



City of Phoenix

To: Mayor and City Council

Date: February 4, 2014

From: Ginger Spencer 
Special Assistant to the City Manager

Subject: FORMAL AGENDA OF FEBRUARY 5, 2014

WITHDRAWALS

Item 29 Page 49 District 2 Ordinance G-5887 - Amend City Code -
Rezoning Application Z-50-13-2

See attached memo from the Acting Planning and Development Director.

PROPOSED ADD-ONS

Item 54.1 District 2 Public Hearing - Ordinance G-5893 - Amend City Code -
Z-50-13-2 - 56th Street and Lone Mountain Road
(Backup Report included)

See attached RCA and memo from the Acting Planning and Development Director.

CONTINUED ITEMS

Item 52 Page 71 District 4 Public Hearing - Ordinance G-5890 -
Z-47-13-4 - 3rd Avenue and
Camelback Road

See attached memo from the Acting Planning and Development Director.

Item 53 Page 72 District 3 Public Hearing - Ordinance G-5891 -
Z-24-13-3 - Tatum Boulevard and
Shea Boulevard

See attached memo from the Acting Planning and Development Director.




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Rick Naimark
Deputy City Manager

Date: January 31, 2014

From: Alan Stephenson 
Acting Planning and Development Director

Subject: REQUEST TO WITHDRAW ITEM 29, ORDINANCE ADOPTION OF Z-50-13-2,
FROM THE FEBRUARY 5, 2014 CITY COUNCIL FORMAL AGENDA TO HOLD A
PUBLIC HEARING AT THE END OF THE AGENDA

Item 29 is a request for Ordinance Adoption of Rezoning Application Z-50-13-2 (G-5887), located approximately 620 feet west of the southwest corner of 56th Street and Lone Mountain Road to allow single-family residential.

This application was appealed from the January 14 Planning Commission hearing by the opposition and should have been scheduled for a public hearing instead of for ordinance adoption only.

Staff recommends withdrawing Item 29 from the February 5 Formal agenda in order to hold a public hearing and ordinance adoption under Planning and Zoning Matters at the end of the agenda. This application has been properly advertised and posted for a public hearing to be held on February 5, 2014.

OK
RN
2/1/14




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Rick Naimark
Deputy City Manager

Date: January 31, 2014

From: Alan Stephenson 
Acting Planning and Development Director

Subject: REQUEST FOR ADD-ON TO THE FEBRUARY 5, 2014 CITY COUNCIL FORMAL AGENDA TO HOLD A PUBLIC HEARING/ORDINANCE ADOPTION OF Z-50-13-2

This memo requests an add-on to the February 5, 2014, Formal Agenda under Planning and Zoning Matters for City Council to hold a public hearing and ordinance adoption for Rezoning Application Z-50-13-2 located approximately 620 feet west of the southwest corner of 56th Street and Lone Mountain Road to allow single-family residential.

This application was appealed from the January 14 Planning Commission hearing by the opposition and should have been scheduled for a public hearing instead of for ordinance adoption only.

This application has been properly advertised and posted for a public hearing to be held on February 5, 2014.

OK
RW
2/11/14

**CITY OF PHOENIX
REQUEST FOR COUNCIL ACTION
Complete this form per A.R. 4.11.**

Refer to the City Council Agenda Process Reference Guide for Assistance

ACTION REQUESTED	Formal Action:	OR	Legal Document:
	Bid Award <input type="checkbox"/> License Application <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Other <input type="checkbox"/>		Ordinance <input checked="" type="checkbox"/> Amend City Code? <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Emergency Clause? <input type="checkbox"/> (for use only w/ord. or res. requests)
IMPACTED DISTRICT(S)	DISTRICT 2	ADDITIONAL BACKUP MATERIAL SENT UNDER SEPARATE COVER? <input type="checkbox"/>	
SUBJECT	AMEND CITY CODE - PUBLIC HEARING/ORDINANCE ADOPTION - Z-50-13-2		
REQUESTED AGENDA DATE	2/5/2014	PREPARED BY	Name <u>Diane Rogers</u>
			Department <u>Planning & Development (PDD-843)</u>
			Phone <u>X26656</u>
APPROVALS	Division Head: Sandra Hoffman	If prepared for another department: Department Name: _____	
	Department Head: Alan Stephenson	Approval: _____	
BID AWARD INFORMATION	Bid Surety Required? <input type="checkbox"/>	Performance Surety Required <input type="checkbox"/>	
	Submitted by Low Bidder? <input type="checkbox"/>	Amount? _____	
CONTRACT INFORMATION	Contract Required? <input type="checkbox"/>	Requisition No. _____	
	Contract Amendment? <input type="checkbox"/>	Sole Source Contract? <input type="checkbox"/>	
	If Yes, Current Contract No. _____	Ordinance <input type="checkbox"/>	on Date: _____
	Approved by: _____	Resolution <input type="checkbox"/>	
BUDGET INFORMATION	\$ _____	To Be Encumbered? <input type="checkbox"/>	
	Source of Funds: _____	Fiscal Year? _____	
	Fund Center(s) (SAP-FM): _____	Commitment Item(s) (SAP-FM): _____	
CITY MANAGER'S OFFICE	Approved by Rick Naimark 2/3/14		CM Control No. _____
CITY CLERK DEPARTMENT	Council Action Taken: _____		
	Ordinance Number: G-5893	RCA No. _____	
	Resolution Number: _____	Contract No. _____	
	Comments: _____	Meeting Date _____	
		Item No. 54.1	

PUBLIC HEARING AND ORDINANCE ADOPTION

ITEM **DISTRICT 2** **ORDINANCE G-5893 -
PUBLIC HEARING -
Z-50-13-2 -
56TH STREET AND LONE
MOUNTAIN ROAD**

Request to hold a public hearing on the rezoning for the following item to consider adopting the Planning Commission's recommendation and the related Ordinance if approved.

Application: Z-50-13-2 – Appealed by Opposition
From: RE-35
To: R1-18
Acreage: 16.84
Location: Approximately 620 feet west of southwest corner of
56th Street and Lone Mountain Road
Proposal: Single-family residential
3/4 Vote Required: No
Applicant: Ed Bull – Burch & Cracchiolo, P.A.
Owner: Melcor Developments Arizona, Inc.
Representative: Ed Bull – Burch & Cracchiolo, P.A.
Staff: Approved, subject to stipulations.
VPC Action: Desert View – January 7, 2014 – Approved per staff
stipulations with 3 additional stipulations. Vote 9-0
PC Action: January 14, 2014 – Approved per the Desert View Village
Planning Committee recommendation with one additional
stipulation. Vote 6-0

The following stipulations are subject to discussion at the meeting and the City Council may add, delete or amend stipulations.

Stipulations

1. The development shall not exceed 25 lots.
2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.

5. Right-of-way totaling a minimum of 65 feet shall be dedicated for the south half of Lone Mountain Road with half street improvements including curb, gutter, sidewalk, paving, appropriate drainage structures and incidentals for the length of the property, as approved by the Planning and Development Department. Provide Phoenix standard pavement transition tapers to all existing improvements.
6. Provide a striping and signing diagram per City of Phoenix Street Transportation Department Standards for Lone Mountain Road and a copy of paving plans for the Street Transportation review. Striping and signing plan must be drawn on separate sheets from paving plans and included as part of the complete set submitted to the Planning and Development Department at Central Log-in on the 2nd Floor of City Hall. Approval of striping and signing plans must be obtained from the Street Transportation Department (Zeke Rios 602-256-3409).
7. A minimum 40-foot wide private accessway entrance with 20-foot radius curb returns shall be provided on Lone Mountain Road. If gates or a median island are proposed, comply with Gate Control Access Requirements.
8. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings and incidentals on private accessways under City permit and with City inspection. Minimum five-foot wide attached sidewalks shall be constructed along all lot frontages adjacent to private streets, as approved by the Planning and Development Department. The curb at every curb return and at every entrance into a new subdivision is to be imprinted with the words "Private Street- No City Maintenance" in two-inch high letters.
9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
 - a. Public Water and Sewer;
 - b. Drainage;
 - c. Refuse Collection;
 - d. Emergency and Service Vehicle Access.
10. THE MAXIMUM BUILDING HEIGHT ALONG THE WEST PROPERTY LINE AND LOTS 1, 10, AND 11 AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, SHALL BE ONE-STORY, AND 20 FEET.

11. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO ALL PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT, THE PROXIMITY OF PROPERTIES WITH HORSES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY ATTORNEY.
12. A SIX-FOOT SOLID BLOCK WALL SHALL BE CONSTRUCTED ALONG THE SOUTH PROPERTY LINE, UP TO TRACT G AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THAT 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.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Rick Naimark
Deputy City Manager

AGENDA DATE: February 5, 2014

FROM: Alan Stephenson
Acting Planning & Development
Director

ADD-ON ITEM: 54.1

SUBJECT: Z-50-13-2 LOCATED APPROXIMATELY 620 FEET WEST OF
SOUTHWEST CORNER OF 56TH STREET AND LONE MOUNTAIN
ROAD

This report provides back-up information on Add-on Item 54.1 on the February 5, 2014, Formal Agenda.

THE ISSUE

A rezoning application has been submitted for approval to the City Council for a parcel located approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road. Application is being made by Ed Bull of Burch & Cracchiolo, P.A., on behalf of Melcor Developments Arizona, Inc.

OTHER INFORMATION

Rezoning case Z-50-13-2 is a request to rezone 16.84 acres from RE-35 to R1-18 to allow single-family residential.

The Desert View Village Planning Committee reviewed the application on January 9, 2014, and recommended approval per staff stipulations with 3 additional stipulations on a 9-0 vote.

The application was heard by the Planning Commission on January 14, 2013, and recommended for approval per the Desert View Village Planning Committee recommendation with one additional stipulation on a 6-0 vote.

The application was appealed by the opposition.

Attachments:

A – Staff Report Z-50-13-2

Attachment A



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-50-13-2

December 26, 2013

Desert View Village Planning Committee Meeting Date January 7, 2014
Planning Commission Hearing Date January 14, 2014
Request From: RE-35 (16.84 acres)
Request To: R1-18 (16.84 Acres)
Proposed Use Single-Family Residential
Location Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road
Owner Melcor Developments Arizona, Inc.
Applicant/Representative Ed Bull/Burch & Cracchiolo, P.A.
Staff Recommendation Approval, subject to stipulations

General Plan Conformity

General Plan Land Use Designations		Residential 0 to 2 du/ac	
Street Map Classification	Lone Mountain Road	Arterial	65-foot south half street
<p>LAND USE ELEMENT, GOAL 1, URBAN FORM, NEIGHBORHOOD POLICY 2: PROTECT AND ENHANCE THE CHARACTER OF EACH NEIGHBORHOOD AND ITS VARIOUS HOUSING LIFESTYLES THROUGH NEW DEVELOPMENT THAT IS COMPATIBLE IN SCALE, DESIGN, AND APPEARANCE.</p> <p>Proposed project is consistent with the scale and density of the surrounding area.</p> <p>LAND USE ELEMENT, GOAL 11, GENERAL PLAN LAND USE MAP AND ZONING CONFORMITY: THE GENERAL PLAN LAND USE MAP SHALL SHOW THE GENERALIZED LAND USE PLAN FOR THE CITY AND THE PROPOSED STREET SYSTEM WITH THE EXCEPTION OF LOCAL STREETS. ZONING GRANTED SUBSEQUENT TO THE ADOPTION OF THE GENERAL PLAN OR ANY AMENDMENTS SHALL BE IN CONFORMITY WITH THE LAND USE CATEGORY SHOWN AND DEFINED ON THE GENERAL PLAN, AS FURTHER EXPLAINED BELOW.</p> <p>Both the residential density and the zoning district proposed for this site conforms to the General Plan Land Use Map and to the North Area Land Use Plan.</p> <p>NEIGHBORHOOD ELEMENT, GOAL 4, CHARACTER AND IDENTITY, POLICY 4: ENCOURAGE NEW DEVELOPMENT THAT RESPECTS AND ENHANCES THE NEIGHBORHOOD'S CHARACTER.</p> <p>Proposed development respects the desert landscape and theme from the surrounding area.</p>			

Area Plan	
The North Land Use Map designates this area as Residential 0-1.5 du/ac. The plan recognizes the importance that the rural character and lifestyle play in determining appropriate land use densities. The proposed 1.48 du/acre project meets the intent of the North Land Use Plan density cap of 1.5 du/acre.	

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	RE-35
North	Single-Family Residential	R1-18 and S-1
South	Single-Family Residential/Horse Arena	RE-35
East	Large Lot Single-Family Residential	RE-35
West	Large Lot Single-Family Residential (Maricopa County)	Rural-43

Single-Family		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Development Option		PRD
Gross Acreage	N/A	16.84
Total Number of Units	34	25
Density	2.05 du/ac	1.48 du/ac (MET)
Typical Lot Size		10,400 square feet
Subject to Single Family Design Review	10% or more of the lots are equal or less than 65 feet in width	No
Open Space	Minimum 5%	30% (MET)

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 16.84-acre site located approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road from RE-35 to R1-18 for a single-family residential development. The site is vacant.
2. The General Plan Land Use Map designation is Residential 0 to 2 du/acre with a density cap of 1.5 du/acre. The request is consistent with the General Plan with a proposed density of 1.48 du/acre.

SURROUNDING USES & ZONING

3. Chaparral at Lone Mountain, a 74-unit single-family subdivision is located north of the subject site and is zoned R1-18. This development is approximately 55 acres in size with a density of 1.32 dwelling units per acre. Lots sizes range between 78-80 feet wide by 125-128 feet deep (9,750 to 10,240 square feet). The subject site is bounded on the west by predominately large lot single-family homes (an acre or larger in size) which are located in the unincorporated area of Maricopa County and zoned Rural-43. To the south of the subject site is also single-family residential with equestrian uses (i.e., horse arena) and zoned RE-35. To the east

is single-family residential and zoned RE-35.

PROPOSAL

4. The site plan depicts a total of 25 single-family custom lots (1.48 du/acre) on the 16.84-acre site. The typical lot size is 80 feet by 130 feet deep (10,400 square feet) with 30% open space. A gated community with private streets is proposed with access off of Lone Mountain Road.

STREETS

5. The Street Transportation Department indicated that there are right-of-way improvements needed for this site. Stipulations have been added to address these improvements.

OTHER

6. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in Shaded Zone X, on panel 890 L of the Flood Insurance Rate Maps (FIRM) dated September 30, 2005.
7. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

Findings

1. The General Plan Land Use Map designation is Residential 0 to 2 du/acre with a density cap of 1.5 du/acre. The request is consistent with the General Plan with a proposed density of 1.48 du/acre.
2. The development character respects the natural topography of the area and incorporates existing washes into the overall design.

Stipulations

1. The development shall not exceed 25 lots.
2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.
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9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
 - a. Public Water and Sewer;
 - b. Drainage;
 - c. Refuse Collection;
 - d. Emergency and Service Vehicle Access

