



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-91-18-2  
(LCG Kierland PUD)  
May 24, 2019**

**Paradise Valley [Village Planning Committee](#) Meeting Date:** June 3, 2019

**[Planning Commission](#) Hearing Date:** June 6, 2019

**Request From:** [C-2 PCD](#) (2.21 acres)

**Request To:** [PUD](#) (2.21 acres)

**Proposed Use:** LCG Kierland Planned Unit Development to allow a mix of uses including multifamily residential and/or C-2 commercial uses

**Location:** [Southeast corner of 71st Street and Tierra Buena Lane](#)

**Owners:** Tierra Buena-Kierland, LLC

**Applicant:** Leon Capital Group

**Representative:** Nick Wood, Esq., Snell & Wilmer, LLP

**Staff Recommendation:** Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Designation</a>		Mixed Use (Commercial/Commerce Park)	
<a href="#">Street Map Classification</a>	71st Street	Collector	35-foot east half street
	Tierra Buena Lane	Minor Collector	35-foot south half street
<p><b>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES GOAL; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.</b></p> <p>The proposed PUD supports a reasonable level of intensity relative to the scale and land use of the surrounding properties. The setbacks, height, and density are comparable to recently redeveloped properties nearby.</p>			
<p><b>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES GOAL; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</b></p>			

The proposed PUD supports increased intensity by proposing multifamily residential that is compatible in scale and intensity with the surrounding Kierland area and properties adjacent to the site. The development is located in a mixed-use corridor where adjacent properties are multifamily or commercial in nature. Similarly, because the project site is also within a designated employment center, the concentration of people near employment uses promotes the sustainability of nearby commercial uses.

***CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.***

The proposed PUD includes design standards, architectural treatments, and a scale conducive to a high quality, sustainable, and pedestrian-oriented environment. These treatments include screened parking, enhanced planting standards, an integrated plaza open to the public, and landscaping that will provide a shaded and visually interesting pedestrian environment. The development will have four-sided architecture with enhanced street frontages including a shaded walkway, pedestrian-friendly townhome frontages for units facing 71st Street and Tierra Buena Lane.

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREE AND SHADE; DESIGN PRINCIPAL: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The proposed PUD includes landscaping around the north, west, and south sides of the property. In addition to detached sidewalks framed by landscaping to provide thermal comfort, the PUD also requires the street frontages and the public open space be shaded to a minimum of 75%. These landscape treatments advance the recommendations of the Tree and Shade Master Plan.

***CERTAINTY AND CHARACTER CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Encourage bicycle and pedestrian amenities in new major development projects in high-density, mixed-use areas or near transit stations or employment centers.***

The proposed PUD requires that 0.25 bicycle parking spaces be provided for each dwelling unit built, a minimum of four guest bicycle parking spaces, a bicycle repair room, and a secure bicycle storage room. The subject site is adjacent to a bike lane along 71st Street and will support tenants who prefer using alternative modes of transportation to get to work, shopping, or nearby entertainment.

**Applicable Plans, Overlays and Initiatives**

Maricopa Association of Governments (MAG) Kierland Employment Corridor – See No. 5 in the analysis. This employment corridor encourages a mix of uses including housing, commercial services, and jobs.

Reimagine Phoenix - See No. 18 in the analysis. The plan identifies opportunities to increase the amount of waste diverted from landfills.

Tree and Shade Master Plan – See No. 8, Landscape Standards and Shade Standards, in the analysis. The plan identifies best practices and recommendations regarding the planting of shade trees.

Comprehensive Bicycle Master Plan – See No. 8, Parking Standards, in the analysis. The plan identifies best practices and recommendations regarding bicycle parking, infrastructure improvements, and future routes.

**Surrounding Land Uses/Zoning**

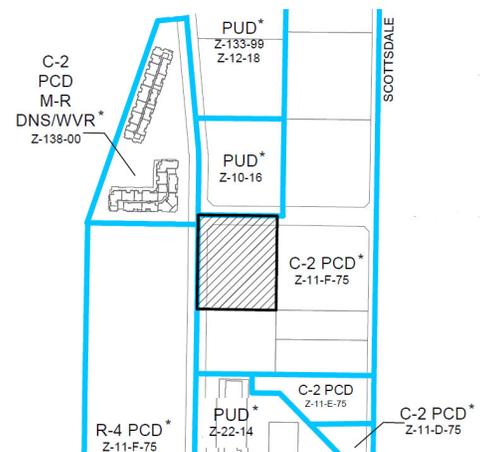
	Land Use	Zoning
<b>On Site</b>	Retail / Office	C-2 PCD
<b>North</b>	Multifamily Residential	Greystar Kierland Overture PUD
<b>South</b>	Retail Office	C-2 PCD
<b>East</b>	Retail	C-2 PCD
<b>Northwest</b>	Multifamily Residential	C-2 PCD M-R DNS/WVR
<b>West</b>	Multifamily Residential	R-4 PCD

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This is a request to rezone a 2.21-acre site located at the southeast corner of 71st Street and Tierra Buena Lane.

