

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: August 18, 2025

Subject: P.H.O. APPLICATION NO. PHO-1-25--Z-77-06-4 – 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 **September 17, 2025**.
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 **August 25, 2025**.

DISTRIBUTION

Mayor's Office (Tony Motola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
City Council District 4 (council.district.4@phoenix.gov)
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 (Skitch Kitchen)
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 (Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Logan Zappolo, Teresa Garcia), 2nd Floor
Village Planner (John Roanhorse, Encanto Village)
Village Planning Committee Chair (Mr. Aaron Montano Searles, Encanto Village)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-25--Z-77-06-4

Council District: 4

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 1 regarding general conformance to the site plan date stamped August 11, 2006; Request to delete Stipulation 2 regarding development commencement.

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Marcela Mora-Yatko, Gilbert Blilie PLLC	Applicant	701 North 44th Street Phoenix AZ 85008	480-429-3044		mmora-yatko@gilbertblilie.com
Sherylene Yazzie, Navajo Nation Department of Health	Owner	PO BOX 1390 Window Rock, AZ 86515	928-871-6350		sherylenem.yazzie@navajonsn.gov
Paul Gilbert, Gilbert Blilie PLLC	Representative	701 North 44th Street Phoenix AZ 85008	480-429-3002		pgilbert@gilbertblilie.com

Property Location: Approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive

Acreage: 2.28

Geographic Information

Zoning Map	APN	Quarter Section
G8	118-35-156	Q15-28
Village: Encanto		

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: _____

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,080.00	\$0.00		PHO (1-2 stipulations)

JUL 29 2025

July 3, 2025

Planning & Development
Department

Planning Hearing Officer Request

This PHO application is a request to modify Stipulation 1 and delete Stipulation 2 of Rezoning Application Z-77-06-4 as approved on November 1, 2006.

This rezoning case approved a zone change from R-5 TOD-1 and P-1 TOD-1 to C-2 HR TOD-1 on 2.28 acres for the development of an 82-foot tall, six-story building, which was to consist of retail and multi-family.

This development of the property never occurred, and in 2009, a Use Permit (ZA-191-09-4) was approved to allow the existing three-story medical office building to be utilized as a 44-bed Personal Care Home. In 2015, as part of that Personal Care Home, the site was updated with a comprehensive interior and exterior renovation.

This year, the Navajo Nation purchased the property with the intention of operating as a Community Residence Center. Via a recent Zoning Adjustment approval (Use Permit and 2 Variances under ZA-268-25-4) the Navajo Nation was permitted to continue use of the property as a residential care facility with a maximum of 44 beds.

In order to continue the redevelopment of the property, including additional beds within the existing building and future development on the portion of the property currently zoned P-1 (Parking), we are desirous of vesting the 2006 rezoning for C-2.

We therefore request the following modification and/or deletion of the stipulations detailed as follows:

Stipulation 1

That development shall be in general conformance with the site plan and elevations date stamped [DATE] ~~August 11, 2006~~ as modified and approved by the PLANNING AND Development Services Department.

***Rationale:** The Navajo Nation, as the current property owner, does not have plans to construct a large apartment building on the property and as such we would need to replace the site plan from 2006 for our current plan which consist of retaining the existing three-story building (with internal remodeling) and incorporating site improvements including additional outdoor passive and active space including seating areas, a playground, planter boxes, and basketball court, changing the*

primary entrance to the east side of the building, and updating some of the parking spaces. The existing three-story building will remain, which is reflected on the aforementioned site plan and building elevations. The elevations for the improved accessory areas are included in this application for reference.

Stipulation 2

~~That the approval shall be conditioned upon development commencing within 36 months of the City Council approval of this change in zoning in accordance with Section 506 B 1 of the Phoenix Zoning Ordinance. For purposes of this stipulations development shall commence with the issuance of building permits and erection of building walls on site.~~

***Rationale:** The 36-month timeframe originally approved in 2006 has long expired and such a condition is no longer necessary. Furthermore, the building that was approved through the 2009 site plan for the Personal Care Home Use Permit has since been developed. The current property owner, the Navajo Nation, has plans to start working on enhancements to the property in accordance with the site plan submitted immediately; therefore, any timeframe stipulation is unnecessary.*



City of Phoenix

CITY CLERK D. R. FLETCHER

November 14 2006

Ms Rachel J Rybski
Beus Gilbert
4800 North Scottsdale Road Suite 6000
Scottsdale AZ 85251

RE Application Z 77-06-4

Dear Ms Rybski

The Phoenix City Council at its meeting held November 1 2006 considered a rezoning request for 2.28 acres located approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive from R-5 TOD-1 P-1 TOD-1 to C-2 H R TOD 1 for retail and multi family residential

