



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-12-18-2  
(LMC Kierland PUD)  
May 18, 2018**

**Paradise Valley [Village Planning Committee](#) Meeting Date:** June 4, 2018

**[Planning Commission](#) Hearing Date:** June 7, 2018

**Request From:** [C-2](#) PCD (2.11 acres)  
[C-2](#) HGT/WVR PCD (2.06 acres)

**Request To:** PUD (4.17 acres)

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

**Location:** Approximately 330 feet north of the northeast corner of 71st Street and Tierra Buena Lane

**Owners:** Kierland Office Limited Partnership; and Beauty and Barber Supply Institute Inc

**Applicant:** Lennar Multifamily Communities (LMC)

**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
<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><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> <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</p>			

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.***

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

The PUD proposes landscaping around all four sides of the building and internal landscaped courtyards. A detached sidewalk along 71st Street framed with two landscape strips will provide thermal comfort for pedestrians. The PUD also requires that a minimum of 75% of public and private pedestrian pathways be shaded.

The proposed development will have four-sided architecture with an enhanced frontage that will consist of a porte-cochere entrance with a water feature, and a pedestrian friendly townhome frontage that will encourage pedestrian activity along 71st Street.

***CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.***

***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 narrative requires that 0.25 bicycle parking spaces be provided for each dwelling unit built and a minimum of four guest bicycle parking spaces. 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 or nearby entertainment.

#### **Applicable Plans, Overlays and Initiatives**

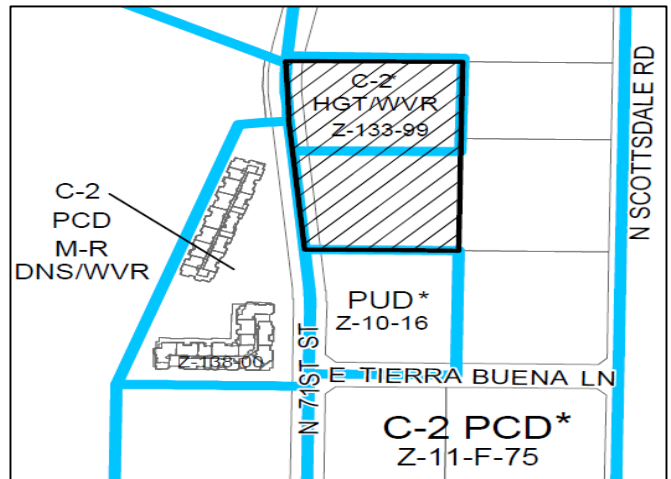
Maricopa Association of Governments (MAG) Kierland Employment Corridor – see #5 below.

Surrounding Land Uses/Zoning		
	Land Use	Zoning
<b>On Site</b>	Office	C-2 PCD and C-2 HGT/WVR PCD
<b>North</b>	Retail	C-2 PCD
<b>South</b>	Multifamily Residential	PUD
<b>East</b>	Retail	C-2 PCD
<b>West</b>	Golf Course and multifamily condominiums	GC PCD and C-2 M-R DNS/WVR PCD

**Background/Issues/Analysis**

**SUBJECT SITE**

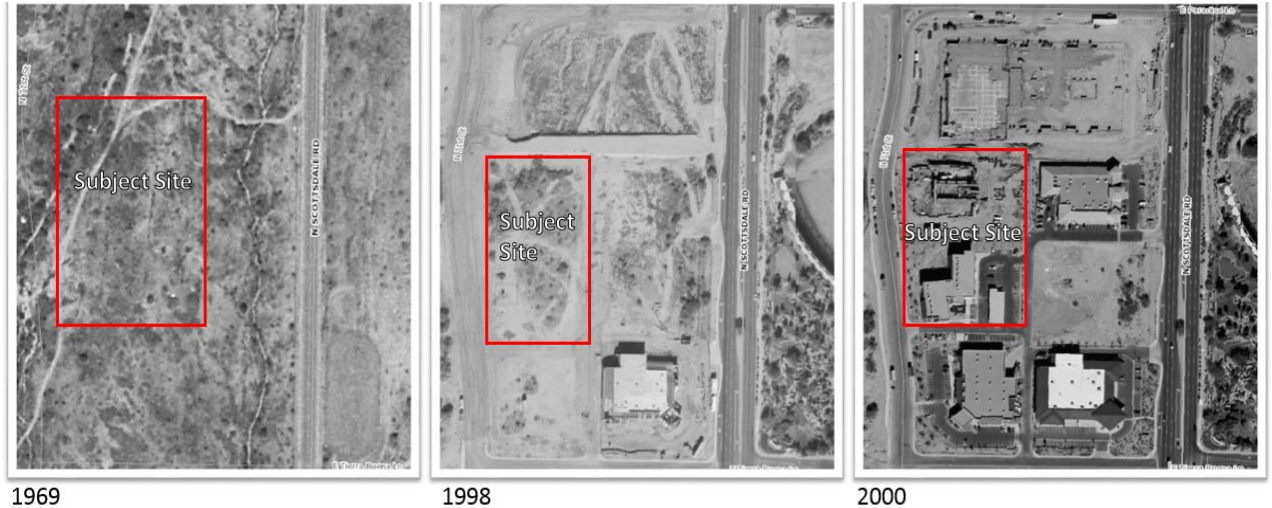
1. This is a request to rezone a 4.17-acre site located approximately 330 feet north of the northeast corner of 71st Street and Tierra Buena Lane. The request is to rezone from C-2 PCD (Intermediate Commercial, Planned Community District) and C-2 HGT/WVR PCD (Intermediate Commercial, Height Waiver, Planned Community District) to PUD (Planned Unit Development) to allow a mix of uses including multifamily residential for a maximum of 299 dwelling units and/or commercial.