The request is to rezone from C-2 PCD (Intermediate Commercial, Planned Community District) to PUD (Planned Unit Development) to allow a mix of uses including multifamily residential for a maximum of 220 dwelling units and/or commercial.



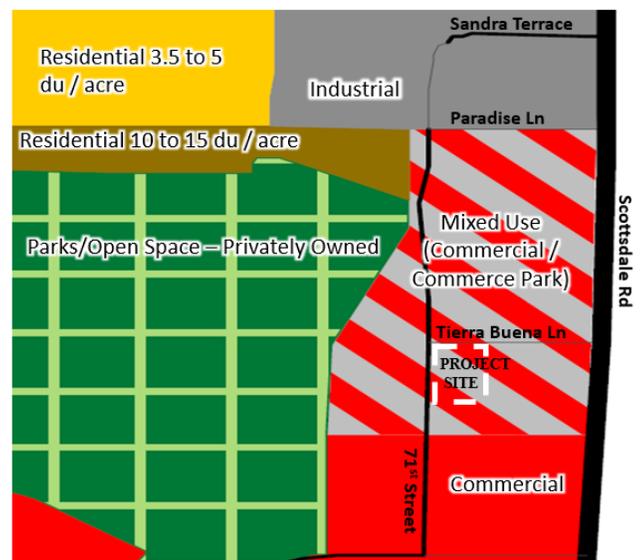
Source: City of Phoenix Planning and Development Department

2. The subject site consists of a single parcel containing a single-story retail/office complex. The subject site was annexed into the City of Phoenix on October 15, 1961. At that time the subject site and the surrounding area consisted of vacant land. This area was planned in 1975 as a Planned Community District (PCD) of 1,082 acres previously known as the Desert Springs PCD, now known as the Kierland PCD, through Rezoning Case No. Z-11-75. Subsequently, the Kierland PCD went through several amendments since its original approval and the current C-2 zoning designation was established through Amendment F, Rezoning Case No. Z-11-F-75.

The PCD Zoning District is intended to establish a development pattern for a larger area while permitting flexibility for specific developments and safeguards to ensure that adequate infrastructure needs are met for the area. The request is to rezone out of the PCD and the development will therefore be required to provide updated infrastructure as needed and determined through the Planning and Development Department's site development process.

3. The General Plan Land Use Map designation for the subject site is Mixed Use (Commercial/Commerce Park). The proposed zoning district supports a mixed-use environment of multifamily residential and commercial uses.

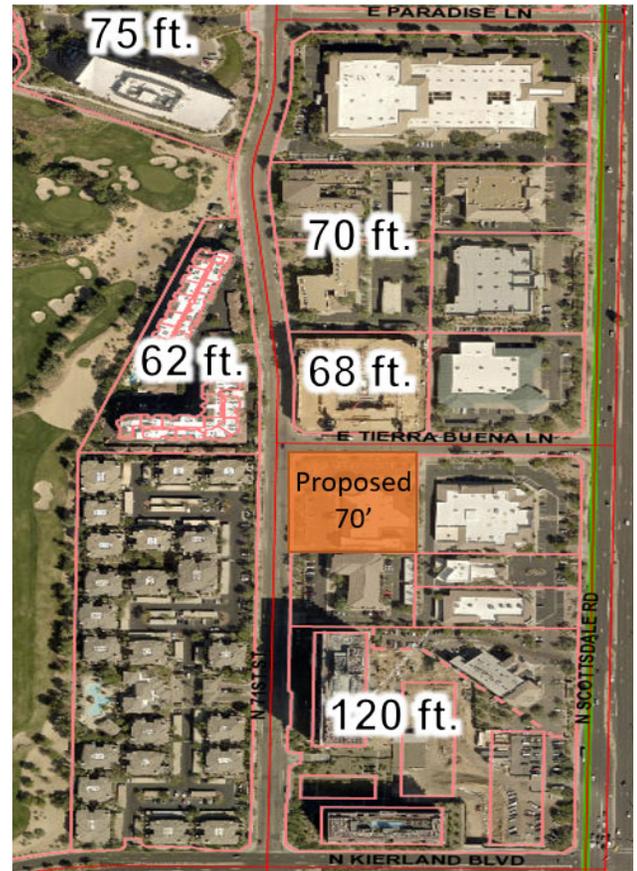
The General Plan Land Use Map designation for the areas surrounding the subject site is also Mixed Use (Commercial/Commerce Park).



Source: City of Phoenix Planning and Development Department

- The site is located within the larger Kierland area, near Scottsdale Road and within a corridor that contains commercial, mixed use, and commerce park uses. Additionally, the subject site is primarily surrounded by multifamily and commercial uses and is near the Kierland Commons mixed-use outdoor shopping center with restaurants and retail. The proposed project is also within 1,600 feet of the Westin Kierland Resort & Spa, offices and commerce park uses.