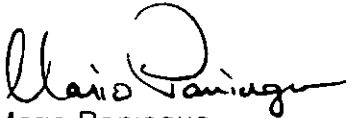
The Council granted this request per Planning Commission's recommendation with the following stipulations

- Mod**
- 1** That development shall be in general conformance with the site plan and elevations date stamped August 11 2006 as modified and approved by the Development Services Department
- Del**
- 2** That the approval shall be conditional upon development commencing within 36 months of the City Council approval of this change of zoning in accordance with Section 506 B 1 of the Phoenix Zoning Ordinance. For purposes of this stipulation development shall commence with the issuance of building permits and erection of building walls on site

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

If you require further assistance or information please contact the Planning Department Second Floor of Phoenix City Hall 200 West Washington Street or call (602) 262 7131

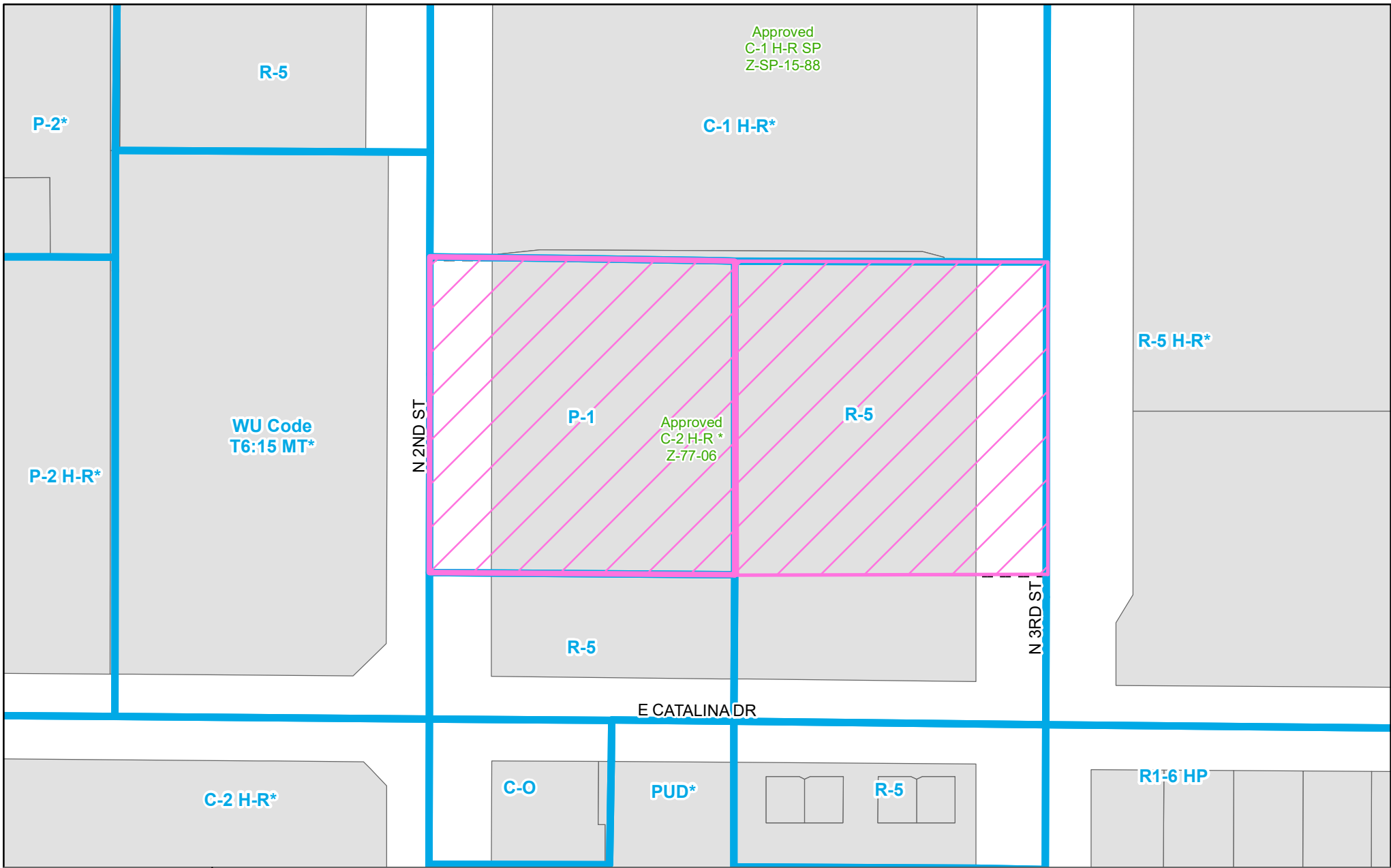
Sincerely


Mario Paniagua
City Clerk

MP/ss/Item 9

cc Capstone Development LLC 6924 East Paradise Drive
Scottsdale AZ 85254
Mr Paul E Gilbert 4800 North Scottsdale Road Suite 6000
Scottsdale AZ 85251
Planning Department
Development Services – John Parks/Gerard Silvani
Street Transportation
Official Records