Source: City of Phoenix Planning and Development Department

2. The subject site consists of two parcels that are under different ownerships and improved with office buildings. 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 and 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 on both properties was established through Amendment F, Rezoning Case No. Z-11-F-75. The northern parcel went through yet another rezoning, Rezoning Case No. Z-133-99, which established the height waiver on the subject site to permit a maximum height of 2 stories and 38 feet. Maricopa County Historical Aerials indicate that the first property to develop near the site was in approximately 1998 and the subject property began development in approximately 2000. The PCD Zoning District is intended to establish a development pattern for a larger area while permitting flexibility for specific developments and safeguards that adequate infrastructure needs are met for the area. The request is rezoning out of the PCD and will be

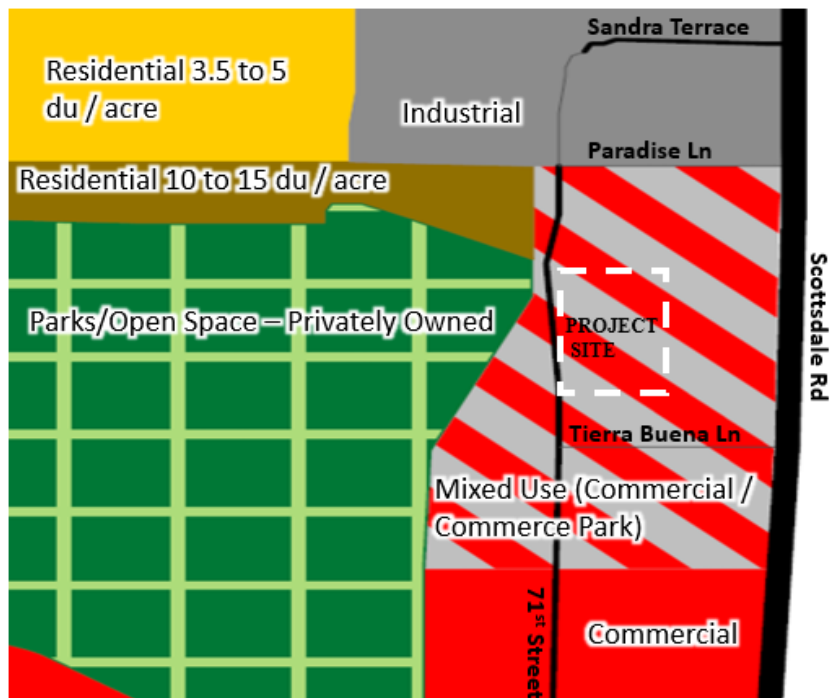
required to provide updated infrastructure as needed and determined through the Planning and Development Department's site development process.



Source: Maricopa County historical Aerial

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 surrounding the site is also Mixed Use (Commercial/Commerce Park).



Source: City of Phoenix Planning and Development Department

4. The proposed PUD site is located within the larger Kierland area, near Scottsdale Road and within a corridor that contains commercial, mixed use, commerce park and industrial 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 subject site is also near the Westin Kierland Resort & Spa, golf course, offices and commerce park uses. The site is adjacent to other developments that exceed 30-feet in height such as Kierland Overture (68 feet), SGA Corporate Center (75 feet) and The Landmark Condominiums (62 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 0.17 miles south of the subject site.

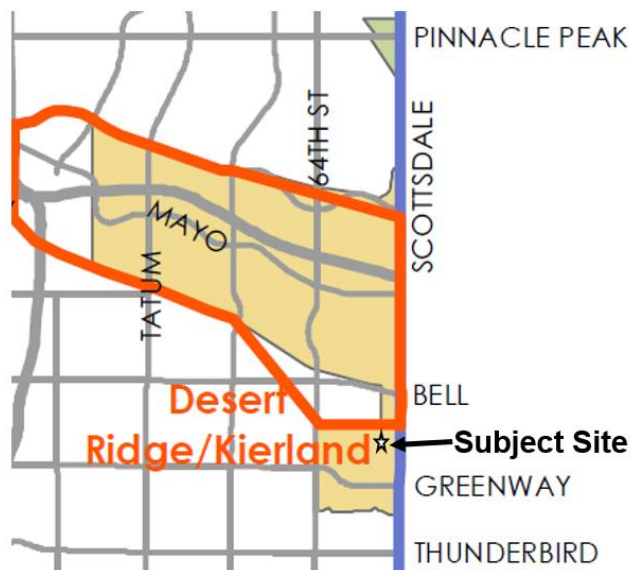


Source: City of Phoenix Planning and Development Department

## DESERT RIDGE AND KIERLAND MAJOR EMPLOYMENT CENTER

5. The subject 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 that the Kierland area is comprised of a highly educated, executive and professional workforce with a large inventory of Class A office space. Providing additional housing options in close proximity to the nearby workforce will add to the sustainability of established office space and commercial uses build around Kierland.



- Phoenix Designated Employment Centers
- Desert Ridge & Kierland

Source: City of Phoenix Planning and Development Department

## SURROUNDING ZONING AND USES

### 6. North

The property to the north of the subject site is Ladlow's Home Furnishings zoned C-2 PCD (Intermediate Commercial, Planned Community District) through Rezoning Case No. Z-11-F-75.

