

CITY OF PHOENIX

**AUG 31 2023**

**Planning & Development  
Department**



# DAVIS KIERLAND

**CASE NO. Z-56-21-2**

LOCATED AT THE SOUTHWEST CORNER OF 71<sup>ST</sup> STREET AND  
MARILYN ROAD

1<sup>ST</sup> SUBMITTAL: AUGUST 10, 2021

2<sup>ND</sup> SUBMITTAL: OCTOBER 1, 2021

HEARING DRAFT: NOVEMBER 16, 2021

CITY COUNCIL ADOPTED: MARCH 2, 2022

1<sup>ST</sup> MINOR AMENDMENT SUBMITTAL: JULY 20, 2023

1<sup>ST</sup> MINOR AMENDMENT APPROVAL: AUGUST 23, 2023

A Planned Unit Development (“PUD”) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the Zoning Ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies Zoning Ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary, such as, but not limited to, right-of way abandonments.

## Principals and Development Team

### Developer

Davis Development  
7375 W 52<sup>nd</sup> Avenue, Suite 200  
Arvada, CO 80002  
[www.davisdevelopment.com](http://www.davisdevelopment.com)



### Architect

Geheber Lewis Associates  
1325 Logan Circle NW  
Atlanta, GA 30318  
[www.glaatl.com](http://www.glaatl.com)



### Land Planner / Landscape Architect

Norris Design  
901 E Madison Street  
Phoenix, AZ 85034  
[www.norris-design.com](http://www.norris-design.com)



### Civil Engineer

Hubbard Engineering  
1201 S Alma School Road, Suite 12000  
Mesa, AZ 85210  
[www.hubbardengineering.com](http://www.hubbardengineering.com)



### Traffic Engineer

CivTech, Inc.  
10605 N Hayden Road, Suite 140  
Scottsdale, AZ 85260  
[www.civtech.com](http://www.civtech.com)



### Zoning Attorney

Nick Wood, Esq.  
Snell & Wilmer, LLP  
One Arizona Center  
19<sup>th</sup> Floor  
602-382-6269  
[www.swlaw.com](http://www.swlaw.com)



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# APPROVED AMENDMENTS

Approved Amendments

1. 1st Minor Amendment Submitted: July 20, 2023  
1<sup>st</sup> Minor Amendment Approved: August 23, 2023

- Revision to masonry material category to clarify permitted materials to be provided with the final exterior building façade (E1.a).
- Revision to percentage of minimum permitted fiber cement material, maximum permitted stucco material to be provided with the final exterior building façade (E1.a).
- Revision to total number of residential units on floors 2 through 5 required to provide a minimum of 1 private balcony (E1.c).
- Revision to total number of first floor units required to provide a private patio (E1.d).

## A. PURPOSE AND INTENT

Davis Kierland is a proposed luxury multifamily residential community on a 4.21-acre site located at the southwest corner of the intersection of 71<sup>st</sup> Street and Marilyn Road. The subject property is located in the Kierland area—a highly desirable part of Phoenix due to its proximity to a number of high-end urban amenities including retail and dining as well as proximity to major employers supporting an estimated 55,000 jobs with an expectation to achieve 75,000 jobs spread across 4,000 employers by 2030.<sup>1</sup> The project will support the redevelopment of six (6) underutilized 2-story commercial office buildings with surface parking (shown in the image below) as a 5-story multifamily residential community. Given the property's proximity to retail, office, and light industrial employment opportunities, it was determined that the property is an appropriate location for residential uses of this scale.



Figure 1 (above): View of the existing development at the subject property (looking northwest on 71<sup>st</sup> Street)

The overall goal of the project is to provide quality, modern urban living experiences for its future residents and to create a pedestrian oriented, walkable environment along its roadway frontages for the benefit of the larger community. Given the property's proximity to retail and office employment opportunities, Davis Kierland provides an opportunity to integrate residential uses with existing retail and employment uses, thus improving the diversity of housing in the larger surrounding area and improving connectivity for those residents who desire to live near jobs and services within the Kierland area.

<sup>1</sup> <https://www.azcentral.com/story/news/local/scottsdale/2015/05/15/report-record-job-numbers-scottsdale-airpark/27371845/>

The overall design concept for the project is focused on an urban form, contemporary architectural design, complementing the surrounding built environment and pedestrian experience of Kierland Commons to the north of Greenway Parkway. The project contributes to the recent development trend that has reinvented the larger surrounding area with quality pedestrian edges, elimination of surface parking lots, and an emphasis on quality design that has visual interest within the pedestrian realm and to the broader community.

In order to support a strong pedestrian environment, the project incorporates thoughtful design techniques to minimize the visibility of the parking garage from adjacent public rights-of-way and neighboring properties. The project includes ground level residential units along 71<sup>st</sup> Street and Marilyn Road which activate the streetscape and add architectural interest to the pedestrian experience adjacent to the property (which is currently lacking). By adding ground level walk-up units and detaching and widening the sidewalk along 71<sup>st</sup> Street and Marilyn Road, the project will help to improve the pedestrian conditions that currently exist at the property edges and provide a more pedestrian friendly environment for those passing by or visiting the surrounding retail and office uses. One of the primary goals of the design concept for the project is to create a streetscape design that supports an enhanced pedestrian network in the Kierland Commerce South subdivision, connecting future residents of the project to nearby employment, retail and dining opportunities at Kierland Commons.



Figure 2 (above): View of the proposed development at the subject property (looking southeast on Marilyn Road)

In summary, the overall design concept, as expressed in this PUD, results in a building that (i) fits the surrounding characteristics of the existing built environment and proposed future developments to the west and northwest by maintaining similar building heights, (ii) reinforces a strong pedestrian environment by concealing vehicle parking, providing ground level dwelling units, and an enhanced streetscape design, and (iii) preserves the high-quality design and architecture styles that have been established within the Kierland area through the use of varying materials and colors, combined with a contemporary architectural design.

## B. LAND USE PLAN

### B1: Proposed Land Use Categories

Davis Kierland is a luxury multifamily community of up to 261 dwelling units (a maximum of 62.05 du/ac) with associated private residential amenities located on an approximately 4.21-acre site. Because the General Plan Land Use Map designation for a portion of the property is categorized as “Industrial,” a companion Minor General Plan Amendment has been requested and will be processed concurrently with this PUD. In the event the property is not redeveloped with multifamily uses, commercial uses associated with the C-1 Neighborhood Retail zoning district in Section 622 of the Zoning Ordinance have been retained within this PUD.

### B2: Conceptual Site Plan Summary

The following provides an overview of the conceptual site plan provided with this PUD:

Grade Level is the location of the main building entrance, the management/leasing office, ground floor amenities, including a club room, fitness center, and two (2) residential amenity courtyards, as well as the first level of residential units. The architecture and landscape will encourage pedestrian activity and connections from the project to supporting retail and office uses in the area, including the recently approved project located immediately to the south and west, otherwise known as Kierland Sky. Grade level is also the location of the first level of the parking garage, which is carefully screened by residential units on all sides of the parking structure. See Section E1.g for specific garage screening requirements. The project provides adequate on-site parking to support the anticipated number of residents in order to ensure that overflow parking will not occur on surrounding retail and office properties. The residential entry to the parking garage is via an easement for shared access on the west side of the property. All formal loading activities, such as trash, delivery, and move-ins, will also occur at the loading area located on the west side of the site.

Levels 2-4 are typical representation of the upper levels of the building, where residential dwelling units continue above grade level. A combination of 1, 2 and 3-bedroom units will be offered. The typical residential building floor will have between approximately 45 to 57 dwelling units.

Level 5 will include the remainder of residential units for the project and may include an indoor sky lounge common amenity area with open viewing deck on this level (see Section E.3a for requirements).

Parking Garage Rooftop will include the primary residential amenities, including a resort style pool and spa.



## C. LIST OF USES

### C1: Permitted Uses

- Multifamily residential dwelling units up to 62.05 per acre, as governed herein<sup>2</sup>
- C-1 uses as permitted by Section 622 of the City of Phoenix Zoning Ordinance

### C2: Temporary Uses

- All temporary uses shall comply with Section 708 of the City of Phoenix Zoning Ordinance

### C3: Prohibited Uses

The following land uses are not permitted:

- All Special Permit uses otherwise permitted in the C-1 Zoning District are prohibited
- Amplified music on the Parking Garage Rooftop is prohibited
- Auto Title Loan Establishments
- Automobile Parts and Supplies, Retail
- Gas Stations
- Hospital
- Service Stations, Automobile
- Single-Family Residential, Attached
- Veterinarian Offices

<sup>2</sup> The Zoning Administrator may issue interpretations for land uses that are analogous to those listed in this section, as authorized by Zoning Ordinance Section 307.A.3.

## D. DEVELOPMENT STANDARDS

D1: Development Standards Table

The following development standards apply to any multifamily development of the property (including mixed-use); in the event that stand-alone non-residential development occurs, the development standards applicable to such development shall be those of Ordinance Section 622, Commercial C-1 District—Neighborhood Retail.

