



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** November 18, 2011
From: Derek D. Horn, P.E., C.B.O., Assistant Director
Planning and Development Department
Subject: **P.H.O. APPLICATION NO. Z-47-87-1 (NEW DISTRICT 3)** – 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 **January 18, 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 **December 2, 2011**.

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 (Tiffany Torres) - 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 (Craig Mavis, Paradise Valley)
- Village Chair (Roger Beale, Paradise Valley)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-3-11--Z-47-87-1

Council District: 3

Request For: Zoning Reversion

Kiva Fee Code: ZTREZONE Fee: \$1080.00 Amount Waived: \$1080.00

| | | |
|---|--|---|
| <u>Owner</u> | <u>Applicant</u> | <u>Representative</u> |
| Daniel F & Ann W Bingham 8642 West Yukon Drive Phoenix AZ 85382 | City of Phoenix Planning Commission 200 West Washington Street, 2nd Floor Phoenix AZ 85003 (602) 262-7131 | City of Phoenix Planning & Development 200 West Washington Street, 2nd Floor Phoenix AZ 85003 P: (602) 262-7131 F: |

Property Location: Southeast corner of 32nd Street and Greenway Lane

Zoning Map: L-10 Quarter Section: 34-35 APN: 214-60-020 Acreage: 2.24

Reason for Request: Administrative action to modify Stipulation 5 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the R-O zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations

Village: Paradise Valley

Last Hearing: CC RATIFICATION

Previous Opposition: Yes

Date of Original City Council Action: 09/16/1987

Previous PHO Actions: 06/28/1989 06/09/1999

Zoning Vested: R-O

Supplemental Map No.: 792

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

rescolar

Receipt Number

Planning Staff Member

Hearing Results

Planning Hearing Officer

Planning Commission

City Council

Date: 01/18/2012 1000 AM

Date: _____

Date: _____

Appealed?: _____

Appealed?: _____

Action: _____

Action: _____

Action: _____

REPORT OF PLANNING COMMISSION ACTION
November 9, 2011

VII. OTHER BUSINESS

ITEM NO: 8

DISTRICT NO.: 3

SUBJECT: 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-47-87-1 (NEW DISTRICT 3)** is located on the southeast corner of 32nd Street and Greenway Lane. The rezoning case granted R-O zoning from R1-14 zoning to develop offices. The property owner has not complied with stipulation no. 5 that requires development to commence within 18 months of City Council approval of the zoning change. There were two time extensions granted. One was granted on June 28, 1989 for a 6-month time extension, and another was granted on June 9, 1999 for an 18-month time extension on the south property only.

ACTIONS:

Mr. Larry Tom presented the item. Z-47-87-1 (NEW DISTRICT 3) is located on the southeast corner of 32nd Street and Greenway Lane. The rezoning case granted R-O zoning from R1-14 zoning to develop offices. The property owner has not complied with stipulation no. 5 that requires development to commence within 18 months of City Council approval of the zoning change. 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.

Motion Discussion: N/A

Motion Detail – 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-47-87-1(3) located on the southeast corner of 32nd Street and Greenway Lane.

Maker: Katsenes
Second: Davis
Vote: 9-0
Absent: None
Opposition Present: No

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact Nici Davidson at Voice (602) 495-0256 or the City TTY Relay at (602) 534-5500.



City of Phoenix
PLANNING DEPARTMENT

June 10, 1999

Dan Bingham
31228 N. 47th Place
Cave Creek, AZ 85331

Dear Applicant:

RE: Rezoning Application No. 47-87-3 - Northeast corner of 32nd Street and Sunnyside Lane (approximately 1.12 ac acres).

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.1 of the Zoning Ordinance, has on June 9, 1999, concurred with the recommendation of the Planning Hearing Officer and recommended approval of 1) time extension of conditional zoning; and 2) general site plan conformance, subject to stipulations.

STIPULATIONS:

1. That development be in general conformance with the site plan presented as modified by the site plan dated 4.16.99 and elevation dated 5.18.99 for the south portion of site.
2. That an 8' landscaped setback be provided along the east property line including 24" box size, drought-resistant shade trees planted 20' on center, or in equivalent groupings.
3. That no trash dumpsters be located within 50' of the east property line.
4. That the building height be limited to one story (17' 4").
5. That approval be conditioned upon development of the *south* portion of the site, in accordance with Zoning Ordinance Section 506.B., within 18 months of final City Council approval. (The *north* portion of the site shall be required to seek a separate time extension.
6. That a one-foot vehicular non-access easement be placed along both Sunnyside Lane and Greenway Lane.

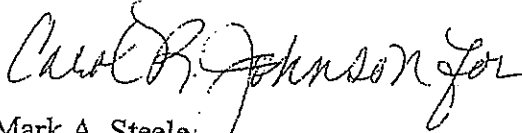
June 10, 1999

Ratification Letter 47-87-3.w61

Page 2

7. That cross access be provided on the *north* portion of the site upon final site plan approval for the north property, or in the alternative, a common driveway entrance be provided, as approved by DSD.