### South

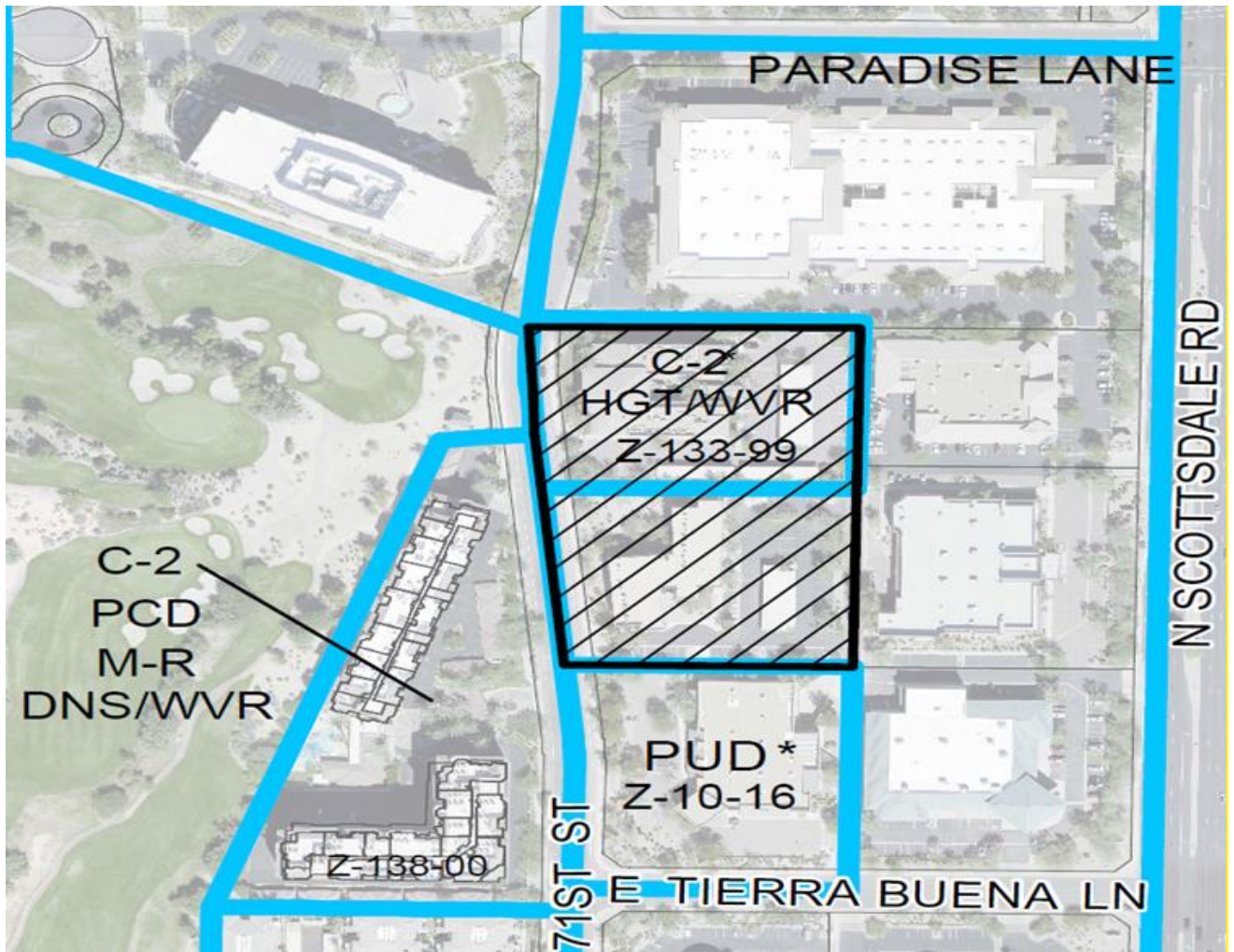
Directly south of the subject site is an age restricted multifamily development that is currently under construction known as Kierland Overture zoned PUD (Planned Unit Development) through Rezoning Case No. Z-10-16. Kierland Overture permits a maximum of 88 dwelling units per acre and 68 feet in height.

### East

Directly to the east of the subject site are two parcels zoned C-2 PCD (Intermediate Commercial, Planned Community District) through Rezoning Case No. Z-11-F-75. The northernmost parcel is occupied by La-Z-Boy Home Furnishings. The southernmost parcel is occupied by a vacant building that previously housed RoomStore Furniture.

**West**

The western property line abuts 71st Street, a collector street that connects to Paradise Lane and Sandra Terrace to the north and Tierra Buena Lane and Kierland Boulevard to the south. Across 71st Street is the Landmark Condominiums zoned C-2 PCD M-R DNS/WVR (Intermediate Commercial, Planned Community District, Mid-Rise, Density Waiver) through Rezoning Case No. Z-138-00 and a golf course zoned GC (Golf Course District) through Rezoning Case No. Z-11-F-75. 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.



**PROPOSAL**

7. The proposal was developed utilizing the PUD zoning designation. The PUD 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 that are tailored to the context of a site on a case by case basis.

Where the LMC Kierland PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

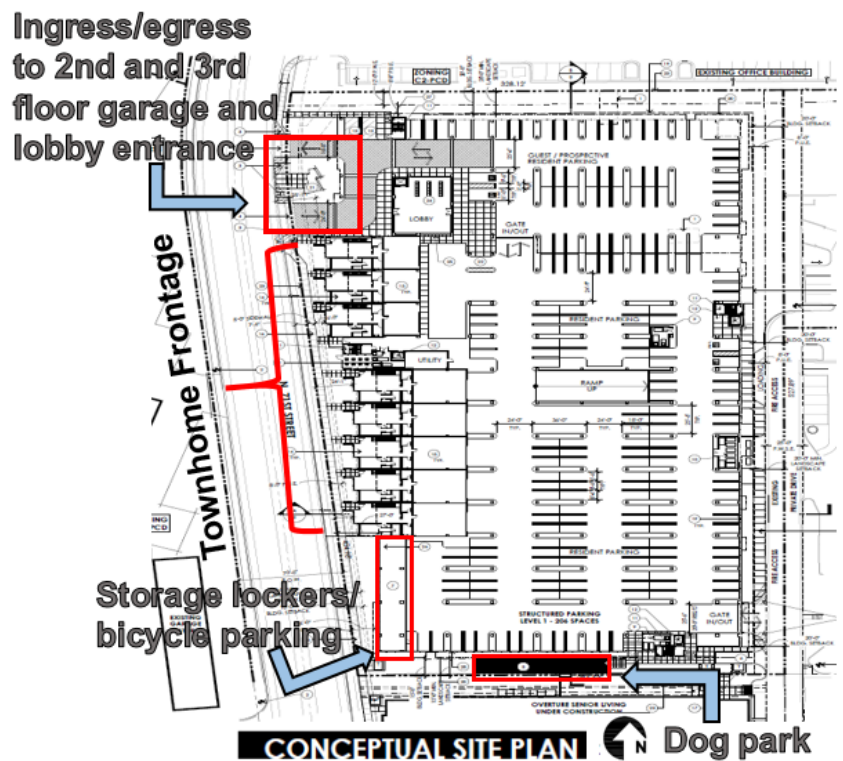
- Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped May 14, 2018. The proposed standards were designed to allow for a multifamily residential development that continues enhancement along 71st Street for a more pedestrian-friendly environment.

### List of Uses

The Development Narrative proposes a number of permitted uses. The proposed uses consist of the permitted C-2 zoning uses found in Section 623 of the Phoenix Zoning Ordinance with some prohibited uses. Additionally, multifamily residential is permitted with a maximum density of 72 dwelling units per acre.

### Conceptual Site Plan

The development's main access point is along 71st Street. The project proposes a 4-over-2-podium style construction with the first two levels being dedicated to resident and guest parking and four levels of residential units above. The main access point will be on the northwest corner of the site allowing access to the parking garage and the main lobby area. South of the lobby entrance, along 71st Street, residential units featuring a townhome frontage with pedestrian access from the sidewalk will be constructed. The remainder of the frontage will include the parking garage with architectural breaks along the frontage to break up the massing of the building. A dedicated area for lockers and bicycle parking will be provided inside the parking garage. 71st street will contain an enhanced streetscape with a minimum 5-foot detached sidewalk framed by landscape stipes that will include trees, shrubs and live ground cover. The southern boundary of the site will include a dog park available to the tenants.