Development Standards <sup>3</sup>	
<b>a. Density (Maximum)</b>	261 Dwelling Units 62.05 Dwelling Units per Gross Acre
<b>b. Minimum Lot Width/Depth</b>	No Minimum
<b>c. Building Setbacks (Minimum)</b>	
North (Marilyn Road)	20'
East (71 <sup>st</sup> Street)	20'
West (Interior)	25'
<b>d. Building Separation (Minimum)</b>	No Minimum
<b>e. Building Height (Maximum)</b>	70' <sup>4</sup>
<b>f. Lot Coverage (Maximum)</b>	66% of Total Net Site Area
Minimum Landscape Standards	
<b>a. Landscape Setbacks (Minimum)</b>	
North (Marilyn Road)	20'
East (71 <sup>st</sup> Street)	20'
West (Interior)	10' <sup>5</sup>
<b>b. Streetscape - Adjacent to Marilyn Road</b>	<p><u>Public Sidewalk:</u> Remove existing attached sidewalk and replace with minimum 5' wide detached sidewalk. Provide a minimum 8' wide landscape strip between back of curb and sidewalk, except where existing utility conflicts exist.</p> <p><u>Landscaping:</u> A minimum of (75%) 2" and (25%) 3" caliper trees to be planted 20' on center or in equivalent groupings, except where utility conflicts exist. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. Minimum 50% living groundcover coverage, excluding areas within utility clearance zones.</p>
<b>c. Streetscape - Adjacent to 71<sup>st</sup> Street</b>	<u>Public Sidewalk:</u> Remove existing attached sidewalk and replace with minimum 5' wide detached sidewalk. Provide minimum 8' wide

D2: Landscape Standards Table

<sup>3</sup> The property is subject to specific use standards as per the Kierland Master Association Covenants, Conditions and Restrictions (CC&R's); while those provisions are not enforced by the City of Phoenix, this PUD does not intend to override or otherwise alter those CC&R's and/or other applicable private agreements, restrictions or other controls on the use of the Site. The CC&R standards are more restrictive than the standards of the City of Phoenix Zoning Ordinance.

<sup>4</sup> Exception for roof amenities located above parking garage. Up to 75' permitted for accessory facilities, such as restrooms, elevator lobby/penthouse, and shade awnings/trellises.

<sup>5</sup> The West (Interior) landscape setback for the site is customized to respond to an existing declaration of shared access easement, recorded with the Maricopa County Recorder's Office at Recording No. 1999-0745261, to provide part of the shared "alley" (private accessway) that serves the development block. Therefore, due to the existing private accessway, the landscape setback is measured from back of curb of the private accessway.

D3: Parking

	<p>landscape strip between back of curb and sidewalk, except where existing utility conflicts exist.</p> <p><u>Landscaping:</u> A minimum of (75%) 2" and (25%) 3" caliper trees to be planted 20' on center or in equivalent groupings, except where utility conflicts exist. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. Minimum 50% living groundcover coverage, excluding areas within utility clearance zones.</p>
<b>d. Perimeter Property Lines – Not Adjacent to Public Right-of-Way (West Property Line)</b>	<p><u>Sidewalk:</u> Provide minimum 5' wide accessible sidewalk from points of building ingress/egress to nearest adjacent public street sidewalk.</p> <p><u>Landscaping:</u> A minimum of (75%) 2" and (25%) 1" caliper trees to be planted 30' on center or in equivalent groupings, except where utility conflicts exist. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. 50% living groundcover coverage, excluding areas within utility clearance zones.</p> <p>Tree requirements in this section only apply to landscape areas that are a minimum of 8' in width.</p>
<b>e. Minimum Total Common Area</b>	<p>Minimum of 10% of total Net Site Acreage. May be located at or above grade (i.e. on roof deck) including both active and passive spaces, and both indoor and outdoor amenity areas. Excludes required landscape setback areas, private ground level patios and private balconies.</p>
<b>Parking Standards</b>	
<b>a. Minimum Parking Standards</b>	
<p style="text-align: center;">Vehicular Bicycle Parking</p>	<p>1.50 spaces per dwelling unit</p> <p>Comply with Ordinance Section 1307.H.6.d plus provide two (2) visitor spaces, to be located near main lobby entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department (maximum 25 spaces required).</p>
<b>b. Parking Location, Automotive</b>	<p>All parking is to be provided within the parking structure. See Section E1.g for garage screening requirements. Ordinance Section 702.B.2.b.(5) does not apply.</p>
<b>c. Parking Location, Bicycle</b>	<p>To be installed in conformance with Section 1307.H, except as follows: (i) Inverted-U style bicycle racks or artistic style racks consistent with the City of Phoenix preferred designs (see Comprehensive Bicycle Master Plan, Appendix K) shall be provided and (ii) secure resident bike storage shall be located within the lower level parking garage.</p>
<b>d. Loading Bay</b>	<p>One (1) off-street loading space shall be located only along the west side of the building, abutting the accessway. Such space shall be a 24'x30' minimum in size, exclusive of access aisles and maneuvering space.</p>

**D4: Fences/Walls**

Fences and walls shall comply with Ordinance Section 703.

**D5: Shade**

<b>Shade</b>	
<b>Building and Shade</b>	
Shading, which may be architectural, vegetative or any combination thereof, shall be provided as follows. All shade calculations shall be based on the analysis of summer solstice at noon.	
<b>a. Public Sidewalk Shading</b>	Minimum 75%
<b>b. Private Sidewalk Shading</b>	Minimum 50%
<b>c. Interior Ground Level Courtyard</b>	Minimum 50%

**D6: Lighting Plan**


All lighting will be consistent with the standards of Section 704, Section 507.Tab A.II.A.8 and Section 23-100 of the Phoenix Zoning Ordinance and City Code.

Pedestrian lighting to be provided along public and private sidewalks that comply with the standards of Section 1304.D and Section 1304.H.5.

## E. DESIGN GUIDELINES

**E1: Design Guidelines**

The following design guidelines shall apply to any multifamily development (including mixed-use). Those standards not addressed herein, and for non-residential development, shall comply with Ordinance Section 507 Tab A:

<b>E1. Design Guidelines</b>	
<b>a. Exterior Materials</b>	<p>Façade to include a:</p> <ul style="list-style-type: none"> <li>Maximum 35% Stucco</li> <li>Minimum 10% Masonry (which may include brick or stone)</li> <li>Minimum 35% Fiber Cement (which may include panel, lap siding, and/or woodtone)</li> <li>Minimum 20% Glazing</li> </ul>
<b>b. Color Palette</b>	Warm earth and gray tones with wood accents
<b>c. Private Balconies</b>	83% of all residential units on Floors 2 through 5 shall contain a minimum of one private balcony, measuring a minimum of 30 square feet in width with a minimum depth of 5 feet.
<b>d. Ground Level Units</b>	<p>All first-floor units shall include a private patio or courtyard, measuring a minimum of 30 square feet with a minimum depth of 5 feet.</p> <p>First floor units fronting onto 71st Street and Marilyn Road shall include a private entrance to the adjacent public right-of-way.</p> <p>Interior first floor units adjacent to common open space shall include a private entrance to the common open space area.</p>
<b>e. Vertical Blades</b>	<p>The building corners shall incorporate vertical elements that project beyond the adjacent façade in order to provide visual interest from the ground or second floor to the roof line. Such materials shall be of material or color that is different than the immediately adjacent façade. Final design for these corners should be generally consistent with the image below:</p> <div style="text-align: center;">  </div>

<b>f. Screen Walls</b>	Architectural detailing consistent or complementary to the building façade.
<b>g. Garage Screening</b>	Any portion of the parking structure, other than the garage entry, that is visible from the public rights-of-way or private accessway shall be screened by multifamily dwelling units.
<b>h. Pedestrian Access and Circulation</b>	<p>Development shall encourage pedestrian travel to adjacent retail and office uses by providing internal air-conditioned hallways so residents throughout the building can remain sheltered until they reach building exits.</p> <p>Primary resident ingress/egress doors to provide direct pedestrian connection to 71<sup>st</sup> Street and Marilyn Road shall be provided. Said doors (i) may be located on the west, east, south or north façade, (ii) shall feature an enhanced (defined as alternative paving surface, 50% shading and lined with shrubs or flowering plants to establish visual connection) sidewalk to connect to the public sidewalk, (iii) said door shall be architecturally enhanced to be easily identified as a primary pedestrian doorway, and (iv) include an access control point system (i.e. keypad or keyed door) to allow residents easy access into the building.</p> <p>Enhanced surfacing material, such as stamped or colored concrete or other pavement treatment, that visually contrasts with the parking garage entrance surface, shall be provided to delineate where the pedestrian path crosses the access drive.</p>

The following requirements apply to multifamily residential development (those standards not addressed herein, and for non-residential development, comply with Section 507 Tab A):