Writer

Tricia Gomes

December 26, 2013

Team Leader

Josh Bednarek

Attachments

Aerial

Sketch Map

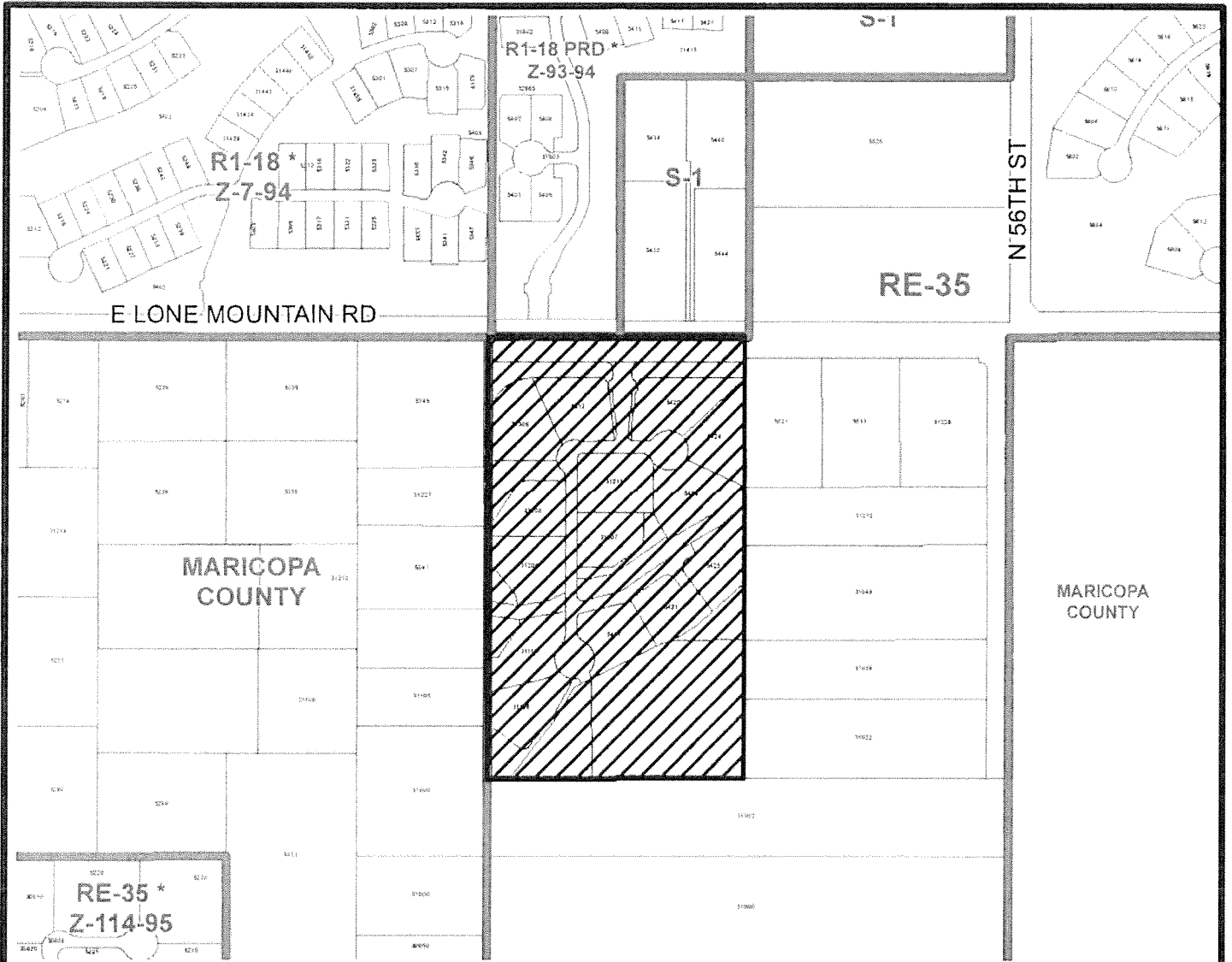
Site and date stamped December 10, 2013

Z-50-13-2



Z-50-13-2

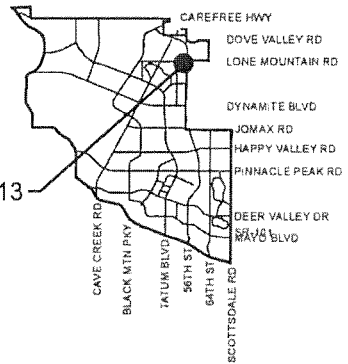




CITY OF PHOENIX PLANNING DEPARTMENT

DESERT VIEW VILLAGE

CITY COUNCIL DISTRICT: 2

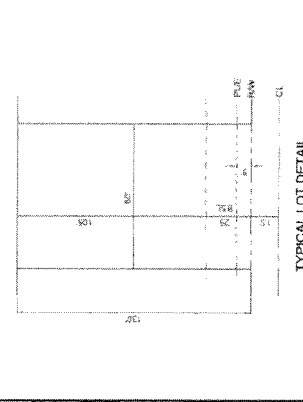
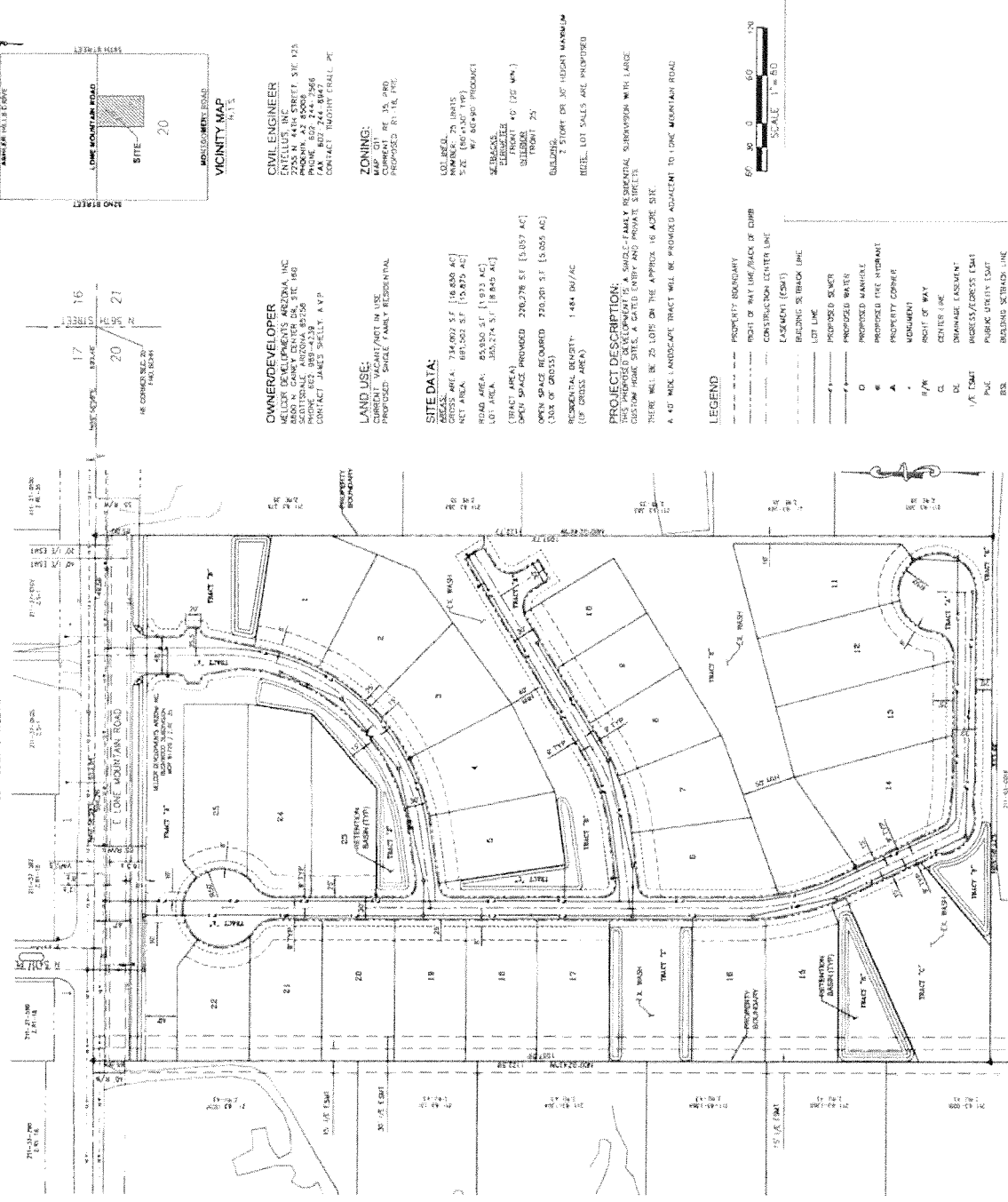


APPLICANT'S NAME: Ed Bull, Burch & Cracchiolo, P.A.		REQUESTED CHANGE: FROM: RE-35, (16.84 a. c.) TO: R1-18, (16.84 a. c.)	
APPLICATION NO. Z-50-13	DATE 10/30/13 <small>REVISION DATES</small>		
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 16.84 Acres	<small>AERIAL PHOTO & QUARTER SEC. NO</small> QS 54-40	<small>ZONING MAP</small> Q-11	
MULTIPLES PERMITTED RE-35 R1-18	CONVENTIONAL OPTION 18 33	* UNITS P.R.D. OPTION 22 39	

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

BUSHWOOD - SITE PLAN

A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 4 EAST, COUNTY OF MARICOPA, ARIZONA.



