

Attachment D




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: March 17, 2017

From: Alan Stephenson 
Planning and Development Director

Subject: ITEM __ ON THE APRIL 5, 2017 FORMAL AGENDA – PUBLIC HEARING/ORDINANCE ADOPTION OF Z-88-16-3 (G-__) – SOUTHEAST CORNER OF 37TH STREET AND SHEA BOULEVARD

Item __ rezoning application Z-88-16-3 and Ordinance G-__, is a request to rezone a 1.65-acre property located at the southeast corner of 37th Street and Shea Boulevard from RE-43 (Residential Estate District) to R-O (Residential Office District) to allow residential office.

The applicant appealed the Planning Commission approval of this request to add a stipulation that eliminates public access to 37th Street. The addition of this stipulation addresses the neighborhood concerns with this proposal. Staff recommends approval per the stipulations of this memo and adoption of the related ordinance.

The proposed language and additional stipulation is as follows:

1. A minimum 20-foot landscape setback along Shea Boulevard and 37th Street, shall be planted with a minimum 50% 2-inch caliper trees, minimum 25% 3-inch caliper trees, and minimum 25% 4-inch caliper trees to be placed 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department. When possible, the developer should use existing trees and landscaping to meet the landscaping requirements.
2. An average 12-foot landscape setback, minimum 10-foot landscape setback, with minimum 2-inch caliper trees shall be placed 20 feet on center or in equivalent groupings along the south property line, as approved by the Planning and Development Department.
3. A minimum 10-foot landscape setback with minimum 2-inch caliper trees shall be placed 20 feet on center or in equivalent groupings along the east property line, as approved by the Planning and Development Department.
4. A minimum building setback of 85 feet shall be required along the south property line, as approved by the Planning and Development Department.
5. The maximum building height shall be 22 feet.
6. No individual building shall exceed a maximum of 6,000 square feet.
7. Lot coverage shall not exceed 23%.

8. The development shall provide a minimum of 4 bicycle parking spaces that are located within 50 feet from the building entry points, as approved by the Planning and Development Department.
9. 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 per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
10. The property owner shall update all existing off-site street improvements (sidewalks, curb ramps, and driveways) to current ADA guidelines.
11. If access is permitted to 37th Street, no southbound traffic movement shall be permitted and the driveway shall be signed and designed accordingly, as approved by the Planning and Development Department.
12. The applicant shall work with the neighbors and the Street Transportation Department regarding traffic calming solutions on Mountain View Road, 36th Street and 37th Street.
13. THERE SHALL BE NO PUBLIC VEHICULAR ACCESS TO 37TH STREET, EXCEPT A CRASH GATE FOR EMERGENCY VEHICLE ACCESS ONLY MAY BE PERMISSIBLE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

March 7, 2017

Alan Stephenson
City of Phoenix
Phoenix City Hall
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003

RE: (Z-88-16-3) Application to Rezone SEC 37th Street and Shea Boulevard

Dear Mr. Stephenson:

In accordance with Jason Morris' letter today to me on which you and Debra Stark are being copied, I and my wife are writing to withdraw our previous opposition to rezone case Z-88-16. I met with the applicant and they agreed to remove the driveway on 37th Street to prevent public access. We are agreeable to a crash gate for emergency vehicle access only as required by the Planning and Development Department. We have worked together with the applicant to revise the stipulation language to reflect this compromise agreement and we request this revised language be included in the amended staff recommendation to the City Council. Below is the proposed revised stipulation language.

There shall be no public vehicular access to 37th Street except a crash gate for emergency vehicle access only may be permissible as required by the Planning and Development Department.

I also spoke this morning with both Deb and Ken Woodward who live on 37th Street and who also have opposed the rezoning. They, too, are in agreement with this proposal and will no longer oppose the rezoning. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in blue ink that reads "Peter Warner". The signature is written in a cursive style with a large initial "P".

Peter C. Warner

Cc: Jason Morris

March 7, 2017

Alan Stephenson
City of Phoenix
Phoenix City Hall
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003

RE: (Z-88-16-3) Application to Rezone SEC 37th Street and Shea Boulevard

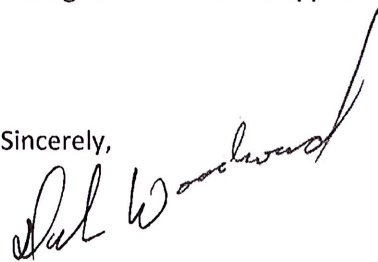
Dear Mr. Stephenson:

In accordance with Jason Morris' letter dated March 7, 2016, I and my husband are withdrawing our previous opposition to rezone case Z-88-16. I met with the applicant and they agreed to remove the driveway on 37th Street to prevent public access. We are agreeable to a crash gate for emergency vehicle access only as required by the Planning and Development Department. We have worked together with the applicant to revise the stipulation language to reflect this compromise agreement and we request this revised language be included in the amended staff recommendation to the City Council. Below is the proposed revised stipulation language.

There shall be no public vehicular access to 37th Street except a crash gate for emergency vehicle access only may be permissible as required by the Planning and Development Department.

I also spoke with Peter Warner who lives on 37th Street and who also previously opposed the rezoning. They too are in agreement with the proposal and have signed a letter of no opposition. Thank you for your assistance with this matter.

Sincerely,



Deb Woodward