The subject site is adjacent to other developments that exceed 30-feet in height such as Kierland Overture (68 feet), SGA Corporate Center (75 feet), The Landmark Condominiums (62 feet), and LMC Kierland (70 feet). Overall, the Kierland area has seen substantial interest in redevelopment including the Kierland Optima, a multifamily and commercial development approved in 2014 through (Rezoning Case No. Z-22-14) with an allowable height of 120 feet and a maximum of 796 dwelling units that is approximately 240 feet south of the subject site.



Source: City of Phoenix Planning and Development Department

#### DESERT RIDGE AND KIERLAND MAJOR EMPLOYMENT CENTER

- The site falls within the boundaries of the Maricopa Association of Governments designated Desert Ridge and Kierland major employment center and is adjacent to the City of Phoenix designated employment center.

A mix of housing types is encouraged in areas near employment centers and commercial corridors. The Desert Ridge/ Kierland center profile provided by Community and Economic Development identifies the Kierland area as being comprised of a highly educated, executive and professional workforce with a large inventory of Class A office space.



Source: City of Phoenix Planning and Development Department

Providing additional housing options in close proximity to the nearby workforce will add to the sustainability of established office space and commercial uses built around the Kierland area.

## SURROUNDING ZONING AND USES

### 6. North

The property to the north of the subject site is Greystar Kierland Overture zoned PUD (Planned Unit Development) through Rezoning Case Z-10-16. Kierland Overture permits a maximum of 88 dwelling units per acre and 68 feet in height.

### South

Directly south of the subject site is a two-story office building known as “The Links Building” zoned C-2 PCD (Intermediate Commercial, Planned Community District) through Rezoning Case Z-11-F-75.

### East

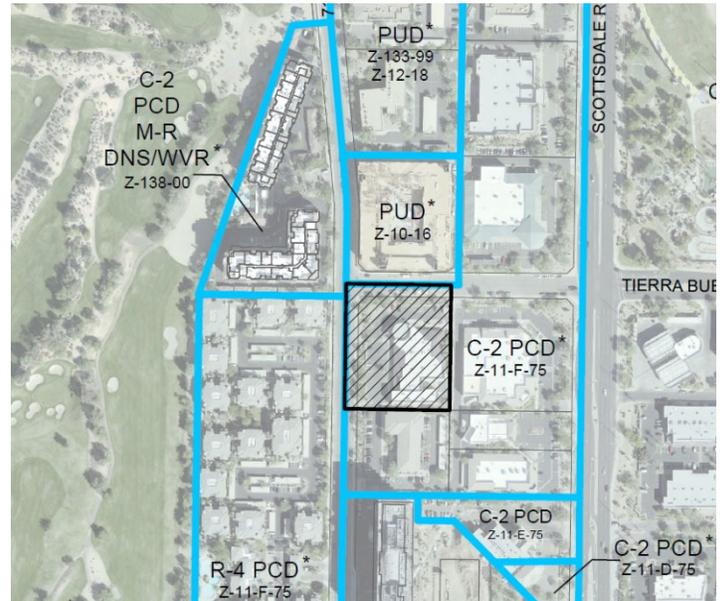
Directly to the east of the subject site is a single-story retail building zoned C-2 PCD (Intermediate Commercial, Planned Community District) through Rezoning Case Z-11-F-75.

### West

Two properties are located to the west of the subject site across 71st Street.

Immediately to the west are the Paragon Condominiums zoned R-4 PCD (Multifamily Residence District, Planned Community District) comprising 24 residential buildings on 10.23 acres of land.

To the northwest of the subject parcel are The Landmark Condominiums zoned C-2 M-R DNS/WVR PCD (Intermediate Commercial, Mid-Rise, Density Waiver, Planned Community District) through Rezoning Case Z-138-00. The Landmark Condominiums permits a maximum of 34 dwelling units per acre and 74 feet in height, however it was constructed at 62 feet in height.



Source: City of Phoenix, Planning and Development Dept.

## PROPOSAL

7. The proposal was developed under the PUD zoning designation. The PUD zoning district is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive

approach, an applicant writes a document proposing standards and guidelines tailored to the context of a site. Where the LCG Kierland PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

8. Below is a summary of the proposed standards for the subject site as described in the PUD Development Narrative date stamped May 14, 2019. The proposed standards were designed to allow for a multifamily residential development that further enhances 71st Street and Tierra Buena Lane as pedestrian-oriented environments.

### **List of Uses**

The Development Narrative proposes a list of permitted uses that are conducive to a pedestrian-oriented district such as Kierland. The basis of the permitted use section comes from the C-2 zoning district found in Section of the Phoenix Zoning Ordinance but with certain prohibitions for uses not supportive of a pedestrian-oriented district, such as automobile parts sales, retail boat sales, car wash operations, veterinary offices, and other similar uses.