**E2: Landscape Design Guidelines**

<b>E2. Landscape Design Guidelines</b>	
<b>a. Uniform Streetscape Design</b>	<p>On the adjacent public rights-of-way, the following shall be included:</p> <p>The sidewalk landscape strip located between sidewalk and back of curb will provide a shade canopy of street trees and colorful mix of shrubs, accents, and groundcover to buffer the street from the detached sidewalk. The landscape will be comprised of: A minimum of (75%) 2" and (25%) 3" caliper trees to be planted 20' on center or in equivalent groupings, except where utility conflicts exist. Minimum of five (5) 5-gallon drought-resistant shrubs per tree to be planted at grade. Minimum 50% living groundcover coverage, excluding areas within utility clearance zones.</p> <ul style="list-style-type: none"> <li>• A minimum (75%) 2" caliper and (25%) 3" caliper trees planted at 20' on center, or equivalent groupings, utilizing a mix of the following tree species: Honey Mesquite, Texas Ebony, Mulga, Texas Mountain Laurel,</li> </ul>

	<p>Jacaranda, Chaste Tree, Anacaho Orchid Tree, or other approved species</p> <ul style="list-style-type: none"> <li>• Three (3) different shrub species</li> <li>• Two (2) different accent species</li> <li>• Two (2) different groundcover species</li> <li>• Minimum 50% live ground coverage</li> </ul> <p>On-site landscaping located between the sidewalk and the building envelope will provide shade and accent trees, and a colorful mix of shrub, accents, and groundcover. The landscape will be comprised of:</p> <ul style="list-style-type: none"> <li>• A minimum (75%) 2" caliper and (25%) 3" caliper trees planted at 20' on center, or equivalent groupings, utilizing a mix of the following tree species: Honey Mesquite, Texas Ebony, Mulga, Texas Mountain Laurel, Jacaranda, Chaste Tree, Anacaho Orchid Tree, or other approved species</li> <li>• Five (5) different shrub species</li> <li>• Two (2) different accent species</li> <li>• Two (2) different groundcover species</li> <li>• Minimum 50% live ground coverage</li> </ul>
<p><b>b. Uniform Perimeter Design</b></p>	<p>The west property line (abutting the private access drive) will provide trees, where feasible, and colorful mix of shrubs, accents, and groundcover. The landscape will be comprised of:</p> <ul style="list-style-type: none"> <li>• A minimum (75%) 2" caliper and (25%) 1" caliper trees planted at 30' on center, or equivalent groupings, utilizing a mix of the following tree species: Honey Mesquite, Texas Ebony, Mulga, Texas Mountain Laurel, Jacaranda, Chaste Tree, Anacaho Orchid Tree, or other approved species</li> <li>• Five (5) different shrub species</li> <li>• Two (2) different accent species</li> <li>• Two (2) different groundcover species</li> <li>• Minimum 50% live ground coverage</li> </ul>
<p><b>c. Landscape Planting Width</b></p>	<p>Due to the varying width of landscaping areas along the west side of the site, Section D2.d standards may be modified for narrow conditions as follows: The landscaping strip/area needs to be at least 8 feet wide and located outside of utility easements and clearance zones for trees. If the strip/area is less than 7 feet wide (2 feet to 7 feet) the area shall be planted with 5-gallon shrubs. If the strip/area is less than 2 feet, 1-gallon groundcover plants and vines shall be planted.</p>

**E3. Amenities**

**a. Resident Amenities**

Within building:

- Clubhouse and fitness no less than 8,000 square feet

Within internal courtyards:

- At least three (3) of the following:
  - Shaded outdoor dining area
  - Outdoor furniture grouping
  - 2 Barbecue Grills - minimum
  - 1 Water feature - minimum
  - 1 Fire feature(s) - minimum
  - 3 Seating node(s) - minimum
  - 1 Art Installation – minimum
  - 1 Outdoor Game(s) - minimum

If provided, within 5<sup>th</sup> floor, approximately 1,500 square foot indoor sky lounge with approximately 800 square foot open viewing deck:

- At least three (3) of the following:
  - Lounge area
  - Shaded outdoor dining area
  - Outdoor furniture grouping
  - 1 Water feature(s) - minimum
  - 1 Fire feature(s) - minimum
  - 3 Seating node(s) – minimum

No amplified music or loudspeakers may be used outside. The noise level, measured at any point on the received property, shall not exceed 55dBa.

If provided, within parking garage rooftop amenity deck:

- Swimming pool and/or spa no less than 600 square feet, with at least three (3) of the following:
  - Shaded outdoor dining area
  - Outdoor furniture grouping
  - 2 Barbecue Grills - minimum
  - 1 Water feature(s) - minimum
  - 1 Fire feature(s) – minimum
  - 1 Fire feature(s) – minimum
  - Reclining sun chairs

No amplified music or loudspeakers may be used outside. The noise level, measured at any point on the received property, shall not exceed 55dBa.



<b>b. Implementation</b>	<p>To implement the above, amenities standards are provided below, where applicable:</p> <ul style="list-style-type: none"><li>• Shaded Outdoor Dining Area shall be an area for the location of no less than four (4) table and chair sets under a cover (structural and/or vegetative).</li><li>• Water Features should be designed to limit loss of water by evaporation by avoiding placement in locations that experience long periods of direct sunlight and using non-spraying fountains (i.e. water features that move water via gravity, not larger pump driven fountains). Also see 507 Tab A.11.3.4.1.</li><li>• Fire Feature shall be designed as a gathering space that includes sufficient clear area around for seating and/or a built-in seating area around the feature (i.e. a fire pit with large border for sitting on).</li></ul>
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## F. SIGNS

**F1: Permitted Signs**

Unless otherwise permitted herein, signage shall comply with Section 705 of the Zoning Ordinance. Signage shall also comply with the existing Kierland Comprehensive Sign Plan and any amendments thereto. If developed with non-residential uses, signage standards must comply with the commercial standards of Zoning Ordinance Section 1308.

If developed with multifamily residential, signage standards must comply with the multifamily residential standards in Table D-1 of Zoning Ordinance Section 705 except where modified below:

F1. Permitted Signs	
<b>a. Blade Signage</b>	<p>One (1) sign for project identification to be located at the northwest corner of the building.</p> <p>One (1) additional blade sign to be located above the garage entry for wayfinding.</p> <p>Blade signs shall be no taller than 20 feet with an overall maximum size of 80 square feet. Signs shall not extend higher than 40 feet from grade. Signs may be single sided or double sided and are only allowed to project a maximum of 6 feet from the face of the building. For double sided signs, only one sign face is counted towards the square footage maximum.</p>
<b>b. Ground Signage</b>	<p>One (1) ground sign to be located near the garage entrance for leasing area wayfinding, with a maximum height of 6.5’.</p> <p>Two (2) ground signs shall serve as project identification; one on the southwest corner of E Marilyn Road and N 71st Street and the other at the corner of N 71st Street and the Private Access Drive. These shall each be permitted up to 55 square feet in area.</p>
<b>c. Wall Signs</b>	<p>Two (2) wall signs shall be located at the northwest corner to identify the leasing area; these may be a minimum of 20 square feet in area.</p>

## G. SUSTAINABILITY

### G1: City Enforced Standards

The following are standards that are measurable and enforceable by the City and will be incorporated within the development:

- As encouraged by Reimagine Phoenix, recycling receptacles and chutes will be provided in the refuse room. These will be commercial bins, serviced by private solid waste provider.
- Dual Glaze Windows with High Performance Low-e Glazing.
- All landscape and exterior building lighting will be LED lighting.
- Provide water efficient landscaping (drought tolerant plants).
- Utilize a drip irrigation system with a 'smart' controller to minimize water waste.
- Provide detached sidewalks along Marilyn Road and 71<sup>st</sup> Street.
- Provide 75% shade on public sidewalks and 50% shade on private sidewalks within the development.

### G2: Developer Enforced Standards

The following are sustainability practices that are highly encouraged and planned to be utilized but which are not enforceable by the City:

- Utilize low water usage plumbing fixtures.
- Encourage the design of buildings' HVAC systems to eliminate the usage of CFC's and CFC based refrigerants.
- Encourage the use of water-based adhesives on all VCT and vinyl flooring to minimize VOC off gassing.
- Lower flow toilets and showerheads.
- Energy Star Rated appliances.
- Use of synthetic turf (outside of any landscape setback). Provide as much shade as practical.
- On-site amenities and activity programs to encourage residents to remain on property, reducing off-site traffic trips.
- Recycling services will be provided for tenants.
- Tenant invoicing and billing services will be paperless.
- Consider use of grey water or condensate to supplement potable irrigation water.

## H. INFRASTRUCTURE

**H1: Grading and Drainage**

Davis Kierland is within the Kierland master Planned Development. Being within the Master Planned Development, it also is a part of the Kierland Master Drainage area. The site lies within Parcel 5A of the Kierland Master Drainage Report which has been designed for the storm water to run-off the site to the south and routed to Basin 3, at the southeast corner of the Kierland Golf Course. The site will be designed to discharge the 100-yr 2-hr storm event as it has historically. Being a part of the Master Planned Development, the site is not required to retain the 100-yr 2-hr storm event or the first flush.