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



PHO-1-25--Z-77-06-4

Property Location: Approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive

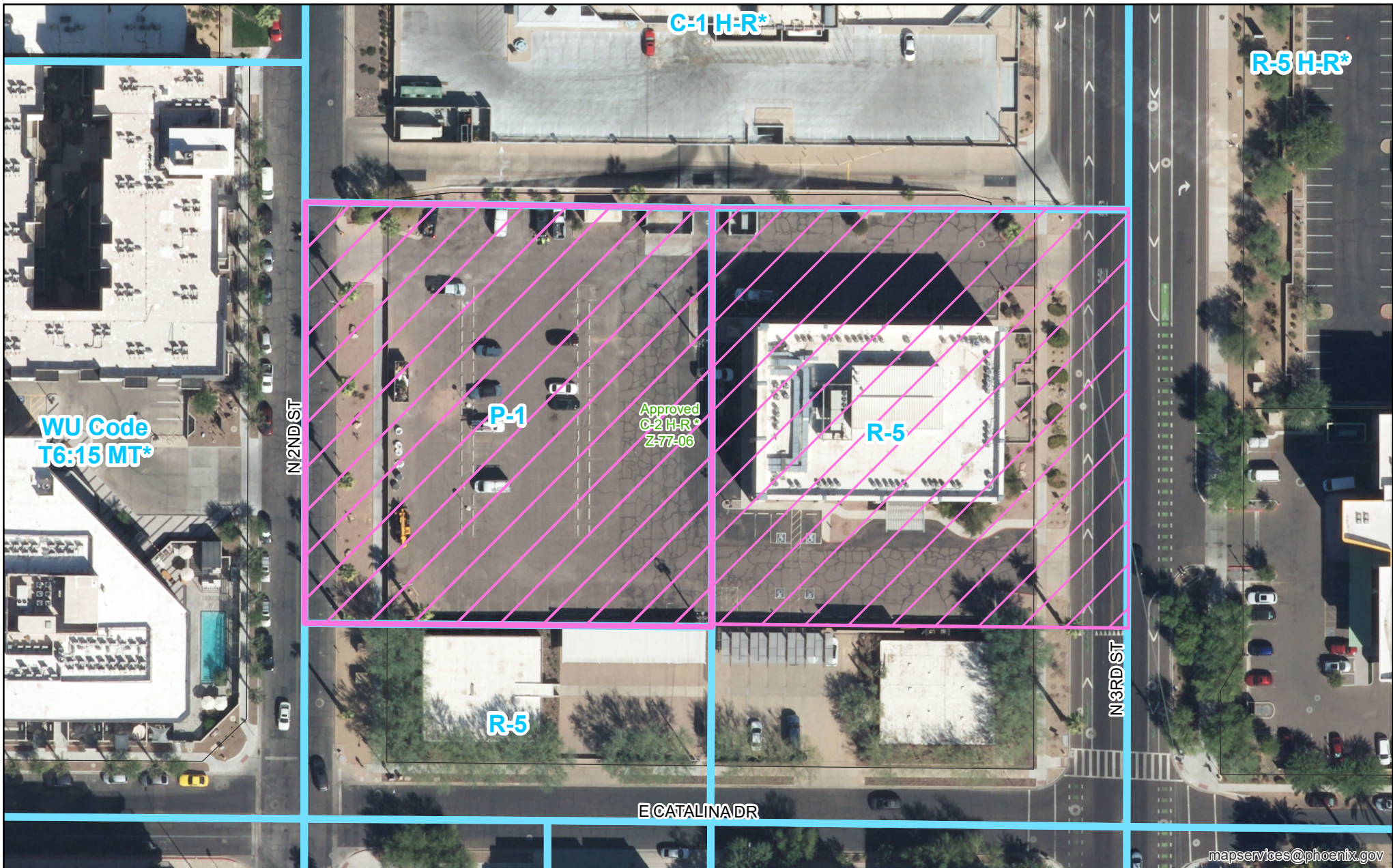


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 45 90 180 Feet





PHO-1-25--Z-77-06-4

Property Location: Approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 30 60 120 Feet



