

Attachment D

PLEASE RESPOND ELECTRONICALLY TO TERESA GARCIA 2ND FLOOR, 602-262-7399



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned
From: Joshua Bednarek
Planning & Development Department Director
Date: January 12, 2024

Subject: P.H.O. APPLICATION NO. PHO-1-24--Z-10-96-6 – 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 a public hearing on **February 21, 2024**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **January 19, 2024**.

DISTRIBUTION

Mayor's Office (Tony Montola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
Aviation (Jordan D. Feld)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Joel Asirsan), 2nd Floor
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Todd Shackelford), 16th Floor
Public Transit (Michael Pierce)
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Teresa Garcia), 2nd Floor
Village Planner (Matteo Moric, Ahwatukee Foothills)
Village Planning Committee Chair (Andrew Gasparro, Ahwatukee Foothills Village)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-24--Z-10-96-6

Council District: 6

Request For: Stipulation Modification

Reason for Request: Request to delete Stipulation 1 regarding general conformance with the site plan date stamped October 1995.; Request to delete Stipulation 2 regarding building elevations.; Request to delete Stipulation 3 regarding loading docks.

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Thistle Income Partners LLC	Applicant	2765 Sand Hill Road, Suite 200	602-382-6824		ngriemsmann@swlaw.com
NOEL GRIEMSMANN	Representative	1 East Washington Street, Suite 2700, Phoenix, AZ 85004			ngriemsmann@swlaw.com
Thistle Income Partners, LLC c/o Menlo Equities	Owner	2765 Sand Hill Road, Suite 200, Menlo Park, CA 94025	602-382-6824		ngriemsmann@swlaw.com
Thistle Income Partners LLC	Representative	2765 Sand Hill Road, Suite 200 Menlo Park CA 94025 United States	602-382-6824		ngriemsmann@swlaw.com

Property Location: Southwest Corner of 50th Street and Thistle Landing Drive

Acreage: 1.6

Geographic Information

Zoning Map	APN	Quarter Section
B11,A11	301-84-762	Q09-39
B11,A11	301-84-763	Q09-39
Village:		
Ahwatukee Foothills		

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@phoenix.gov or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

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

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: 

DATE: 1/4/2024

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,725.00	\$0.00	12/11/23	PHO (3+ stipulations)

Snell & Wilmer

ONE EAST WASHINGTON STREET
SUITE 2700
PHOENIX, AZ 85004-2556
602.382.6000 P
602.382.6070 F

Noel J. Griemsmann AICP
(602) 382-6824
ngriemsmann@swlaw.com

December 11, 2023

Planning Hearing Officer
Planning & Development Department
City of Phoenix
200 West Washington Street
Phoenix, AZ 85003

Re: Stipulation Modification Request for the Property located at the Southeast Corner of Thistle Landing Drive and 48th Street, Case No. Z-10-96-6

Dear Planning Hearing Officer:

On behalf of Thistle Income Partners, LLC (“Thistle”), we are pleased to submit this request for Planning Hearing Officer (“PHO”) approval of proposed modifications to the stipulations of approval associated with a portion (approximately 2.3 acres) of Case No. Z-10-96- located at the southeast corner of Thistle Landing Drive and 48th Street (shown on Exhibit A), otherwise known as Maricopa County Assessor’s Office Parcel Numbers (APN) 301-84-762, 301-84-763, 301-84-764, and 301-84-765 (the “Property”). More specifically, this application requests stipulation modifications to Case No. Z-10-96-6, approved by the City Council on February 7, 1996, governing a small portion of the Property.

The purpose of the letter is to provide a summary of the proposed modifications, as more detailed on the enclosed materials.

A. Background

According to the City of Phoenix Zoning Index Map (A11) (Exhibit B), the Property is subject to two (2) separate zoning cases—referred to in this letter as “Zoning Case 1” and “Zoning Case 2”.

- Case No. Z-10-96-6, approved by the City Council on February 7, 1996, governing a small portion of the Property at the northeast corner (“**Zoning Case 1**”).

Planning Hearing Officer
December 11, 2023
Page 2

- Case No. Z-127-96-6, originally approved by the City Council on December 16, 1996, and later modified by PHO Case Z-127-96-6—PHO-1-97 approved by the City Council on November 12, 1997 (“**Zoning Case 2**”).

Arguably, Zoning Case 2 applies to the Property and supersedes Zoning Case 1 as it relates to this Property. That said, there is discrepancy with respect to the northeast corner of the Property (where the roadway alignment for Thistle Landing Drive begins to veer north from its standard east/west alignment).

To explain, Zoning Case 2 (which was approved after Zoning Case 1) shows the entire Property, including the portion of the Property at the northeast corner (as shown in Exhibit C), in the site plan submitted alongside Zoning Case 2. It therefore appears the intent was for Zoning Case 2 to rezone the entire Property, including the northeast corner.

That said, the City’s Zoning Index Map does not include the northeast corner of the Property within the boundaries of Zoning Case 2. Further, while the northeast corner of the Property was included in the overall site plan submitted with Zoning Case 2, there is no underlying legal descriptions included with Zoning Case 2 showing the City’s Zoning Map was actually modified to include the northeast corner of the Property within the zoning area for Zoning Case 2.

Therefore, based on the above, we are requesting modification to Zoning Case 2¹ (effecting the majority of the Property) as well as Zoning Case 1 (effecting the northeast corner of the Property) in order to “clean-up” this discrepancy and to update the 27 year old conditions to reflect the proposed redevelopment of the property.

B. Project Overview

The Property is currently zoned Commerce Park/General Commerce Park Option (“CP/GCP”) and is developed with four (4) one-story office buildings (which are mostly vacant) and large supportive surface parking lots. Thistle is proposing to redevelop the Property as a state-of-the-art technology center consisting of five (5) separate buildings (the “Project”).

While focused toward data center users, in developing this Project, the intent is to complement and support the existing technology and innovation companies/campuses located in the Ahwatukee area. The Project will also provide a home to advanced internet-based businesses and those that need to locate in proximity to high-capacity computer server facilities.

Due to the Property’s location between more intensive office and light-industrial flex type structures/uses to the east and south and residential dwellings to the west and north, the Project

¹ Modifications to Zoning Case 2 are via separate PHO application.

Planning Hearing Officer
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Page 3

has been carefully designed to provide a transitional scale of massing, uses and landscaping to best fit the surrounding context.

For example, the five (5) proposed new buildings will have a maximum height of 56-feet, similar in scale and appearance to other “Class A” type office park developments. To provide both a buffer as well as design enhancements abutting the surrounding public rights-of-way, the Project will provide substantial building and landscape setbacks that exceed the minimum code requirements applicable to CP/BP structures. The Project’s required substation has been strategically located in the southeast corner of the Site, which enables the substation to be screened by the proposed buildings from view of the surrounding residences.

