



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** January 11, 2012
From: Derek D. Horn, P.E., C.B.O., Assistant Director
Planning and Development Department
Subject: **P.H.O. APPLICATION NO. Z-2-03-8** – Notice of Pending Actions by the **Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at its meeting on **February 15, 2012**.
2. Information about this case is available for review at the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Please indicate your course of action, sign and return copy of this notice to the City of Phoenix Planning and Development Department, Zoning Division, 200 West Washington Street 2nd Floor, Phoenix, AZ 85003 by **January 25, 2012**.

- Will arrange to review case file no later than _____
- Will resolve problems with the owner and contact you no later than _____
- We do not anticipate any problems in connection with the cases listed on this subject notice.

Signature

Date

DISTRIBUTION (Electronically):

- Mayor's Office (Ruben Alonzo) - 11th Floor
- Council District Office (Penny Parrella) – 11th Floor
- Aviation (David Ebeling, Diane Nakagawa, Debra Turner) – 3400 E. Sky Harbor Blvd
- City Manager's Office (Kevin Weight) – Historic Preservation Office
- Community & Economic Development (Melinda Vazquez)
- Fire Prevention (Joe McElvaney) 2nd Floor
- Finance Admin (Barry Page) - 251 W. Washington – 8th Floor
- Neighborhood Services (Annie Alvarado) – 4th Floor
- Parks & Recreation (Mary Sheedy) – 16th Floor
- Parks & Recreation (Laurene Montero, April Carroll) – Pueblo Grande Museum
- Public Transit (Mark Melnychenko, Blair Proctor) - 302 N. 1st Ave., Ste 800
- Public Transit/Light Rail Project (Curt Upton/*Special TOD Only*) – 411 N. Central #200
- Street Transportation (Myesha Harris, Alan Hilty, Hasan Mushtaq, Barb Petsche) – 5th Floor
- Water Services (Nazario Prieto, Lucy Graham) – 8th Floor
- Planning and Development (Derek Horn, Sandra Hoffman) – 3rd Floor
- Planning and Development/Information Services (Ben Ernyei) – 3rd Floor
- Planning Hearing Officer (Alan Stephenson, Larry Tom) – 2nd Floor
- Planning Commission Secretary (Lilia Olivarez) – 2nd Floor
- Village Planner (Joshua Bednarek, South Mountain)
- Village Chair (George Young, South Mountain)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-12--Z-2-03

Council District: 8

Request For: Zoning Reversion

Kiva Fee Code: ZTREZONE Fee: \$0 Amount Waived: \$

<u>Owner</u>	<u>Applicant</u>	<u>Representative</u>
One Source Investment Property Services 10700 Nall Avenue Overland Park KS 66211 0	City of Phoenix Planning Commission 200 West Washington Street, 2nd Floor Phoenix AZ 85003 (602) 262-7131	City of Phoenix Planning Commission 200 West Washington Street, 2nd Floor Phoenix AZ 85003 P: (602) 262-7131 F: (602) 212-1787

Property Location: Approximately 800 feet west and 300 feet south of the southwest corner of 32nd Street and Baseline Road

Zoning Map: D-10 Quarter Section: 01-31 APN: 301-26-015H Acreage: 5.94

Reason for Request: Administrative action to modify Stipulation 12 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the approved C-2 zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations

Village: South Mountain

Last Hearing: CC RATIFICATION

Previous Opposition: No

Date of Original City Council Action: 04/30/2003

Previous PHO Actions: _____

Zoning Vested: R1-14 Approved C-2

Supplemental Map No.: _____

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

Signature of Applicant

Date

056196

Receipt Number

Planning Staff Member

Hearing Results

Planning Hearing Officer

Planning Commission

City Council

Date: 02/15/2012 1000 AM

Date: _____

Date: _____

Appealed?: _____

Appealed?: _____

Action: _____

Action: _____

Action: _____

Item: 5
Initiation: Presentation, discussion and possible action to initiate a Planning Hearing Officer request that may result in the reversion of zoning, extension of time, deletion of the time stipulation or determination that the stipulation was met. Expired Conditional Rezoning Case **Z-2-03** is located approximately 800 feet west and 300 feet south of the southwest corner of 32nd Street and Baseline Road. The rezoning case granted C-2 zoning from R1-14 zoning to develop a commercial center. The property owner has not complied with stipulation no. 12 that states the applicant shall have 18 months from the City Council approval to develop the project.

Mr. Larry Tom presented Z-2-03-8; it is located approximately 800 feet west and 300 feet south of the southwest corner of 32nd Street and Baseline Road. The rezoning case granted C-2 zoning from R1-14 zoning to develop a commercial center. The property owner has not complied with stipulation no. 12 that states the applicant shall have 18 months from the City Council approval to develop the project. Staff recommends that the Planning Commission initiate a Planning Hearing Officer request that may result in the reversion of zoning, extension of time, deletion of the time stipulation or determination that the stipulation was met.