TYPICAL LOT DETAIL
NOTES:

1. DEVELOPMENT OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES.
 2. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN APPROVED FOR CONNECTION TO THE CITY WATER SUPPLY.
 3. ANY LOTTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM THE PROPERTY LINE AND TO BE PLACED SO AS TO BE PLACED AT AN ELEVATION AT LEAST EQUAL TO THE ELEVATION OF THE ADJACENT PROPERTY LINE.
 4. EACH LOT CONSTITUTES A BUILDING ENVELOPE AND ACCESSORY USES SUCH AS POOLS, TRACTS, WALLS AND ACCESSORY STRUCTURES ARE PERMITTED.
 5. AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, SHALL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS, STREETS, LANDSCAPE AREAS, AND SWANAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.
 6. THE HEIGHT OF THE TALLEST EQUIPMENT SHALL BE SO ORDERED TO PREVENT INTERFERENCE WITH THE INTRODUCTION OF PUBLIC UTILITIES.
 7. THE HEIGHT OF THE TALLEST EQUIPMENT SHALL BE SO ORDERED TO PREVENT INTERFERENCE WITH THE INTRODUCTION OF PUBLIC UTILITIES.
 8. PUBLIC UTILITIES SHALL BE MAINTAINED AT A MINIMUM HEIGHT OF 3' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAY ENTRANCE. WILL BE MAINTAINED AT A MINIMUM HEIGHT OF 3' FROM THE PROPERTY LINE.
 9. STREETS AND LANDSCAPING AT THE INTERSECTION OF PUBLIC UTILITIES SHALL BE MAINTAINED AT A MINIMUM HEIGHT OF 3' FROM THE PROPERTY LINE.
 10. INTERSECTIONS AND AT FOUR-WAY PRIVATE ACCESSWAY INTERSECTIONS SHALL BE MAINTAINED AT A MINIMUM HEIGHT OF 3' FROM THE PROPERTY LINE.
 11. SMOKE GAS AND SOOT EXHAUSTORS SHALL COMPLY WITH REGULATION 0 OF THE MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS.
 12. ALL EXHAUSTORS SHALL BE MAINTAINED AT A MINIMUM HEIGHT OF 3' FROM THE PROPERTY LINE AND IN THE RING ADJACENT TO THE SITE IF ANY EXISTING CONCRETE IS DAMAGED DURING THE CONSTRUCTION PROCESS, IT MUST ALSO BE REPAIRED PRIOR TO FINAL APPROVAL OF THE SITE.

SITE PLAN NOTES

1. DEVELOPMENT OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES.
 2. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN APPROVED FOR CONNECTION TO THE CITY WATER SUPPLY.
 3. ANY LOTTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM THE PROPERTY LINE AND TO BE PLACED SO AS TO BE PLACED AT AN ELEVATION AT LEAST EQUAL TO THE ELEVATION OF THE ADJACENT PROPERTY LINE.
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CITY OF PHOENIX
 DEC 10 2013
 Planning Department

602-263-1100
 PHOENIX, ARIZONA

BUSHWOOD DEVELOPMENT PROJECT CITY OF PHOENIX, ARIZONA PRELIMINARY SITE PLAN

NO.	DATE	DESCRIPTION
1	12/10/13	POST-APPLICATION REVIEW
2	12/10/13	REVISIONS:
3	12/10/13	REVISIONS:
4	12/10/13	REVISIONS:
5	12/10/13	REVISIONS:
6	12/10/13	REVISIONS:
7	12/10/13	REVISIONS:
8	12/10/13	REVISIONS:
9	12/10/13	REVISIONS:
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20	12/10/13	REVISIONS:
21	12/10/13	REVISIONS:
22	12/10/13	REVISIONS:
23	12/10/13	REVISIONS:
24	12/10/13	REVISIONS:
25	12/10/13	REVISIONS:

OWNER/DEVELOPER
 HELLOR DEVELOPMENTS ARIZONA, INC.
 4800 N. GARDEN CENTER DR., SUITE 180
 PHOENIX, ARIZONA 85018
 PHONE: 602.988-4139
 CONTACT: JAMES SHELLY, A.P.P.

CIVIL ENGINEER
 ENTELLIS, INC.
 2700 N. 44TH STREET, SUITE 125
 PHOENIX, ARIZONA 85018
 PHONE: 602.244.2968
 FAX: 602.744.8847
 CONTACT: JAMES SHELLY, A.P.P.

LAND USE:
 CURRENTLY ZONED/IN USE: R1-16, RESIDENTIAL
 PROPOSED ZONING: R1-16, RESIDENTIAL

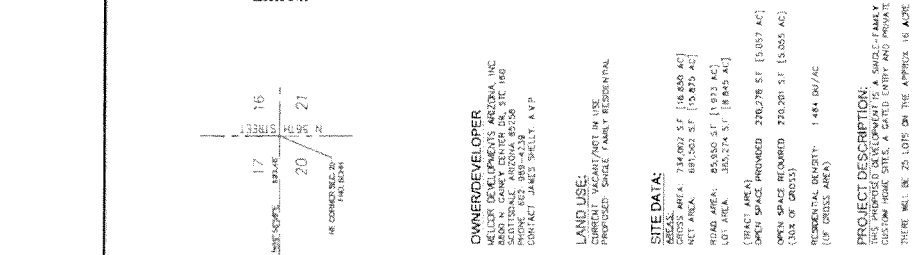
SITE DATA:
 GROSS AREA: 214,007 SF (4.86 AC)
 NET AREA: 81,500 SF (1.87 AC)
 ROAD AREA: 85,800 SF (1.97 AC)
 LOT AREA: 30,274 SF (0.69 AC)
 (TRACT AREA)
 OPEN SPACE PROVIDED: 210,278 SF (4.81 AC)
 (MAX OF GROSS)
 PERCENTAGE OPEN SPACE: 1.48% (BY AC)
 (OF GROSS AREA)

PROJECT DESCRIPTION:
 THIS PROPOSED DEVELOPMENT IS A SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH LARGE CUSTOM HOME SITES, A GATED ENTRY AND PRIVATE STREETS. THERE WILL BE 25 LOTS ON THE APPROX. 16 ACRE SITE. A 40' MAX LANDSCAPE TRACT WILL BE PROVIDED ADJACENT TO CORE MOUNTAIN ROAD. BEZEL LOT SALES ARE PROPOSED.

ZONING:
 CURRENTLY ZONED/IN USE: R1-16, RESIDENTIAL
 PROPOSED ZONING: R1-16, RESIDENTIAL

REVISIONS:

VERSIONS:



LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE/BACK OF CURB
- CONSTRUCTION CENTER LINE
- EXISTING (ESR)
- BEZEL OR BRUSH LINE
- LOT LINE
- PROPOSED DRIVE
- PROPOSED WATER
- PROPOSED FIREhydrant
- PROPERTY CORNER
- ADJUTMENT
- RIGHT OF WAY
- CEILING LINE
- SHOULDER LINE
- PROGRESS/ACCESS EASEMENT
- PUBLIC UTILITY EASEMENT
- BEZEL OR BRUSH LINE

SCALE: 1" = 80'

0 30 60 90 120

REVISIONS:

VERSIONS:

OWNER/DEVELOPER
 HELLOR DEVELOPMENTS ARIZONA, INC.
 4800 N. GARDEN CENTER DR., SUITE 180
 PHOENIX, ARIZONA 85018
 PHONE: 602.988-4139
 CONTACT: JAMES SHELLY, A.P.P.

CIVIL ENGINEER
 ENTELLIS, INC.
 2700 N. 44TH STREET, SUITE 125
 PHOENIX, ARIZONA 85018
 PHONE: 602.244.2968
 FAX: 602.744.8847
 CONTACT: JAMES SHELLY, A.P.P.