In addition, the Project will add additional landscape enhancements around its perimeter to provide a shaded walking environment as well as a unique 2+ acre publicly accessible “parklet” at the northeast corner of the Property, which will provide recreational opportunities for nearby neighbors.

As shown in the enclosed site plan and conceptual elevations, the Project is compatible with the existing industrial, commercial and office uses in the surrounding area. The current site is outdated and is designed for call center use, density, parking, and traffic; this type of use is also a lower economic driver. Instead, the proposed Project will produce lower impacts to the surrounding neighborhood by (i) significantly reducing the number of employees on site daily (thus reducing traffic in the area) and will decrease the parking by over 90%, and (ii) adding pedestrian amenities lacking in the immediate area. By changing to a less “traffic” intensive primary use (data center), providing updated neighborhood enhancing/contextually appropriate architecture, and adding shaded pedestrian walking routes with a 2+ acre publicly accessible “parklet”, the Project will be an enhancement and benefit to the community.

In order to facilitate development of the Project, Thistle will utilize the existing CP/GCP development rights and underlying zoning provisions thereof with proposed modifications to the approved conditions of approval, which are discussed in more detail below.

C. Stipulation Review Z-10-96-6 (Zoning Case 1)

- ~~1. That the development be in general conformance with the site plan dated October 1995, as may be modified by the following stipulations and review by the Development Services Department.~~

Request: Deletion.

- ~~2. That building elevations shall be consistent and continuous in design and materials around the building.~~

Request: Deletion.

Planning Hearing Officer
December 11, 2023
Page 4

- ~~3. That all loading docks shall be screened from view and shall not be located such that they face the east side of the property.~~

Request: Deletion.

As explained above, this Zoning Case 1 applies (if at all) only to the northeast corner of the Property. If the proposed modifications to Zoning Case 2 are approved, then development of the Property must be in conformance with the Project's site plan, which shows the northeast corner of the Property as open space. As such, the above stipulations are no longer applicable nor necessary.

D. Summary

This is a request to approve modifications to two (2) zoning cases that were approved for this Property over 25 years ago (between 1996 and 1997). If approved, this application will accommodate the redevelopment of an outdated office development with Thistle's state-of-the-art technology center consisting of four (4) new buildings with a focus on data center users. The proposed redevelopment of the Property will be an improvement to the Property and will complement the existing technology companies located in the area. The proposed modifications will utilize the existing CP/GCP development rights for an office development, retaining consistency with its existing zoning while simply updating the final land use of the Property.

We look forward to discussing this request in more detail with you. In the interim, if you need any additional information, please do not hesitate to contact us.

