

PLEASE RESPOND ELECTRONICALLY TO ADAM STRANIERI, 2ND FLOOR, 602-495-5788



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** April 14, 2015
From: Alan Stephenson
Planning & Development Department Director
Subject: **P.H.O. APPLICATION NO. Z-13-14-8** – 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 **May 20, 2015**.
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 **April 24, 2015**.
 - 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 (Randy Payne, Molly Monserud, Aviation Planning) – 3400 E. Sky Harbor Blvd
City Manager's Office (Kevin Weight) – Historic Preservation Office
Community & Economic Development (Eric Johnson)
Fire Prevention (Joe McElvaney) 2nd Floor
Finance Admin (Barry Page) - 251 W. Washington – 8th Floor
Neighborhood Services (Gregory Gonzales) – 4th Floor
Parks & Recreation (Jarod Rogers) – 16th Floor
Parks & Recreation (Laurene Montero, April Carroll) – Pueblo Grande Museum
Public Transit (Mark Melnychenko, Jorie Bresnahan) - 302 N. 1st Ave., Ste 800
Public Transit/Light Rail Project (Curt Upton/*Special TOD Only*) – 411 N. Central #200
Street Transportation (Kristina Jensen, Hasan Mushtaq, Debra Oliver, Katrina Mojica) – 5th Floor
Water Services (Nazario Prieto, Lucy Graham) – 8th Floor
Planning and Development (Alan Stephenson, Sandra Hoffman) – 3rd Floor
Planning and Development/Information Services (Ben Ernyei) – 3rd Floor
Planning Hearing Officer (Tricia Gomes, Teresa Hillner) – 2nd Floor
Planning Commission Secretary (Lilia Olivarez) – 2nd Floor
Village Planner (Xandon Keating, South Mountain)
Village Chair (George Young, South Mountain)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-15--Z-13-14

Council District: 8

Request For: Stipulation Modification

Reason for Request: 1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped April 11, 2014 and elevations date stamped May 27, 2014. 2) Modification of Stipulation 2 regarding the minimum percentage of open to be provided.

Owner	Applicant	Representative
J3 Communities LLC c/o Rick Tayrien 1599 East Orangewood, Suite 150 Phoenix AZ 85020 (480) 607-6580 rtayrien@gwhaz.com	CVL Consultants Inc. 4550 North 12th Street Phoenix AZ 85014 (602) 285-4752 dcoble@cvlci.com	CVL Consultants Inc. 4550 North 12th Street Phoenix AZ 85014 P: (602) 285-4752 F: dcoble@cvlci.com

Property Location: Northeast corner of 28th Street alignment and Baseline Road

Zoning Map: D-9 Quarter Section: 1-33 APN: 122-95-004D Acreage: 7.46

Village: South Mountain

Last Hearing: CC HEARING

Previous Opposition: Yes

Date of Original City Council Action: 09/17/2014

Previous PHO Actions: _____

Zoning Vested: R1-14

Supplemental Map No.: _____

Planning Staff: 064414

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

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

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,080.00	\$0.00	04/03/2015	15-0019238	Original Filing Fee

Signature of Applicant: *David B. Coble* DATE: April 14, 2015

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>05/20/2015 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

April 10, 2015

**Summers
Place**
Planning Hearing Officer
Written Request

Developer:

J3 Communities, LLC

1838 West Parkside Lane STE 200

Phoenix, AZ 85027

Attn: Rick Tayrien

480-607-6580

rtayrien@gwhaz.com

Planning/Civil Engineering Consultant:

CVL Consultants, Inc.

4550 North 12th Street

Phoenix, Arizona 85014-4291

Attn: David Coble

602-285-4752

dcoble@cvlci.com





**PLANNING HEARING OFFICER
WRITTEN REQUEST**

**For
SUMMERS PLACE**

April 10, 2015

Developer:

J3 Communities, LLC

1838 West Parkside Lane STE 200
Phoenix, AZ 85027
Attn: Rick Tayrien
480-607-6580
rtayrien@gwhaz.com

**Planning/Civil Engineering
Consultant:**

CVL Consultants, Inc.

4550 North 12th Street
Phoenix, Arizona 85014-4291
Attn: David Coble
602-285-4752
dcoble@cvlci.com



Directory of Exhibits

City of Phoenix Zoning Ordinance #G-5945.....	Exhibit A
Preliminary Site Plan	Exhibit B
Parcel Map	Exhibit C
Existing Conditions Map	Exhibit D

**Planning Hearing Officer
Written Request for Summers Place**

The purpose of this request is to modify stipulations #1 and #2 of the City of Phoenix Zoning Ordinance #G-5945 attached as Exhibit A. Summers Place is located at the northeast corner of Baseline Road and 28th Street and surrounds Summers Fruit Barn. The site contains 7.46 gross acres and is currently vacant except for three abandoned buildings. The Summers Place development is comprised of 31 detached single-family homes.

History

In April of 2014 the site plan was revised due to the drainage flows derived from the Hohokam Area Drainage Master Study after the rezoning of the property. The site plan has been revised to convey the flow coming through the site.

The current zoning stipulations for Summers Place require 29% of open space. According to the City of Phoenix Zoning Ordinance #G-5945 approved on September 17, 2014, the stipulations referenced are as follows:

City of Phoenix Zoning Ordinance #G-5945 Stipulations

1. The development shall be in general conformance with the site plan date stamped April 11, 2014, and the elevations date stamped May 27, 2014, as approved by the Planning and Development Department.
2. A minimum of 29% open space shall be provided, as approved by the Planning and Development Department.

In regards to stipulation #1 we ask that the site plan date stamped April 3, 2015 be the approved zoning site plan.

A modification to stipulation #2 from the 29% open space requirement is requested to allow the development to use 25% of open space as shown in the current plan. The current site plan is attached as Exhibit B and clearly identifies the tract acreages and open space percentages for the site.

The requested modifications to the previously approved stipulations are as follows:

Proposed Modifications to City of Phoenix Zoning Ordinance #G-5945 Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~April 11, 2014~~ APRIL 5, 2015, and the elevations date stamped May 27, 2014, as approved by the Planning and Development Department.
2. A minimum of ~~29%~~ 25% open space shall be provided, as approved by the Planning and Development Department.
3. The maximum number of lots shall not exceed 33, as approved by the Planning and Development Department.
4. The perimeter wall adjacent to Baseline Road shall be articulated by either staggering the walls a minimum of twelve inches or having breaks every 50 feet, as approved by the Planning and Development Department.
5. Ingress/egress on Baseline Road shall be restricted to right-in/right-out only, as approved by the Planning and Development Department.
6. Remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets.
7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
8. 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 approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. That the applicant shall construct a median cut to allow left turns into the proposed development from Baseline Road, as approved by the Planning and Development Department.

City of Phoenix
Re: PHO Written Request for Summers Place
April 10, 2015

By submitting this written request we intend to comply with the above referenced requirements. After the PHO findings we propose to resubmit the preliminary site plan so we can remove the time extension and process for Preliminary Site Plan Approval.

Thank you for your consideration. Should you or your team have any questions regarding this matter please contact me directly at 602-285-4752.

Sincerely,

COE & VAN LOO
Consultants, Inc.



David B. Coble
Associate, Project Manager

DBC/jv

Exhibit A

**City of Phoenix
Zoning Ordinance
#G-5945**





City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

September 24, 2014

CVL Consultants, Inc.
4550 North 12th Street
Phoenix, AZ 85014

Dear Applicant:

RE: Z-13-14-8 – Northeast corner of 28th Street alignment and Baseline Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on September 17, 2014, approved Zoning Ordinance # G-5945.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Hoffman".