Additionally, multifamily residential is permitted with a maximum density of 100 dwelling units per acre, up to a maximum of 220 dwelling units. For non-residential land uses, C-2 development standards will apply.

### **Conceptual Site Plan**

The development's main point of ingress is from Tierra Buena Lane near the northwest corner of the site and the primary point of egress is to Tierra Buena Lane at the northeast corner of the site. The access to Tierra Buena Lane near the northwest corner will also function as a secondary point of egress however, exiting vehicles will be limited to right-turn only.

The project proposes the following uses by level:

- Sub-grade parking and secure bicycle parking,
- At grade residential units, bicycle repair room, leasing office, and utility rooms which screens vehicle parking in addition to a dog park situated at the east side of the property,
- Amenity podium on level two with residential units situated at the perimeter of the podium and fronting the streets,
- Residential units on floors three through six, and
- The roof level will not be occupied.

At-grade units line much of the 71st Street and Tierra Buena Lane frontages with all units featuring private entryways with access from the sidewalk. The remainder of the street frontage is comprised of a leasing office and lobby (situated at the corner of 71st and Tierra Buena Lane) and public courtyard featuring amenities and a "decorative artistic wall" to screen the ground floor utility room and bicycle repair room. The proposal also contains provisions which requires blank walls visible from the public sidewalk to not

exceed 20 linear feet without being interrupted by a window or variation in building treatment or design.

At grade on the east side of the subject site (an interior property line) is a shaded dog park area. The south side of the subject site (an interior property line) is a landscaped area of no less than 10 feet, 6 inches; however, it is important to note this is an area of the proposal that is subject to change based on the plans from the adjacent property owner because a segment of the landscape setback area is presently used as a shared accessway.

Both 71st Street and Tierra Buena Lane will contain an enhanced streetscape with a minimum 5-foot detached sidewalk framed by minimum 6-foot wide landscape areas that will include trees, shrubs and live ground cover.

**Development Standards**

The table below provides a summary of the development standards within the LCG Kierland development narrative:

<b>Development Standards</b>	<b>Proposed PUD</b>
Density (Maximum)	100 dwelling units per acre, up to a maximum of 220 units
Height (Maximum)	70 feet
Building Setbacks (Minimum)	<b><u>West (71st Street):</u></b> 11 feet <b><u>North (Tierra Buena Lane):</u></b> 10 feet <b><u>South (Interior):</u></b> 10 feet 6 inches <b><u>East (Interior):</u></b> 4 feet
Landscape Setbacks (Minimum)	<b><u>West (71st Street):</u></b> 11 feet <b><u>North (Tierra Buena):</u></b> 10 feet <b><u>South (Interior):</u></b> 10 feet 6 inches <b><u>East (Interior):</u></b> 4 feet
Lot Coverage (Maximum)	85% of net area
Open Space (Minimum)	20% of gross area

### **Landscape Standards**

The development narrative requires landscaping along all four sides of the building. The planting standard for the street frontages (north and west) includes a minimum planting size of 50% 2-inch caliper trees and 50% 3-inch caliper trees with a minimum of five 5-gallon shrubs per tree and 50% living ground cover. The planting standard along the south property line requires a minimum 3-inch caliper trees planted 20-feet on center with five 5-gallon shrubs per tree and a minimum 50% living ground cover. Due to the modest setback from the east property line, the landscape setback is proposed to be primarily hardscape.

The streetscape along 71st Street and Tierra Buena Lane will include a minimum 5-foot detached sidewalk and a minimum 6-foot landscape strip located between and sidewalk and back of curb to produce 75% shade at maturity along the sidewalks and public court. These standards support and advance the recommendation of the City of Phoenix's Tree and Shade Master Plan.

### **PUD Compatibility to Zoning Ordinance**

The development narrative proposes building setbacks comparable to what is permitted by the Phoenix Zoning Ordinance in a comparable zoning district. For the purpose of this review, the R-5 (Multifamily Residence District) Planned Residential Development Option is used for comparison.

When compared to the standards, the PUD meets or exceeds the building setback standards of the R-5 district with two exceptions, the eastern interior setback which is proposed as 4 feet but would be required a minimum of 10 feet and the street side yards which offer 10 and 11-foot setbacks compared to the 20 feet required by code. To account for this, the north (Tierra Buena Lane), west (71st Street) and south property lines include enhanced landscape standards to create a superior pedestrian environment featuring 50% 2-inch caliper and 50% 3-inch caliper trees, compared to all 2-inch caliper trees as required by the base zoning district.