Respectfully submitted,

Snell & Wilmer



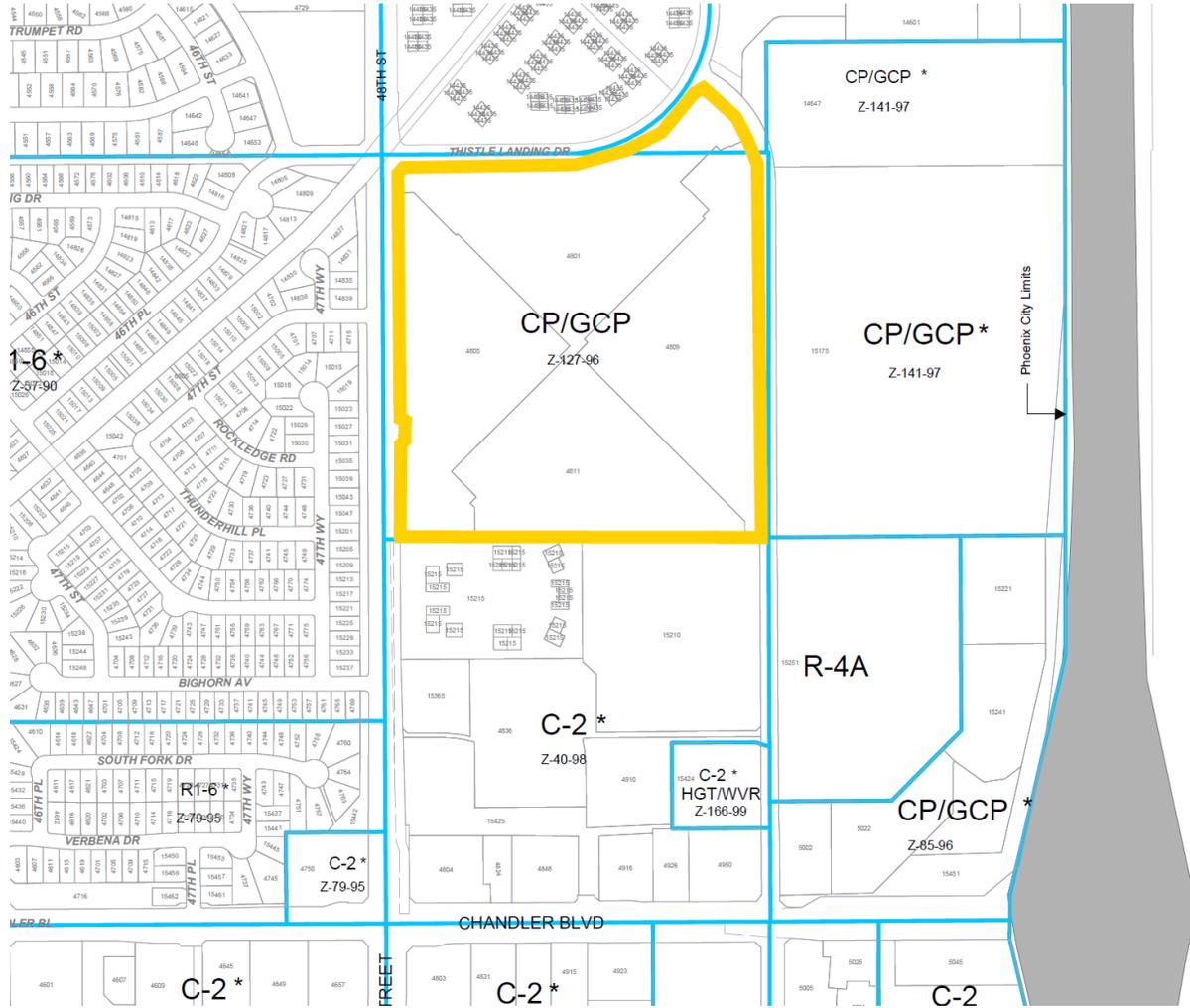
For

Noel J. Griemsmann AICP

Exhibit A: Site Aerial

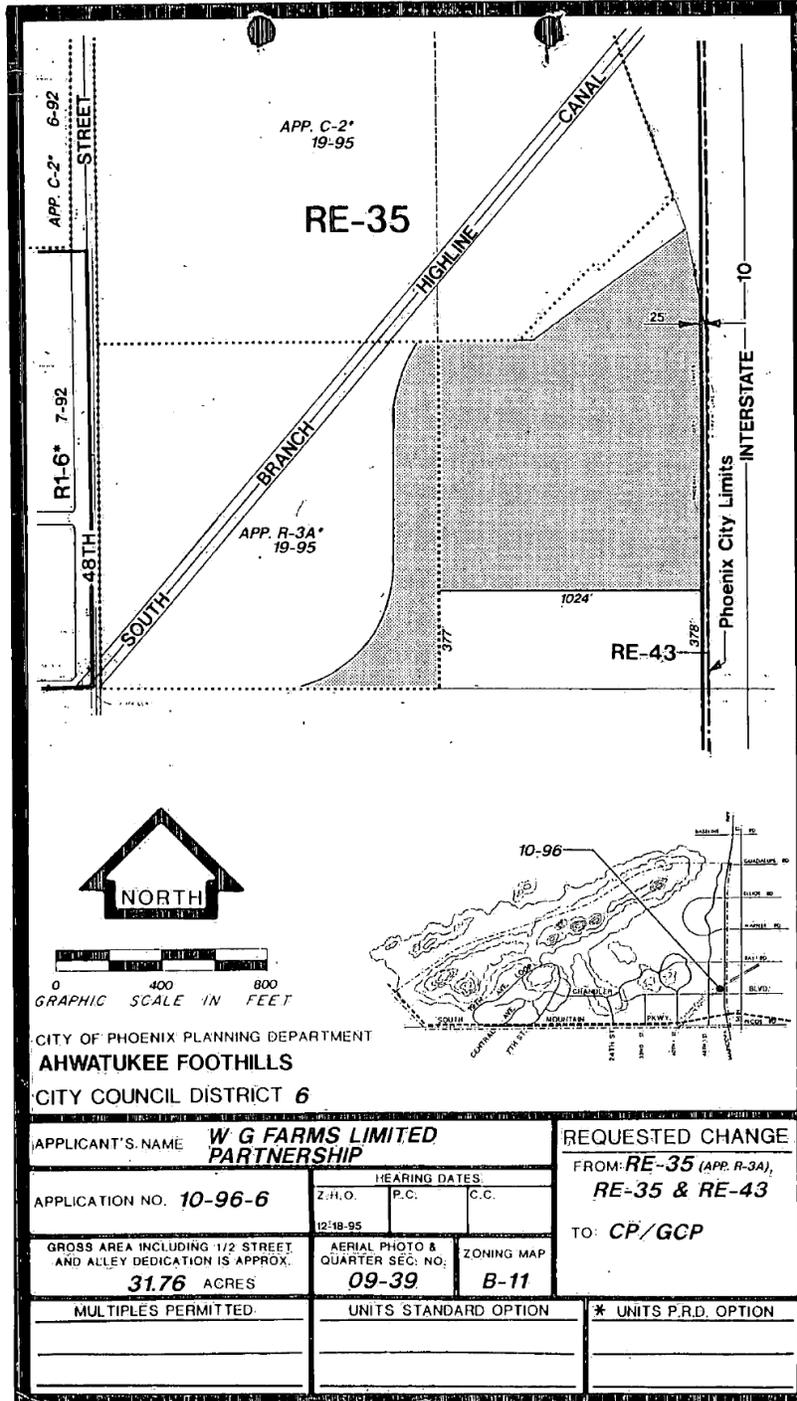


Exhibit B: Zoning Index Map A11



Planning Hearing Officer
 December 11, 2023
 Page 7

Exhibit C: Northeast Corner



CITY OF PHOENIX PLANNING DEPARTMENT
AHWAUKEE FOOTHILLS
 CITY COUNCIL DISTRICT 6

APPLICANT'S NAME W G FARMS LIMITED PARTNERSHIP			REQUESTED CHANGE FROM: RE-35 (APP. R-3A), RE-35 & RE-43		
APPLICATION NO. 10-96-6			HEARING DATES		
			Z.H.O.	P.C.	C.C.
			12-18-95		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 31.76 ACRES			AERIAL PHOTO & QUARTER SEC. NO. 09-39		ZONING MAP B-11
MULTIPLES PERMITTED			UNITS STANDARD OPTION		* UNITS P.R.D. OPTION

* MAXIMUM UNITS ALLOWED WITH P.R.D. BONUS



City of Phoenix

PLANNING DEPARTMENT

February 9, 1996

Winner of the
Carl Bertelsmann
Prize



W G Farms Limited Partnership
2910 E. Camelback Rd. #180
Phoenix, AZ 85016

Dear Applicant:

RE: APPLICATION 10-96-6

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on February 7, 1996, concurred in the recommendation of the Planning Commission and Zoning Hearing Officer and has approved Application 10-96-6 for CP/GCP zoning on a parcel located on the west side of I-10, approximately 1,000 feet south of Ray Road centerline (approximately 31.76 acres), subject to stipulations.