Sandra Hoffman
Acting Deputy Director

Attachment: Signed Ordinance

c: J3 Communities, LLC, 1599 E. Orangewood, #150, Phoenix, AZ 85020
File
Samantha Keating, PDD-Planning-PC Planner (Electronically)
Lilia Olivarez, PDD-Planning-PC Secretary (Electronically)
Marc Thornton, PDD-Planning-Village Planner (Electronically)
David Miller, PDD-GIS (Electronically)
Randy Weaver, PDD-Development (Electronically)
Penny Parrella, City Council (Electronically)

5945G-7-1-1--
chagollaj

ORDINANCE G-5945

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-13-14-8) FROM R1-14 BAOD AND R-2 BAOD (ONE FAMILY RESIDENCE) (BASELINE AREA OVERLAY DISTRICT) AND (MULTIPLE FAMILY RESIDENCE DISTRICT) (BASELINE AREA OVERLAY DISTRICT) TO R1-8 (SINGLE FAMILY RESIDENTIAL) (BASELINE AREA OVERLAY DISTRICT)

WHEREAS, on April 11, 2014, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from CVL Consultants Inc., having authorization to represent the owner, J3 Communities, LLC of an approximately 7.46 acre property located at the northeast corner of 28th Street alignment and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on August 12, 2014, and at this hearing recommended that the

City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on September 17, 2014, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 7.46 acre property located at the northeast corner of 28th Street alignment and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "R1-14" BAOD AND R-2 BAOD (ONE FAMILY RESIDENCE) (BASELINE AREA OVERLAY DISTRICT) AND (MULTIPLE FAMILY RESIDENCE DISTRICT) (BASELINE AREA OVERLAY DISTRICT)" TO "R1-8" BAOD (Single Family Residential) (BASELINE AREA OVERLAY DISTRICT) and that the Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-13-14-8, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following

stipulations, violation of which shall be treated in the same manner as a violation of the
City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped April 11, 2014, and the elevations date stamped May 27, 2014, as approved by the Planning and Development Department.
2. A minimum of 29% open space shall be provided, as approved by the Planning and Development Department.
3. The maximum number of lots shall not exceed 33, as approved by the Planning and Development Department.
4. The perimeter wall adjacent to Baseline Road shall be articulated by either staggering the walls a minimum of twelve inches or having breaks every 50 feet, as approved by the Planning and Development Department.
5. Ingress/egress on Baseline Road shall be restricted to right-in/right-out only, as approved by the Planning and Development Department.
6. Remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets.
7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
8. 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 approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. That the applicant shall construct a median cut to allow left turns into the proposed development from Baseline Road, as approved by the Planning and Development Department.

SECTION 3: If any section, subsection, sentence, clause, phrase or
portion of this ordinance is for any reason held to be invalid or unconstitutional by the

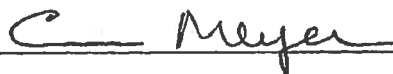
decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 17th day of September, 2014.





MAYOR

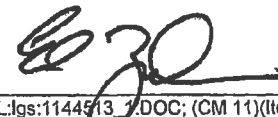
ATTEST:


City Clerk

APPROVED AS TO FORM:


Acting City Attorney *pm*

REVIEWED BY:


City Manager
PL:igs:1144513_1/DOC; (CM 11)(Item25), 9/17/14

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-13-14-8

LEGAL DESCRIPTION FOR
28TH STREET AND BASELINE
RE-ZONING PARCEL

That part of the South Half of Section 35, Township 1 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Brass Cap flush marking the South Quarter Corner of said Section 35, from which the Brass Cap in hand hole marking the Southwest Corner of said Section 35 bears South 88°36'40" West, a distance of 2,657.44 feet;

Thence South 88°36'40" West, along the South line of the Southwest Quarter of said Section 35, a distance of 127.70 feet to a point on a line which is parallel with and 77.00 feet Easterly, as measured at right angles, from the East line of that certain parcel of land described in Warranty Deed recorded in Document No. 87-725523, Records of Maricopa County, Arizona;

Thence North 00°04'28" East, along said parallel line, a distance of 310.61 feet to the Easterly prolongation of the North line of said certain parcel of land;

Thence South 88°36'41" West, along said Easterly prolongation and said North line, a distance of 255.47 feet to the Northwest Corner of said certain parcel of land;

Thence South 00°01'46" East, along the West line of said certain parcel of land, a distance of 310.60 feet to a point on the South line of the Southwest Quarter of said Section 35;

Thence South 88°36'40" West, along said South line, a distance of 120.10 feet to a point on the Easterly line of Mountain Grove Community, as recorded in Book 793 of Maps, Page 46, Records of Maricopa County, Arizona;

Thence North 01°02'10" East, along said Easterly line and its Northerly prolongation, a distance of 725.94 feet to a point on the Southerly right-of-way line of the Western Canal, as depicted in Book 1157 of Maps, Page 3, Records of Maricopa County, Arizona, said point being on a 5,699.65 foot radius non-tangent curve, whose center bears South 02°42'10" West;

Thence along said Southerly right-of-way line of the Western Canal the following courses:

20140629153

Thence Easterly, along said curve, through a central angle of $02^{\circ}20'06''$, a distance of 232.29 feet;

Thence South $84^{\circ}57'44''$ East, a distance of 306.92 feet to a point on the Westerly line of the Amended and Restated Final Plat for Hunter Ridge, a Condominium (Phase 1), as recorded in Book 749 of Maps, Page 29, Records of Maricopa County, Arizona;

Thence South $00^{\circ}10'24''$ East, departing said centerline along said Westerly line, a distance of 670.69 feet to a point on the South line of the Southeast Quarter of said Section 35;

Thence South $89^{\circ}38'09''$ West, along said South line, a distance of 50.08 feet to the Point of Beginning.

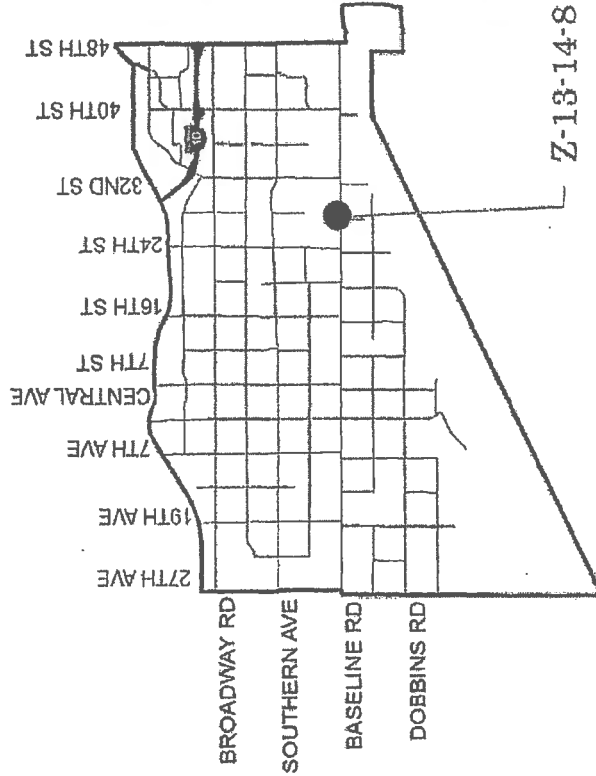
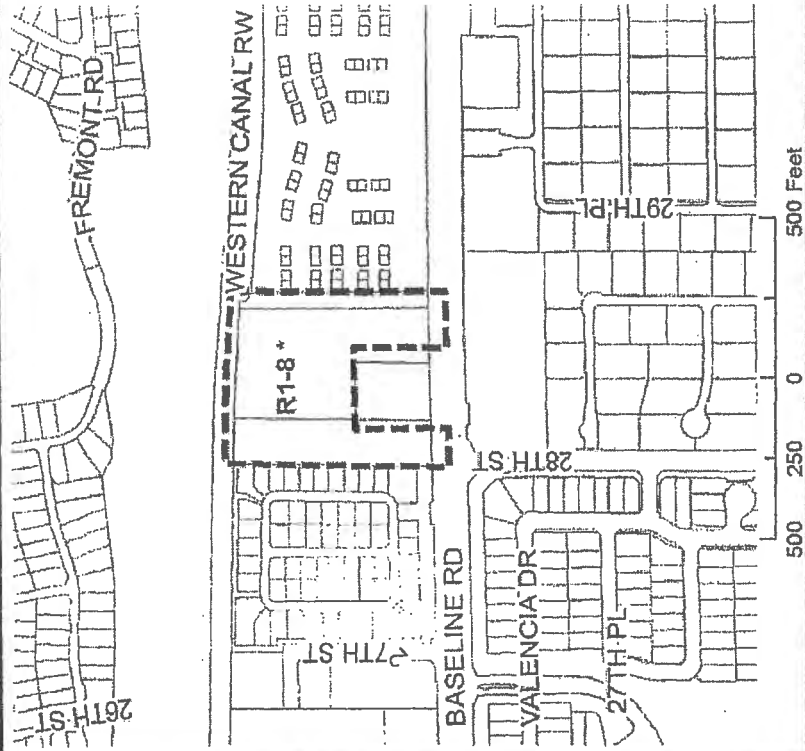
Containing 6.936 Acres, more or less.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-13-14-8
Zoning Overlay: Baseline Area Plan and Overlay District
Planning Village: South Mountain Village