**H2: Water and Wastewater**

The site has an 8" DIP Waterline within both 71<sup>st</sup> Street and within Marilyn Road. The site will be serviced by both potable water and fire from either street. A fire flow test has been performed and shows a 6,190 gpm flow rate at a 20 psi pressure. The water meter size will be determined during the design. There are options to service the site with one master meter or possible 2 master meters servicing from each street. The options will be the same for fire service.

There is an existing 8" VCP sewer within Marylin Road and 71<sup>st</sup> Street. The City has made it a requirement that the sewer on Marilyn Road not be used due to existing capacity challenges. The building services will be discharged to the existing 8" sewer in 71<sup>st</sup> Street as directed by the City of Phoenix.

H3: Circulation Systems

According to the traffic impact analysis that was conducted for Davis Kierland (filed under separate cover and reviewed under STIA 2106382), it was determined that the proposed use of the site would generate 1,438 weekday trips with 89 trips (23 in/66 out) during the AM peak hour and 112 trips (68 in/46 out) during the PM peak hour. The analysis determined that, during the peak hours, a large distribution of vehicles (47%) will exit the property at the south driveway heading southwest on 71<sup>st</sup> Street. Resident traffic will enter and exit the parking garage via an easement for shared access onto Marilyn Road and 71<sup>st</sup> Street. Upon analysis of the increased traffic volume generated by the new development and an estimation of its distribution, it was determined that no additional auxiliary right of left turn lane installations are warranted at either of the two (2) existing access points to the site.

H4: Complete Streets

The City of Phoenix Complete Streets Design Guidelines include a number of suggestions for new development, some of which are applicable to this project:

- Streets should be designed to promote safety for all users, particularly children, the elderly, those with disabilities, transit users and more vulnerable modes (walking, bicycling, transit). See **Section E1.h: Pedestrian Access and Circulation**, “Enhanced surfacing material, such as stamped or colored concrete or other pavement treatment, that visually contrasts with the parking garage entrance surface, shall be provided to delineate where the pedestrian path crosses the access drive.”
- Shade should be a primary technique in projects to reduce ambient temperatures and reduce direct sunlight exposure for pedestrians and cyclists. See **Section D5: Shade**, “Shading, which may be architectural, vegetative or any combination thereof, shall be provided ...” at a minimum of 75% for all public sidewalks and at a minimum of 50% for all private sidewalks.
- All new street designs should include pedestrian infrastructure with pedestrian through zones free of impediments. See **Section E1.h: Pedestrian Access and Circulation**, “Development shall encourage pedestrian travel to adjacent retail and office uses by providing internal air-conditioned hallways so residents throughout the building can remain sheltered until they reach building exits.”
- Streets should be designed to expand the availability of public seating and bicycle racks. See **Section D3.a Bicycle Parking**, “... provide two (2) [bicycle] visitor spaces, to be located near main lobby entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.”

# I. COMPARATIVE ZONING STANDARDS

**I: Comparative Zoning Standards Table**

Standards	CP/GP Standards	Proposed PUD Standards
<b>a. Dwelling Unit Density (Units/Gross Acre)</b>	Not Permitted	261 Dwelling Units 62.05 Dwelling Units per Gross Acre
<b>b. Building Setbacks</b>		
<b>Marilyn Road:</b>	20'	20'
<b>71<sup>st</sup> Street:</b>	20'	20'
<b>Interior Lot Line Not on a Street (West):</b>	0'	25'
<b>c. Landscape Setbacks</b>		
<b>Required Setbacks Adjacent to a Street:</b>	Shall be Landscaped	Not Applicable
<b>Marilyn Road:</b>	Not Applicable	20'
<b>71<sup>st</sup> Street:</b>	Not Applicable	20'
<b>Interior Lot Line Not on a Street (West):</b>	Not Applicable	10'
<b>d. Maximum Height</b>	18' Within 30' of Perimeter Lot Line; 1' Increase per 3' Additional Setback, Maximum 56'	70' (subject to exceptions noted in Section D1.e)
<b>e. Lot Coverage</b>	50%	66%

## J. LEGAL DESCRIPTION

J. Legal Description

A PORTION OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

UNITS 1 THROUGH 6, OF KIERLAND OFFICE PARK CONDOS, ACCORDING TO DECLARATION OF CONDOMINIUM IN RECORDING NO. 20031365538, AND PLAT RECORDED IN BOOK 654 OR MAPS, PAGE 20, RECORDS OF MARICOPA COUNTY, ARIZONA;

TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS AS SET FORTH IN SAID DECLARATION AND PLAT AND ANY ANNEXATIONS THERETO.

THE ABOVE DESCRIBED LEGAL DESCRIPTION TO BE KNOWN AS:

LOT 4, KIERLAND COMMERCE SOUTH, ACCORDING TO BOOK 465 OF MAPS, PAGE 10, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF KIERLAND BOULEVARD AND MARILYN ROAD SE SET FORHT ON THE PLAT OF SAID KIERLAND COMMERCE SOUTH;

THENCE ALONG THE CENTERLINE OF SAID MARILYN ROAD, NORTH 89 DEGREES 44 MINUTES 08 SECONDS EAST, 485.24 FEET;

THENCE CONTINUING SOUTH 00 DEGREES 15 MINUTES 52 SECONDS EAST, 213.49 FEET;

THENCE SOUTH 44 DEGREES 57 MINUTES 48 SECONDS EAST, 357.90 FEET TO A POINT ON TH EASTERLY LINE OF SAID LOT 4;

THENCE SOUTH 45 DEGREES 02 MINUTES 12 SECONDS WEST ALONG SAID EASTERLY LINE, 284.09 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 396.14 FEET;

THENCE SOUTHWESTRLY ALONG THE ARC OF SAID CURVE AND SAID EASTERLY LINE, THROUGH A CENTRAL ANGLE OF 21 DEGREES 38 MINUTES 31 SECONDS, A DISTANCE OF 150.36 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID EASTERLY LINE, SOUTH 23 DEGREES 23 MINUTES 42 SECONDS WEST, 22.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, SOUTH 88 DEGREES 23 MINUTES 42 SECONDS WEST, 35.36 FEET TO A POINT ON THE SOUTHERLY LINE FO SAID LOT 4;

THENCE ALONG SAID SOUTHERLY LINE, NORTH 66 DEGREES 38 MINUTES 18 SECONDS WEST, 104

FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 485.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY LINE AND THE WESTERLY LINE OF SAID LOT 4 THROUGH A CENTRAL ANGLE OF 66 DEGREES 20 MINUTES 25 SECONDS, A DISTANCE OF 538.41 FEET TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 00 DEGREES 15 MINUTES 52 SECONDS WEST, 192.20 FEET;

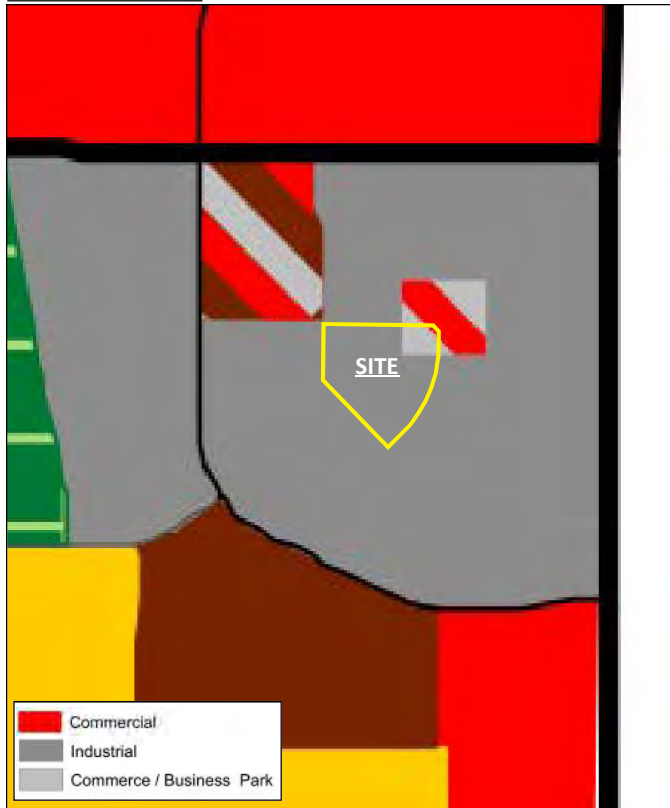
THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 01 DEGREES 46 MINUTES 52 SECONDS EAST, 138.22 FEET;

THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 45 DEGREES 45 MINUTES 30 SECONDS EAST, 37.42 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 4;

THENCE ALONG SAID NORTH LINE, NORTH 89 DEGREES 44 MINUTES 11 SECONDS EAST (NORTH 89 DEGREES 44 MINUTES 08 SECONDS EAST, RECORD) 418.38 FEET TO THE POINT OF BEGINNING.



