMISSION OF BILLINGS OR PAYMENTS IN BILLING CYCLES OTHER THAN THIRTY DAYS. THIS CONTRACT MAY ALLOW OWNER TO MAKE PAYMENTS ON SOME ALTERNATIVE SCHEDULE. CERTIFICATION AND APPROVAL OF BIDDING ESTIMATES. A WRITTEN DESCRIPTION OF THE BILLING CYCLE APPLICABLE TO THE PROJECT IS AVAILABLE FROM OWNER OR DESIGNER.

NAME: EMME REGENCY, LLC
ADDRESS: 4400 N SCOTTSDALE RD. STE 800
ADDRESS: SCOTTSDALE, AZ 85251
CONTACT: MATTHEW BLISS
E-MAIL: MATTHEW.BLISS@EMMEFACILITY.COM

44TH STREET RETAIL
4415 E. MONROE STREET
NEC OF 44TH ST. AND WASHINGTON ST.
PHOENIX, AZ 85034

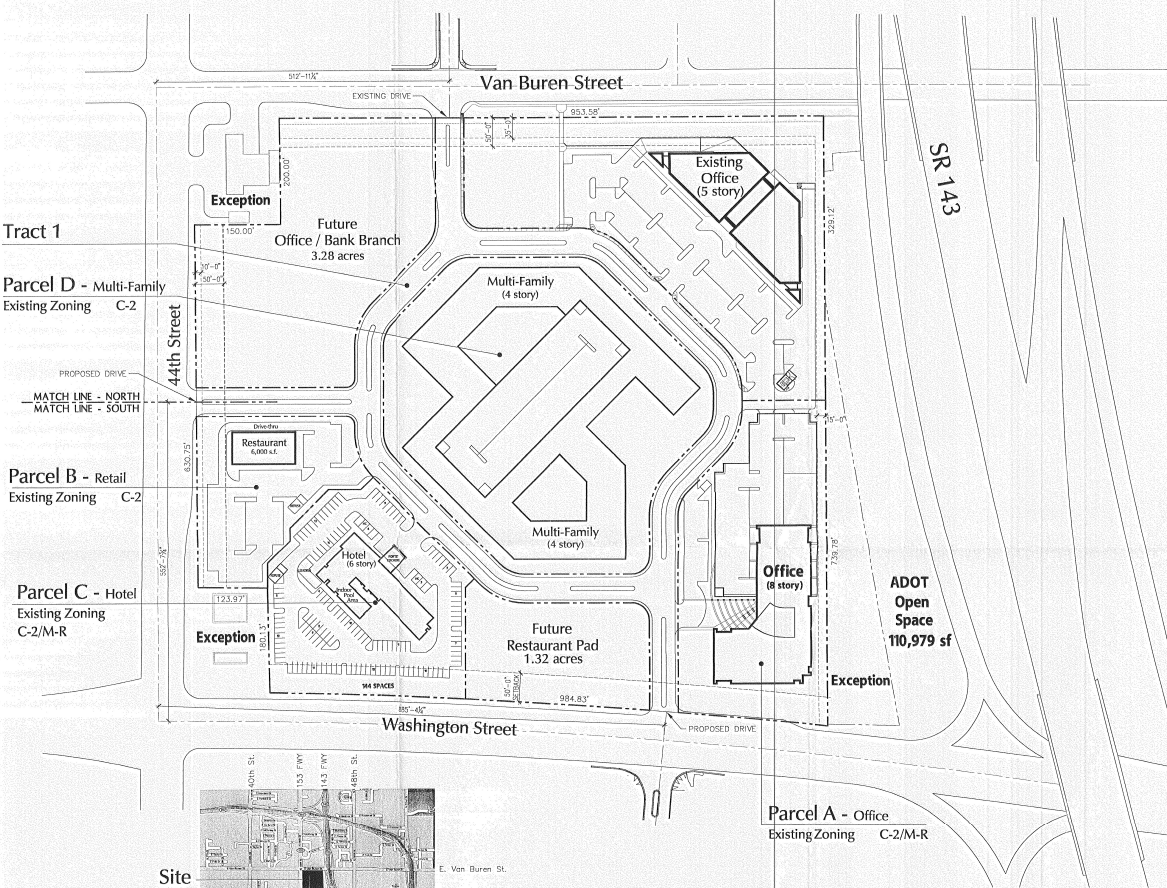
KIVA: 06-984A11
SDEV: 0601580
PAPP / FACT#: 2500709
LANDSCAPE: [LSPL] FORTHCOMING
ADDR: FORTHCOMING
Q-S: 10-38
ZONING CASE NUMBERS: ZA-XX-YY
PHO-[T/B DETERMINED] Z-116-87-8