STIPULATIONS

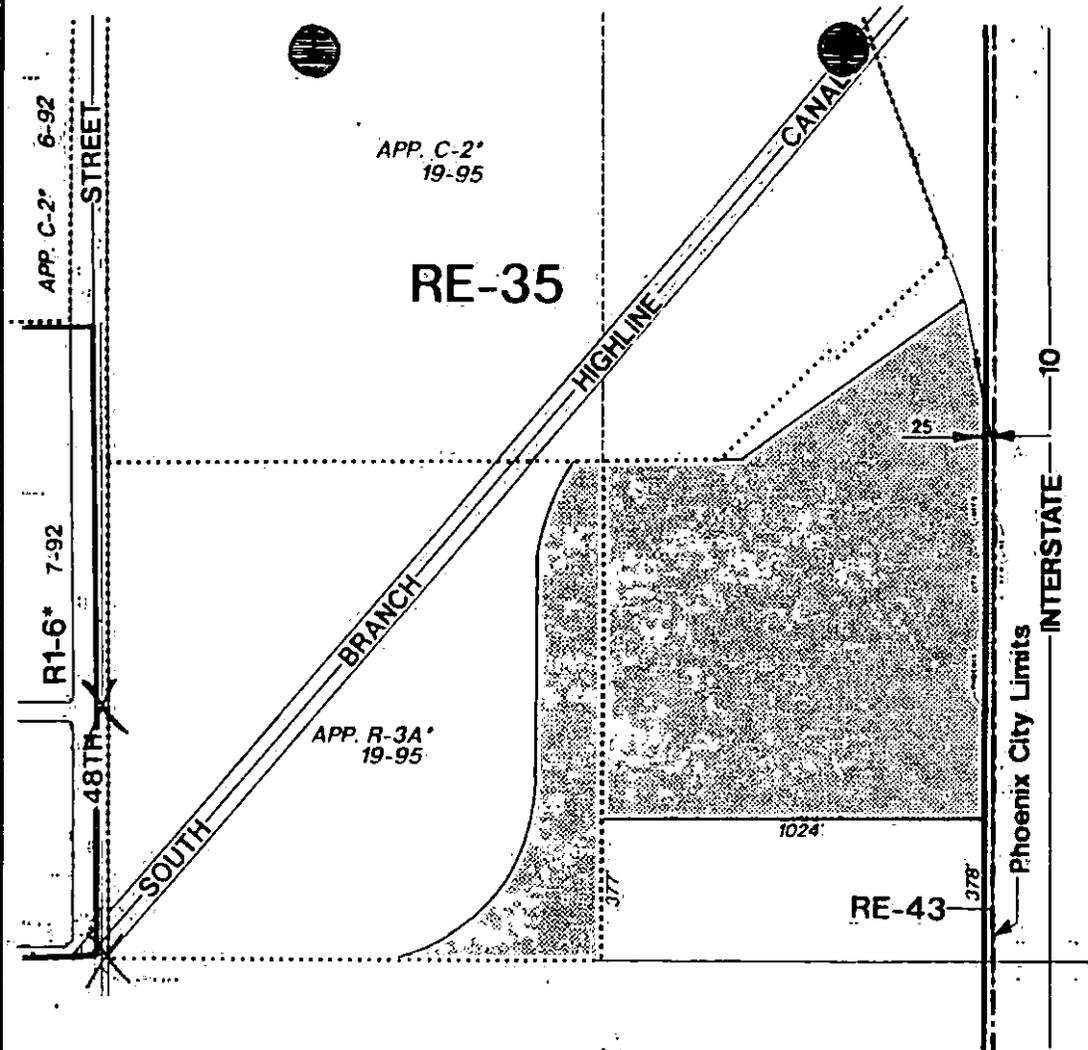
- Del 1. That development be in general conformance with the site plan dated October 1995, as may be modified by the following stipulations and review by the Development Services Department.
- Del 2. That building elevations shall be consistent and continuous in design and materials around the building.
- Del 3. That all loading docks shall be screened from view and shall not be located such that they face the east side of the property.

Sincerely,

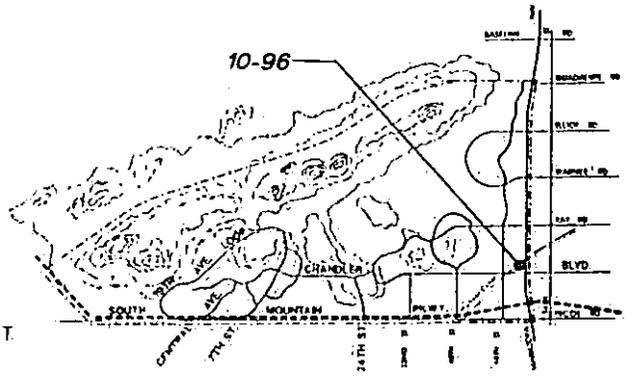
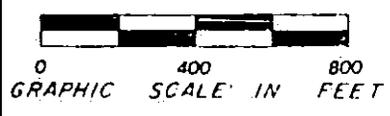
Mark A. Steele
Principal Planner

MAS:lfg:10961218/01100207

c: City Clerk
Randy Watson
Scott Weeks (1)
Files (3)
Dave Moody, Development Services
Bob Luxton, Sign Enforcement
Victor Morrison-Vega, NSD
Kelly Zak, Site Planning
Ben Leonard, Public Transit
Rick Doell, Building Safety
Steven Anderson, Gammage & Burnham, 2 N. Central Ave., 18th Fl., Phx, AZ 85004