EXISTING LAND USE MAP



PROPOSED LAND USE MAP

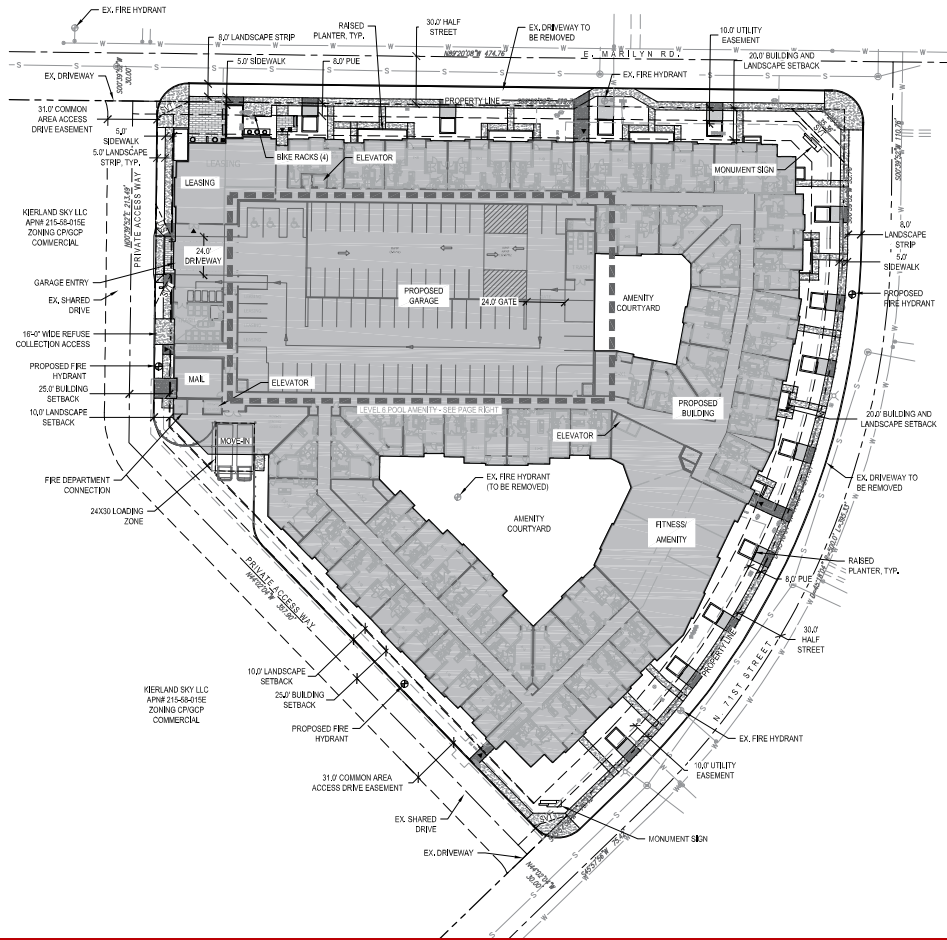


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 400 E Van Buren Street Phoenix, AZ 85004



**GENERAL PLAN LAND USE MAP**

EXHIBIT 1  
 DAVIS KIERLAND  
 11/15/2021



**PROJECT TEAM**

**OWNER/DEVELOPER**  
 DAVIS DEVELOPMENT  
 7375 WEST 52ND AVENUE  
 SUITE 200  
 ARVONA, COLORADO 80002  
 PHONE: (303) 302-2602  
 CONTACT: MICHAEL LEE

**ARCHITECT**  
 GENSER LEWIS ARCHITECTS  
 1105 LOGAN CIRCLE NW  
 ATLANTA, GEORGIA 30318  
 PHONE: (404) 394-4379  
 CONTACT: BRIAN TOWLIN

**CIVIL ENGINEER**  
 HUBBARD ENGINEERING  
 FINANCIAL PLAZA  
 1201 S ALMA SCHOOL ROAD  
 MESA, AZ 85210  
 PHONE: (480) 852-3113  
 CONTACT: SHAWN HARRISON

**ZONING ATTORNEY**  
 SNELL & WILMER L.L.P.  
 One Arizona Center  
 PHOENIX, AZ 85004-2002  
 PHONE: (602) 382-8824  
 CONTACT: NOEL GREENSMANN

**PLANNED LANDSCAPE ARCHITECT**  
 NORRIS DESIGN  
 901 EAST MADISON STREET  
 PHOENIX, AZ 85004  
 PHONE: (602) 254-6800  
 CONTACT: ALAN BAUDON

**SITE DATA**

**SITE AREA (GROSS):** 4.206 ACRES (181,224 S.F.)  
**SITE AREA (NET):** 3,006 ACRES (130,479 S.F.)  
**PARCEL ADDRESSES:** 7107 E. MARILYN ROAD  
 5207 S. ALMA  
 215-64-042  
**APN:** 215-64-042  
**EXISTING ZONING:** CR1 GCP  
**PROPOSED ZONING:** PUD

**CONCEPTUAL PLAN DATA**

**PROPOSED USE:** MULTIFAMILY RESIDENTIAL (RENTAL)  
**LOT SALES:** 261  
**TOTAL # OF UNITS:** 420  
**DENSITY:** 62.86 DU / GROSS ACRE (68 UNITS)

**PLAN LEGEND**

- ◀ BUILDING ENTRY / ACCESS
- EXISTING FIRE HYDRANT
- ⊕ PROPOSED FIRE HYDRANT
- ▭ LANDSCAPE AREA
- ▨ CONCRETE WALK
- ▧ 10X20 SVT
- ▧ 33X33 SVT

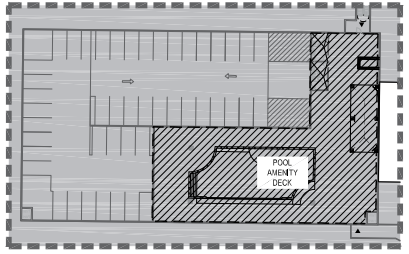
**RESIDENTIAL BUILDING**  
 FOOTPRINT: 73,456 S.F.  
 PARKING GARAGE FOOTPRINT: 28,009 S.F.  
 LOT COVERAGE: 10,205 S.F. / 102,479 S.F. (NET) = 10.1%  
**RESIDENTIAL BUILDING**  
 BUILDING HEIGHT: 5 STORY (140')  
 PARCEL HEIGHT: 5 STORY (140')  
 MAXIMUM HEIGHT: 75'-0"

**BUILDING CONSTRUCTION:** TYPE 5A  
 COMMON AREA: 10% MINIMUM  
 LANDSCAPE AREA: 15% MINIMUM

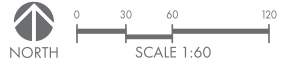
**PARKING REQUIREMENTS**

**TOTAL PARKING SPACES:**  
 TOTAL SPACES REQUIRED = PUD  
 TOTAL PARKING GARAGE SPACES PROVIDED = 413 STANDARD  
 8 NON-STALLS  
 420 TOTAL STALLS

**NET PARKING STALLS:**  
 20' LATERALS (1.00) FIRE STALLS PER UNIT = 27 STALLS  
 PUBLIC STALLS (STREET SIDE) = 8 STALLS  
 PRIVATE ACCESS CONTROLLED STALLS (GARAGE) = 19 STALLS  
 TOTAL BIKE STALLS PROVIDED = 27 STALLS

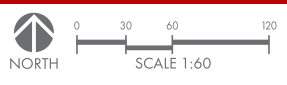


LEVEL 6 POOL AMENITY





**KEY:**  
 SETBACK AREA  
 BACK OF CURB



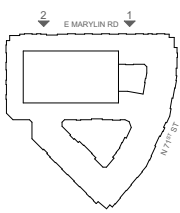


**1 EXTERIOR - NORTH ELEVATION**



**2 EXTERIOR - NORTH ELEVATION**

**SITE PLAN**



**MATERIAL LEGEND**

	SWATCH	DESCRIPTION	SWATCH	DESCRIPTION	SWATCH	DESCRIPTION
1	[Swatch 1]	SW7004 - SNOWBOUND (STUCCO)	3	SW7705 - WHEAT PENNY (STUCCO, F.C. PANEL/TRIM)	5	SW7710 - BRANDYWINE (F.C. LAP SIDING)
2	[Swatch 2]	SW7649 - SILVERPLATE (STUCCO, F.C. PANEL)	4	BRIGHT WHITE (STUCCO, F.C. PANEL/TRIM)	6	ELDORADO STONE EUROPEAN LEDGE - SEA CLIFF (STONE VENEER)