Commissioner Amery made a MOTION to initiate a Planning Hearing Officer request that may result in the reversion of zoning, extension of time, deletion of the time stipulation or determination that the stipulation was met for Z-2-03-8.

Commissioner Davis SECONDED.

There being no further discussion, Commissioner Katsenes called for a vote and the MOTION PASSED 7-0 (Awai, Madeksza absent)

* * * * *



City of Phoenix

PLANNING DEPARTMENT

April 30, 2003

Perry Rea
Rowe Investments
14249 S Canyon Drive
Phoenix, AZ 85048

Dear Applicant:

RE: Z-2-03-8

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on April 30, 2003, concurred in the recommendation of the Planning Commission and Zoning Hearing Officer and has ratified application Z-2-03-8 to deny as filed and approve MUA for approximately 5.94 acres for rezoning from R1-14 to C-2, for a parcel located at the south and west of the southwest corner of 32nd Street and Baseline Road, subject to the following stipulations:

STIPULATIONS:

SITE

1. That the development shall be in general conformance with the site plan date stamped February 26, 2003, with particular reference to no parking spaces or drive aisles placed between the buildings and Baseline Road, as approved or modified by the Development Services Department.
2. That the development shall be in general conformance with the elevations date stamped February 20, 2003, with particular reference to shaded pedestrian walkways, enhanced ornamental elements, and building height.
3. That the courtyard areas situated between buildings "B" and "C" and also buildings "E" and "F" shall provide shaded seating areas through the use of structures and/or minimum 2" caliper trees.
4. That there shall be a shaded pedestrian linkage through the open space/retention area between building pairs "B"/"C" and "E"/"F".
5. That any fountain shall be designed and located to function as an amenity for site users. Seating areas shall be provided around any fountain.

6. That the developer shall file and process an abandonment for the 32nd Street right-of-way south of Baseline Road.

Transit

7. That right-of-way shall be dedicated and a transit accessory pad (P-1260 or P-1262) constructed on eastbound Baseline Road at the northwest corner of the subject property.

Trails

8. That a 10 foot multi-use trail shall be constructed within a dedicated 25-foot public trail easement on the south side of Baseline Road. The trail shall be outside of retention areas and shall follow city trail standards.

Streets

9. That right-of-way totaling 60 feet shall be dedicated for the south half of Baseline Road.
10. 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 Development Services Department. All improvements shall comply with all ADA accessibility standards.
11. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Streets Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

OTHER

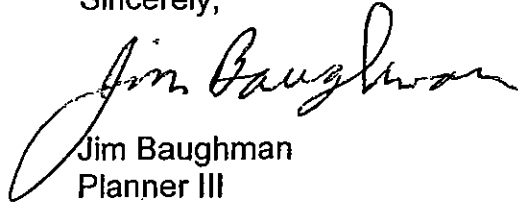
12. That the applicant shall have 18 months from the date of City Council approval, to develop the project. (added by VPC)
13. That the applicant shall notify the following persons of any Planning Hearing Officer stipulation modification requests or Development Services Department's site plan review:

M.J. Barrett, 8025 S. 32nd Street, 85042
Michael Goodman, 9001 S. 27th Street, 85042
Kay Sheppard, 3534 E. Southern Ave., 85040