Source: Lennar and Todd & Associates, INC.



**Development Standards**

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

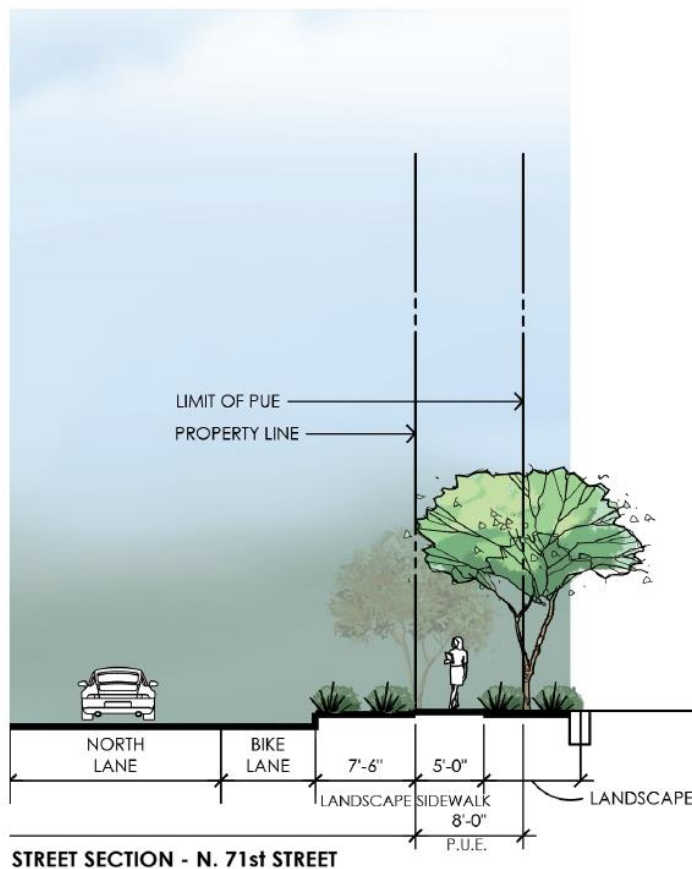
**Development standard Table:**

<b>Development Standards</b>	<b>Proposed PUD</b>
Density (Maximum), du/acre	72
Height (Maximum)	70 feet
Building Setbacks (Minimum)	<p><b><u>Street Sides-</u></b></p> <p><b><u>Front, West:</u></b> 10 feet</p> <p><b><u>Adjacent to property-</u></b>  <b><u>North:</u></b> 20 feet  <b><u>South:</u></b> 15 feet  <b><u>East:</u></b> 20 feet</p>
Landscape Setbacks (Minimum)	<p><b><u>Street Sides-</u></b></p> <p><b><u>West:</u></b> 10 feet</p> <p><b><u>Adjacent to property-</u></b>  <b><u>North:</u></b> 20 feet  <b><u>South:</u></b> 15 feet  <b><u>East:</u></b> 20 feet</p>
Lot Coverage (Maximum)	85%
Open Space (Minimum)	20% of gross area

### **Landscape Standards**

The PUD proposes landscaping along all four sides of the building with a minimum planting size of 50% 2-inch caliper and 50% 3-inch caliper trees. The landscape setbacks will also include shrubs at a minimum of 5-gallon in size and 50% living ground cover.

The streetscape along 71st Street will include a minimum 5-foot detached sidewalk and a minimum 7-foot 6-inch landscape strip located between and sidewalk and back of curb and a 5-foot landscape strip located between the back of sidewalk and the building. The landscaping will provide for a pedestrian friendly environment with dense canopy to provide 75% shade at maturity along the sidewalk.



Source: Lennar and Todd & Associates, INC.

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

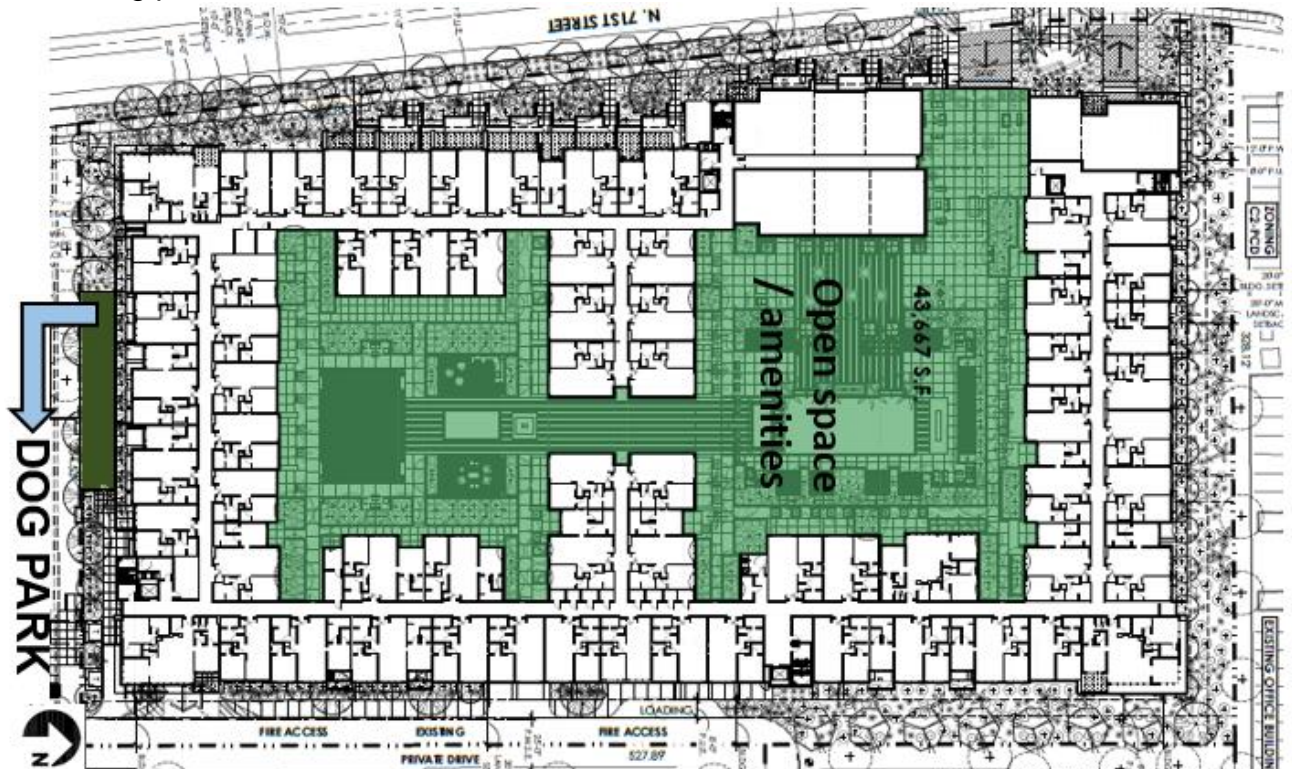
The PUD proposes building setbacks that are comparable or greater than what is permitted by the Phoenix Zoning Ordinance in the comparable zoning district with one exception, the western building setback is 10-foot minimum compared to a 20-foot minimum. However, the western side of the building will include an enhanced frontage with detached sidewalk to provide shade and a townhome frontage for 50% of the frontage along 71st street to increase pedestrian comfort and activity. The open space standards are greater, requiring a minimum of 20% compared to 5% which is typically required for multifamily residential development. The PUD landscape setbacks proposed are larger on three sides compared to the minimum requirement of the Phoenix Zoning Ordinance and require that larger trees be planted at a minimum of 50% 2-inch and 50% 3-inch caliper.