Planning & Development
Department

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design by: **RWK**
drawn by: **MM**
checked by: **RH**

SP1.0
project #: 24060



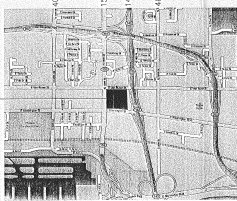
Tract 1

Parcel D - Multi-Family
Existing Zoning C-2

Parcel B - Retail
Existing Zoning C-2

Parcel C - Hotel
Existing Zoning C-2/M-R

Site
Vicinity Map



DFD ConroyHedrick

architecture
interior architecture
space planning
facilities management
landscape architecture
graphic design

Parcel A - Office
Existing Zoning C-2/M-R

ADOT
Open Space
110,979 sf

Pre-Application - Master Site Plan

Parcel A - Office	
Parcel Area	3.01 Acres Net (131,321 sf)
Building Area	200,000 sf (192,000 tla)
Parking Required	700 spaces (3.5 / 1000 tla)
Parking Provided	820 spaces
Open Space Required	39,396 sf (30% of net lot)
Open Space Provided	26,314 sf (inside setbacks)
Parcel B - Retail	
Parcel Area	1.46 Acres Net (63,552 sf)
Building Area	6,000 sf
Parking Required	72 spaces (1/150sf of dining)
Parking Provided	72 spaces
Parcel C - Hotel	
Parcel Area	2.49 Acres Net (108,281sf)
Building Area	74,433 sf
Parking Required	143 spaces (1 per room)
Parking Provided	144 spaces
Open Space Required	32,484 sf (30% of net lot)
Open Space Provided	25,170 sf (inside setbacks)
Parcel D - Multi-family	
Parcel Area	5.50 Acres Net (239,580 sf)
Building Area	341,260 sf
Parking Required	xxx spaces
Parking Provided	529 spaces
Tract 1	
Tract Area	3.08 Acres Net (134,306 sf)
ADOT	
Open Space - ZA Case #27-03-6	
Open Space Area	110,979 sf

Applicant	Design Professional
AIG Sun America	DFD ConroyHedrick
Douglas Tymins (contact)	Mike Edwards (contact)
2800 N. Central Ave. STE 2100	2425 E. Camelback Rd. STE 400
Phoenix, Arizona 85004	Phoenix, Arizona 85016
ph. 602.524.6430	ph. 602.381.4843
fx. 602.744.3198 (att: Jennifer Jackson)	fx. 602.381.4844

CITY OF PHOENIX
APR 0 9 2005
PLANNING DEPT.

