



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. 96-97-7 (South Portion)** – 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 (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-3-11--Z-96-97-7

Council District: 7

Request For: Zoning Reversion

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

<u>Owner</u>	<u>Applicant</u>	<u>Representative</u>
Ballesteros Property Management LLC 1429 East Los Arboles Drive Tempe AZ 85284	City of Phoenix Planning Commission 200 West Washignton Street, 2nd Floor Phoenix AZ 85003 (602) 262-7131	City of Phoenix Planning & Development 200 West Washignton Street, 2nd Floor Phoenix AZ 85003 P: (602) 262-7131 F:

Property Location: South portion located approximately 130 feet north of the northeast corner of 20th Avenue and Latona Lane

Zoning Map: D-7 Quarter Section: 01-24 APN: 300-17-004M Acreage: 1.25

Reason for Request: Administrative action to modify Stipulation 1 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the R1-18 zoning to its former S-1 zoning classification due to noncompliance with rezoning stipulations

Village: South Mountain
 Last Hearing: PHO MEETING
 Previous Opposition: Yes
 Date of Original City Council Action: 02/18/1998 0600
 Previous PHO Actions: 09/05/2007 (North Portion), Pending PHO 12/14/11 (North Portion)
 Zoning Vested: R1-18
 Supplemental Map No.: 1039

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] 11-18-11
 Signature of Applicant Date
 rescolar
 Receipt Number Planning Staff Member

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>01/18/2012 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

REPORT OF PLANNING COMMISSION ACTION
November 9, 2011

South
portion

VII. OTHER BUSINESS
ITEM NO: 9

DISTRICT NO.: 7

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-96-97-7** is located approximately 130 feet north of the northeast corner of 20th Avenue and Latona Lane (a portion of 8030 South 19th Avenue). The rezoning case granted R1-18 zoning from S-1 zoning to develop a single-family residential subdivision. The property owner has not complied with stipulation no. 1 that states that the property be conditionally zoned with development to commence within 18 months of the final City Council approval of the change of zone.

ACTIONS:

Mr. Larry Tom presented the item. Z-96-97-7 is located approximately 130 feet north of the northeast corner of 20th Avenue and Latona Lane (a portion of 8030 South 19th Avenue). The rezoning case granted R1-18 zoning from S-1 zoning to develop a single-family residential subdivision. The property owner has not complied with stipulation no. 1 that states that the property be conditionally zoned with development to commence within 18 months of the final City Council. 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-96-97-7 located approximately 130 feet north of the northeast corner of 20th Avenue and Latona Lane (a portion of 8030 South 19th Avenue).

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
CITY CLERK DEPARTMENT

March 8, 1998

Winner of the
Carl Bertelsmann
Prize



Mr. Robert Craig
Craig Associates Architects, P.C.
8633 North 56th Street
Scottsdale, Arizona 85253

RE: Application Z-96-97-7

The Phoenix City Council, at its meeting held February 18, 1998, considered your request, on behalf of TMG Investments, to rezone 6.1 acres located on the west side of 19th Avenue approximately 1,325 feet south of Baseline Road from S-1 to R1-8 for a proposed subdivision.

The Council denied the request as filed and approved R1-10 for the north 302.76 feet and R1-18 Average Lot for the south 432.06 feet, subject to the following stipulations:

Stipulations

1. That the property be conditionally zoned with development to commence within 18 months of the final City Council approval of the change of zone.
2. That a maximum of 15 dwelling units be allowed.
3. That the R1-10 portion be developed under the standard subdivision option with a minimum lot width of 90 feet, minimum lot depth of 120 feet, and sideyard setbacks of 10 feet on each side.
4. That the R1-18 portion be developed under the average lot option with a minimum lot width of 100 feet, minimum lot depth of 120 feet, and sideyard setbacks of 10 feet on each side.
5. That all homes be limited to one story, except those lots immediately adjacent to the north property line.
6. That the development be constructed in a single phase with no additional phasing permitted.
7. That no building materials be stockpiled prior to construction or after completion of construction of the houses.