### **Parking Standards**

The development of the site shall comply with Section 702 of the Phoenix Zoning Ordinance. The PUD proposes 0.25 bicycle parking spaces per dwelling unit and a minimum of 4 guest bicycle parking spaces.

### **Amenities**

The PUD proposes amenities for the multifamily residential use that includes two internal landscape courtyards, pool and spa, fitness center, lounge, outdoor barbeque with patio, and a dog park.



Source: Lennar and Todd & Associates, INC.

### **Shade**

The proposed shade standards require that a minimum of 75% of shade cover be provided at maturity over pedestrian pathways, both public and private.

### **Lighting Plan**

All lighting will be consistent with the standards of Section 704 of the Phoenix Zoning Ordinance and Section 507.Tab A. II.A.8.

### **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	Decorative cladding with an integral color acrylic fine sand finish: 85% Simulated wood texture / Nichiha Cedar: 15% Glazing: 25%
Exterior Façade	30% of residential units to have exterior balcony and/or patio spaces 4-sided architecture
Color Palette	Warm gray tones and wood-like accents.
Streetscape Frontage (71st Street)	Blank walls broken up every 20 lineal feet by a window or variation in building treatment or design. Minimum 5-foot detached sidewalks with two landscape strips. Minimum 50% of frontage shall be a townhome frontage with a minimum 30-square foot entry porch and enhanced paving. Window Glazing for living rooms on the first and second story of each townhome unit.

**Signage**

Signage is proposed to meet the standard Zoning Ordinance requirements and will need to comply with the Kierland Comprehensive Sign Plan, unless otherwise approved through a comprehensive sign plan amendment.

**Sustainability**

The Development Narrative proposes several options to incorporate sustainability principals including LED lighting, recycling services, energy star rated appliances, bicycle parking and a minimum of 10 car charging stations in the parking garage among other features.

**Phasing**

The project will be constructed in one phase.

**STIPULATED REVISIONS FOR THE PUD HEARING DRAFT**

9. Stipulations 1.a. through 1.i. address formatting and technical corrections to text and exhibits within the LMC Kierland PUD hearing draft dated May 14, 2018. Major changes to the text include reformatting headers, updating exhibits and addition or rewording of text to provide clarity regarding the development proposal. These corrections and modifications must be applied within 30 days of City Council final approval of the request.

#### COMMUNITY INPUT

10. The community brought up concerns regarding height, traffic and density at the Paradise Valley Village meeting on April 2, 2018. In addition, staff has received two letters of opposition and two letters of support from the community at the time this staff report was written.

#### INTERDEPARTMENTAL COMMENTS

11. The Street Transportation Department has proposed stipulations requiring that all streets within and adjacent to the development, shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall meet ADA requirements. This requirement is addressed in Stipulation #2.
12. The Street Transportation Department is requiring that the applicant submit a Traffic Impact Study or Statement to the City of Phoenix prior to preliminary approval of plans to determine if there will be potential traffic issues. This requirement is addressed in Stipulation #3.
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. This requirement is addressed in Stipulation #'s 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 division of the Street Transportation 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 has existing water and sewer mains that can potentially serve the proposed development. However, there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.
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 #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. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

### **Findings**

1. The proposed development is in conformance with several General Plan goals and policies that will result in a more walkable, shaded and pedestrian-friendly environment.
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 multi-family developments nearby and bike lanes to encourage an active frontage.
3. The development will provide additional housing opportunities in the area.

### **Stipulations**

1. An updated Development Narrative for the LMC 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 dated May 14, 2018, as modified by the following stipulations:
  - a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:  
1st Submittal: February 14, 2018  
2nd Submittal: May 2, 2018  
Hearing Draft: May 14, 2018  
City Council adopted: [Add adoption date]
  - b. Page 4, List of Exhibits: Provide page numbers for all exhibits.
  - c. Page 4, Purpose & Intent: Move header to page 5.
  - d. Page 6, Project Overview and Goals: Move "The proposed PUD rezone will accomplish the following" to page 7.
  - e. Page 14, General Plan Exhibit: Remove blue fill over the subject site to illustrate the General Plan Land Use designation colors underneath.

- f. Page 19, Existing and Adjacent Zoning & Land Uses: Add rezoning case number for amendment F, Z-11-F-75.
- g. Page 27, Lighting modify as follows: “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 excludes exterior lighting appropriate for the project. Special care will be taken with the podium parking lighting to provide lighting levels that promote security while avoiding spill over onto adjacent residential properties.”
- h. Page 28, Delete Design Guidelines header and modify as follows:
  - (1) Delete number 1.
  - (2) Remove “enhanced landscaping” from number 2 and move below Design Standards.
  - (3) Move numbers 3, 4 and 5 below Design Standards.
- i. Page 28, Design Standards: modify as noted below:
  - 1. Remove and replace with the following language: “All sides of the building shall exhibit four sided architecture.”
  - 4. Modify as follows: “Balconies will be provided for a minimum of 30% of units. ~~As a means of providing a private outdoor amenity space for residents with~~ Each balcony shall be a minimum area of 40 square feet per balcony.”
  - 5. Modify as follows: ~~As a means of presenting a residential character on 71st Street, there will be~~ “Townhome Frontage shall be utilized for a minimum of 50% of the total building frontage length along 71st ~~this~~ Street. Townhome Frontage is defined by the following characteristics/~~standards~~.”
  - 6. Remove and replace with the following: “The non-townhome frontage along 71st Street will not exceed 20 linear feet without being interrupted by a window, or variation in building treatment or design.”
- j. Page 36, Comparison Zoning Standards Table; Modify as noted below:

<b>Development Standards for Multifamily Residential Development</b>			
	<b>Development Standard</b>	<b>R-3 PRD Standards</b>	<b>Allowance-PUD</b>
a	Maximum Density (dwelling units per acre)	15.23; 17.40 with bonus <del>6.5 PRD; 12 with bonus</del>	72
b	Minimum Lot Width / Depth	45 ft/No standard	No minimum
c	Minimum Building Setbacks:		
	Front (West)	Street: 20' 15'	10'

			5' landscape and 5' detached sidewalk
	Rear (East)	20' 15' (1-story), 20' (2-story)	20'
	Side (North)	15' 10' (1-story), 15' (2-story)	20'
	Side (South)	15' 10' (1-story), 15' (2-story)	15'
d	Maximum Building Height	2 stories or 30' for first 150'; 1' in 5' increase to 48' high, 4 story maximum 2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture) *7	70'
e	Maximum Lot Coverage	45% 40% Primary Structure 50% Total	85%
f	Minimum Bicycle Parking	No standard	0.25/unit + 4 visitor spaces
g	Minimum Landscape Setbacks:		
	Front (West)	20'	10'
	Rear (East)	5'	20'
	Side (North)	5'	20'
	Side (South)	5'	15'

k. Page 37, Comparative Landscape Standards: delete

l. M.P, Conceptual Elevations: add western facing elevations illustrating the frontage along 71st Street and landscaping.

2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. The developer shall submit a Traffic Impact Study or Statement (to be determined at time of meeting with the Street Transportation Department) to the Street Transportation Department for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.



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**

Maja Brkovic

May 17, 2018

**Team Leader**

Samantha Keating

**Exhibits**

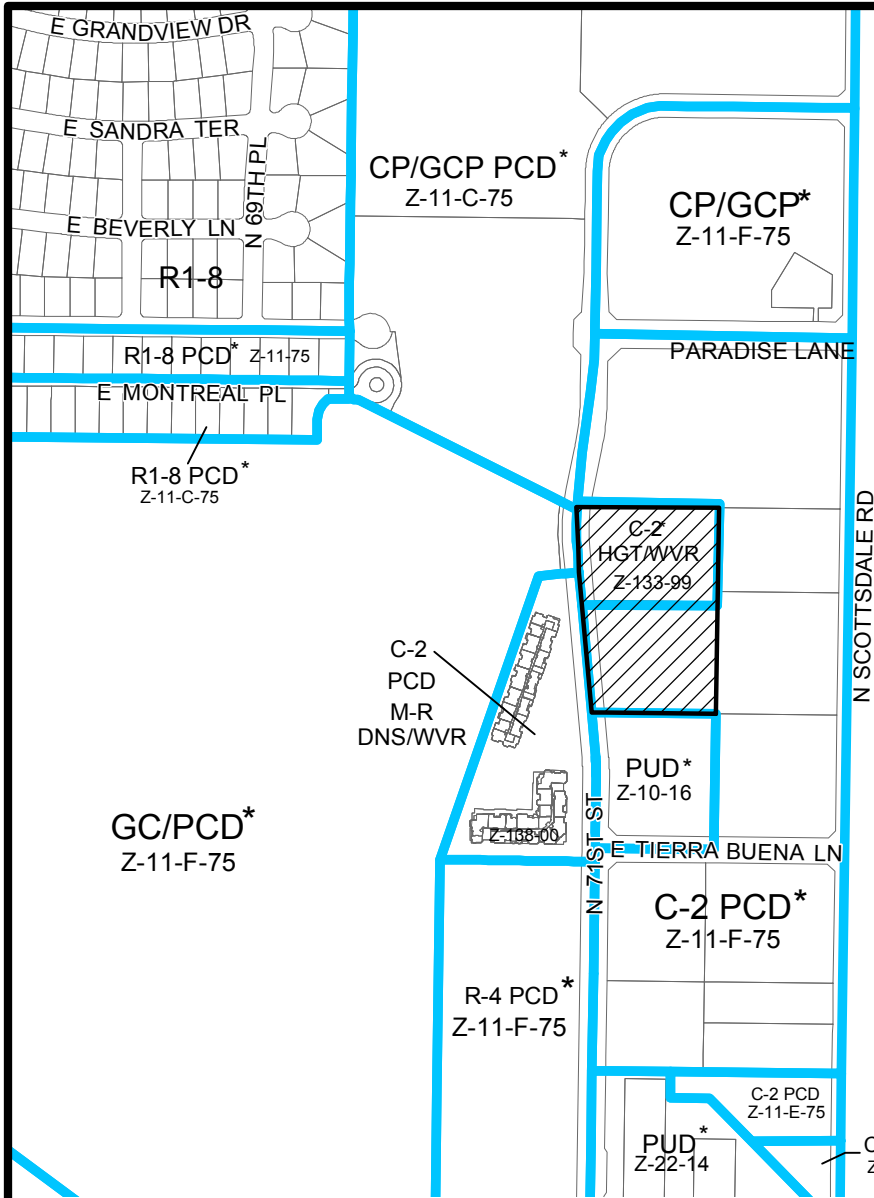
Zoning Sketch Map

Zoning Aerial Map

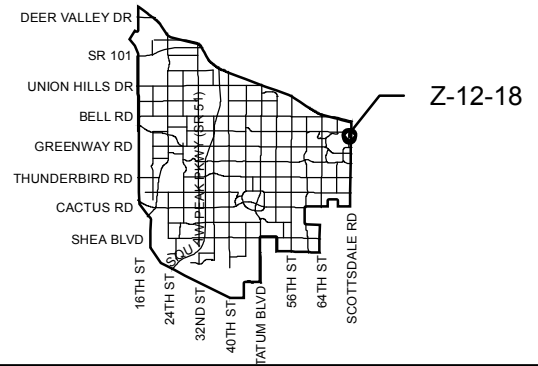
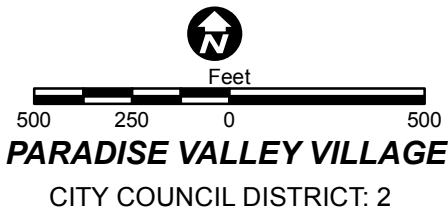
Community Correspondence