Washington Park
Phoenix, Arizona
06108
31MAR06

June 7, 2006

DISTRICT 8
44TH STREET AND
WASHINGTON STREET
APPLICANT: ED BULL –
BURCH & CRACCHIOLO
OWNER: DOUG TYMINS - AIG
SUN AMERICA, INC.
REPRESENTATIVE: ED BULL -
BURCH & CRACCHIOLO

- B. Application: Z-116-89-7/8
Request: Modification of Stipulation 1 regarding general conformance to the site plan.
Deletion of Stipulation 4 regarding retail space.
Deletion of Stipulation 5 regarding parking.
Deletion of Stipulation 6 regarding landscaping and streetscape plans.
Deletion of Stipulation 7 regarding the landscape setback.
Deletion of Stipulation 8 regarding public art.
Deletion of Stipulation 9 regarding materials.
Deletion of Stipulation 10 regarding construction of roadways.
Deletion of Stipulation 11 regarding assigned parking.
Deletion of Stipulation 12 regarding a traffic system management program.
Deletion of Stipulation 13 regarding mass transit.
Deletion of Stipulation 14 regarding on-site property manager.
Modification of Stipulation 15 regarding right-of-way dedications.
Deletion of Stipulation 17 regarding a triangular landscape setback.
Deletion of Stipulation 18 regarding perimeter landscaping.
Deletion of Stipulation 19 regarding a building setback.
Deletion of Stipulation 20 regarding general conformance to the site plan.
Deletion of Stipulation 21 regarding right-of-way dedications.
Deletion of Stipulation 22 regarding construction of streets.

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Location: Approximately 187 feet east of the northeast corner of 44th Street and Washington Street. Acreage: 22.65

Camelback East Village Planning Committee reviewed this request on May 2, 2006, and recommended the request be referred to the 44th Street Corridor Subcommittee for review on May 11, 2006. The Subcommittee was supportive of the request.

The Planning Hearing Officer recommended approval to delete Stipulations 7, 10, 11, 14, 16, 17, 18, 19, 20, 21, and 22 and approve to modify Stipulations 1, 3, 4, 5, 6, 8, 9, 12, 13, and 15. The Planning Hearing Officer also recommended the addition of a stipulation requiring submittal of elevations for administrative review.

~~Applies to all but the easternmost 10 +/- acres of Washington Park:~~

1. ~~That development be in general conformance to the site plan presented as modified by the stipulations below and subject to freeway right-of-way being in substantial conformance to the alignment shown.~~ THAT DEVELOPMENT OF THE MASTER PLAN AND PARCELS 1, 2, 3, AND 4 BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATED APRIL 14, 2006, AND THAT DEVELOPMENT OF PARCELS 5 AND 6 SUBMIT SITE PLANS TO BE ADMINISTRATIVELY APPROVED BY THE PLANNING HEARING OFFICER.
2. That office and commercial development on the total site not to exceed an F.A.R. of 1.0 (exclusive of the two hotel structures). The P.A.R. may be increased to a maximum of 1.15 (exclusive of the two hotel structures) with the provision of the following improvements/amenities:
 - a. Additional F.A.R. of 0.05 with the provision of a minimum 30,000 square foot "centralized" retail facility incorporated into a pedestrian plaza.
 - b. Additional F.A.R. of 0.05 with the inclusion of Parcel "N" (the Exxon Parcel) and 0.05 with the inclusion of Parcel "O" (the Circle K Parcel) into the final design. The final design shall incorporate the uses, if retained, to provide internal access from within the site and provide landscaping and amenities generally in compliance with the Gateway Guidelines.