The development narrative proposes a lot coverage that exceeds what is permitted in the R-5 district, 85% compared to 50% respectively. The PUD also proposes greater height than permitted in the R-5 district, 70-feet compared to 48-feet respectively. The PUD compensates for these exceptions with an enhanced open space allocation of 20% compared to the 5% required, enhanced landscape standards, and enhanced architectural treatments and design guidelines.

### **Parking Standards**

Due to the pedestrian-oriented environment of the Kierland area, an increase in the amount of bicycle parking, and the inclusion of ride-share facilities, the development proposes a reduction in the amount of vehicular parking from 332 to 304, a ratio of 1.51 spaces per unit compared to 1.38 spaces per unit respectively. The PUD narrative includes a parking study as Exhibit M that has been reviewed by the City of Phoenix.

The development narrative proposes 0.25 bicycle parking spaces per dwelling unit and a minimum of four guest bicycle parking spaces, up to a maximum of 50 total bicycle spaces. The PUD proposes compliance with the substance of Section 1307(H) of the Phoenix Zoning Ordinance, which is an enhanced standard over that required by the base zoning district. These standards support and advance the recommendations of the Comprehensive Bicycle Master Plan.

### **Amenities**

The development narrative proposes amenities for the multifamily residential use such as a clubhouse/events space, fitness center, bicycle repair station, secure bicycle storage, swimming pool and/or spa, elevated amenity courtyard of no less than 7,000 square feet, dog park, dog wash area, and a minimum of three of the following amenities: lounge deck, shaded outdoor dining area, water feature, outdoor fitness area, fire feature, seating nodes, and an art installation.

In the public court area along 71st Street, the PUD proposes public amenities including bench seating and a minimum of two of the following amenities: accent paving, water feature(s), art installation, and a drinking fountain with a pet level.



Source: Development Narrative

### **Shade**

The proposed shade standards require that a minimum of 75% of shade cover be provided at maturity over the public pedestrian pathways and the public court. The podium deck will include a minimum of 50% shade at maturity.

### **Lighting Plan**

All lighting will be consistent with the standards of Section 704 and section 507.Tab A.II.A.8 of the Phoenix Zoning Ordinance. The Plan includes exterior lighting appropriate for the project. Special care will be taken with the podium lighting to provide lighting levels that promote security while avoiding spill over onto adjacent residential properties.

**Design Guidelines and Standards**

The site is located within the Kierland Master Association and therefore all development on the site is subject to the review and approval of the Kierland Master Association Design Review Committee design guidelines, in addition to the City’s standards.

The final elevations and building plans submitted to the City shall include evidence of the provisions outlined in the table below and shall follow the Design Guidelines of Section 507.Tab A of the Phoenix Zoning Ordinance in addition to the following:

Design Standards	PUD
Exterior Materials	Each façade to include not less than: 10% masonry, 30% masonry with a stucco finish, and 25% glazing.
Exterior Façade	75% of residential units (excluding studio units) to have exterior balcony and/or patio spaces. Balconies shall: be a minimum of 40 square feet, have a minimum depth dimension of 5 feet, and have guardrails that include glass.  Each of the buildings main corners shall provide architectural distinction from the larger façade and include storefront style glazing.
Streetscape Frontage (71st Street and Tierra Buena Lane)	The exterior façade shall include architectural shading devices along public streets and shall not have blank walls as described below: <ul style="list-style-type: none"> <li>• All ground floor unit entries shall be defined by a projecting awning over the doorway.</li> <li>• Ground floor blank walls visible from the public sidewalk will not exceed 20 linear feet without being interrupted by a window, or variation in building treatment or design.</li> </ul> A Public Court area shall be provided along 71st Street, include a minimum depth of 10 feet, a minimum size of 1,325 square feet, and include amenities as described in the above Amenities.



### **Signage**

Signage will meet the standard Zoning Ordinance requirements and will also comply with the Kierland Comprehensive Sign Plan, unless otherwise approved through a comprehensive sign plan amendment. The applicant included additional restrictions regarding the type, amount, and location of signage permitted on the site through the PUD narrative.

### **Sustainability**

The development narrative proposes several options to incorporate sustainability principles including recycling services, secure bicycle parking, dual glaze windows, LED site lighting, site design to maximize thermal comfort and reduce heat island effect, and a minimum of four car charging stations.

As noted in Background Item No. 18 of this section, the proposed inclusion of recycling facilities will advance the Reimagine Phoenix initiative and the City of Phoenix's goal to increase waste diversion rate to 40 percent by 2020.

### **Phasing**

The project will be constructed in one phase.

#### STIPULATED REVISIONS FOR THE PUD HEARING DRAFT

- 9 Stipulation No. 1.a. addresses technical corrections within the LCG Kierland PUD hearing draft dated May 14, 2019. These corrections and modifications must be applied within 30 days of City Council final approval of the request.

#### COMMUNITY INPUT SUMMARY

10. As required by the rezoning process, the applicant hosted their neighborhood meetings and submitted the necessary citizen participation report. Following this meeting, the applicant incorporated changes to the narrative and exhibits to add additional detail regarding signage and the screening of roof equipment.