8. That landscaping be provided in accordance with the renderings submitted by the applicant with the trees having a minimum caliper of 2 inches and being placed a maximum of 30 feet on center or in equivalent groupings.
9. That exterior walls be constructed as shown on the drawings submitted by the applicant which include a pilaster base of masonry with stucco and the balance of wrought iron, except that the wall along the north property line may be solid masonry.
10. That conduit for street lights be installed along the entire length of Harwell Avenue, but street lights be limited to the intersections of Harwell Avenue with 19th and 21st Avenues. The street lights shall be required to use shoebox fixtures and have a maximum height of 25 feet.
11. That houses in this development shall include the following design features:
 - a. A variety of garage door detailing such that the doors on any two adjacent homes are not the same;
 - b. A variety of elevations such that any two adjacent homes are not the same;
 - c. A coordinated color palette in desert tones such that no two adjacent homes are the same color;
 - d. A consistent level of detailing/finish on all sides of the structure, such as recessed, pop-out or trim features, and brick or stone accent materials, where visible from public streets or public open spaces.
12. That the irrigation ditch on the west side of 19th Avenue be tiled.
13. That right-of-way totaling 50 feet shall be dedicated for the west half of 19th Avenue.
14. That right-of-way totaling 25 feet shall be dedicated for the east half of 21st Avenue.
15. That right-of-way dedications and street alignments for local streets within the subdivision will be determined by the Development Services Department at the time of Preliminary Subdivision Plat Review.
16. That the developer shall construct the newly approved local street section for Harwell Avenue, which includes a pavement width of 28 feet from face of curb to face of curb, a vertical curb, a 5'-wide planting strip, and a 4'-wide sidewalk.

17. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, street lights, landscaping and other incidentals, as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
18. That an open space area of at least 10,000 square feet be provided at the southeast corner of the site adjacent to 21st Avenue.
19. That upon approval by City Council, the South Mountain Village Planning Committee shall be notified of any modification of stipulations.
20. That the applicant shall record a CCR (Covenant, Condition, Restriction) to assure the maintenance of the common areas and open space.
21. That the following individuals be notified of future hearings and Development Services Departments meetings regarding this property.

Andrew de Mars
2929 North Central
Phoenix, AZ 85012

Barbara Schneider
2101 West Dobbins
Phoenix, AZ 85041

Stephen H. Williams
2197 West South Mountain Avenue
Phoenix, AZ 85041

Juan Bautista
1625 West Dobbins Road
Phoenix, AZ 85041

If you require further assistance or information, please contact the Planning Department, located on the second floor of the Phoenix City Hall, 200 West Washington Street, or call 262-7131.