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3. That structures be limited to 12 stories, not to exceed 150 feet exclusive of unoccupied roof areas, subject of TO approval of a variance from the Sky Harbor Airport Zoning Ordinance for structures that exceed a mean elevation of 1,278 feet above sea level.
4. That a minimum ~~100,000~~ 10,000 square feet of gross retail space be provided. SUCH RETAIL SPACE SHALL BE EXCLUSIVE OF RETAIL BANKING BUT INCLUSIVE OF THE EXISTING CONVENIENCE RETAIL LOCATED AT THE IMMEDIATE NORTHEAST CORNER OF 44TH STREET AND WASHINGTON STREET AND/OR THE IMMEDIATE SOUTHEAST CORNER OF 44TH STREET AND VAN BUREN STREET IF AND TO THE EXTENT THAT SUCH CONVENIENCE RETAIL IS INTEGRATED INTO THE MASTER PLAN WITH LANDSCAPING AND PEDESTRIAN CONNECTIONS. ~~This may include the 30,000 square foot bonus for additional F.A.R.~~
5. ~~That all parking, exclusive of convenience surface parking generally as shown on the June 23, 1987 site plan, be provided below grade.~~ THAT SURFACE PARKING SHALL BE SCREENED FROM STREETS AND PRIVATE DRIVES IN ACCORDANCE WITH SECTIONS 507 TAB A.II.A.6 (6.1.3) AND 662.K INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE (TOD-1).
6. ~~That an overall landscaping and streetscape plan encouraging pedestrian use shall be submitted for review and approved by the Development Services Department.~~ THAT A MASTER LANDSCAPING, STREETSCAPE AND PEDESTRIAN CIRCULATION PLAN SHALL BE SUBMITTED FOR REVIEW TO THE 44TH STREET CORRIDOR SUBCOMMITTEE OF THE CAMELBACK EAST VILLAGE PLANNING COMMITTEE AND ADMINISTRATIVE APPROVAL BY THE PLANNING HEARING OFFICER AND THE DEVELOPMENT SERVICES DEPARTMENT. SUCH PLAN SHALL ESTABLISH CIRCULATION WITHIN THE DEVELOPMENT AND TO/FROM THE 44TH STREET AND WASHINGTON STREET LIGHT RAIL STATION. Pedestrian amenities such as seating and adequate shading ~~should~~ SHALL be emphasized.
7. ~~That the landscape setback shall be the same as required of the Gateway project at the northwest corner or 40 feet, whichever is lesser.~~

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8. ~~That the applicant shall incorporate public art into the project in coordination with the Commission on the Arts for the City of Phoenix. In the event the Commission and the City Council have adopted guidelines, regulations, requirements or incentives for public art within two years of approval of this project, the applicant shall comply with such adopted standards. Appropriate consideration shall be given for fountains, planting sculptures, and other art features planned to be provided within the project.~~
7. THAT THE DEVELOPERS SHALL PROVIDE ART FEATURES THAT ARE VISIBLE AND ACCESSIBLE TO OUTDOOR PEDESTRIANS WITHIN THE PROJECT. THE ART SHALL BE ADMINISTRATIVELY APPROVED BY THE PLANNING HEARING OFFICER PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
9. 8. ~~That all structures be integrated with similar or harmonious materials, surface textures and color as approved by the Development Services Department at or prior to building Permit Plan Check. WITHIN THE MASTER PLANNED SITE AND PARCELS 1-6, ARE TO INCLUDE ELEMENTS OF COMPATIBLE MATERIALS AND COLORS, AS APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT. Any reflective glass used within the development shall be limited to a maximum 20 percent reflectivity.~~
10. ~~That the internal loop roadway aligning with the loop road north of Van Buren and connecting to Washington be constructed concurrent with Phase I development and modified according to approval by the Development Services Department.~~
11. ~~That there be no more than 25 percent assigned parking other than for carpooling and ride sharing programs. Additional reserve parking may be allowed for van and carpooling purposes on an as needed basis. Additional reserve parking may be allowed if justified by the developer, through the Development Services Department or Planning Hearing Officer processes.~~
12. ~~That development and implementation of a traffic system management program, including carpooling and public transit be accomplished and coordinated with all building occupants through the City of Phoenix Transit Department.~~