The case was presented for Information Only at the Paradise Valley Village Planning Committee Meeting on March 4, 2019. Since that meeting and as of the writing of this staff report, no community input or concerns have been received regarding this request.

#### INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department has requested the applicant provide a striping and signage plan that adheres to the City of Phoenix specifications. This requirement is addressed in Stipulation No. 3.
12. The development includes a private shared accessway at the south edge of the property, including a driveway that is currently used by both the subject site and the site to the south for ingress and egress. The development narrative proposes to eliminate this accessway, however, the removal or reconfiguration of this accessway should only be done if the applicant can demonstrate proper access to both the subject site and the property to the south. This requirement is addressed in Stipulation No. 2.
13. The Aviation Department has noted that the developer shall notice to prospective purchasers the existence and operation characteristics of the Scottsdale Airport and shall provide documentation that Form 7460-1 from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date. This requirement is addressed in Stipulation Nos. 4 and 5.
14. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
15. The City of Phoenix Floodplain Management, a division of the Public Works Department, has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1320 L of the Flood Insurance Rate Maps (FIRM) dated August 25, 2017.
16. The City of Phoenix Water Services Department has noted the property may need sewer main extensions to serve the development.

17. No known archaeological work is necessary for this project. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This requirement is addressed in Stipulation No. 6.

#### OTHER

18. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinances establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling is addressed in the PUD noting that recycling receptacles and chutes will be provided in the refuse room and recycling services will be provided for tenants.
19. The City of Scottsdale Aviation Department expressed concern over the location of this project as it relates to the airports flight paths and the 55 and 60 DNL noise contours of the Scottsdale Airport. The City of Scottsdale comments and proposed stipulations were provided to the City of Phoenix Aviation Department for review.

#### **Findings**

1. The proposed development is in conformance with several General Plan goals and policies and will produce a walkable, shaded and pedestrian-friendly environment and built environment supportive of the mixed-use center.
2. The proposed development is compatible with the existing land use pattern in the area and is designed to enhance a walkable environment along 71st Street where there are other multifamily developments nearby and bike lanes to encourage an active frontage.
3. The proposed development will create a superior built environment to that possible through the base zoning district by providing enhanced architectural standards, planting standards, and amenities.

#### **Stipulations**

1. An updated Development Narrative for the LCG Kierland PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped May 14, 2019, as modified by the following stipulations:
  - a. Front Cover: Revise submittal date information on the cover page as follows:
    - 1st Submittal: December 26, 2018
    - 2nd Submittal: February 27, 2019
    - 3rd Submittal: April 8, 2019

4th Submittal: May 2, 2019  
Hearing Draft: May 15, 2019  
City Council adopted: [Add adoption date]

2. Prior to the approval of any reconfiguration or removal of the existing shared driveway located at the southwest corner of the site, the developer shall demonstrate proper access is provided for both properties, as approved by the Planning and Development Department
3. The developer shall provide a striping and signing plan per City of Phoenix Street Transportation Department Standards. Contact Zeke Rios to obtain CAD template and title block for striping and signing plan design. (Attn: Zeke Rios, Phone Number: 602-256-3409, zeke.rios@phoenix.gov).
4. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
5. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