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE

Drawn Date: 8/4/2014

Exhibit B
Preliminary Site Plan

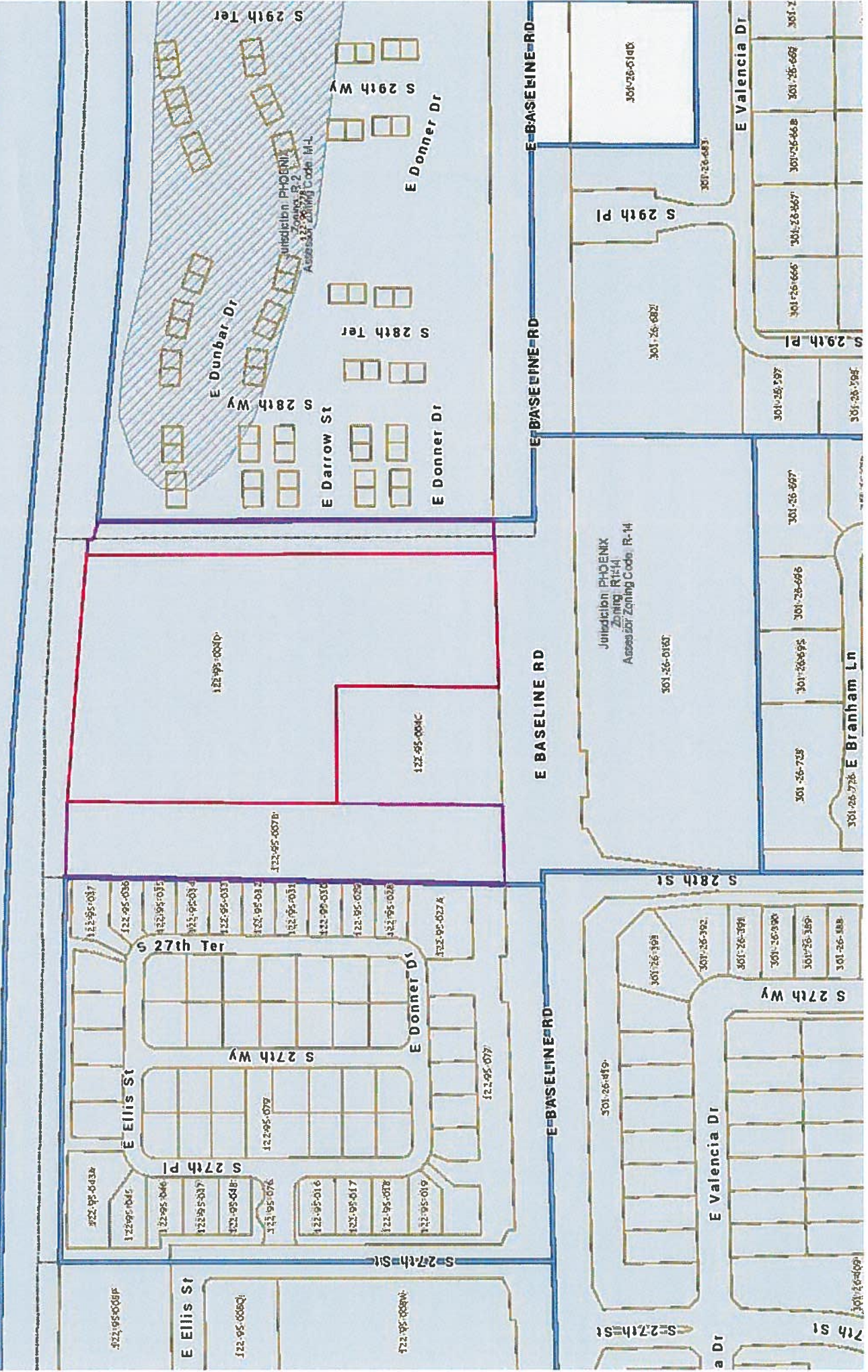


Exhibit C

Parcel Map



Summers Place Parcel Map



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Jurisdiction PHOENIX
Zoning R1214
Assessor Zoning Code R-14
301-26-0181
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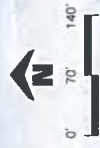
Exhibit D

Existing Conditions Map



Summers Place

Existing Conditions Map



5945G-7-1-1--
chagollaj

ORDINANCE G-5945

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-13-14-8) FROM R1-14 BAOD AND R-2 BAOD (ONE FAMILY RESIDENCE) (BASELINE AREA OVERLAY DISTRICT) AND (MULTIPLE FAMILY RESIDENCE DISTRICT) (BASELINE AREA OVERLAY DISTRICT) TO R1-8 (SINGLE FAMILY RESIDENTIAL) (BASELINE AREA OVERLAY DISTRICT)

WHEREAS, on April 11, 2014, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from CVL Consultants Inc., having authorization to represent the owner, J3 Communities, LLC of an approximately 7.46 acre property located at the northeast corner of 28th Street alignment and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on August 12, 2014, and at this hearing recommended that the

City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on September 17, 2014, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 7.46 acre property located at the northeast corner of 28th Street alignment and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "R1-14" BAOD AND R-2 BAOD (ONE FAMILY RESIDENCE) (BASELINE AREA OVERLAY DISTRICT) AND (MULTIPLE FAMILY RESIDENCE DISTRICT) (BASELINE AREA OVERLAY DISTRICT)" TO "R1-8" BAOD (Single Family Residential) (BASELINE AREA OVERLAY DISTRICT) and that the Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-13-14-8, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following

stipulations, violation of which shall be treated in the same manner as a violation of the

City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped April 11, 2014, and the elevations date stamped May 27, 2014, as approved by the Planning and Development Department.
2. A minimum of 29% open space shall be provided, as approved by the Planning and Development Department.
3. The maximum number of lots shall not exceed 33, as approved by the Planning and Development Department.
4. The perimeter wall adjacent to Baseline Road shall be articulated by either staggering the walls a minimum of twelve inches or having breaks every 50 feet, as approved by the Planning and Development Department.
5. Ingress/egress on Baseline Road shall be restricted to right-in/right-out only, as approved by the Planning and Development Department.
6. Remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets.
7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
8. 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 approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. That the applicant shall construct a median cut to allow left turns into the proposed development from Baseline Road, as approved by the Planning and Development Department.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

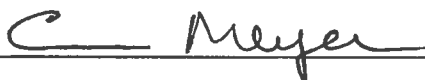
decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 17th day of September, 2014.