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9. THAT CARPOOLING AND PUBLIC TRANSIT PROGRAMS SHALL BE ENCOURAGED THROUGH PLACEMENT OF APPROPRIATE SIGNS IN THE LOBBIES OF THE OFFICE, HOTEL, AND RESIDENTIAL DEVELOPMENTS.
13. ~~That the developer promote the use of mass transit, and particularly current Phoenix Transit Bus Lines and carpooling, in the following manner:~~
 - a. ~~Developer shall require its on-site property manager to function in part as a transit coordinator by selling monthly and annual bus passes on-site.~~
 - b. ~~Property manager shall further coordinate carpooling by means of posting and otherwise distributing printed information to the tenants of each building on-site.~~
 - c. ~~Developer shall actively participate in the City of Phoenix JMAG Regional Ride Sharing Program by such actions as information distribution and provision of designed stalls for car/van pools,~~
10. d. That bicycle storage facilities will be provided on-site.
14. ~~That the on-site property manager will act as parking coordinator to manage the parking structure and encourage participation of all building tenants in the various alternative transportation modes outlined in the above stipulations.~~

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- ~~15.11. That additional right-of-way dedications from the Pensus property to provide for necessary bus bays and right turn together with transportation improvements adjacent to the Pensus property, including 50 percent of the cost of a traffic signal on Van Buren and entrance "c" to be constructed with appropriate warrants are met, shall be made at the time of Development Services Department site plan review. A revised traffic study is to be submitted to the Streets and Traffic Engineering Department prior to Phase I development. WILL BE DETERMINED BY THE DEVELOPMENT SERVICES DEPARTMENT AT THE TIME OF PRELIMINARY SITE PLAN REVIEW AND THAT THE DEVELOPER SHALL CONSTRUCT ALL STREETS ADJACENT TO AND THE PRIVATE ACCESS WAY WITHIN THE DEVELOPMENT WITH PAVING, CURB, GUTTER, SIDEWALK, CURB RAMPS, STREETLIGHTS, LANDSCAPING AND OTHER INCIDENTALS AS PER PLANS APPROVED BY THE CITY. ALL IMPROVEMENTS SHALL COMPLY WITH AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY STANDARDS.~~
- ~~16. That the parking waiver provide for a ratio of 1/250 for office and commercial and one space per room for the hotel.~~
- ~~17. That should the applicant purchase or acquire a long term lease of 15 years at the northeast corner of 44th Street and Washington and the southeast corner of 44th Street and Van Buren, a triangular landscape setback be provided at least as the Gateway corner.~~
- ~~18. That interim landscaping be placed along the perimeter within a two year time frame.~~
- ~~19. That a 50 foot building setback be provided along 44th Street, Van Buren and Washington Street subject to a primary right-of-way and not a right turn lane.~~

~~The following stipulations shall apply only to the easternmost 10+ acres of Washington Park~~

- ~~20. That the development be in general conformance to the Butler Design Group "Washington Corporate Center" conceptual site plan presented to the PHO on May 17, 2000.~~
- ~~21. That any additional right-of-way dedications and street alignments will be determined by the Development Services Department at the time of Preliminary Site Plan review.~~

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22. ~~That the developer shall construct all streets within and adjacent to the eastern 10+ acre development with paving, curb, gutter, sidewalk, curb ramps, street lights landscaping, and incidentals as per Plans approved by the City.~~
- 23-12. That the City of Phoenix Archeologist (4619 East Washington Street Phoenix 85034) be notified of site plan review meetings conducted by the Development Services Department, in order to ensure consider architectural compatibility with the Pueblo Grande Museum and Archeology Park.
13. THAT BUILDING ELEVATIONS, ON A BUILDING BY BUILDING BASIS, SHALL BE SUBMITTED TO THE PLANNING HEARING OFFICER FOR ADMINISTRATIVE REVIEW PRIOR TO SUCH BUILDING'S PRELIMINARY SITE PLAN APPROVAL BY THE DEVELOPMENT SERVICES DEPARTMENT.