**Writer**

Nick Klimek  
May 16, 2019

**Team Leader**

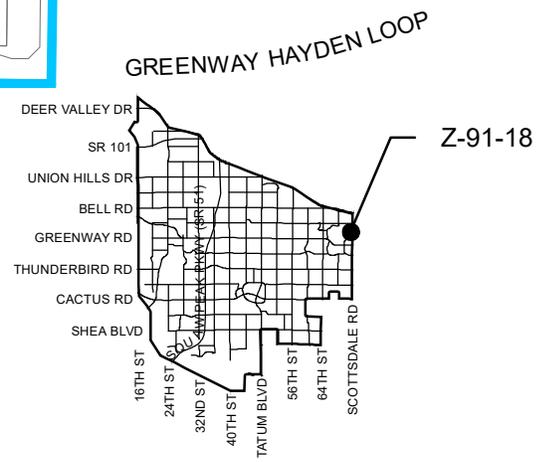
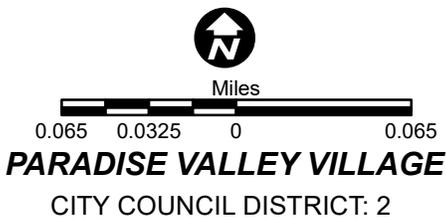
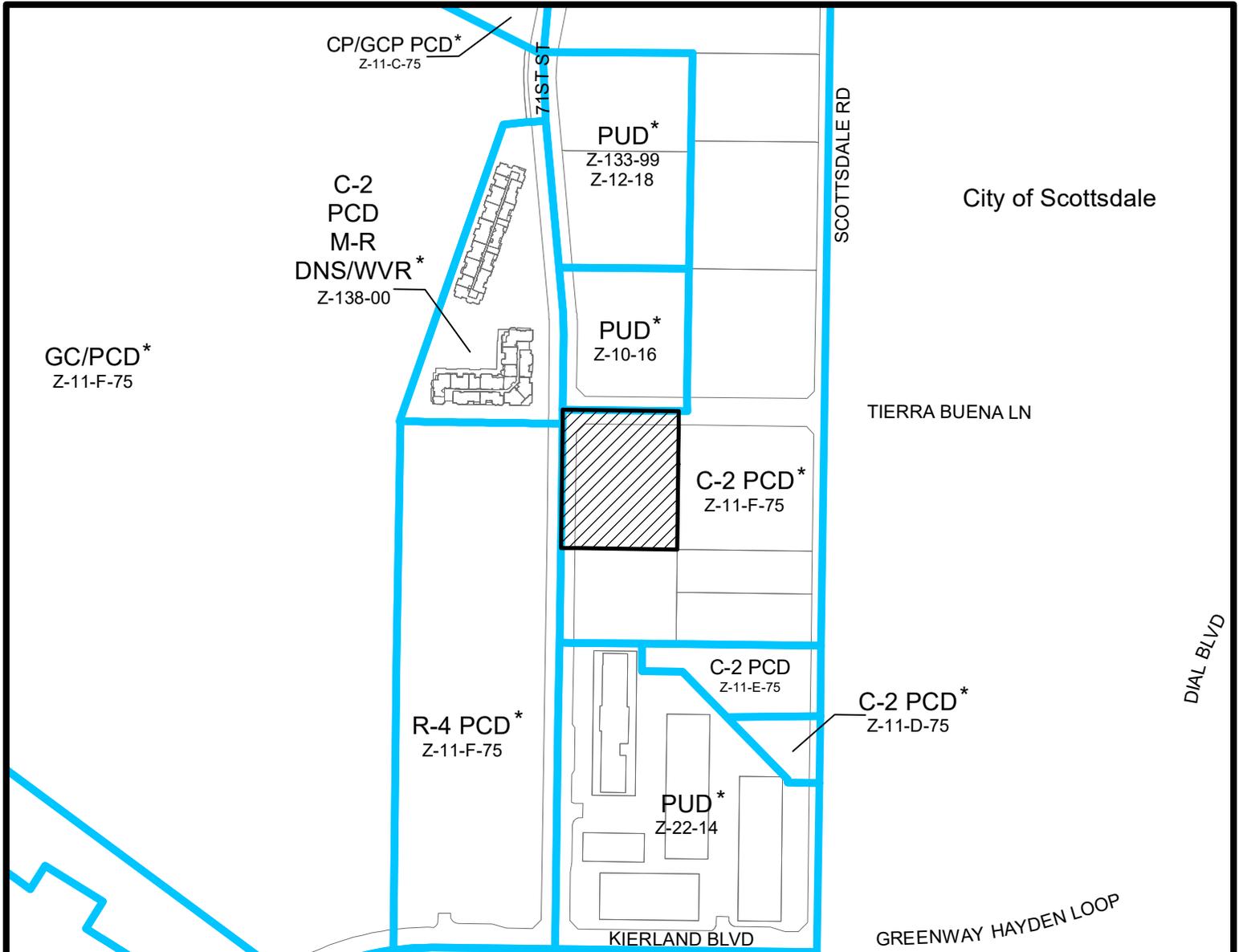
Samantha Keating