MATERIAL	AREA (SQ.FT.)	PERCENTAGE
STUCCO	6565	39%
MASONRY (STONE, BRICK)	2320	12%
FIBER CEMENT (PANEL, LAP)	9318	38%
GLAZING	5381	22% OF TOTAL ELEV. AREA
<b>TOTAL W/ GLAZING SF</b>	<b>24485</b>	

**KIERLAND APARTMENTS**

**PROJECT INFO.**

**OWNER**  
Company Name: THE DINERSTEIN COMPANIES  
Name: Bob Under  
Address: 11015 S Coast Highway 101, Suite 106, Encinitas, CA 92024  
Phone: 949-929-8407

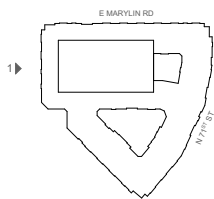
**ARCHITECT**  
Company Name: Geheber Lewis Associates  
Name: Fred Geheber  
Address: 649 11th Street NW, Atlanta, GA 30318  
Phone: 404-228-1598

Scale: AS NOTED Sheet No.  
Date: 07/31/2023 **EL-1**  
Drawn By: BT  
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1  
EL-2  
EXTERIOR - WEST 1 ELEVATION  
SCALE: 3/32" = 1'-0"

SITE PLAN



MATERIAL LEGEND

SWATCH	DESCRIPTION	SWATCH	DESCRIPTION	SWATCH	DESCRIPTION
1	SW7004 - SNOWBOUND (STUCCO)	3	SW7705 - WHEAT PENNY (STUCCO, F.C. PANEL/TRIM)	5	SW7710 - BRANDYWINE (F.C. LAP SIDING)
2	SW7649 - SILVERPLATE (STUCCO, F.C. PANEL)	4	BRIGHT WHITE (STUCCO, F.C. PANEL/TRIM)	6	ELDORADO STONE EUROPEAN LEDGE - SEA CLIFF (STONE VENEER)

MATERIAL CALCULATION  
EXTERIOR - WEST ELEVATION

MATERIAL	AREA (SQ. FT.)	PERCENTAGE
STUCCO	2814	29%
MASONRY (STONE, BRICK)	1419	14%
FIBER CEMENT (PANEL, LAP)	3488	35%
GLAZING	2315	22% OF TOTAL ELEV. AREA
TOTAL W/ GLAZING SF	9836	

KIERLAND APARTMENTS

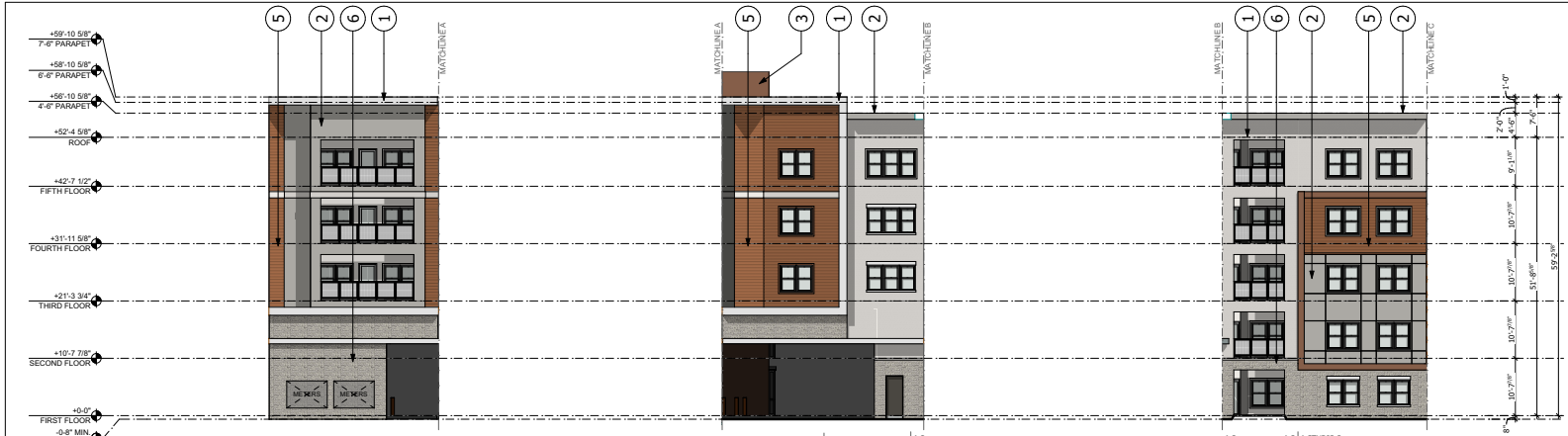
PROJECT INFO.

OWNER  
Company Name: THE DINERSTEIN COMPANIES  
Name: Bob Under  
Address: 1010 S Coast Highway 101  
Suite 106  
Encinitas, CA 92024  
Phone: 949-629-9407

ARCHITECT  
Company Name: Geheber Lewis Associates  
Name: Fred Geheber  
Address: 649 11th Street NW  
Atlanta, GA 30318  
Phone: 404-228-1958

Scale: AS NOTED Sheet No.  
Date: 07/31/2023  
Drawn By: BT

EL-2



6 **SOUTHWEST 4 ELEVATION**  
SCALE: 3/32" = 1'-0"

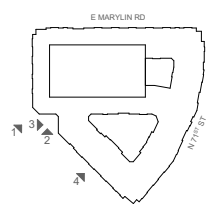
2 **EXTERIOR - SOUTHWEST ELEVATION**  
SCALE: 3/32" = 1'-0"

3 **EXTERIOR - SOUTHWEST ELEVATION**  
SCALE: 3/32" = 1'-0"



4 **EXTERIOR - SOUTHWEST 3 ELEVATION**  
SCALE: 3/32" = 1'-0"

**SITE PLAN**



**MATERIAL LEGEND**

SWATCH	DESCRIPTION	SWATCH	DESCRIPTION	SWATCH	DESCRIPTION
1	SW7004 - SNOWBOUND (STUCCO)	3	SW7705 - WHEAT PENNY (STUCCO, F.C. PANEL/TRIM)	5	SW7710 - BRANDYWINE (F.C. LAP SIDING)
2	SW7649 - SILVERPLATE (STUCCO, F.C. PANEL)	4	BRIGHT WHITE (STUCCO, F.C. PANEL/TRIM)	6	ELDORADO STONE EUROPEAN LEDGE - SEA CLIFF (STONE VENEER)

MATERIAL CALCULATION EXTERIOR - SOUTHWEST ELEVATION		
MATERIAL	AREA (SQ.FT.)	PERCENTAGE
STUCCO	5592	27%
MASONRY (STONE, BRICK)	3095	15%
FIBER CEMENT (PANEL, LAP)	8198	39%
GLAZING	4137	20% OF TOTAL ELEV. AREA
<b>TOTAL W/ GLAZING SF</b>	<b>21022</b>	

**KIERLAND APARTMENTS**

**PROJECT INFO.**

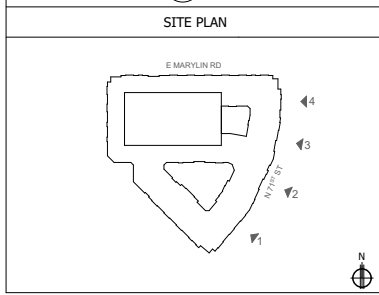
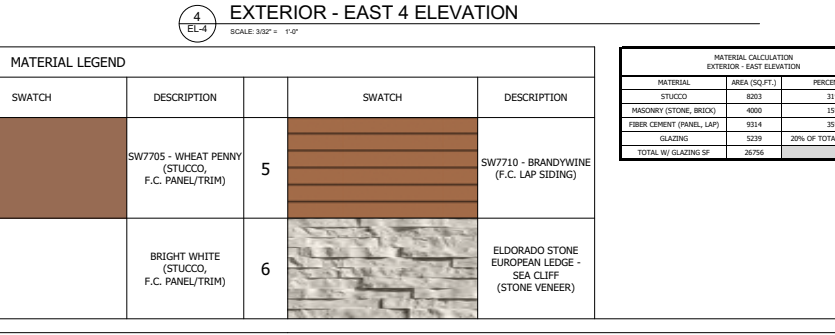
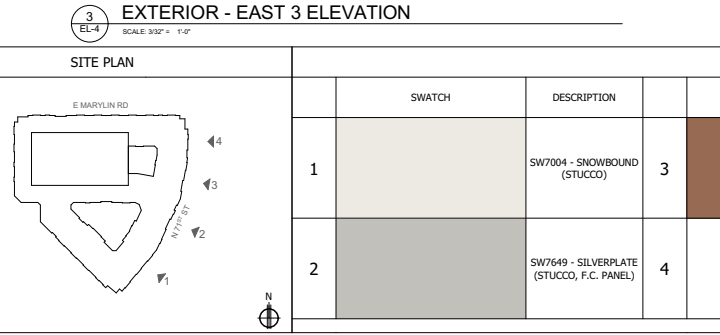
**OWNER**  
Company Name: THE DINERSTEIN COMPANIES  
Name: Bob Linder  
Address: 1010 S Coast Highway 101  
Suite 106  
Encinitas, CA 92024  
949-929-8407