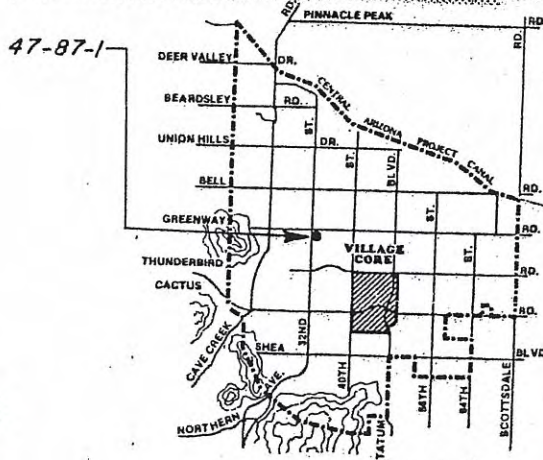
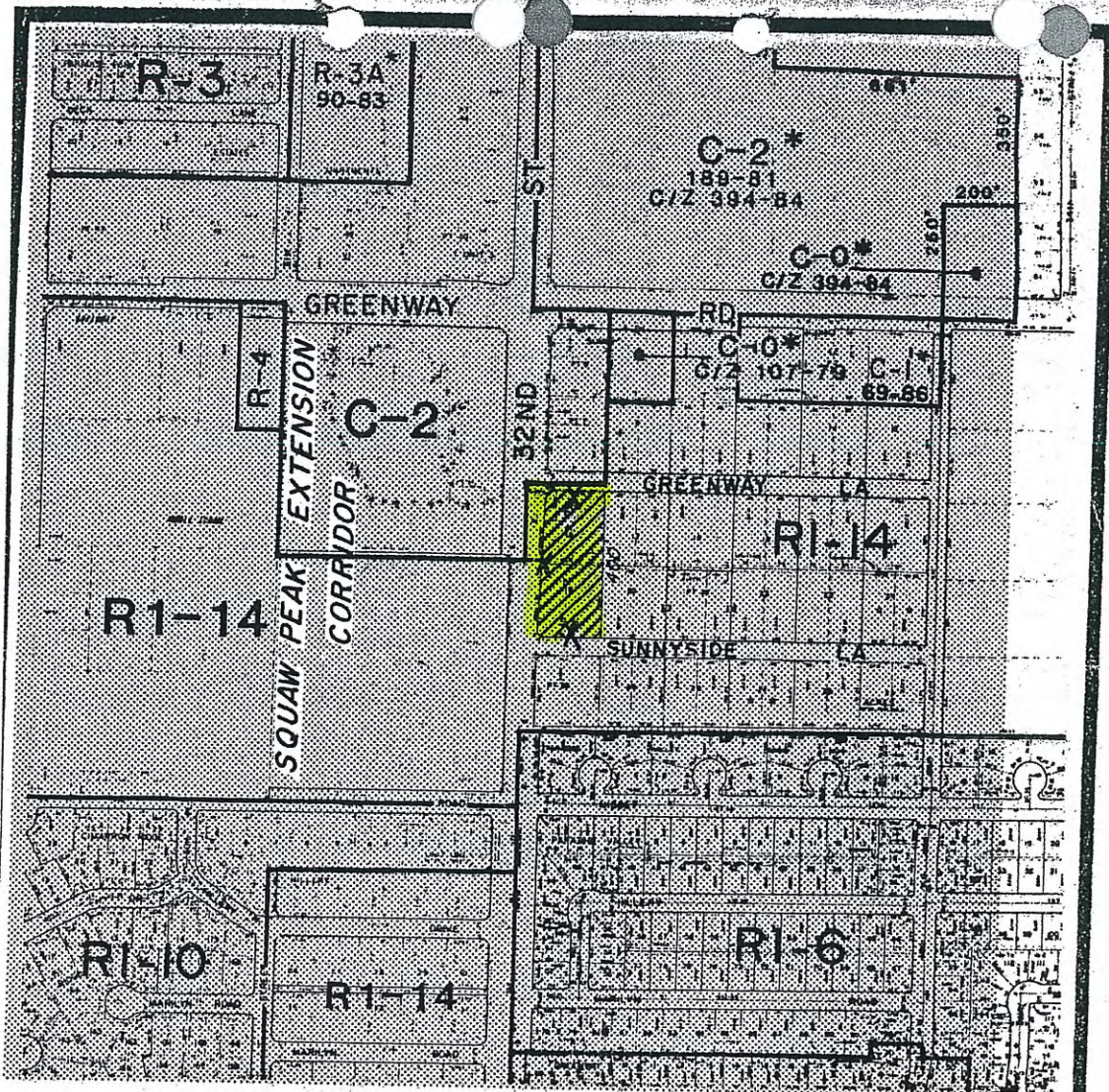
Sincerely,



Mark A. Steele
Principal Planner

BA;lawf:\hearings\pho\rat\47-87-3.w61

- c: City Clerk
Bernadine Alling (sent electronically)
Steve Cohee (sent electronically)
Dave Barrier, Development Services/Building Safety (sent electronically)
E. J. Hyncik, Public Transit (sent electronically)
~~Case File~~
Book