MAYOR

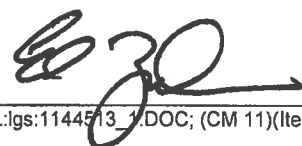
ATTEST:


City Clerk

APPROVED AS TO FORM:


Acting City Attorney *pm*

REVIEWED BY:


City Manager
PL:lgs:1144513_.DOC; (CM 11)(Item25), 9/17/14

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-13-14-8

LEGAL DESCRIPTION FOR
28TH STREET AND BASELINE
RE-ZONING PARCEL

That part of the South Half of Section 35, Township 1 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Brass Cap flush marking the South Quarter Corner of said Section 35, from which the Brass Cap in hand hole marking the Southwest Corner of said Section 35 bears South 88°36'40" West, a distance of 2,657.44 feet;

Thence South 88°36'40" West, along the South line of the Southwest Quarter of said Section 35, a distance of 127.70 feet to a point on a line which is parallel with and 77.00 feet Easterly, as measured at right angles, from the East line of that certain parcel of land described in Warranty Deed recorded in Document No. 87-725523, Records of Maricopa County, Arizona;

Thence North 00°04'28" East, along said parallel line, a distance of 310.61 feet to the Easterly prolongation of the North line of said certain parcel of land;

Thence South 88°36'41" West, along said Easterly prolongation and said North line, a distance of 255.47 feet to the Northwest Corner of said certain parcel of land;

Thence South 00°01'46" East, along the West line of said certain parcel of land, a distance of 310.60 feet to a point on the South line of the Southwest Quarter of said Section 35;

Thence South 88°36'40" West, along said South line, a distance of 120.10 feet to a point on the Easterly line of Mountain Grove Community, as recorded in Book 793 of Maps, Page 46, Records of Maricopa County, Arizona;

Thence North 01°02'10" East, along said Easterly line and its Northerly prolongation, a distance of 725.94 feet to a point on the Southerly right-of-way line of the Western Canal, as depicted in Book 1157 of Maps, Page 3, Records of Maricopa County, Arizona, said point being on a 5,699.65 foot radius non-tangent curve, whose center bears South 02°42'10" West;

Thence along said Southerly right-of-way line of the Western Canal the following courses:

Thence Easterly, along said curve, through a central angle of 02°20'06", a distance of 232.29 feet;

Thence South 84°57'44" East, a distance of 306.92 feet to a point on the Westerly line of the Amended and Restated Final Plat for Hunter Ridge, a Condominium (Phase 1), as recorded in Book 749 of Maps, Page 29, Records of Maricopa County, Arizona;

Thence South 00°10'24" East, departing said centerline along said Westerly line, a distance of 670.69 feet to a point on the South line of the Southeast Quarter of said Section 35;

Thence South 89°38'09" West, along said South line, a distance of 50.08 feet to the Point of Beginning.

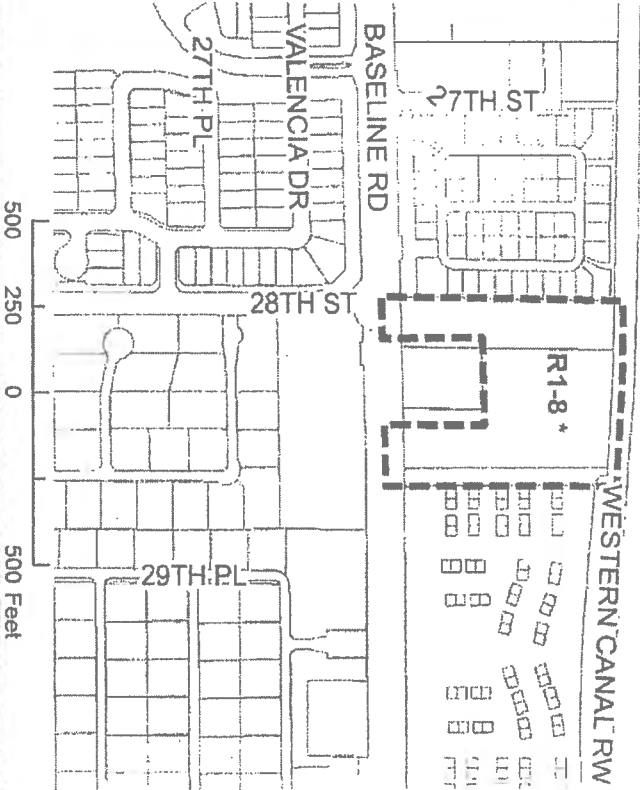
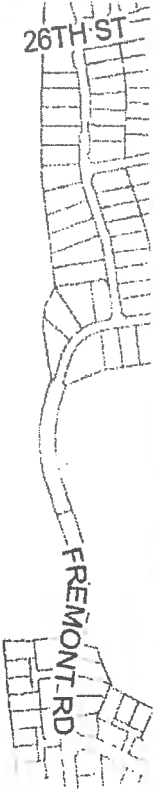
Containing 6.936 Acres, more or less.

ORDINANCE LOCATION MAP

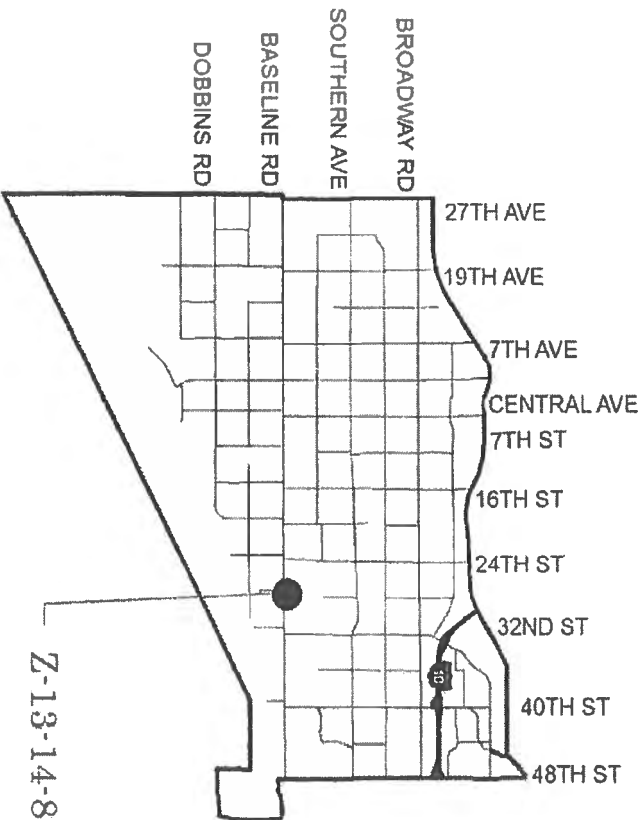
ATTACHMENT B

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: ■■■■■

Zoning Case Number: Z-13-14-8
 Zoning Overlay: Baseline Area Plan and Overlay District
 Planning Village: South Mountain Village