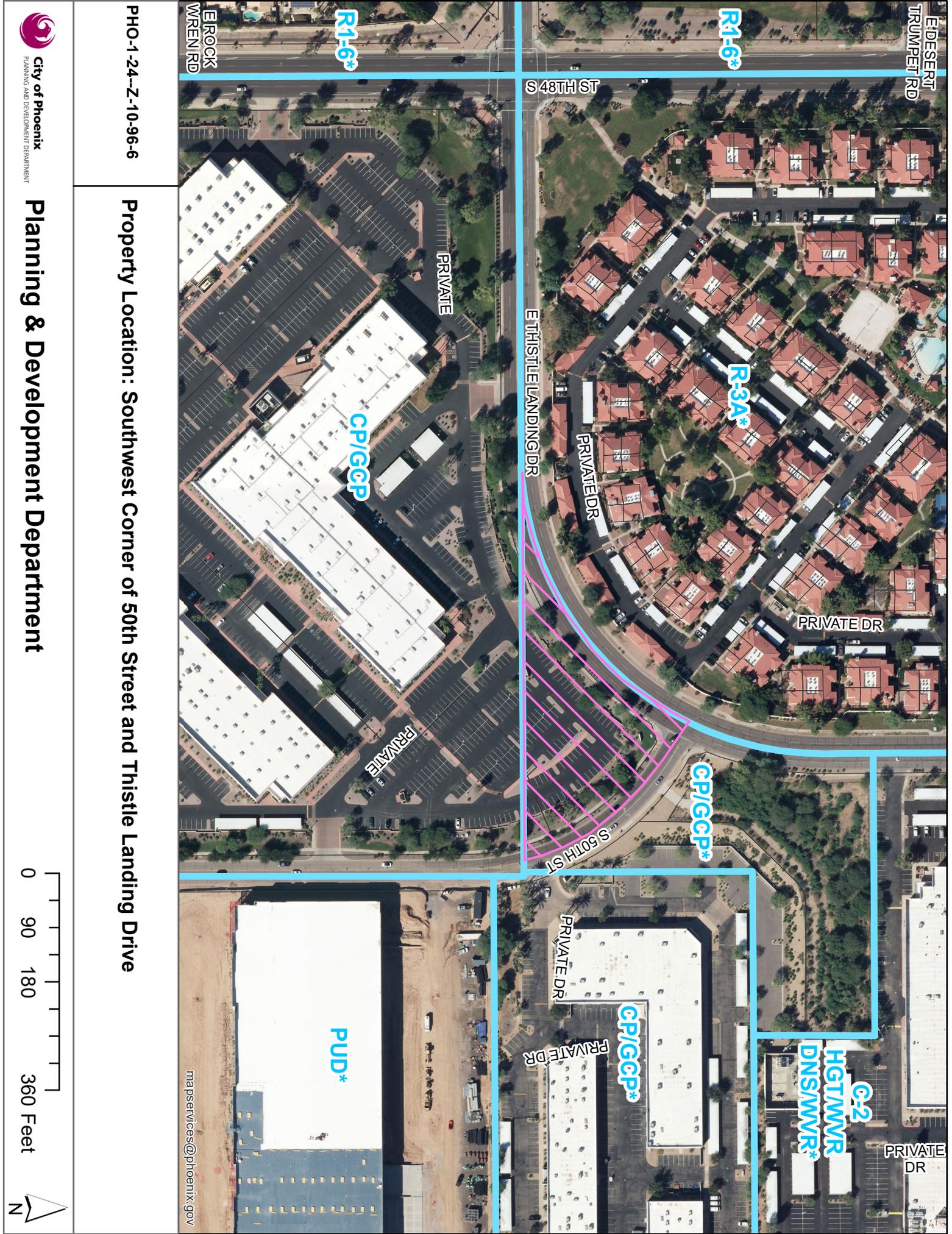
Chandler X



CITY OF PHOENIX PLANNING DEPARTMENT
AHWATUKEE FOOTHILLS
 CITY COUNCIL DISTRICT 6

APPLICANT'S NAME W G FARMS LIMITED PARTNERSHIP		REQUESTED CHANGE FROM: RE-35 (24.71 AC) RE-35 , (APP. R-3A) (8.47 AC) & RE-43 (0.58 AC) TO: CP/GCP	
APPLICATION NO. 10-96-6	HEARING DATES		
	Z.H.O.	P.C.	C.C.
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 31.76 ACRES	AERIAL PHOTO & QUARTER SEC. NO. 09-39	ZONING MAP B-11	
MULTIPLES PERMITTED	UNITS STANDARD OPTION		* UNITS P.R.D. OPTION

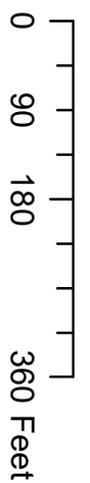
* MAXIMUM UNITS ALLOWED WITH P.R.D. BONUS