LAND USE:
 CURRENTLY ZONED/IN USE: R1-16, RESIDENTIAL
 PROPOSED ZONING: R1-16, RESIDENTIAL

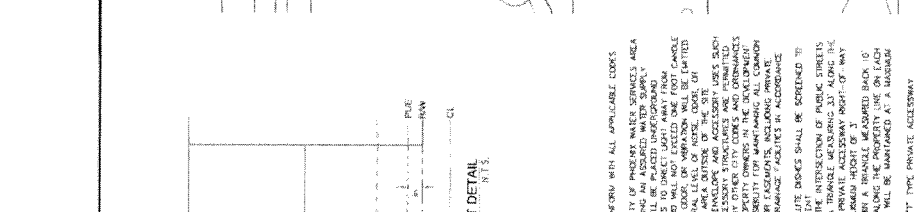
SITE DATA:
 GROSS AREA: 214,007 SF (4.86 AC)
 NET AREA: 81,500 SF (1.87 AC)
 ROAD AREA: 85,800 SF (1.97 AC)
 LOT AREA: 30,274 SF (0.69 AC)
 (TRACT AREA)
 OPEN SPACE PROVIDED: 210,278 SF (4.81 AC)
 (MAX OF GROSS)
 PERCENTAGE OPEN SPACE: 1.48% (BY AC)
 (OF GROSS AREA)

PROJECT DESCRIPTION:
 THIS PROPOSED DEVELOPMENT IS A SINGLE-FAMILY RESIDENTIAL SUBDIVISION WITH LARGE CUSTOM HOME SITES, A GATED ENTRY AND PRIVATE STREETS. THERE WILL BE 25 LOTS ON THE APPROX. 16 ACRE SITE. A 40' MAX LANDSCAPE TRACT WILL BE PROVIDED ADJACENT TO CORE MOUNTAIN ROAD. BEZEL LOT SALES ARE PROPOSED.

ZONING:
 CURRENTLY ZONED/IN USE: R1-16, RESIDENTIAL
 PROPOSED ZONING: R1-16, RESIDENTIAL

REVISIONS:

VERSIONS:



LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE/BACK OF CURB
- CONSTRUCTION CENTER LINE
- EXISTING (ESR)
- BEZEL OR BRUSH LINE
- LOT LINE
- PROPOSED DRIVE
- PROPOSED WATER
- PROPOSED FIREhydrant
- PROPERTY CORNER
- ADJUTMENT
- RIGHT OF WAY
- CEILING LINE
- SHOULDER LINE
- PROGRESS/ACCESS EASEMENT
- PUBLIC UTILITY EASEMENT
- BEZEL OR BRUSH LINE

SCALE: 1" = 80'

0 30 60 90 120

REVISIONS:

VERSIONS:



Village Planning Committee Meeting Summary Z-50-13-2

Date of VPC Meeting	January 7, 2013
Request From	RE-35
Request To	R1-18
Proposed Use	Single-Family Residential
Location	Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road
VPC Recommendation	Approval, subject to staff stipulations with 3 additional stipulations
VPC Vote	9-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Tricia Gomes presented the details of the case.

Mr. Ed Bull represented on behalf of the property owner, Melcor. Mr. Bull explained that the subject site was acquired from a bank and assembled to develop a single-family subdivision. The proposed subdivision would consist of a 25-custom, gated community with access off of Lone Mountain Road. Mr. Bull stated that he agreed with all nine stipulations as proposed by staff as well as two additional stipulations that would limit the building height along the western property line and inclusion of a disclosure statement regarding the proximity to horse properties to address concerns raised by area residents.

Mr. Bull provided a brief overview of the proposed site plan. He explained that the sole point of access would be from Lone Mountain Road and the south half of Lone Mountain Road would be improved. The washes within the development would not be walled off. Mr. Bull noted that the property owner to the south would like a six-foot solid block wall along the adjoining property line up to the wash. Mr. Bull indicated that a six-foot solid block wall along the southern property line could be provided.

Mr. Robert Erickson inquired if the six-foot solid block wall along the south property line could be stipulated. Mr. Bull indicated that the wall could be stipulated.

Mr. Louis Lagrave inquired how privacy to the west was being addressed. Mr. Bull explained that the building height would be limited to one-story, 20-feet along the west property line and the homes would be located towards the front of the lot.

Ms. Deanna Chew inquired about the price range of the homes. Mr. Bull explained that it would only be an approximation at this time, but the homes could start at 1-million and up. Ms. Chew inquired about the future homebuilder. Mr. Bull explained that Melcor would not be developing the homes; just selling the custom lots. Ms. Chew inquired if it was anticipated that spec homes would be sold on the lots. Mr. Bull indicated that spec homes were not anticipated.

Vice Chairman Steven Bowser inquired if the proposed subdivision would be subject to single-family design review. Ms. Tricia Gomes explained that the proposed subdivision would not be subject to single-family design review since the lot widths within the subdivision were 80-feet in width. Single-family design review only applied to single-family residential lots that were 65-feet in width or less.

Mr. Robert Erickson inquired about the amount of lot coverage allowed. Ms. Tricia Gomes stated that the R1-18 zoning district, PRD development option allowed 25% lot coverage with an additional 5% of coverage for shade for a total of 30% lot coverage. Vice Chairman Steven Bowser clarified that the lot coverage was aggregated.

Mr. Walter Householder, area resident west of the subject site, spoke in opposition to the request. Mr. Householder stated he would like to maintain the desert, but understood that he could not stop progress. He requested that no streetlights or sidewalks be provided along the south side of Lone Mountain Road in order to maintain the dark sky and to eliminate a sidewalk that went nowhere. Ms. Tricia Gomes explained that since Lone Mountain Road was a public road that streetlights and sidewalks were required.

Mr. Bill Strohmman, area resident east of the subject site, spoke in opposition to the request. Mr. Strohmman expressed concern regarding lighting, density, building height and building setbacks.

Mr. Alain Munro, area resident east of the subject site, spoke in opposition to the request. Mr. Munro expressed concern regarding building height which should be limited to one-story to protect views and that there was not a minimum square footage requirement for the homes within the subdivision. Ms. Tricia Gomes explained that the Zoning Ordinance only required maximum lot coverage.

Ms. Lisa Strohmman, area resident east of the subject site, spoke in opposition to the request. Ms. Strohmman expressed concern regarding building height and would like to see the entire subdivision limited to one-story. In addition, Ms. Strohmman expressed concern about flooding in the area and the potential impact the proposed development may have on surrounding properties. She inquired about what would happen if someone wanted to build more lots once the zoning was in place. Ms. Tricia Gomes explained an increase in the number of lots above the 25 stipulated lots would require a stipulation modification through the public hearing process.

Ms. Rebecca Layman Adams, area resident west of the subject site, spoke in opposition to the request. Ms. Adams expressed concern regarding potential complaints about adjacent horse properties from new residents of the proposed development. Ms. Adams stated that the proposed development was taking away from the existing open space and there were no gated communities near the proposed

development. She stated that the lots should be larger and the row of lots along the west property line should be broken up with additional open space.

Mr. Ed Bull, while in rebuttal, addressed the following concerns raised by area residents:

1. Density: The proposed development was stipulated to a maximum of 25-lots. An increase of lots would require a stipulation modification through the public hearing process.
2. Building Height: The building height along the west property line would be limited to one-story, 20-feet. The existing homes along the eastern property line were farther away; however Lots 1, 10 and 11 could be limited to one-story, 20-feet to minimize any potential impact to the property owners to the east.
3. Square footage of homes: It is anticipated that the lot costs would be close to \$150,000 (more for premium lots); therefore the minimum home square footage would be approximately 2,800 square feet. Mr. Bull noted that the subdivision would have private CC&R's that would include design criteria and minimum and maximum home sizes.
4. Horse Disclosures: A disclosure statement would be provided with the sale of the property and future sales of the property to inform purchasers that there were horse properties in the area.
5. Open Space: The proposed development has provided 30% of open space when the Phoenix Zoning Ordinance requires a minimum of 5% open space.

Mr. Louis Lagrave made a motion to approve Z-50-13-2, subject to stipulations as presented with three additional stipulations.

Mr. Steve Kruczek seconded. The committee voted 9-0 to approve the motion.