500 250 0 500 Feet

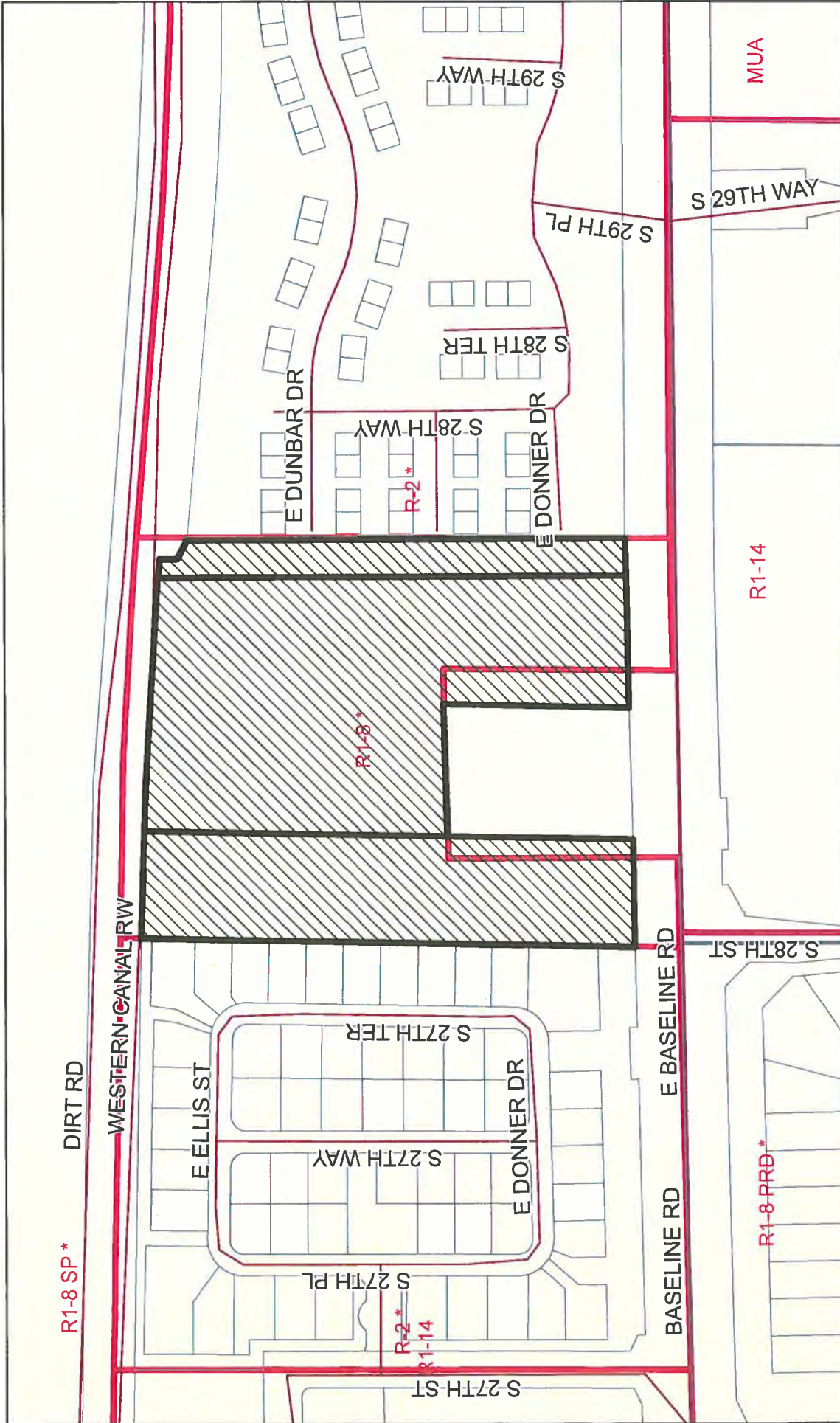


NOT TO SCALE



Drawn Date: 8/4/2014

S:\Departmental Share\IS Share\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2014 Ord\Z-13-14-8.mxd



PHO-1-15-Z-13-14-8

Property Location: Northeast corner of 28th Street alignment and Baseline Road



Planning & Development Department





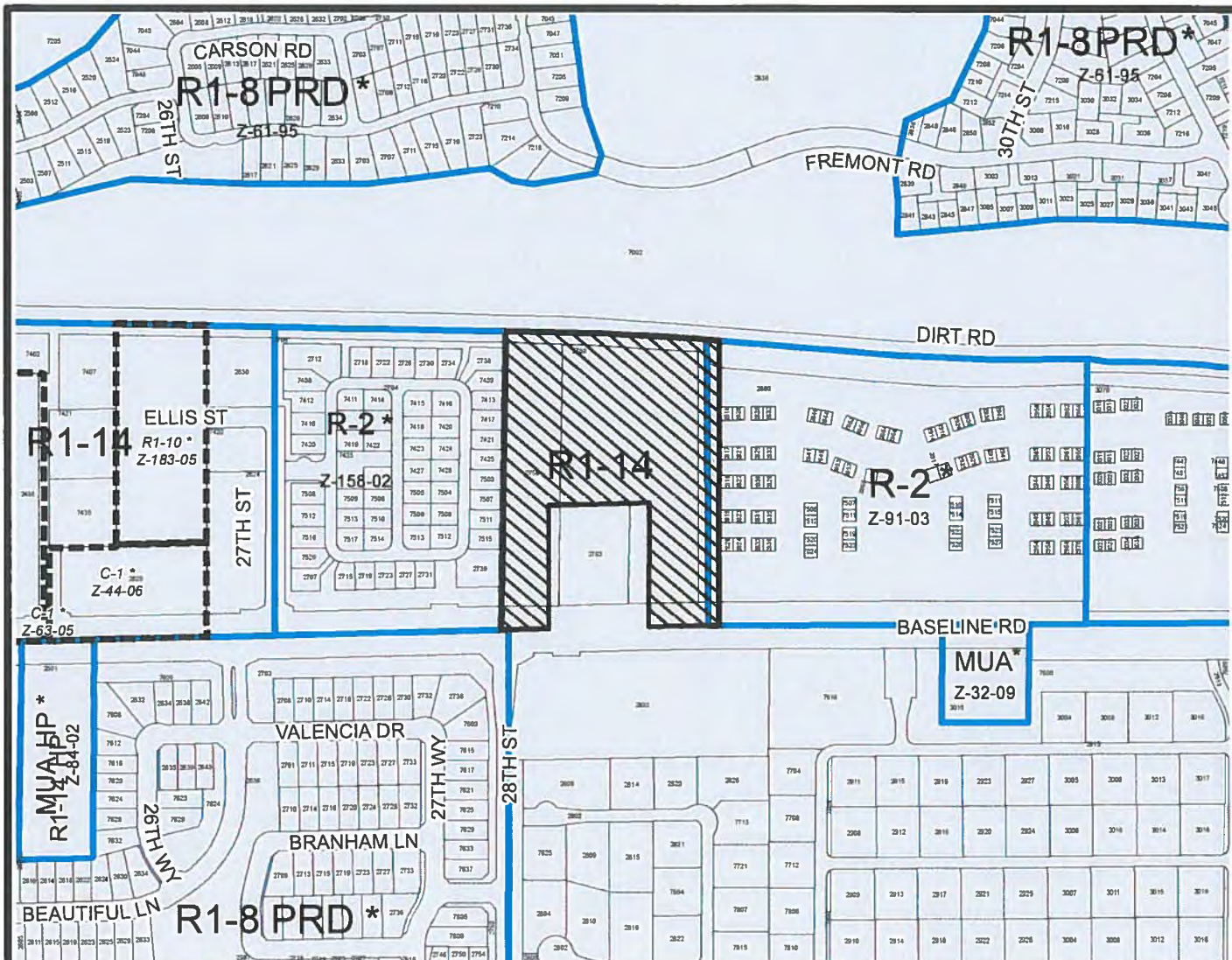

PHO-1-15--Z-13-14-8

Property Location: Northeast corner of 28th Street alignment and Baseline Road



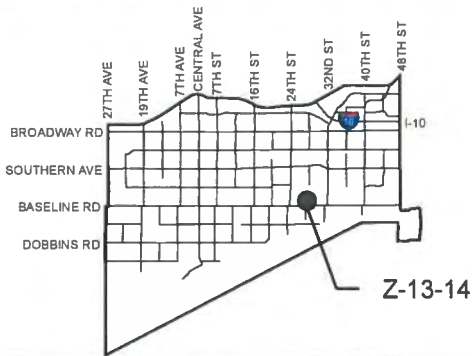
Planning & Development Department





400 200 0 400 Feet

CITY OF PHOENIX PLANNING DEPARTMENT
SOUTH MOUNTAIN VILLAGE
 CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: **CVL Consultants Inc.**