PHO-1-24--Z-10-96-6

Property Location: Southwest Corner of 50th Street and Thistle Landing Drive

Planning & Development Department



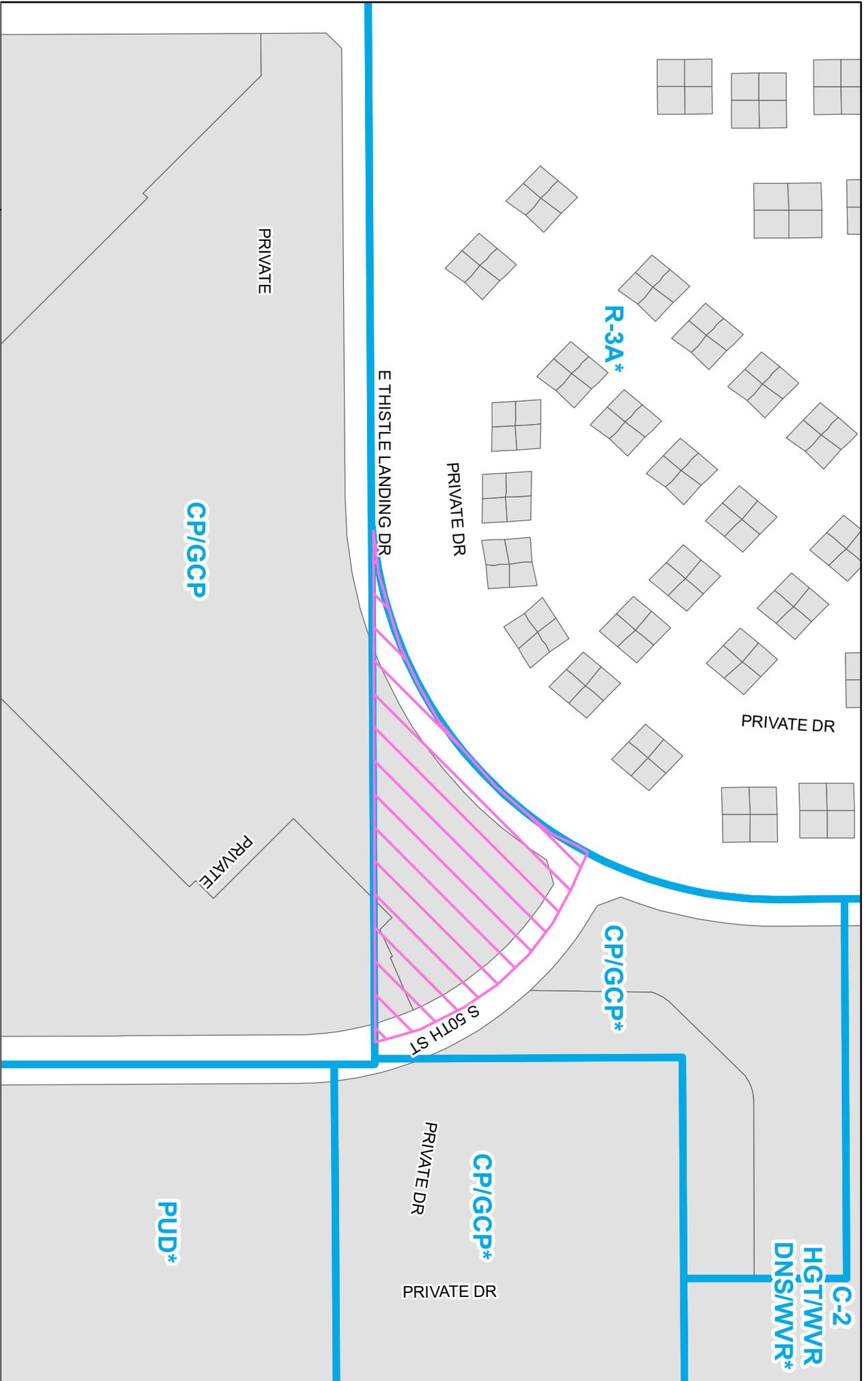
mapservices@phoenix.gov

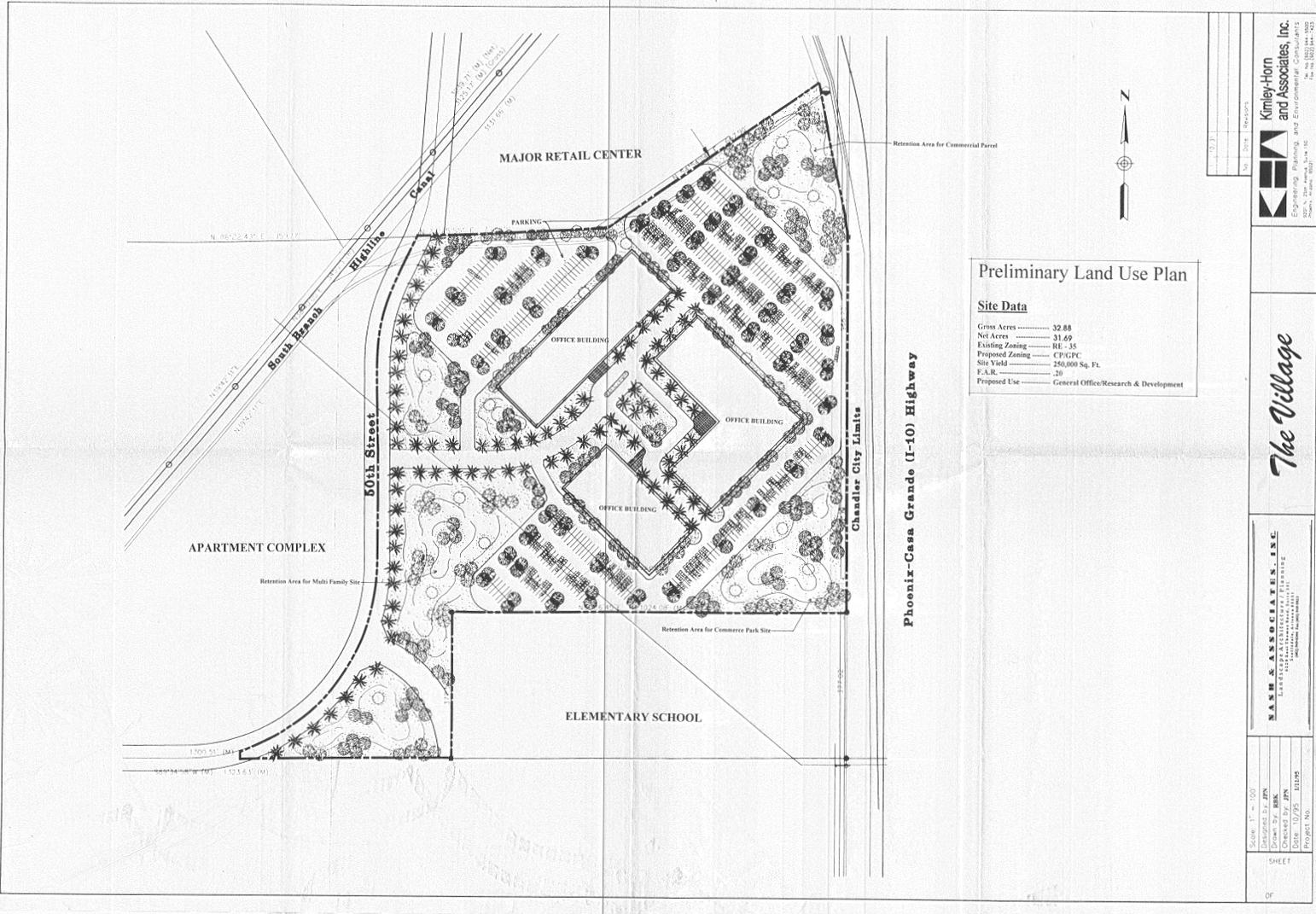




PHO-1-24--Z-10-96-6

Property Location: Southwest Corner of 50th Street and Thistle Landing Drive





Preliminary Land Use Plan

Site Data

Gross Acres	32.88
Net Acres	31.69
Existing Zoning	RE - 35
Proposed Zoning	CP/GPC
Site Yield	250,000 Sq. Ft.
F.A.R.	20
Proposed Use	General Office/Research & Development

Scale: 1" = 100'

Designed by: JPN
 Drawn by: RBK
 Checked by: JPN
 Project No.: 10100

Kimley-Horn and Associates, Inc.
 1000 North Central Avenue, Suite 100
 Phoenix, Arizona 85001
 Tel: (602) 944-1000
 Fax: (602) 944-1003

The Village

RAMS ASSOCIATES, INC.
 1111 North Central Avenue, Suite 100
 Phoenix, Arizona 85001
 Tel: (602) 944-1000
 Fax: (602) 944-1003

Scale: 1" = 100'