**Exhibits**

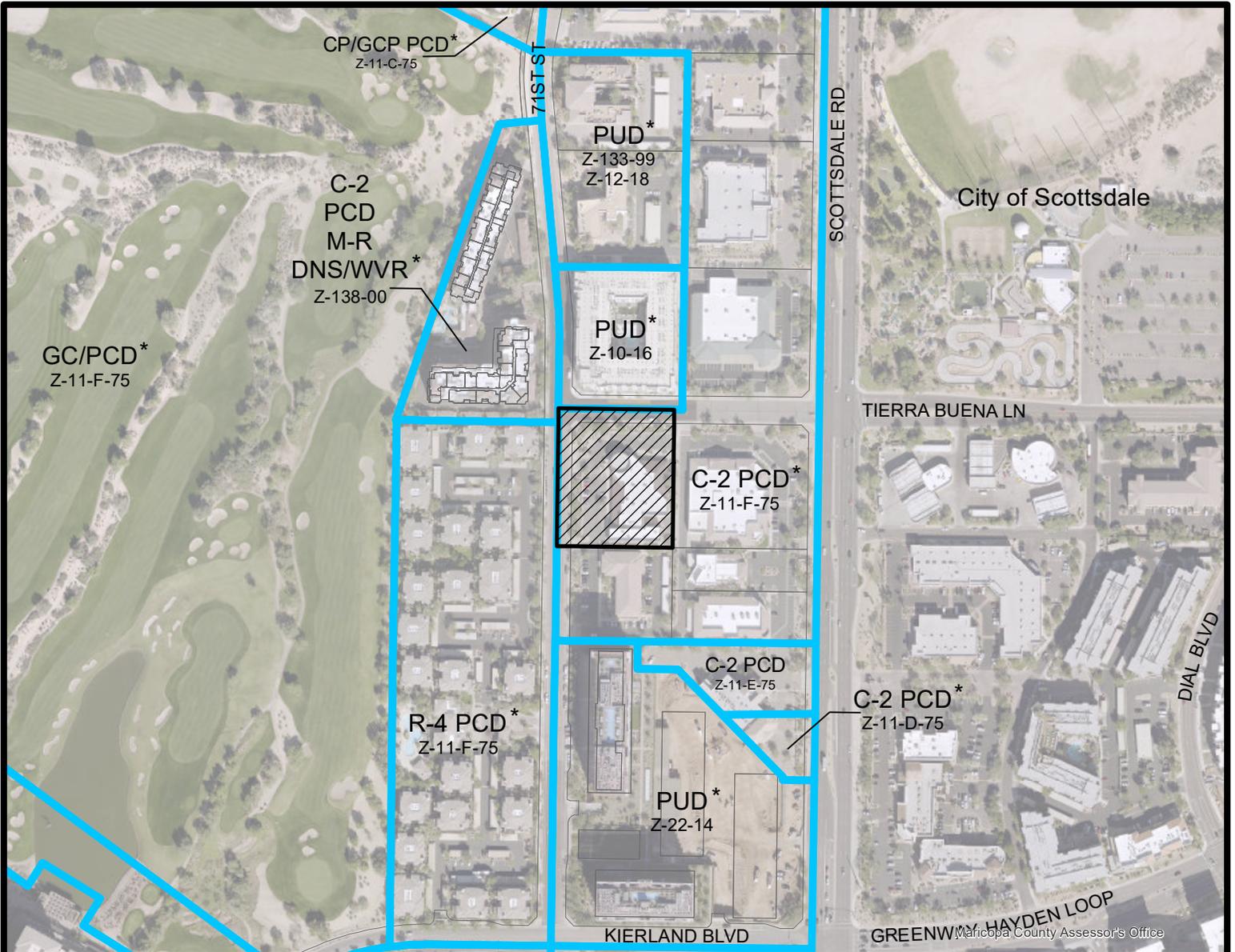
Zoning Sketch Map

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Zoning Aerial Map  
LCG Kierland PUD Development Narrative date stamped May 14, 2019  
<https://www.phoenix.gov/pdd/pz/pzservices/pud-cases>



<b>APPLICANT'S NAME:</b> Leon Capital Group		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.:</b> Z-91-18		<b>FROM:</b> C-2 PCD ( 2.21 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>2.21 Acres</b>		<b>TO:</b> PUD ( 2.21 a.c.)	
<small>DATE:</small> 1/30/2019 <small>REVISION DATES:</small> 5/7/2019		<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> QS 35-44 <small>ZONING MAP</small> L-12	
<b>MULTIPLES PERMITTED</b>		<b>CONVENTIONAL OPTION</b>	
C-2 PCD		32	
PUD		220	
<b>* UNITS P.R.D. OPTION</b>		<b>* UNITS P.R.D. OPTION</b>	
		38	
		N/A	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>			



Miles

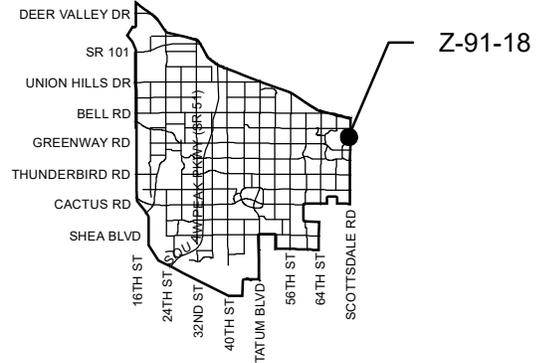
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**PARADISE VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 2



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Leon Capital Group**

**REQUESTED CHANGE:**

FROM: **C-2 PCD ( 2.21 a.c.)**

APPLICATION NO. **Z-91-18**

DATE: **1/30/2019**  
REVISION DATES:

5/7/2019

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

**2.21 Acres**

AERIAL PHOTO & QUARTER SEC. NO.  
**QS 35-44**

ZONING MAP  
**L-12**

TO: **PUD ( 2.21 a.c.)**

**MULTIPLES PERMITTED**

C-2 PCD

PUD

**CONVENTIONAL OPTION**

32

220

**\* UNITS P.R.D. OPTION**

38

N/A

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