**ARCHITECT**  
Company Name: Geheber Lewis Associates  
Name: Fried Geheber  
Address: 649 11th Street NW  
Atlanta, GA 30318  
404-238-1958

Scale: AS NOTED  
Date: 07/31/2023  
Drawn By: BT

Sheet No.  
**EL-3**

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**MATERIAL LEGEND**

SWATCH	DESCRIPTION	SWATCH	DESCRIPTION	SWATCH	DESCRIPTION
1	SW7004 - SNOWBOUND (STUCCO)	3	SW7705 - WHEAT PENNY (STUCCO, F.C. PANEL/TRIM)	5	SW7710 - BRANDYWINE (F.C. LAP SIDING)
2	SW7649 - SILVERPLATE (STUCCO, F.C. PANEL)	4	BRIGHT WHITE (STUCCO, F.C. PANEL/TRIM)	6	ELDORADO STONE EUROPEAN LEDGE - SEA CLIFF (STONE VENEER)

**MATERIAL CALCULATION EXTERIOR - EAST ELEVATION**

MATERIAL	AREA (SQ.FT.)	PERCENTAGE
STUCCO	8203	31%
MASONRY (STONE, BRICK)	4000	15%
FIBER CEMENTY PANEL, LAP	934	3%
GLAZING	529	20% OF TOTAL ELEV. AREA
TOTAL W/ GLAZING SF	2676	

**KIERLAND APARTMENTS**

**PROJECT INFO.**

**OWNER:**  
Company Name: THE GINERSTEIN COMPANIES  
Name: Bob Linder  
Address: 1010 S Coast Highway 101 Suite 106 Encinitas, CA 92024 949-629-6407

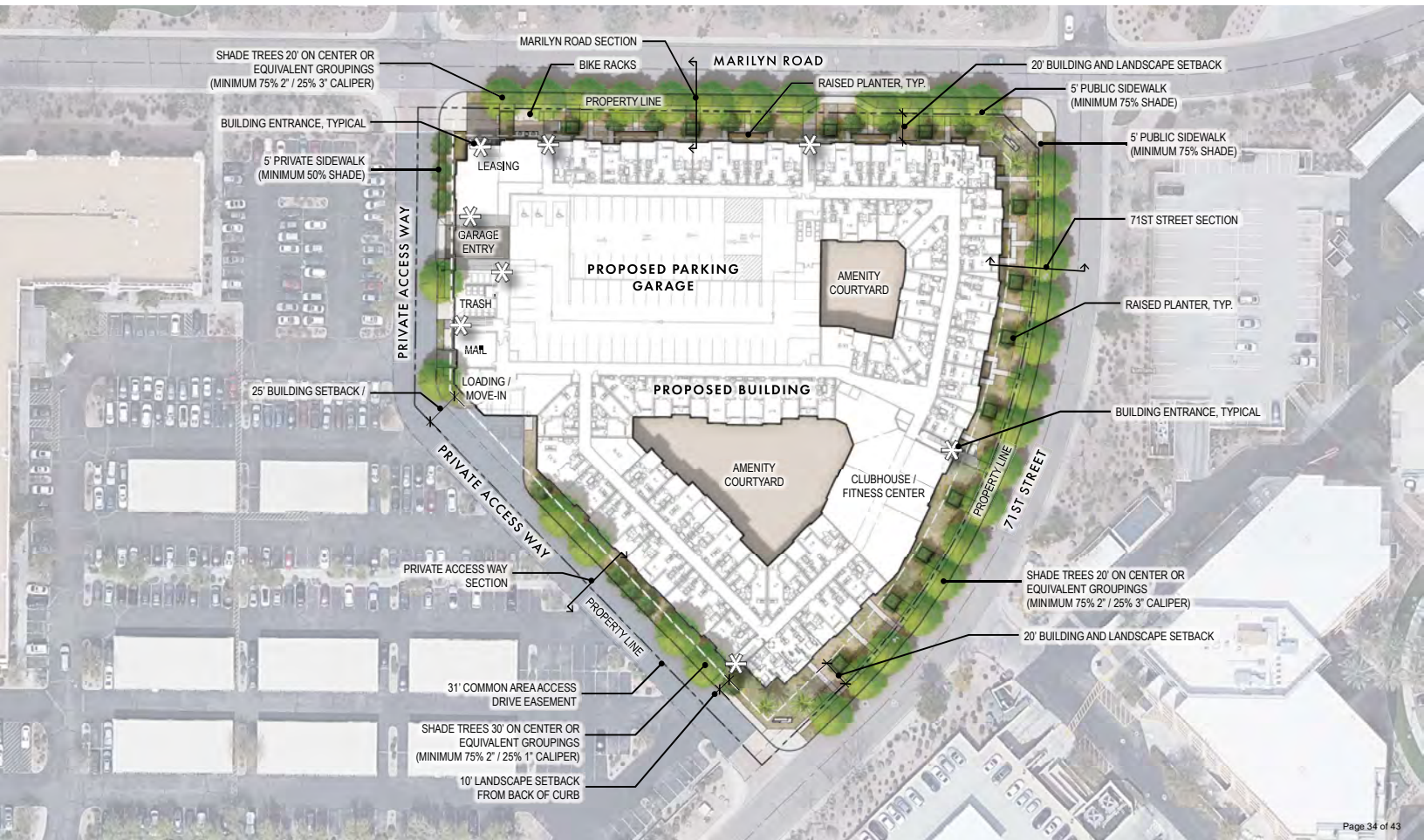
**ARCHITECT:**  
Company Name: Geheber Lewis Associates  
Name: Fred Geheber  
Address: 649 11th Street NW Atlanta, GA 30318 404-228-1958

Phone: \_\_\_\_\_  
Scale: AS NOTED Sheet No. \_\_\_\_\_  
Date: 07/31/2023 **EL-4**  
Drawn By: BT www.glabi.com



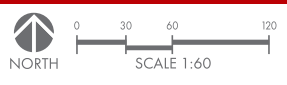






**DAVIS KIERLAND | CONCEPTUAL LANDSCAPE PLAN**

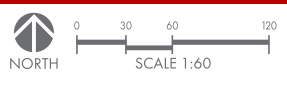
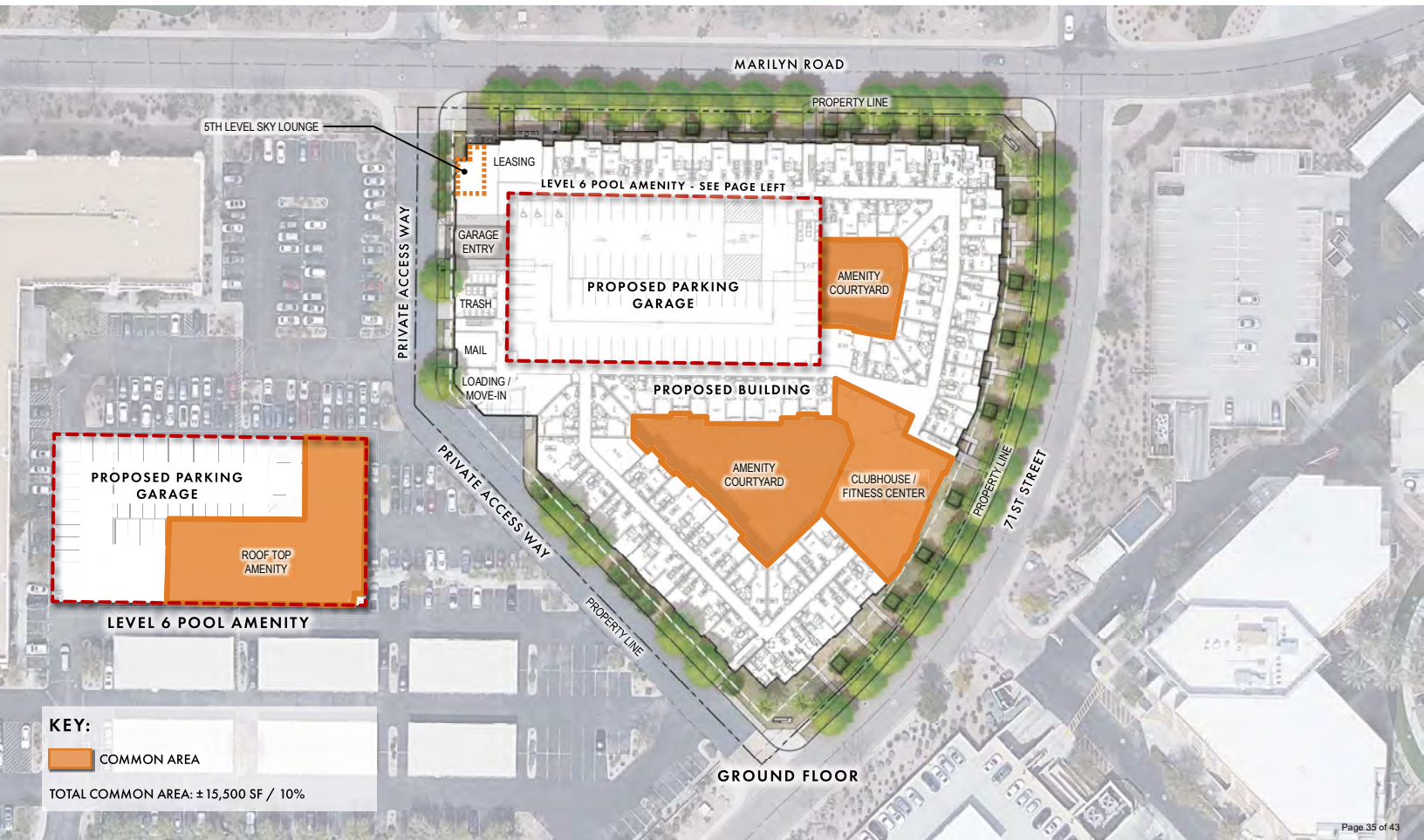
11/15/2021