1. The development shall not exceed 25 lots.
2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.
5. Right-of-way totaling a minimum of 65 feet shall be dedicated for the south half of Lone Mountain Road with half street improvements including curb, gutter, sidewalk, paving, appropriate drainage structures and incidentals for the length of the property, as approved by the Planning and Development Department. Provide Phoenix standard pavement transition tapers to all existing improvements.

6. Provide a striping and signing diagram per City of Phoenix Street Transportation Department Standards for Lone Mountain Road and a copy of paving plans for the Street Transportation review. Striping and signing plan must be drawn on separate sheets from paving plans and included as part of the complete set submitted to the Planning and Development Department at Central Log-in on the 2nd Floor of City Hall. Approval of striping and signing plans must be obtained from the Street Transportation Department (Zeke Rios 602-256-3409).
7. A minimum 40-foot wide private accessway entrance with 20-foot radius curb returns shall be provided on Lone Mountain Road. If gates or a median island are proposed, comply with Gate Control Access Requirements.
8. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings and incidentals on private accessways under City permit and with City inspection. Minimum five-foot wide attached sidewalks shall be constructed along all lot frontages adjacent to private streets, as approved by the Planning and Development Department. The curb at every curb return and at every entrance into a new subdivision is to be imprinted with the words "Private Street- No City Maintenance" in two-inch high letters.
9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
 - a. Public Water and Sewer;
 - b. Drainage;
 - c. Refuse Collection;
 - d. Emergency and Service Vehicle Access
10. THE MAXIMUM BUILDING HEIGHT ALONG THE WEST PROPERTY LINE AND LOTS 1, 10, AND 11 AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, SHALL BE ONE-STORY, AND 20 FEET.
11. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO ALL PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT, THE PROXIMITY OF PROPERTIES WITH HORSES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY ATTORNEY.
12. A 6-FOOT SOLID BLOCK WALL SHALL BE CONSTRUCTED ALONG THE SOUTH PROPERTY LINE, UP TO TRACT G AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

REZONING CASES

Item #: 7
Application #: Z-50-13-2
From: RE-35
To: R1-18
Acreage: 16.84
Location: Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road
Proposal: Single-family residential
Applicant: Ed Bull/Burch &Cracchiolo, P.A.
Owner: Melcor Developments Arizona, Inc
Representative: Ed Bull/Burch &Cracchiolo, P.A.

Ms. Tricia Gomes presented Z-50-13-2; a request to rezone 16.84 acres located approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road from RE-35 to R1-18 to allow single-family residential. The Desert View Village Planning Committee recommended approval per staff stipulations with three additional stipulations 9-0. Staff recommended approval per the recommendation of the Desert View Village Planning Committee with one additional stipulation:

13. That 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.

Mr. Ed Bull stated the property acquired by Melcor Development had two parcels; the request was to put the two parcels together under one zoning and site plan package. The two parcels were set up to be a gated community with private streets and a maximum of twenty-five lots. Mr. Bull stated not only had they stipulated to the maximum of twenty-five lots but also to a minimum of thirty percent open space. They agreed with staff findings and stipulation recommendations and the additional stipulation to add the Proposition 207 Waiver of Claims.

Mr. Bull provided a brief overview of the proposed site plan. He explained per the stipulations they would dedicate and approve the south half and that all lots that abuts the east and west property lines were limited to one-story building height; not to exceed twenty feet. The washes within the development would not be walled off. Mr. Bull stated that they had met with neighbors and addressed their concerns.

Mr. William Strohman stated his issue was with the density. If this case were to be approved he would request that all of the lots be single story otherwise the view of the desert landscape would be ruined.

Ms. Lisa Strohman submitted various photos of her lot of 2.84 acres that looked out into the area to be developed if this were approved. The consistency that they as homeowners had been asked to maintain should also be required of the new development being requested. When they had purchased their lot they were informed

that the property directly behind them was a floodplain, thus an unbuildable area.

Chairwomen Katsenes asked if there were two-story homes in the abutting development in the photos.

Mr. Strohman stated the two-story home was on the east side with the new construction.

Mr. Alain Munro stated the areas surrounding the proposed subdivision were open with large lots. The proposed development did not fit the area and was not fair to the residents. Mr. Munro reiterated regarding the views of the mountains which they would no longer have if the two-story homes were built. He was not aware of any neighborhood support as mentioned by the applicant.

Mr. Ed Bull addressed the concerns raised by the area residents. The building height along the west property line would be limited to one-story, 20-feet. The existing homes along the eastern property line were farther away. Under the current zoning on the site; of right allows two-story homes with no zoning or old plat stipulations limiting any of the homes under any configuration. Per discussions with some of the neighbors it was agreed that the three lots that abut the eastern property line were limited to one-story.

Mr. Bull stated per the engineer they were not in a floodplain and would continue through the site plan review processes. In regards to lighting questions that were addressed through letters, they would do what the City Code required along the arterial frontage. Because this would be a gated community with private streets it was not required per the City Code or the City to have interior street lights.

Mr. Bull continued that the site was private land irrespective of who acquired what first and are in accordance with not only the City of Phoenix General Plan but also the North Land Use Plan. The density was less than 1.5 units per acre with 30% open space in a gated community with large size lots.

Commissioner Heck made a MOTION to approve Z-50-13-2 as recommended by the Desert View Village Planning Committee with one additional stipulation as read into the record by staff.

Commissioner Awai SECONDED.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 6-0. (Davis, Whitaker and Montalvo absent)

* * *

Stipulations:

1. The development shall not exceed 25 lots.

2. A minimum of 30 percent of the gross site area shall be retained as open space, including washes as approved by the Planning and Development Department.
3. A minimum 50-foot wash corridor, depicted as Tract E on the site plan date stamped December 10, 2013, shall remain undisturbed, as approved by the Planning and Development Department.
4. View fencing shall be provided adjacent to wash corridors, as approved by the Planning and Development Department.
5. Right-of-way totaling a minimum of 65 feet shall be dedicated for the south half of Lone Mountain Road with half street improvements including curb, gutter, sidewalk, paving, appropriate drainage structures and incidentals for the length of the property, as approved by the Planning and Development Department. Provide Phoenix standard pavement transition tapers to all existing improvements.
6. Provide a striping and signing diagram per City of Phoenix Street Transportation Department Standards for Lone Mountain Road and a copy of paving plans for the Street Transportation review. Striping and signing plan must be drawn on separate sheets from paving plans and included as part of the complete set submitted to the Planning and Development Department at Central Log-in on the 2nd Floor of City Hall. Approval of striping and signing plans must be obtained from the Street Transportation Department (Zeke Rios 602-256-3409).
7. A minimum 40-foot wide private accessway entrance with 20-foot radius curb returns shall be provided on Lone Mountain Road. If gates or a median island are proposed, comply with Gate Control Access Requirements.
8. The developer shall construct all streets within and adjacent to the development with curb, gutter, sidewalk, paving, appropriate drainage structures to facilitate dry crossings and incidentals on private accessways under City permit and with City inspection. Minimum five-foot wide attached sidewalks shall be constructed along all lot frontages adjacent to private streets, as approved by the Planning and Development Department. The curb at every curb return and at every entrance into a new subdivision is to be imprinted with the words "Private Street- No City Maintenance" in two-inch high letters.
9. The following easements shall be dedicated over the private accessways, as approved by the Planning and Development Department:
 - a. Public Water and Sewer;
 - b. Drainage;
 - c. Refuse Collection;
 - d. Emergency and Service Vehicle Access

10. THE MAXIMUM BUILDING HEIGHT ALONG THE WEST PROPERTY LINE AND LOTS 1, 10, AND 11 AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, SHALL BE ONE-STORY, AND 20 FEET.
11. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO ALL PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT, THE PROXIMITY OF PROPERTIES WITH HORSES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE CITY ATTORNEY.
12. A 6-FOOT SOLID BLOCK WALL SHALL BE CONSTRUCTED ALONG THE SOUTH PROPERTY LINE, UP TO TRACT G AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 10, 2013, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THAT 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.