LMC Kierland PUD Development Narrative date stamped May 14, 2018

<https://www.phoenix.gov/pdd/pz/pzservices/pud-cases>

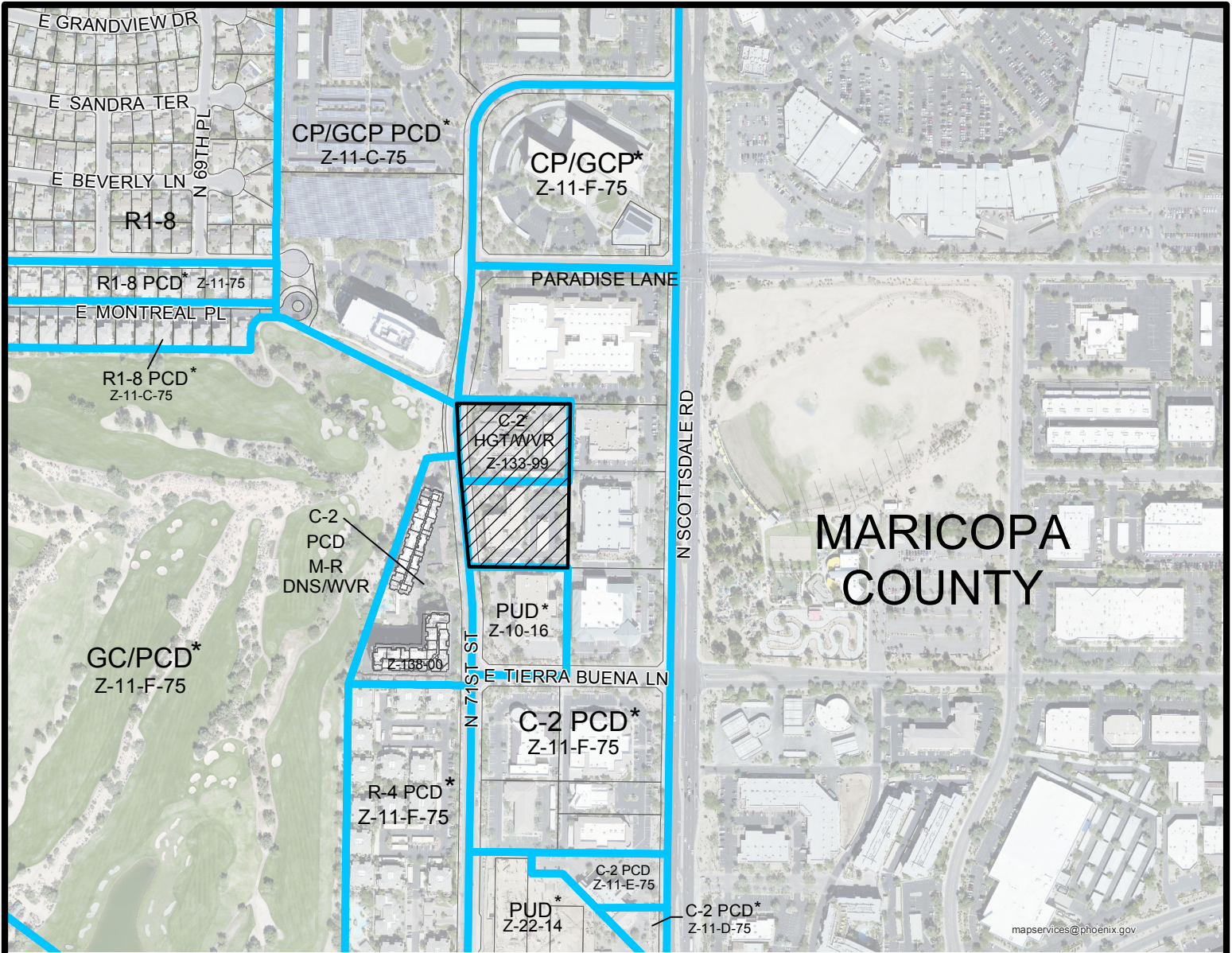


# MARICOPA COUNTY

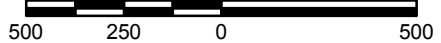


<b>APPLICANT'S NAME:</b> Lennar Multi Family Communities (LMC)		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-12-18	<b>DATE:</b> 3/12/2018 <b>REVISION DATES:</b>	FROM: C-2 PCD (2.11 a.c.) C-2 PCD HGT/WVR (2.06 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <b>4.17 Acres</b>	<b>5/3/2018</b>	TO: PUD ( 4.17 a.c.)	
	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 35-44	<b>ZONING MAP</b> L-12	
<b>MULTIPLES PERMITTED</b> C-2 PCD, C-2 PCD HGT/WVR PUD	<b>CONVENTIONAL OPTION</b> 30, 30 299		<b>* UNITS P.R.D. OPTION</b> 36, 36 299

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

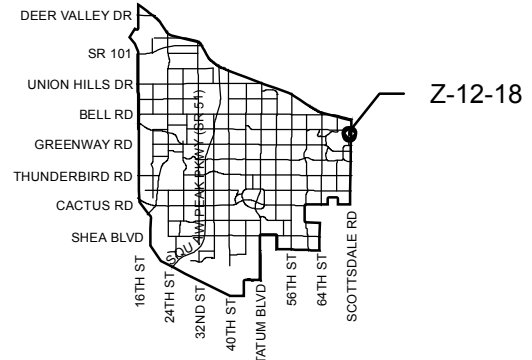


Feet



**PARADISE VALLEY VILLAGE**

CITY COUNCIL DISTRICT: 2



<b>APPLICANT'S NAME:</b> Lennar Multi Family Communities (LMC)		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-12-18	<b>DATE:</b> 3/12/2018 <b>REVISION DATES:</b>	FROM: C-2 PCD (2.11 a.c.) C-2 PCD HGT/WVR (2.06 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.  <b>4.17 Acres</b>	<b>5/3/2018</b>	TO: PUD ( 4.17 a.c.)	
	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 35-44	<b>ZONING MAP</b> L-12	
<b>MULTIPLES PERMITTED</b> C-2 PCD, C-2 PCD HGT/WVR  PUD	<b>CONVENTIONAL OPTION</b> 30, 30  299		<b>* UNITS P.R.D. OPTION</b> 36, 36  299

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

**From:** c g  
**To:** [Maja Brkovic](#)  
**Subject:** REzoning case for Keirland  
**Date:** Monday, April 02, 2018 10:45:52 PM

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I totally oppose all 3 zoning issues. That amount of rooms it totally out of the question and is way overloaded now with congestion, speeders on greenway rd thinking it is a race track already. 70 stories is also a big tall for the one project. What about a possible fire? Sprinklers wont help all that much. This is a desert NOT a super inner city. I think these projects are totally disgusting and ruining our overall environment including water supply. All I see is someone making alot of money here and not thinking of the quality of life in these buildings and the surrounding community.