REQUESTED CHANGE:

APPLICATION NO. **Z-13-14**

DATE: **4/18/14**
 REVISION DATES:

FROM: **R1-14 BAOD, (7.00 a.c.)
 R-2, BAOD (.46 a.c.)**

GROSS AREA INCLUDING 1/2 STREET
 AND ALLEY DEDICATION IS APPROX.

7.46 Acres

AERIAL PHOTO &
 QUARTER SEC. NO

QS 1-33, 1-34

ZONING MAP

D-10

TO: **R1-8, BAOD (7.46 a.c.)**

MULTIPLES PERMITTED

R1-14, R-2

R1-8

CONVENTIONAL OPTION

15, 4

30

*** UNITS P.R.D. OPTION**

N/A, 5

38

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

PRELIMINARY SITE PLAN FOR SUMMERS PLACE (28TH STREET AND BASELINE ROAD)

PREPARED BY:
GOS & VON, LLC
1000 N. CENTRAL AVENUE
PHOENIX, AZ 85012
CONTRACT NO. 2015-001

PREPARED FOR:
1335 E DONNER DRIVE
PHOENIX, AZ 85014
PROJECT NO. 2015-001

PROJECT DESCRIPTION:
RESIDENTIAL DEVELOPMENT WITH PRIVATE STREETS
AND PUBLIC UTILITIES.

LEGAL DESCRIPTION:
RESIDENTIAL DEVELOPMENT WITH PRIVATE STREETS
AND PUBLIC UTILITIES.

BENCHMARK:
MONUMENTS AT THE INTERSECTION
OF 28TH STREET, DONNER DRIVE, AND
E DUNBAR DRIVE.

DATE OF RECORDING:
2015

DATE OF THIS PLAN:
MAY 20, 2015

DATE OF THIS PLAN:
MAY 20, 2015

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MAY 20, 2015

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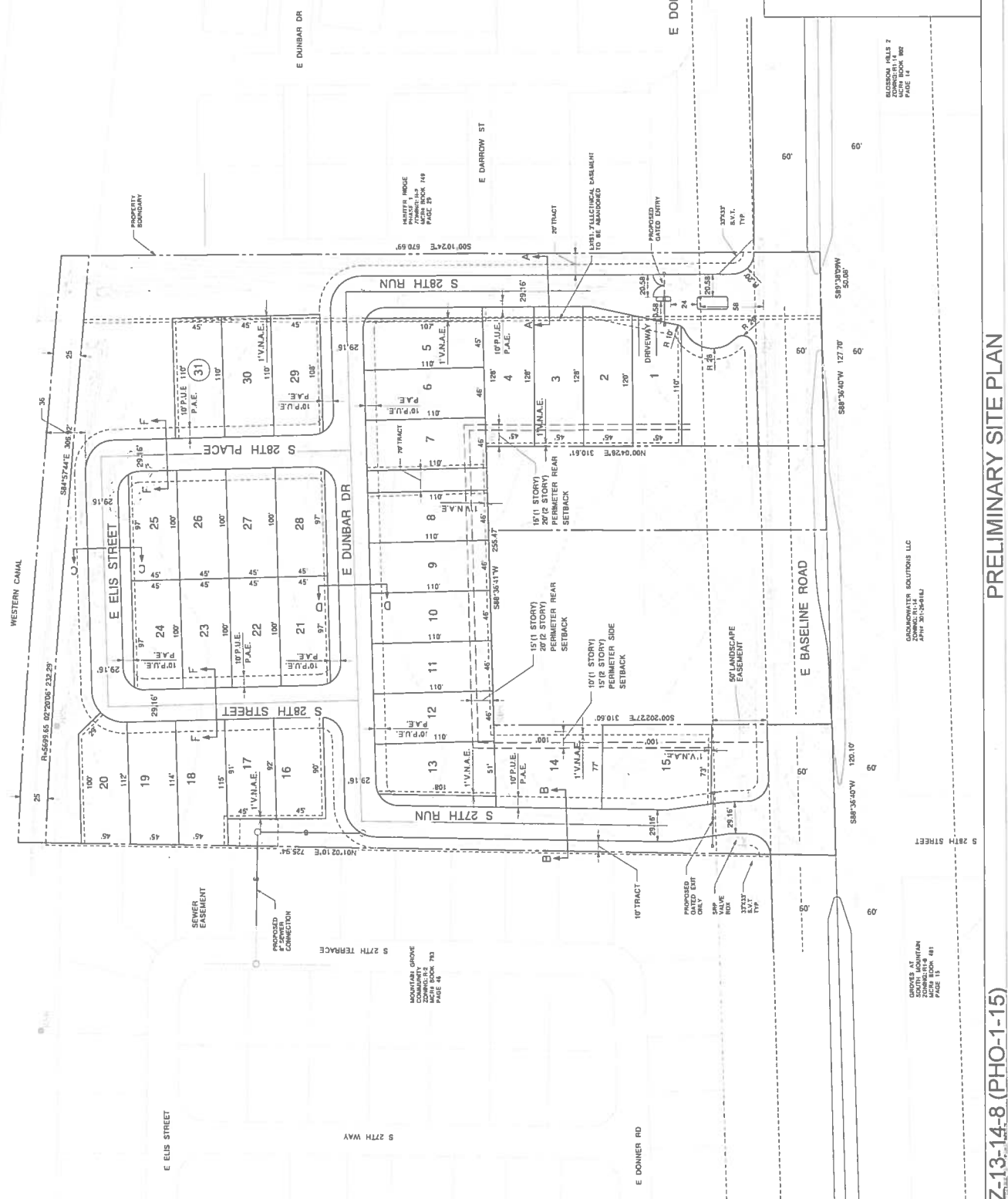
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MAY 20, 2015



CVL
CONCRETE VALLEY
LANDSCAPE ARCHITECTS
PHOENIX, AZ 85014
PHONE: 602-241-8811
FAX: 602-241-8829
WWW: WWW.CVLPHX.COM

SHEET NUMBER
01 OF 01
CVL Drawing No. 2015-001-01
CVL Project No. 2015-001
CVL File No.

DRAWN BY
DREW/AC
CHECKED BY
DREW/AC

MAY 20, 2015

PRELIMINARY SITE PLAN

(Z-13-14-8 (PHO-1-15))

SITE PLAN FOR SUMMER'S PLACE (28TH STREET AND BASELINE ROAD)

PREPARED BY:
CIVIL ENGINEERS INC.
4500 N. 17th Street
Phoenix, AZ 85014
PH: 602.262.1232
FAX: 602.262.1233
WWW: www.civil.com

PREPARED FOR:
1548 S. CHANDLER ROAD, ETE 160
PHOENIX, AZ 85024
CITY OF PHOENIX
PLANNING & DEVELOPMENT DEPARTMENT

PROJECT DESCRIPTION:
THE SITE VALUE DEVELOPED AS A SINGLE-FAMILY RESIDENTIAL TRACT WITH PRIVATE STREETS AND UTILITY SERVICES.