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO./ LOCATION	Z-50-13-2 Approximately 620 feet west of southwest corner of 56th Street and Lone Mountain Road	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	X
APPEALED FROM:	PC 1/14/14	William Strohman 480-220-4701	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 2/5/14	31022 N 56th Street Cave Creek, AZ 85331	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
REASON FOR REQUEST: Letter attached			
RECEIVED BY:	MM / LO	RECEIVED ON:	1/21/14

Larry Tom
Diane Rogers
Lilia Olivarez, PC Secretary
Ken Black
David Miller
Courtney Gordon
Ben Ernyei
PLN All



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JAN 21 2014

Planning & Development
Department

The **PLANNING COMMISSION** agenda for January 14, 2014 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing unless:

- 1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. January 21, 2014

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. January 21, 2014

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. January 21, 2014.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. January 28, 2014.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-50-13

APPLICATION NO.

LOCATION OF APPLICATION SITE

1/20/14

[Signature]

DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

WILLIAM STROTSMAN

[Signature]

PRINTED NAME OF PERSON APPEALING

SIGNATURE

31022 N 58th St
STREET ADDRESS

1/20/14
DATE OF SIGNATURE

CAVE CREEK, AZ 85331
CITY, STATE & ZIP CODE

480-220-4701
TELEPHONE NO.

REASON FOR REQUEST Development contiguous to Preservation Lot (DIXON) LOT
Letter attached.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

To : City of Phoenix
RE: Case No Z-50-13 – Bushwood
Vicinity of 54th St and Lone Mountain Road

We have been involved and attended all of the meetings concerning Z-50-13 - Bushwood. At each meeting we have brought up that the Dixon Place (contiguous and to the east of the proposed rezoning and in which we live and has a preservation lot status and falls under the provisions of hillside-preservation guidelines) is a **preservation lot**. And because of this –we have requested larger buffer and perimeters, sought only single story building and have wanted greater percentages of open land. We have requested this at the first neighborhood meeting, , village planning meeting and finally on Jan 14th at the City Planning commission.

It was only after the City Planning Commission in which we discovered the City of Phoenix Section 608 Residence Districts, Section 3, with aid from legal counsel.

3. **Perimeter standards:** *Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, **hillside preserve**, or existing golf course, the depth of which is at least forty feet.*

As proof that we fall under the preserve category, I have included our city permit information, Permit # CES-12015527. During our construction, we were required to revegetate 9000 sq ft of desert landscape given previous owners had overgraded the lot. This was the way we discovered this and our plans were forced to go through the hillside preservation approval.

We request, on the basis of City of Phoenix Zoning codes (referring to Section 608 Residence Districts, seccion3) that this development be forced to have a 40 foot perimeter noted in stipulations, in the least next to Dixon Lot – not sure how this provision in Section 608 applies to the other perimeters. And if there are other restrictions including all single story/open land be added to stipulations given this development is contiguous to Dixon Lot (which is preservation land)

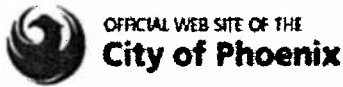
Thank you for your consideration.

Bill and Lisa Strohman
31022 N 56th Street
Cave Creek, AZ 85331
Phone: 480-220-4701

www.lifescapemed.com

8757 East Bell Road
Scottsdale, Arizona 85260
TEL: 480-860-5500
FAX: 480-860-5511

Medical Associates, PC
Lifescape



Development Services

27-Sep-2012 06:58 PM

Permit Information Development Services Department CIVIL ENVIRONMENTALLY SENSITIVE PERMIT

This is a representation of the information on the actual permit. This is NOT a valid permit to perform work.

Permit# CES-12015527 Issue Date 9/6/12 Expires 9/6/14
Permit Description STROHMAN RES 31022 NORTH 56TH STREET
Project 99-946 DIXON PLACE SUBDIVISION

Address 31022 N 56TH ST CAVE CREEK AZ 85331-3032 Zoning RE-35
L 7 B * DIXON PLACE QS Q54-40 APN 211-63-385 Dist 02

Description/Scope of Work: ENVIRONMENTALLY SENSITIVE

PLEASE CALL RESIDENTIAL INSPECTOR AT 602-262-7811 FOR FENCE CHECK PRIOR TO BEFORE REVEGETATING THE LOT.
CONSTRUCTION FENCE MUST BE INSTALLED PER THE APPROVED PLAN AND INSPECTED BEFORE ANY CLEARING OR GRADING TAKES PLACE. THE CONSTRUCTION FENCE MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.
THE CES PERMIT FEE PAYS FOR 2 FENCE INSPECTIONS. ADDITIONAL INSPECTIONS HAVE A FEE OF \$150 AN HOUR (MINIMUM 1 HOUR).
NOTE: OWNER WILL ENSURE THAT NO DISTURBANCE OF ANY KIND WILL OCCUR BEYOND THE LIMITS OF THE EXISTING DISTURBANCE AND THE PROPOSED REVEGETATION AREAS AS SHOWN ON THIS PRESERVATION/GRADING AND DRAINAGE PLAN.

Engineer Est: Str Class 730 Units 0 Sq.Ft. 0 Cnst Occ

Owner Information

Address STROHMAN WILLIAM & LISA 31022 N 56TH ST CAVE CREEK, AZ 85331-3032
Certificate of Occupancy Type: COFC

Contractor Information

Type Contact Phone
Name VOX CONSTRUCTION LLC Ins Exp
Address 5629 E WINDSTONE TRL City/St CAVE CREEK AZ Phone

Instructions and Comments

Inspections Required: GENERAL

Fee Code	Fee Desc	Fee Amount	Paid
SPEVRESPMT	RES-PRESERV LOT SALVAGE/FENCE RES PERMIT	\$360.00	<input checked="" type="checkbox"/>
	Permit Fee Total	\$360.00	\$360.00

[Permit Inspection History](#)

[Hold/Conditions](#)

Return to: [Permit Search](#) [Search Menu](#)

www.lifescapemed.com

8757 East Bell Road
Scottsdale, Arizona 85260
TEL: 480-860-5500
FAX: 480-860-5511

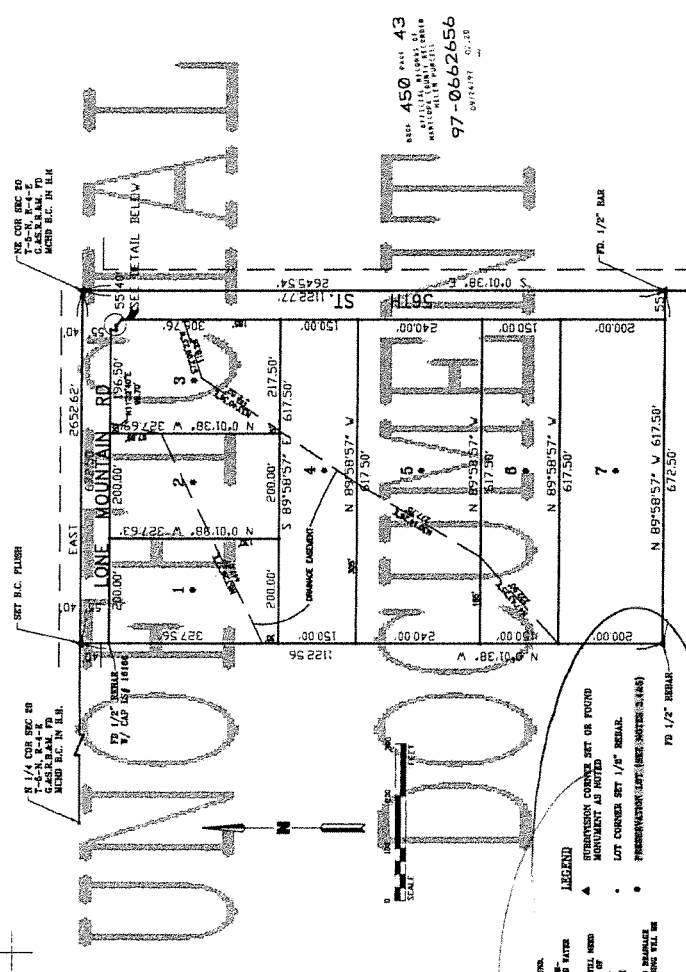
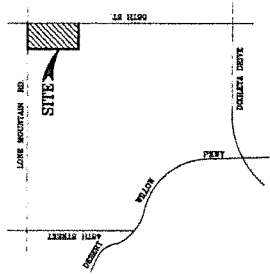


DIXON PLACE

FINAL PLAT

A PARCEL OF LAND BEING THE 1/4 OF SECTION 30, T-2-N, R-4-E, COUNTY OF MARICOPA, ARIZONA, BEING MORE OR LESS THE CORNER OF SAID SECTION 30, T-2-N, R-4-E, COUNTY OF MARICOPA, ARIZONA.