ITEM 26

DISTRICT 2

**PUBLIC HEARING -
PROPOSED 7TH AVENUE AND
JOMAX ROAD ANNEXATION**

The Council held a public hearing to discuss an annexation proposal for the area encompassed by Jomax Road alignment on the north, Pinto Lane alignment on the south, 7th Avenue alignment on the east and 9th Avenue alignment on the west. The size of the proposed 7th Avenue and Jomax Road Annexation WAs approximately 2 parcels, 1 owner and 0.003 square miles (2.098 acres).

This action was in response to the property owner's request for annexation. The property owner's motivation for the request related to their desire to obtain City services.

This annexation action conforms to current City policies regarding annexation of property prior to extension of new water services.

Mayor Gordon declared the public hearing open. He explained the Council would listen to comments but could not respond and noted the item would be scheduled for action at a later date.

Mr. David Ramras, 5060 North 40th Street, represented a coalition of neighbors who resided on a County island adjacent to the property which was the subject of the annexation petition. Those neighbors uniformly opposed the annexation.

Committee Input

Doug Ireland asked whether there will be any impact on the R-O property located on the southwest corner of 16th Street and Glendale Avenue.

Ms. Coles answered no and noted that the property remains single family residential on the General Plan Map and would require a rezoning process if it should subdivide one day.

Karen Mask asked if the SPD would impact the property tax.

Ms. Coles responded no.

Harvey Shrednick asked if it was normal to have less than 50% of the property owners participate in the process by submitting their ballots.

Ms. Coles answered yes for the process but more than 50% is needed for the initiation.

Jack Leonard expressed concerns about ballots/notifications being mailed to actual property owners rather than renters.

Jim Sorgatz pointed out that most of the oppositions appear to be coming from residents near Ocotillo Road.

Ms. Coles advised the committee to refer to the maps for further details on the SPD boundaries.

John Schneeman motioned to recommend approval of the Plan subject to the staff recommended corrections, to the Text Amendment, and to the Zoning Overlay. Jack Leonard seconded.

The committee voted 9-3 to approve the motion (Rose Arck, Karen Mask and Jim Sorgatz voting nay).

9. **PHO-3-06-Z-116-87-8: Presentation, discussion and possible recommendation regarding a request to modify stipulations of approval for a mixed use development at the northeast corner of 44th Street and Washington Street (22.65 acres). The Planning Hearing Officer will review this case on May 17, 2006.**

Ed Bull representing the applicant presented his request to modify stipulations for the northeast corner of 44th Street and Washington Street., stating that all the parcels on the site are now in escrow for multi-family residential, hotel, retail,

restaurant and office uses. The applicant is requesting to delete stipulations from a 1987 zoning case, which are no longer applicable or which are now covered by the Ordinance.

John Schneeman asked what type of parking stipulations existed.

Ed Bull answered that surface parking is currently proposed for the hotel and residential uses.

Jack Leonard asked if the site was within the TOD Overlay District and if so, why would eliminating the pedestrian amenities be an option.

Ms. Coles confirmed that the site was within the TOD Overlay.

Mr. Bull noted that deletion of the stipulations is necessary because they are already covered in the Zoning Ordinance.

Jack Leonard commented that by deleting the stipulations is not trying to encourage the TOD regulations.

Ron Passarelli asked what the density was for the conceptual units.

Mr. Bull answered that they would be 350 units.

Doug Ireland motioned to recommend that the request to modify/delete stipulations be referred to the 44th Street Corridor Subcommittee for review, discussion and recommendation to the Planning Hearing Officer on May 17, 2006. Jody Kent seconded the motion.

The committee voted unanimously 12-0 to approve the motion.

The Subcommittee will meet on May 11, 2006.

10. **PHO-1-06-Z-192-70: Presentation, discussion and possible recommendation regarding a request to modify stipulations of approval for a site approximately 600 feet east of the northeast corner of 7th Street and Missouri Avenue. The Planning Hearing Officer will review this case on May 3, 2006.**

Katherine Coles provided some history regarding the request and stated that staff reports are not prepared for Planning Hearing Officer requests.