Thank you,  
Carma Gruhlke



March 21, 2018

Ms. Maja Brkovic  
City of Phoenix Planning and Development Department  
200 West Washington Street  
2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

**RE: Rezoning Case Number Z-12-18 (15825 and 15849 North 71<sup>st</sup> Street, Phoenix, AZ)**

Dear Ms. Brkovic,

This letter is concerning rezoning Case Number Z-12-18, which proposes to combine and rezone 2 parcels located at 15825 and 15849 North 71<sup>st</sup> Street, Phoenix, AZ with the ultimate objective of developing a modern, mid-rise multifamily development.

As a significant property holder in the Kierland community, Development Services of America (DSA) is excited about the tremendous growth and success of this burgeoning area. As Kierland continues to evolve into an “urban core” style community, we understand that a handful of local properties have become out-of-step with this evolution, and must make way for new projects that more appropriately support the future trajectory of the surrounding area.

However, with regard to the rezoning case, we strongly oppose the idea of repurposing the property in question from an office development to one that supports another multifamily project. DSA was drawn to the northeast corner of Kierland based on the appeal that this section of the community was and would always remain a strong hub for high-end office and retail property. If current office and retail properties continue to be replaced by multifamily (as is the popular trend of the moment), we fear that the careful balance required to effectively support a desirable “live-work-play” environment will be disrupted, and that the value of the local office properties will ultimately be diminished.

Moreover, with the glut of apartment and condo projects currently under construction in the Kierland, Scottsdale Quarter and Scottsdale 101 micro-markets, we are concerned that multifamily properties are in danger of becoming over-developed in the local area. Certainly, this development trend has been propped up by high-demand and a historically low interest rate environment. However, as interest rates inevitably rise, and the multifamily market becomes oversaturated, we are concerned that higher future vacancies teamed with lower rental rates in the multifamily space could have a negative impact on the Kierland community.

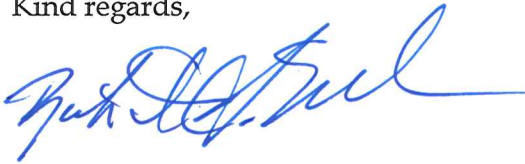
Going forward, we fully expect that the Paragon at Kierland apartments (southeast corner of 71<sup>st</sup> Street and Kierland Blvd) will be redeveloped into a higher-density multifamily project within the current cycle. We also forecast a high-probability that the outmoded furniture stores abutting Scottsdale Road south of Tierra Buena Lane will be replaced by multifamily projects at some point in the future. Accordingly, DSA does not believe that repurposing existing office property in the Kierland community to allow for additional multifamily development is warranted.

[www.developmentservicesofamerica.com](http://www.developmentservicesofamerica.com)

As an aside, DSA continues to be concerned that the local pedestrian and vehicular traffic patterns are quickly becoming untenable as the density of Kierland and the surrounding area marches higher. We believe that additional traffic mitigation devices will soon become necessary to support the current growth pattern, including a stop-light at the intersection of 71<sup>st</sup> Street and Kierland Blvd and a 4-way stop at the intersection of 71<sup>st</sup> Street and Paradise Lane. Again, we are excited about the evolution of the Kierland area, but want to make sure the safety and convenience of the community is appropriately considered as we progress.

If you wish to discuss this matter in person, please feel free to contact me at 480-927-4890. Otherwise, you can reach me via email at [richard\\_wilson@sgagroup.com](mailto:richard_wilson@sgagroup.com).

Kind regards,



**Richard Wilson, President & CEO**  
Development Services of America

cc: Kierland Master Association  
Snell & Wilmer (c/o Noel Griemsmann, Urban Planner)

**From:** Scott McGinty  
**To:** [Maja Brkovic](#)  
**Subject:** Support for 3 PUD's near Kierland  
**Date:** Monday, April 02, 2018 10:32:48 PM

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Hello Maja,

My family and several of our neighborhood friends who have young families were unable to attend the meeting tonight regarding the below cases:

Z-3-18  
Z-12-18  
Z-14-18

We just wanted to express our support for these cases and believe the continued development of the Kierland area is a fantastic move and can only make the area a more enjoyable destination in town. Thank you!

Best,  
Scott McGinty



Steve Russell, CCIM  
Development Director  
312-798-5167  
[srussell@shopcore.com](mailto:srussell@shopcore.com)

Maja Brkovic  
Paradise Valley Village Planner  
City of Phoenix Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Via Email to [maja.brkovic@phoenix.gov](mailto:maja.brkovic@phoenix.gov)

RE: LMC Kierland, Case Z-12-18

Dear Ms. Brkovic,

I am the Development Director for ShopCore Properties. We own the "Promenade", a destination retail and office shopping center located at the southeast corner of Frank Lloyd Wright Boulevard and Scottsdale Road. Our center includes over 130,000 square feet of space, and features a number of premium retailers, such as Trader Joe's, Nordstrom Rack and Living Spaces, as well as a number of restaurants and boutique shops.

ShopCore owns over 24 million square feet of shopping centers throughout the country. That level of ownership has given us significant experience in what makes for successful retail areas.

One of the key elements in a successful retail area is a deep base of nearby residents, preferably those with higher incomes (and therefore more disposable shopping dollars). New luxury apartments fill that need by attracting and retaining residents that rent by choice.

These renters bring with them disposable income that they will spend in nearby stores and restaurants, including our center just up the road.

As this project is evaluated by the City, I wanted to express the importance of providing housing choices near retail/commercial areas to continue to bring people to the community. Without growth and new development, areas stagnate and become less attractive. In addition, as you are aware, the retail space is challenged with on-line and behavioral shifts that make new customers even more important.





In summary, we strongly support the proposed LMC Kierland project and look forward to welcoming new customers to the Kierland/Airpark area.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steve Russell', is positioned above the typed name.

Steve Russell, CCIM  
Development Director