PREPARED FOR:
JIMMIE DIXON
 1214 N. MOUNTAIN RD
 PHOENIX, ARIZONA 85016
 (602) 978-0413



450 EAST 43
 97-0662656
 OFFICIAL RECORD

450-43

DEDICATION
 STATE OF ARIZONA
 COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS THAT THE STATE OF ARIZONA, COUNTY OF MARICOPA, COUNTY CLERK, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS KEPT IN THE OFFICE OF THE COUNTY CLERK, COUNTY OF MARICOPA, ARIZONA, AND THAT THE SAID ORIGINAL RECORD IS AVAILABLE FOR INSPECTION BY ANY PERSON AT ANY TIME AND PLACE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL
 COUNTY CLERK

FOR THE "DIXON FAMILY TRUST"

BY: _____
 TRUSTEE

ACKNOWLEDGMENT
 STATE OF ARIZONA
 COUNTY OF MARICOPA

ON THIS _____ DAY OF _____ 1977,
 I, _____, COUNTY CLERK OF THE COUNTY OF MARICOPA, ARIZONA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS KEPT IN THE OFFICE OF THE COUNTY CLERK, COUNTY OF MARICOPA, ARIZONA, AND THAT THE SAID ORIGINAL RECORD IS AVAILABLE FOR INSPECTION BY ANY PERSON AT ANY TIME AND PLACE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL
 COUNTY CLERK

APPROVED BY:
 FOR THE DEVELOPMENT SERVICES DEPT.
 CITY CLERK

DATE: 9-4-77

OTHER: _____

CONTRACT NO. _____

THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS KEPT IN THE OFFICE OF THE COUNTY CLERK, COUNTY OF MARICOPA, ARIZONA, AND THAT THE SAID ORIGINAL RECORD IS AVAILABLE FOR INSPECTION BY ANY PERSON AT ANY TIME AND PLACE.



STANLEY CONSULTANTS, INC.
 100 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85001
 SHEET 1 OF 1
 FINAL PLAT
 97-0662656

To Tricia Gomes and desert view village planning members

- As resident / homeowner parcel # 211-63-130a or 31209 sunrise ranch road and adjacent to the rezone proposal Z -50-13 for a 25 home gated community on the approximately 17 acres east of my property of 18 years ask for help in opposing such a change on this land. I worked very hard and chose desert rural life style for many reasons and while this is contradictory to most of them the one that concerns me the most is the intense density directly on my rear property line which is 213' in length. The new zoning will allow 2 homes, lots 17 and 18 of the proposal directly abutting my line and lot # 16 within approximately 25 feet to southeast corner and another lot # 19 approximately 25 feet from northeast corner and continuing north 3 more lots 20, 21, 22 it would also change the side setbacks of these lots to in essence construct a barrier of homes and effectively destroy the distinctive qualities of this area. My entire east boundary would be in complete contrast of what I have reasonably expected. It is not consistent with a well-established rural area or even attempt to gently blend into a neighborhood. This lotting pattern was explained to me as similar shaped lots and uniform by melcor attorney Mr. bull . With this logic or reasoning on what is compatible why have zoning of any kind have. I have since researched the area and cannot find one instance where any adjacent property owner has been so adversely affected by zoning changes.my property is at least 20% of his west boundary where as he wants to construct practically 25% of his community within a stone's throw of mine .my neighbor to the south is perfectly content with trees in his lawn as a shield I will not put trees in my horse arena. I would not need a shield under current zoning.melcor builds lots 17- 22 ,under existing zoning it would at least might be considered a gentle blend .melcor would still have three more homes than the 19 he stated he could build under current designations.

12/28/2013 rebecca layman adams



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Rick Naimark
Deputy City Manager

Date: January 31, 2014

From: Alan Stephenson *AS*
Acting Planning and Development Director

Subject: CONTINUANCE OF ITEM 52 ON THE FEBRUARY 5, 2014 FORMAL AGENDA -
PUBLIC HEARING/ORDINANCE ADOPTION OF Z-47-13-4 (G-5890)

Item 52, Rezoning Application Z-47-13-4 and Ordinance G-5890, is a request to rezone 1.14 acres located Approximately 115 feet east of the northeast corner of 3rd Avenue and Camelback Road from C-2 TOD-1 and C-2 SP TOD-1 to R-5 TOD-1 to allow multifamily residential.

Staff has received correspondence from the owner's representative requesting a continuance in order to explore alternatives to financing the proposed project and to make further revisions to the development.

Staff recommends continuing this item to March 19.

Attachment

OK
AS
2/1/14



LAW OFFICES OF

Lazarus, Silvyn & Bangs, P.C.

A PROFESSIONAL CORPORATION

January 27, 2014

Alan Stephenson
Interim Planning Director
Phoenix Planning and Development Department
200 W. Washington St.
Phoenix, Arizona 85003

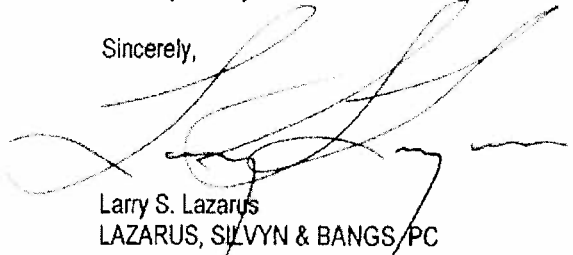
RE: Request for Continuance of Z-47-13-4

Dear Alan,

In order to explore alternatives to financing the proposed project and to make further revisions to the development, we respectfully request that the City Council hearing for the zoning case referenced above be continued from the February 5, 2014 agenda to the March 19, 2014 City Council agenda. This request is being made more than seven (7) days in advance of the scheduled public hearing, providing sufficient time for public notice of the continuance request.

Thank you for your attention in this matter.

Sincerely,



Larry S. Lazarus
LAZARUS, SILVYN & BANGS, P.C.

cc: Laura Pastor
Mayor Greg Stanton
Michael Stringfellow
Bruce and Ellen Bilbrey
Jeff Mills
Barry Wong
Tracy Tepper
Carol Kawell
Mark Saperstein
Russ Razinn
Ernest Jaramillo
Jacob Zonn



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Rick Naimark
Deputy City Manager

Date: January 31, 2014

From: Alan Stephenson 
Acting Planning and Development Director

Subject: CONTINUANCE OF ITEM 53 ON THE FEBRUARY 5, 2014 FORMAL AGENDA -
PUBLIC HEARING/ORDINANCE ADOPTION OF Z-24-13-3 (G-5891)

Item 53, Rezoning Application Z-24-13-3 and Ordinance G-5891, is a request to rezone 3.52 acres located approximately 750 feet west of the southwest corner of Tatum Boulevard and Shea Boulevard from CO/GO to C-1 to allow a day care facility.

Staff has received correspondence from the applicant requesting a continuance in order to work further with the neighborhood to address their concerns.

Staff recommends continuing this item to February 19.

Attachment

OK

PN
2/1/14



Robert Brooks
<The**robertbrooks@aol.com**>
>

01/30/2014 08:08 AM

To Diane Rogers/PLN/PHX@PHXENT

cc

bcc

Subject Re: Continuance request to February 19 City Council meeting

This letter is to whomever it may concern,

I am requesting a continuance for zoning case z-24-13. We have been working with the nearby neighbors to come to an agreement and need more time to iron out the final details. Vice mayor Gates has been working with closely with us and we all fell good about coming to an agreement prior to the February 19th hearing date. Let this serve as our formal request for a continuance in this case.

Thank you in advance,

Robert Brooks
Robert Books Ministries, Inc.