Ratification of Z-2-03-8

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Sincerely,

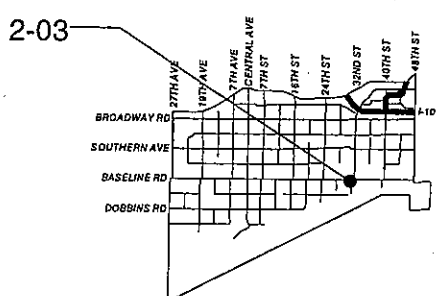
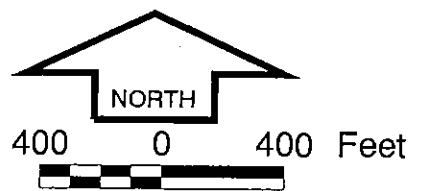
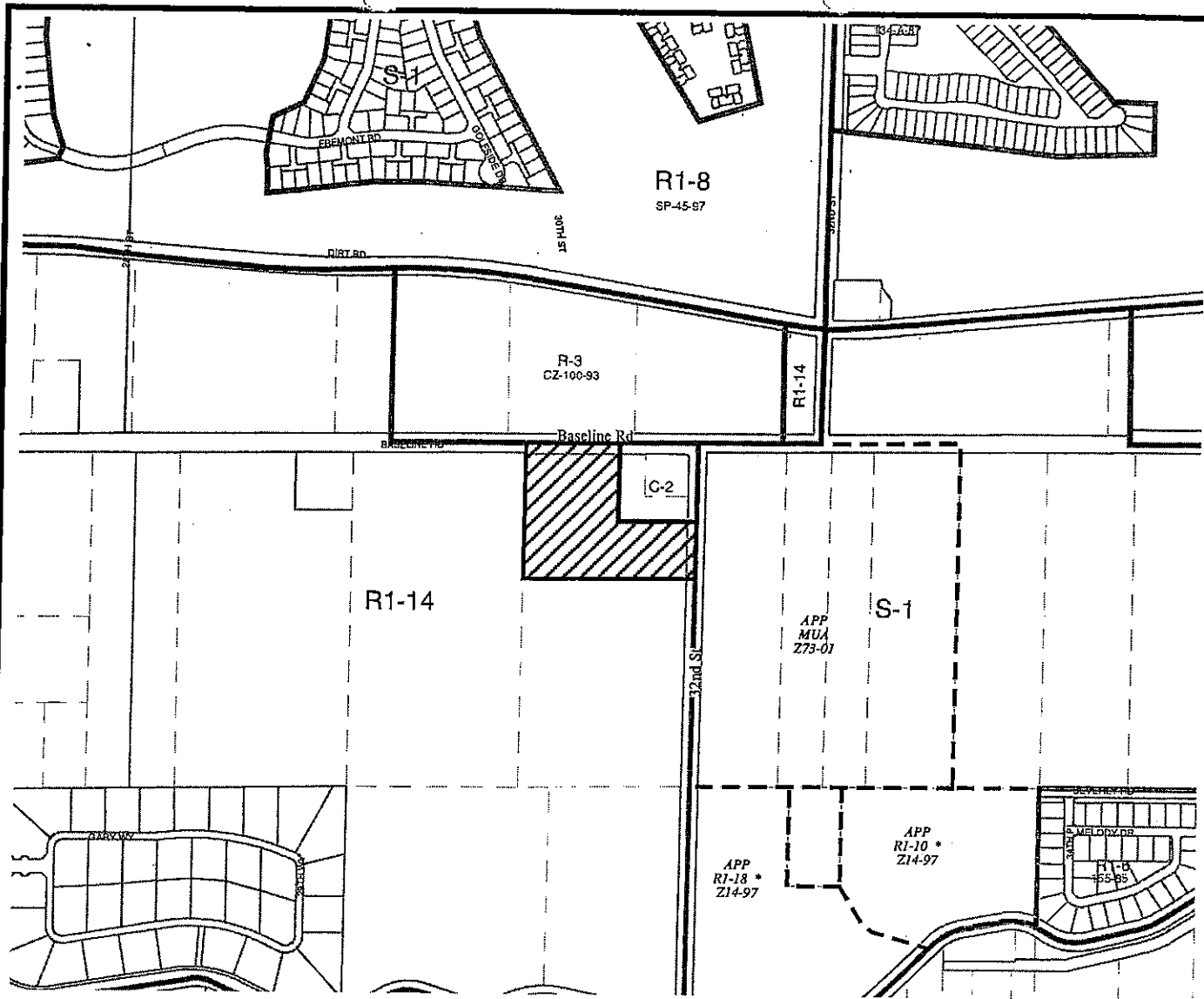


Jim Baughman
Planner III

H:\Data\Hearings\ZHO\RAT\2003\Z-2-03-8

C: Files
 Book
 Michelle Johnson (sent electronically)
 Black, Kenneth (Sent electronically)
 Kelly Walker (sent electronically)
 Bernadine Alling (sent electronically)
 Jason Morris, Withey, Anderson & Morris, 2525 E Arizona Biltmore Cir., Ste A212, Phoenix, AZ
 85016

Jay Neville (sent electronically)
Victor Morrison-Vega (sent electronically)
Bob Luxton, Sign Enf. (sent electronically)
Ben Leonard, Public Transit (sent electronically)
Kelly Kvetko, Site Planning (sent electronically)



CITY OF PHOENIX PLANNING DEPARTMENT
South Mountain Village
 CITY COUNCIL DISTRICT: 8

APPLICANT'S NAME: Withey, Anderson and Morris PLC		REQUESTED CHANGE:	
APPLICATION NO. 2-03	DATE: 1-13-2003 REVISION DATES:	FROM: R1-14	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 5.94 Acres	AERIAL PHOTO & QUARTER SEC. NO. Q01-34	ZONING MAP D10	TO: C-2
MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION	

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