Designed by: JPN
 Drawn by: RBK
 Checked by: JPN
 Project No.: 10100

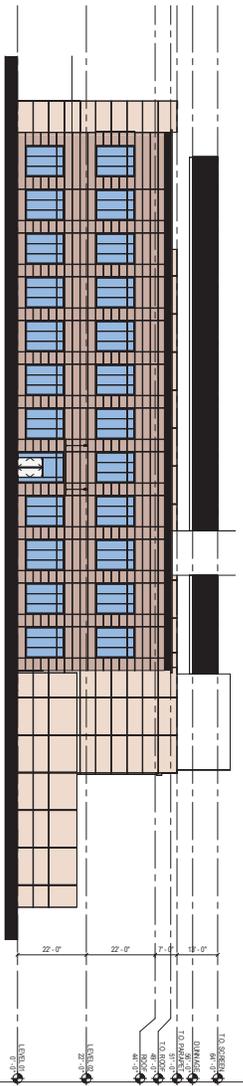
PHO-1-24--Z-10-96-6

Stipulated Site Plan

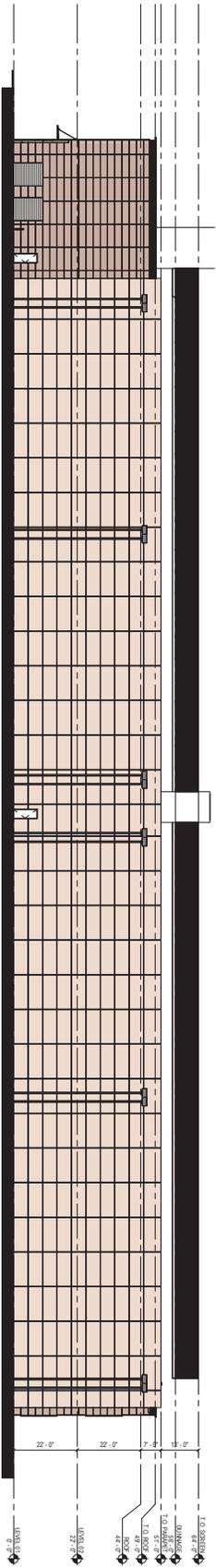
Hearing Date: February 21, 2024

MATERIAL LEGEND

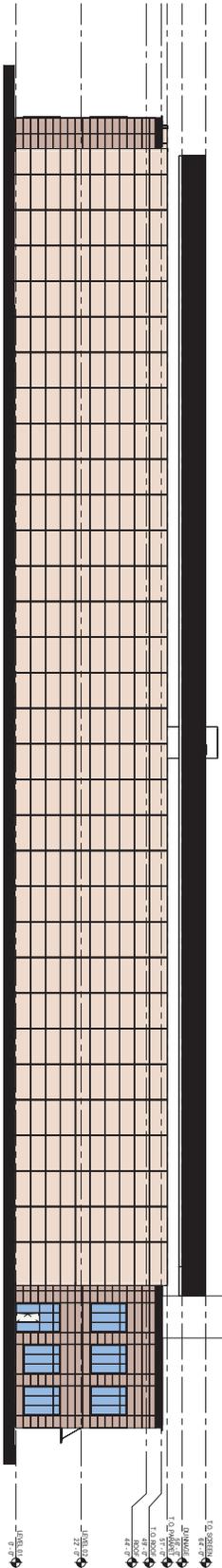
- PRECAST REINFORCED CONCRETE PANELS (17')
- PRECAST REINFORCED CONCRETE PANELS (8'6")
- STONEWALL SYSTEM WITH 1" COB
- PERFORATED SCREENING



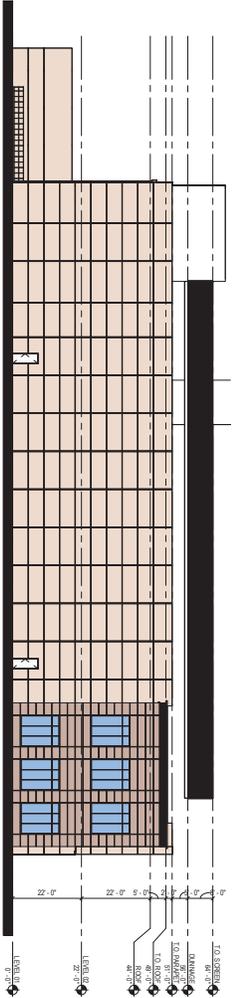
01 WEST ELEVATION (typical street facing)
SCALE: 1/8" = 1'-0"



02 SOUTH ELEVATION (typical equipment yard facing)
SCALE: 1/8" = 1'-0"



03 NORTH ELEVATION (typical interior/street facing)
SCALE: 1/8" = 1'-0"



04 EAST ELEVATION (typical interior facing)
SCALE: 1/8" = 1'-0"

CITY OF PHOENIX
DEC 11 2023
Planning & Development
Department

MENTO EQUITIES
PHOENIX, ARIZONA

Gensler
300 North Central Expressway
Suite 2000
Phoenix, AZ 85004
Tel: 602.441.2211
Fax: 602.441.2200

1/A Date: Description:

1/A Program:

NOT FOR CONSTRUCTION

Project Name: THISTLE DATA CENTER

Project Number: 27 8322 000

Revision: ARCHITECTURAL ELEVATIONS

Sheet Name: SD01.02

Sheet Title: DATA CENTER

February 7, 1996

DISTRICT 7 -
OWNER: MARLA KAY MORTON
REPRESENTATIVE: DAVE
PATEL

- G. Application 1-96-7: Request to rezone a parcel located on the south side of McDowell Road, approximately 250 feet west of 52nd Drive centerline (approximately 3.28 acres) from R1-6 to R-5. This application would increase the dwelling units allowed from 17 to 171 units. (Proposed Use: Motel)

The Planning Commission concurred with the Zoning Hearing Officer and recommends this request be approved, subject to stipulations.

MOTION was made by Mr. Nelson, **SECONDED** by Mr. DiCiccio, that Item 24 A-G be granted as recommended, noting that 24 C was being withdrawn. **MOTION CARRIED UNANIMOUSLY.**

Mr. Muenker asked that Item C be withdrawn. It was incorrectly identified on the agenda and would be brought back later.

ITEM 24

DISTRICTS 2, 3, 5, 6 AND 7 -
ZONING CASES SCHEDULED
FOR RATIFICATION OF
PLANNING COMMISSION
ACTION - F-2700

The Council heard request to approve recommendations made on the following zoning matters which were heard by the Zoning Hearing Officer on December 18, 1995. The cases were ratified by the Planning Commission on January 10, 1996.

DISTRICT 3 -
OWNER: RICHARD D.
OWENS/CITY OF PHOENIX
REPRESENTATIVE: KEN
O'DELL

- A. Application 8-96-3: Request to rezone the southeast corner of 15th Avenue and Tierra Buena Lane (approximately 20.30 acres) from S-1 (approved Ind. Pk.) And R1-6 to R1-8 PRD. This application would increase the dwelling units allowed from 25 to 104 units. (Proposed Use: Planned Residential Developments - 93 lots)

The Planning Commission concurred with the Zoning Hearing Officer and recommends this request be approved, subject to stipulations.

February 7, 1996

DISTRICT 6 -
OWNER: W G FARMS LIMITED
PARTNERSHIP
REPRESENTATIVE: STEPHEN
ANDERSON

- E. Application 10-96-6: Request to rezone the west side of I-10, approximately 1,000 feet south of Ray Road centerline (approximately 31.76 acres) from RE-35 (approved R-3A) and RE-43 to CP/GCP. (Proposed Use: Commerce Park Office Complex)

The Planning Commission concurred with the Zoning Hearing Officer and recommends this request be approved, subject to stipulations.

DISTRICT 6 -
OWNER: SCHAEFER-SMITH-
ANKENEY INSURANCE
AGENCY
REPRESENTATIVE: JOHN
SMALES

- F. Application 7-96-6: Request to rezone a parcel located on the north side of Osborn Road, approximately 266 feet east of 20th Street centerline (approximately 0.25 acre) from R-4 to P-1. (Proposed Use: Parking)

The Planning Commission concurred with the Zoning Hearing Officer and recommends this request be approved, subject to stipulations.

DISTRICT 7 -
OWNER: DONALD CHAPMAN
REPRESENTATIVE: DONALD
CHAPMAN

- G. Application 6-96-7: Request to rezone a parcel located on the northeast corner of 30th Drive and Buckeye Road (approximately 0.50 acre) from R-3 and C-3 to C-3. (Proposed Use: Commercial Buildings - existing)

The Planning Commission concurred with the Zoning Hearing Officer and recommends this request be approved, subject to stipulations.