**DAVIS DEVELOPMENT**

**GEHEBER LEWIS ASSOCIATES**

**NORRIS DESIGN**  
 Planning | Landscape Architecture | Branding

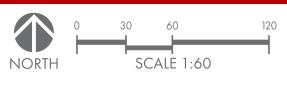




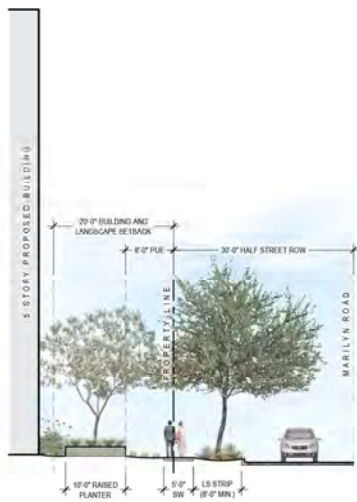
**KEY:**

- OPEN SPACE WITHIN SETBACKS: 18,872 SF – 12.4% OF NET
- OPEN SPACE (EXCLUDING SETBACKS): 19,709 SF – 12.9% OF NET

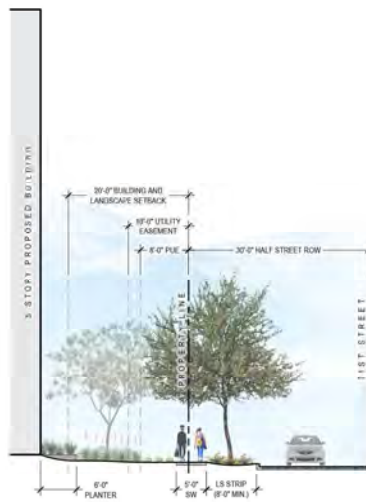
TOTAL PERCENTAGE: 25.3 % OF NET



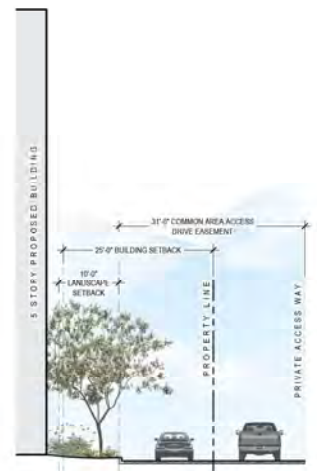




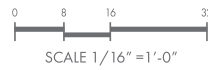
MARILYN ROAD SECTION



71ST STREET SECTION



PRIVATE ACCESS WAY SECTION

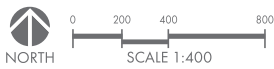


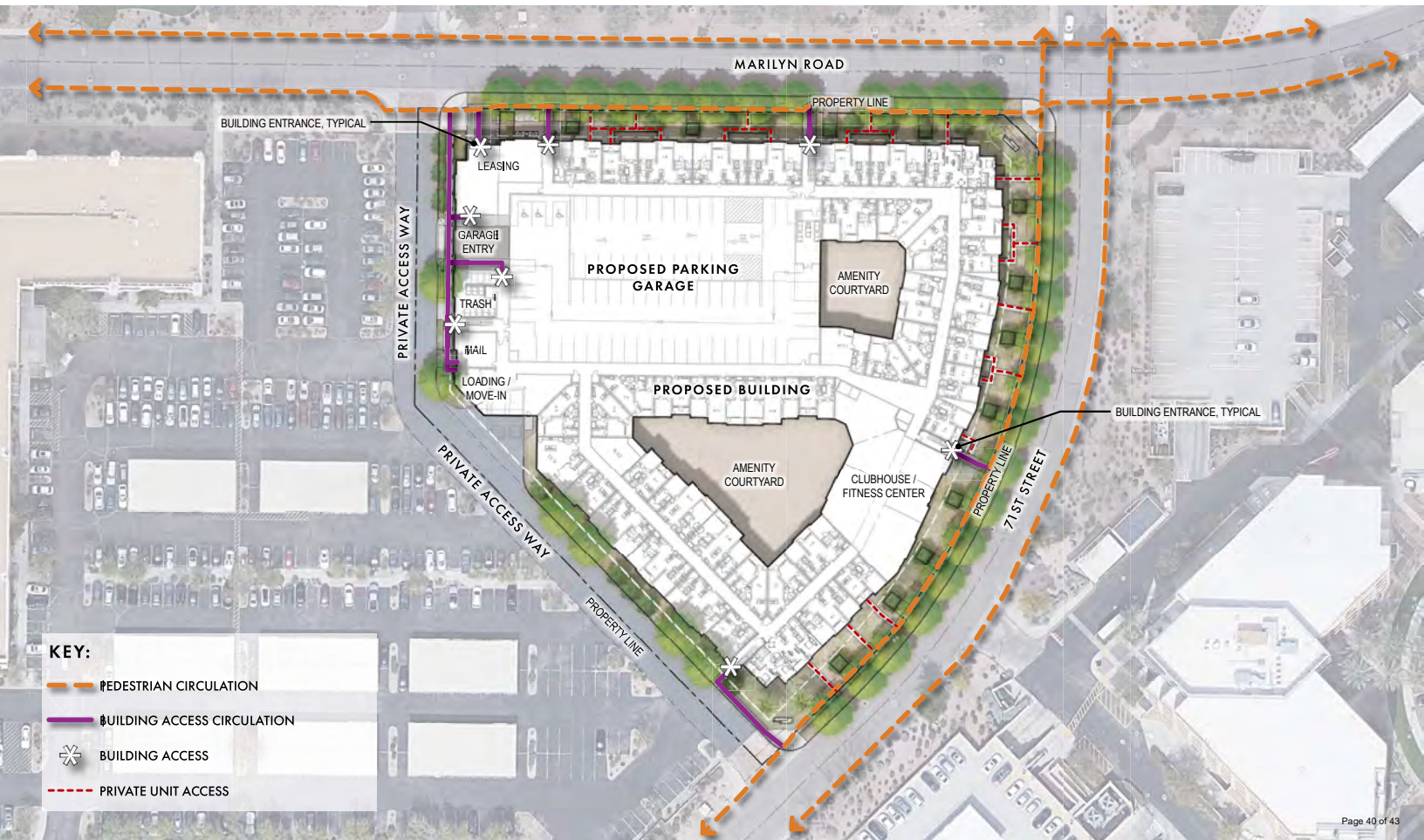
DAVIS DEVELOPMENT



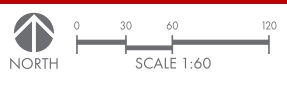
GEHEBER LEWIS ASSOCIATES ARCHITECTS

NORRIS DESIGN Planning | Landscape Architects | Branding





- KEY:**
- PEDESTRIAN CIRCULATION
  - BUILDING ACCESS CIRCULATION
  - \* BUILDING ACCESS
  - PRIVATE UNIT ACCESS







ENHANCED TRIP GENERATION STATEMENT  
SUBMITTED UNDER SEPARATE COVER  
(STIA 2106382)

Street Transportation Department

September 29, 2021

David Duffy, P.E.  
CivTech, Inc  
10605 N Hayden Road, Suite 140  
Scottsdale, AZ 85260

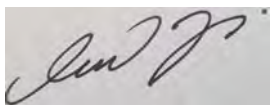
**RE: Traffic Statement name**

Dear Mr. Duffy:

The City of Phoenix has reviewed the submittal of the Enhanced Trip Generation Statement for Kierland Apartments and has no further comments. Please accept this letter as your final approval.

If you have any questions, please contact me at [al.zubi@phoenix.gov](mailto:al.zubi@phoenix.gov).

Sincerely,



Al Zubi  
Traffic Engineer III  
Street Transportation Department

c: Chris Kowalsky, Street Transportation Department  
Derek Fancon, Planning & Development Department