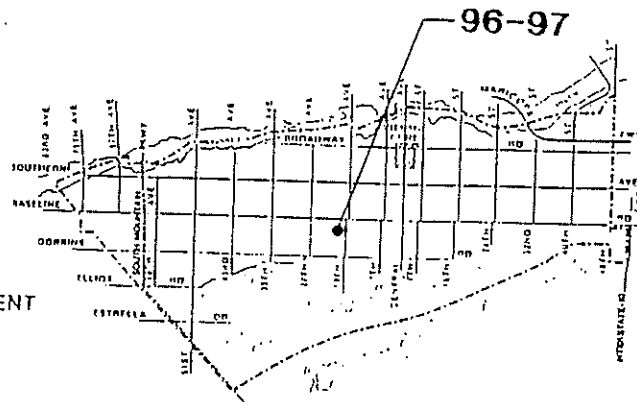
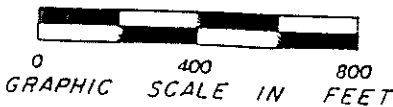
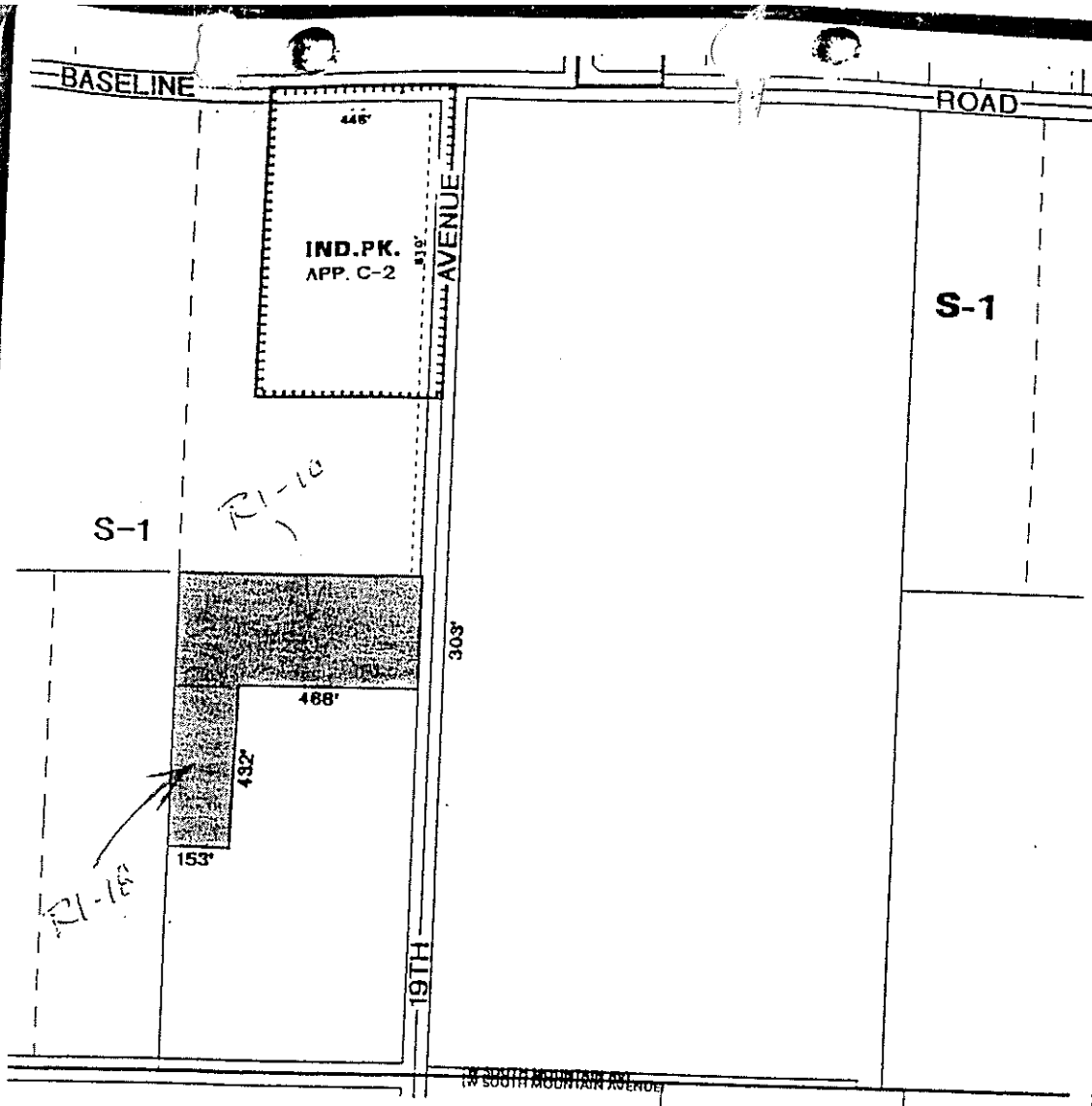
Sincerely,



Vicky Miel
City Clerk

VM/ss/Item 4

cc: Planning Department (4)
Street Transportation Department
Development Services Department



CITY OF PHOENIX PLANNING DEPARTMENT
 SOUTH MOUNTAIN VILLAGE
 CITY COUNCIL DISTRICT 7

APPLICANT'S NAME CRAIG ASSOCIATES ARCHITECTS P.C.		REQUESTED CHANGE	
APPLICATION NO. 96-97-7		FROM: S-1	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 6.1 ACRES		TO: R1-8	
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
S-1		N/A	
R1-8		31	
HEARING DATES		UNITS STANDARD OPTION	
Z.H.O.	P.C.	6	
10-20-97		26	
AERIAL PHOTO & QUARTER SEC. NO. 01-24		ZONING MAP D-7	

South portion of Z-96-97-7



Legal Description of the South portion of Rezoning Case Z-96-97-7

The following real property situated in Maricopa County, Arizona:
That portion of the Southeast quarter of the Northeast quarter of Section 1,
Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona, more particularly described as follows:

The East half of said Southeast quarter of the Northeast quarter;

Except the Northerly 396.52 feet; and

Except the South 590.28 feet; and

Except the East 33 feet as conveyed to Maricopa County by Quit Claim Deed
recorded in Book 105 of Deeds, Page 418, records of Maricopa County, Arizona;
and additionally

Excluding the East 464 feet.

1.25 gross ac.