MOTION was made by Mr. Nelson, **SECONDED** by Mr. DiCiccio, that Item 25 A-B be granted as recommended. **MOTION CARRIED UNANIMOUSLY.**

ITEM 25

DISTRICTS 3 AND 8 -
ZONING CASES SCHEDULED
FOR RATIFICATION OF
PLANNING COMMISSION
ACTION - F-2700

The Council heard request to approve recommendations made on the following zoning matters which were heard by the Zoning Hearing Officer on January 2, 1996. The cases were ratified by the Planning Commission on January 10, 1996.

SUMMARY OF ZONING HEARING OFFICER
December 18, 1995

ITEM NO.: 6

DISTRICT NO: 6

SUBJECT

Application:

10-96-6

Location:

West side of I-10 Freeway, approximately 1,000 feet south of Ray Road centerline (approximately 31.76 acres)

Request:

Rezone from RE-35 (approved R-3A) and RE-43 to CP/GCP

ACTIONS

Zoning Hearing Officer Recommendation: It is recommended this request be approved, subject to stipulations.

Staff Recommendation: It is recommended this request be approved, subject to stipulations.

Z. H. O. HEARING HIGHLIGHTS

Staff - Mr. Muenker stated this application is consistent with the site's designation by the General Plan, and will provide a mix of use and employment opportunities for the Ahwatukee Foothills area. The staff recommendation of approval, with stipulations, further notes the land use transition the project serves with the adjoining freeway, commercial and multifamily uses.

Applicant - Mr. Stephen Anderson, representing the applicant, reviewed the site characteristics and surrounding transition of land uses. He stated this request is supported by the Ahwatukee Foothills Village Planning committee and adjacent neighborhoods, and is consistent with the recent General Plan amendment. He noted agreement with the staff recommendation and stipulations.

Opposition - None.

ZHO - Ms. Cynthia Standage-Beier reviewed the land use issues, noting this request adopts zoning as recommended by the General Plan amendment. This request maintains the land use intent of the General Plan and provides a good buffer from the freeway to adjacent land uses. The inclusion of this land use, along with the commercial/retail and multifamily provide a good variety of land uses. She concurred with the staff recommendation and stipulations.

FINDINGS

1. This proposal is consistent with the General Plan Land Use map designation of commercial/commerce park.
2. This request is consistent with the goals and policies of the Ahwatukee Foothills General Plan (Area B) to provide a mix of uses and employment opportunities.
3. This project would serve as a good land use transition between existing and planned uses in the area, such as the freeway, and the multifamily, the shopping center and the school.

RECOMMENDATION

It is recommended this request be approved, subject to stipulations.

STIPULATIONS

1. That development be in general conformance with the site plan dated October 1995, as may be modified by the following stipulations and review by the Development Services Department.
2. That building elevations shall be consistent and continuous in design and materials around the buildings.
3. That all loading docks shall be screened from view and shall not be located such that they face the east side of the property.

Cynthia Standage
Zoning Hearing Officer Date 12-22-95

The Zoning Hearing Officer attests to the finding of facts, recommendation, and any stipulations resulting from the Zoning Hearing Officer hearing.

FM Listening Systems or Qualified Sign Language Interpreters are available with 72 hours notice. Materials in alternate formats (large print, braille, audio cassette or computer diskette) are available upon request. For further information call the Planning Department, Theresa Damiani, at Voice number 262-6368 or Fax number 495-3793 or City TDD Relay/534-5500.

Ahwatukee Foothills

VILLAGE PLANNING COMMITTEE

AHWATUKEE FOOTHILLS VILLAGE PLANNING COMMITTEE

MINUTES

DATE: November 27, 1995
TIME: 6:00 p.m.
PLACE: Kyrene Monte Vista Elementary School
15221 South Ray Road
Phoenix, AZ 85044

MEMBERS PRESENT

Robert Wasson, Chairman
Annette Younkins, Vice-Chair
Don Ascoli, Sr.
Robert Corcoran
Becca Jolkovski
Don Keuth
Diane McVicker
Max Masel
Kelly Meenan-Stark
Barry Moehring
Kathryn Muller-Kowalski
Jack Penland
Terri Sniegowski

MEMBERS ABSENT

Raymond Argel
Jess Flores
Tony Hudson
Robert Larchick

GUESTS

Stephen Anderson, Gammage &
Burnham
Paul Gilbert, Beus, Gilbert & Morrill
Brad Wylde, M&B Investments
Sue Wedin, resident
Joan McMullen, resident
Virginia Morton, resident
Tiny Bettencourt, resident

STAFF

Jane Bixler, Planning Department

Terri Sniegowski made a motion to deny the application. Diane McVicker seconded the motion. Those in favor of the motion were Jack Penland, Kelly Meenan-Stark, Max Masel, Don Ascoli, Robert Wasson, Terri Sniegowski, Robert Corcoran, Becca Jolkovski and Diane McVicker. Those opposed were Don Keuth, Barry Moehring, Kathryn Muller-Kowalski.

**** 10-96-6** West side of 1-10 to rezone from RE-35 to CP/GCP

Stephen Anderson of Gammage & Burnham and Brad Wylde of M&B Investments spoke to the Committee regarding the history of this case. Mr. Anderson indicated that this change is requested since the parcel is "buried" between both the retail center and multi-family complex. It is felt that the commerce park would also act as a buffer between the retail center and the proposed elementary and middle schools. Mr. Anderson also indicated that this commerce park may take 5-10 years to be occupied but it is felt that this would be a good for smaller users.

Jane Bixler stated that the Staff's recommendation is for approval of the application.

Sue Wedin, a resident, asked the Committee to consider signage restrictions in the commerce park area. Ms. Bixler stated that the signage is controlled by city ordinances. Chairman Wasson recommended that the Committee leave any signage restrictions up to the Planning Commission.

Don Keuth made a motion to approve the application. Terri Sniegowski seconded the motion and was passed unanimously.

3. Review, Discussion and Possible Action to Accept the Update of Future Swimming Pool and Park.

Jane Bixler reported that she has spoken to Bruce Swanson of the Parks & Recreation Department. She apologized for the miscommunication regarding the building of an Olympic-size swimming pool. Mr. Swanson said that a pool would be built in the Ahwatukee Foothills area but it would not be Olympic size and was unsure as to when it would be built. Ms. Bixler asked Mr. Swanson to come before the Committee to report on the status of a pool and future parks. He would be able to come to the January Committee meeting.

Don Keuth asked that a special invitation be made to the YMCA, Tempe Union Governing Board, Kyrene Schools, Councilman D'Ciccio and any other interested parties to the January Committee meeting. All those interested in an Olympic-size pool should work together, if possible.