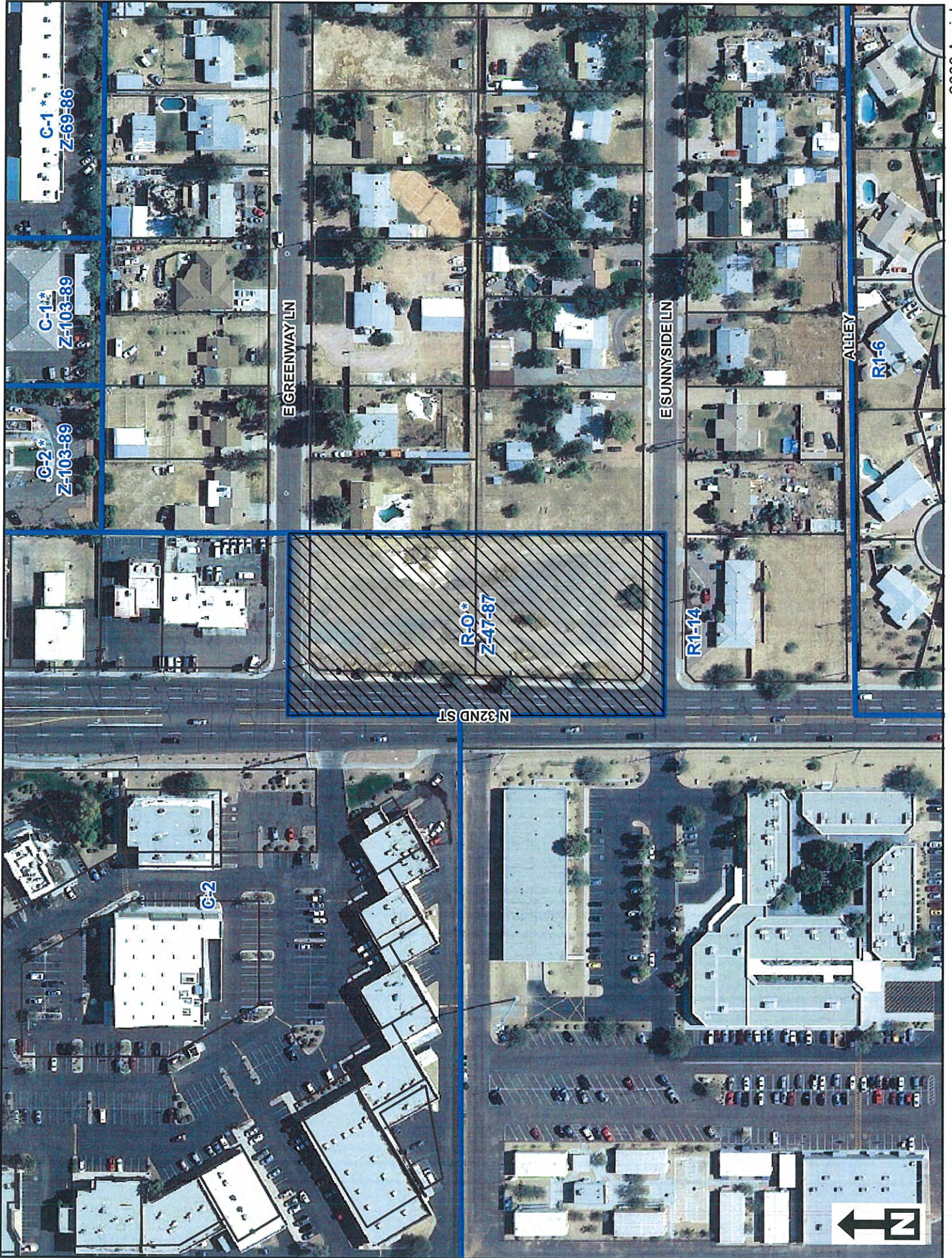


CITY OF PHOENIX PLANNING DEPARTMENT
PARADISE VALLEY VILLAGE
 CITY COUNCIL DISTRICT 1

| | | | | |
|---|--|------|-----------------------------|--------------------|
| APPLICANT'S NAME ANITA F. GUTKIN | | | REQUESTED CHANGE | |
| APPLICATION NO. 47-87-1 | HEARING DATES | | | FROM: RI-14 |
| | Z.H.O. | P.C. | C.C. | |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 2.23 ACRES | AERIAL PHOTO & QUARTER SEC. NO. 34-35 | | ZONING MAP L-10(K-8) | |
| | 8-12-87 3-25-87 | | 5-6-87 | |
| MULTIPLES PERMITTED | UNITS STANDARD OPTION | | * UNITS P.R.D. OPTION | |
| | | | | |

MAXIMUM UNITS ALLOWED WITH P.R.D. BONUS





Legal Description of Special Permit Rezoning Case Z-47-87-1 (NEW DISTRICT 3)

Lot numbers 18 and 19, Sunnyside Acres, according to Book 53 of Maps, page 41, records of Maricopa County, Arizona.

2.24 gross acres