LEGAL DESCRIPTION:
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, T17N, R11E, S4E, MARICOPA COUNTY, AZ.


BENCHMARK:
D&G BENCH MARK AT INTERSECTION OF 28TH STREET AND WESTERN CANAL.

BASIS OF BEARING:
THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, T17N, R11E, S4E, MARICOPA COUNTY, AZ.

UTILITIES/SERVICES:
WATER
SEWER
CABLE
CENTURY LINK
CITY OF PHOENIX
FIRE
POLICE

CITY OF PHOENIX
PLANNING & DEVELOPMENT
DEPARTMENT
APR 11 2011

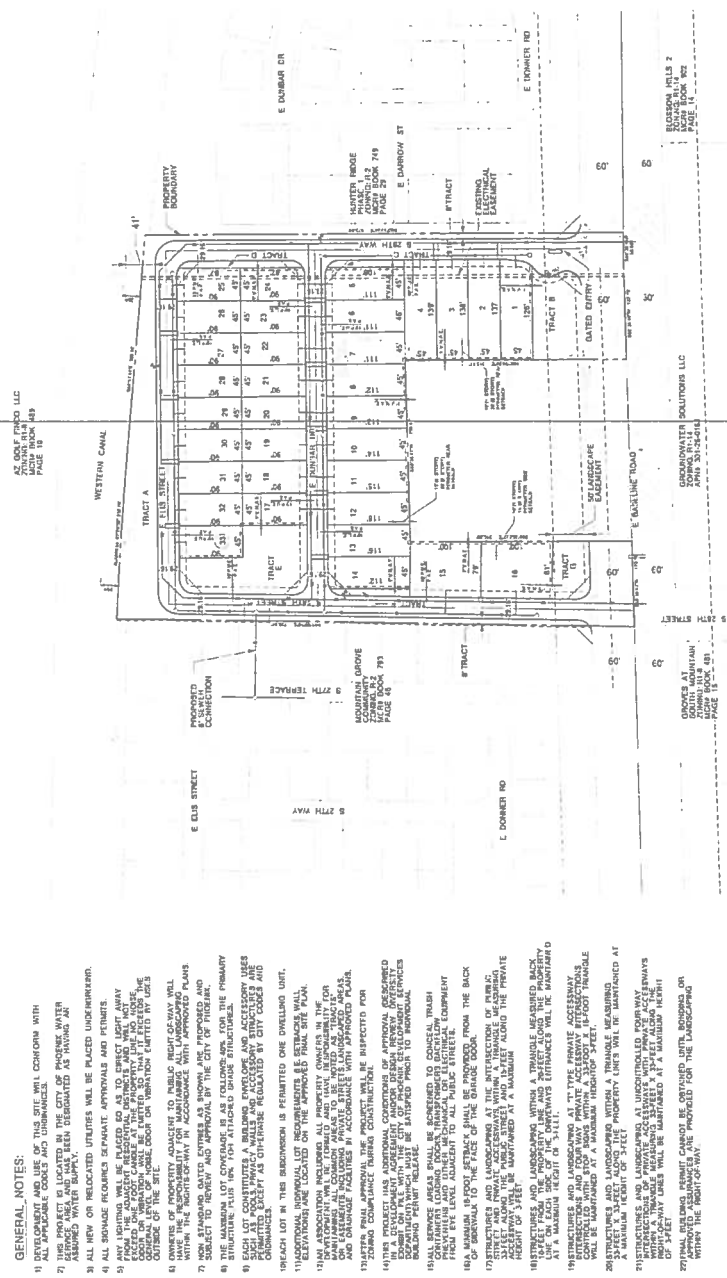
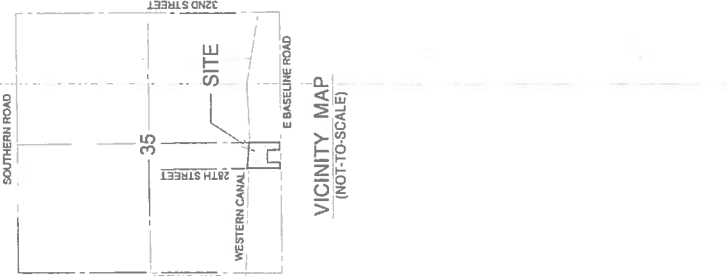
DATE: 04-15-14



4500 N. 17th Street
Phoenix, AZ 85014
PH: 602.262.1232
FAX: 602.262.1233
WWW: www.civil.com

SHEET NUMBER
01 OF 01
CIVIL ENGINEERS INC.
4500 N. 17th Street
Phoenix, AZ 85014
PH: 602.262.1232
FAX: 602.262.1233
WWW: www.civil.com

DESIGN: DC
DRAWN: CB
CHECK: IC



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TRACT D	9,340	9,340
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City of Phoenix

EXHIBIT A LEGAL DESCRIPTION OF THE PROPERTY

LEGAL DESCRIPTION FOR 28TH STREET AND BASELINE

That part of the South Half of Section 35, Township 1 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Brass Cap flush marking the South Quarter Corner of said Section 35, from which the Brass Cap in hand hole marking the Southwest Corner of said Section 35 bears South 88°36'40" West, a distance of 2,657.44 feet;

Thence South 88°36'40" West, along the South line of the Southwest Quarter of said Section 35, a distance of 127.70 feet to a point on a line which is parallel with and 77.00 feet Easterly, as measured at right angles, from the East line of that certain parcel of land described in Warranty Deed recorded in Document No. 87-725523, Records of Maricopa County, Arizona;

Thence North 00°04'28" East, along said parallel line, a distance of 310.61 feet to the Easterly prolongation of the North line of said certain parcel of land;

Thence South 88°36'41" West, along said Easterly prolongation and said North line, a distance of 255.47 feet to the Northwest Corner of said certain parcel of land;

Thence South 00°01'46" East, along the West line of said certain parcel of land, a distance of 310.60 feet to a point on the South line of the Southwest Quarter of said Section 35;

Thence South 88°36'40" West, along said South line, a distance of 120.10 feet to a point on the Easterly line of Mountain Grove Community, as recorded in Book 793 of Maps, Page 46, Records of Maricopa County, Arizona;

Thence North 01°02'10" East, along said Easterly line and its Northerly prolongation, a distance of 725.94 feet to a point on the Southerly right-of-way line of the Western Canal, as depicted in Book 1157 of Maps, Page 3, Records of Maricopa County, Arizona, said point being on a 5,699.65 foot radius non-tangent curve, whose center bears South 02°42'10" West;

Thence along said Southerly right-of-way line of the Western Canal the following courses:

Thence Easterly, along said curve, through a central angle of 02°20'06", a distance of 232.29 feet;

Thence South 84°57'44" East, a distance of 306.92 feet to a point on the Westerly line of the Amended and Restated Final Plat for Hunter Ridge, a Condominium (Phase 1), as recorded in Book 749 of Maps, Page 29, Records of Maricopa County, Arizona;

Thence South 00°10'24" East, departing said centerline along said Westerly line, a distance of 670.69 feet to a point on the South line of the Southeast Quarter of said Section 35;

Thence South 89°38'09" West, along said South line, a distance of 50.08 feet to the Point of Beginning.

Containing 6.936 Acres, more or less.

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-13-14-8

LEGAL DESCRIPTION FOR
28TH STREET AND BASELINE
RE-ZONING PARCEL

That part of the South Half of Section 35, Township 1 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Brass Cap flush marking the South Quarter Corner of said Section 35, from which the Brass Cap in hand hole marking the Southwest Corner of said Section 35 bears South 88°36'40" West, a distance of 2,657.44 feet;

Thence South 88°36'40" West, along the South line of the Southwest Quarter of said Section 35, a distance of 127.70 feet to a point on a line which is parallel with and 77.00 feet Easterly, as measured at right angles, from the East line of that certain parcel of land described in Warranty Deed recorded in Document No. 87-725523, Records of Maricopa County, Arizona;

Thence North 00°04'28" East, along said parallel line, a distance of 310.61 feet to the Easterly prolongation of the North line of said certain parcel of land;

Thence South 88°36'41" West, along said Easterly prolongation and said North line, a distance of 255.47 feet to the Northwest Corner of said certain parcel of land;

Thence South 00°01'46" East, along the West line of said certain parcel of land, a distance of 310.60 feet to a point on the South line of the Southwest Quarter of said Section 35;

Thence South 88°36'40" West, along said South line, a distance of 120.10 feet to a point on the Easterly line of Mountain Grove Community, as recorded in Book 793 of Maps, Page 46, Records of Maricopa County, Arizona;

Thence North 01°02'10" East, along said Easterly line and its Northerly prolongation, a distance of 725.94 feet to a point on the Southerly right-of-way line of the Western Canal, as depicted in Book 1157 of Maps, Page 3, Records of Maricopa County, Arizona, said point being on a 5,699.65 foot radius non-tangent curve, whose center bears South 02°42'10" West;

Thence along said Southerly right-of-way line of the Western Canal the following courses:

Thence Easterly, along said curve, through a central angle of $02^{\circ}20'06''$, a distance of 232.29 feet;

Thence South $84^{\circ}57'44''$ East, a distance of 306.92 feet to a point on the Westerly line of the Amended and Restated Final Plat for Hunter Ridge, a Condominium (Phase 1), as recorded in Book 749 of Maps, Page 29, Records of Maricopa County, Arizona;

Thence South $00^{\circ}10'24''$ East, departing said centerline along said Westerly line, a distance of 670.69 feet to a point on the South line of the Southeast Quarter of said Section 35;

Thence South $89^{\circ}38'09''$ West, along said South line, a distance of 50.08 feet to the Point of Beginning.

Containing 6.936 Acres, more or less.

September 17, 2014

ORDINANCES AND RESOLUTIONS

MOTION was made by Mr. Waring, **SECONDED** by Mr. Gates that Items 22 through 57 be adopted; excepting Items 23, 24, 26, 27, 27n, 27o, 29, 30, 41, 42, 43, 45, 46, 49, 50, and 53; noting Item 22 was continued to the formal meeting on November 19, 2014; Items 39 and 56 were acted on previously; and Items 51 and 52 were continued to the formal meeting on October 1, 2014.

Roll Call:	Ayes:	DiCiccio, Gallego, Gates, Nowakowski, Pastor, Valenzuela, Williams, Vice Mayor Waring, Mayor Stanton
	Nays:	None
	Absent:	

MOTION CARRIED.

<u>ITEM 22</u>	DISTRICT 5	ORDINANCE G-5888 - AMEND CITY CODE - REZONING <u>APPLICATION Z-55-13-5</u>
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Continued from February 5, 2014 – The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-55-13-5 for the R-3A (Multiple-Family Residence) zoning district located at the southeast corner of 23rd Avenue and El Caminito Drive to allow senior multifamily housing.

This item was continued to the formal meeting on November 19, 2014.

<u>ITEM 25</u>	DISTRICT 8	ORDINANCE G-5945 - AMEND CITY CODE - REZONING <u>APPLICATION Z-13-14-8</u>
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The Council heard request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-14-8 for the R1-8 BAOD (Single-Family Residential District) (Baseline Area Overlay District) zoning district located on the northeast corner of 28th Street alignment and Baseline Road to allow a single-family subdivision.

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Item #: 8
Application #: Z-13-14-8
From: R1-14 BAOD
R-2 BAOD
To: R1-8 BAOD
Acreage: 7.46
Location: Northeast corner of 28th Street alignment and Baseline Road
Proposal: Single Family Residential. Change of maximum dwelling units allowed: 20 to: 38.
Applicant: CVL Consultants Inc.
Owner: J3 Communities, LLC
Representative: CVL Consultants Inc.

Ms. Tricia Gomes presented Z-13-14-8, a request to rezone 7.46 acres located at the northeast corner of 28th Street alignment and Baseline Road from R1-14 BAOD and R-2 BAOD to R1-8 BAOD to allow single family residential. The South Mountain Village Planning Committee recommended approval 7-4 per staff stipulations with one additional stipulation regarding a median cut. Staff did not support this stipulation due to the minimal trip generation that the development would create and did not justify a median cut. Mr. Kerry Wilcoxon from the Street Transportation Department was available for questions.

Mr. Mark Allen stated that the proposed land use was not an issue. They held a neighborhood meeting and presented at the Village. Everyone was in favor, for 33- single-family detached homes on the proposed site. The issue of traffic that would generate along Baseline Road was brought up at the Village. The Village asked for the applicant to return to a subsequent Village meeting. Mr. Wilcoxon met with the applicant and the neighborhood separately. The project being right in and out only was thought to require a median cut. The residents were concerned that the U-turn traffic along Baseline Road would create additional accidents. The Street Transportation Department deemed that the median cut was unwarranted, with only 33 lots which would generate about 300 trips per day.

Commissioner Beletz asked if that would affect emergency response time with not having a median cut.

Mr. Wilcoxon stated they had not specifically asked the Fire Department but was based on the current configuration of Baseline Road and many other streets with medians that were factored in when the response time was calculated.

Commissioner Heck made a MOTION to approve Z-13-14-8 as recommended by staff per the stipulations in the staff report.

Commissioner Whitaker SECONDED.

Commissioner Johnson made a substitute MOTION to approve Z-13-14-8 as recommended by the South Mountain Village Planning Committee.

Commissioner Beletz SECONDED.

Commissioner Beletz stated he believed the South Mountain Village Planning Committee knows their village well and what they need. Economic short cuts would not save a life.

Commissioner Davis stated having a median turn does make a difference. When traveling beyond to make a U-turn it does create some level of traffic congestion as the line backs up. It may incur additional costs for the developer but for her reasons stated she would support the median cut.

There being no further discussion, Chairwoman Katsenes called for a vote and the MOTION PASSED 5-2 (Heck and Awai) (Montalvo and Madeksza absent)

* * *

Stipulations:

1. The development shall be in general conformance with the site plan date stamped April 11, 2014, and the elevations date stamped May 27, 2014, as approved by the Planning and Development Department.
2. A minimum of 29% open space shall be provided, as approved by the Planning and Development Department.
3. The maximum number of lots shall not exceed 33, as approved by the Planning and Development Department.
4. The perimeter wall adjacent to Baseline Road shall be articulated by either staggering the walls a minimum of twelve inches or having breaks every 50 feet, as approved by the Planning and Development Department.
5. Ingress/egress on Baseline Road shall be restricted to right-in/right-out only, as approved by the Planning and Development Department.
6. Remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets.
7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
8. 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 approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

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9. THAT THE APPLICANT SHALL CONSTRUCT A MEDIAN CUT TO ALLOW LEFT TURNS INTO THE PROPOSED DEVELOPMENT FROM BASELINE ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.