GENERAL INFORMATION INFORMATION

SITE PLAN DESIGN PROFESSIONAL: LAYNE HUNTON, AIA
PROJECT DESCRIPTION: COMMUNITY RESIDENCE CENTER
2021 S WAVERLY AVE SUITE #100
SPRINGFIELD, MO 65804
417.224.4701
LAYNE@THROUGHLINEARCH.COM
OWNER / REPRESENTATIVE: AXIOM CARE
ELLEN WESLEY
312.952.1741
HYPERLINK: ellen.wesley@axiomcareofaz.com

LEGAL DESCRIPTION

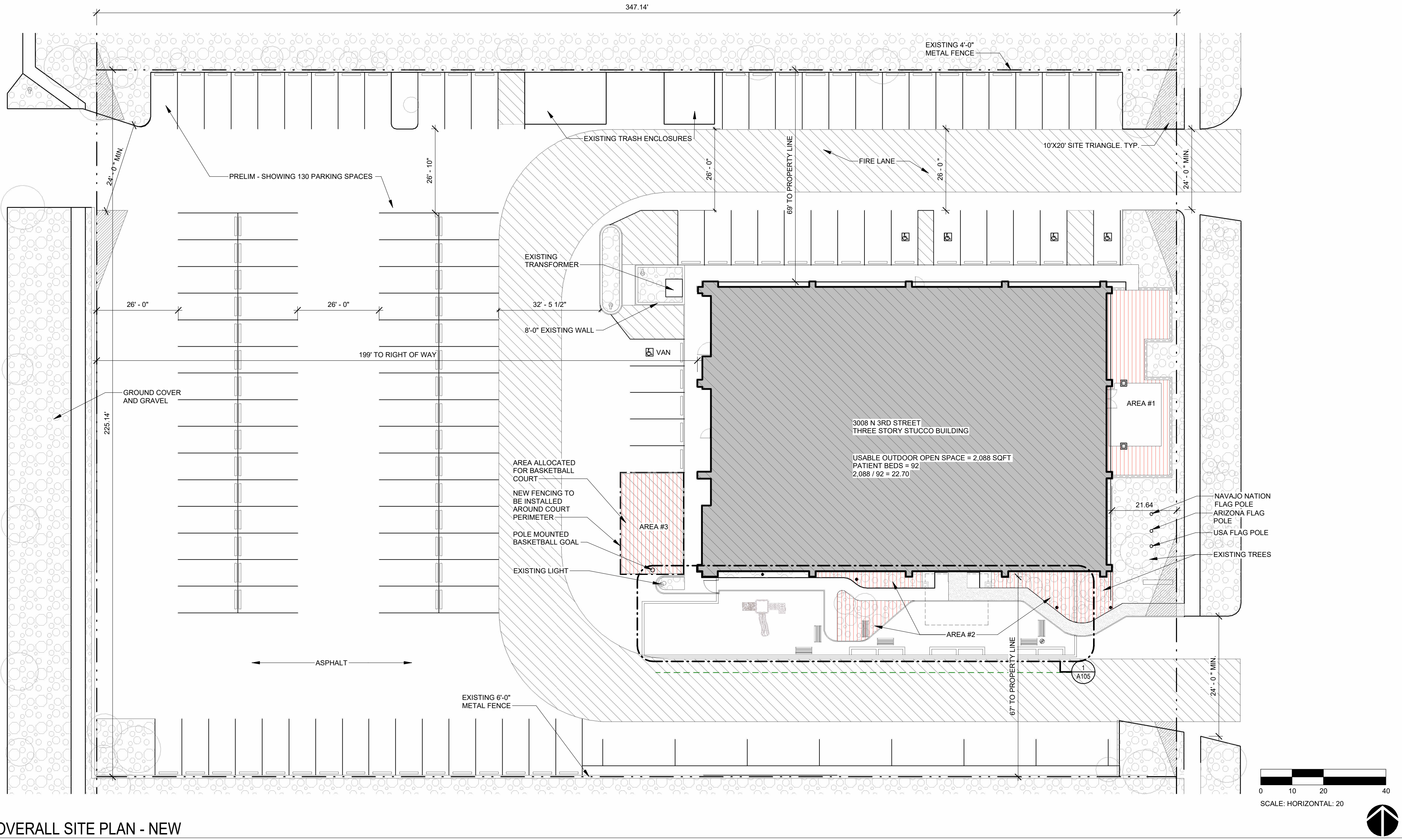
LOT 1, OF "3008 N 3RD ST", ACCORDING TO BOOK 924 OF MAPS, PAGE 32, RECORDS OF MARICOPA COUNTY, ARIZONA

SITE PLAN GENERAL NOTES

GENERAL PLAN:
ZONING: COMMERCIAL
APPROVED ZONING: R-5 / P-1
GROSS PARCEL SIZE: C-2 H-R TOD-1
NET PARCEL SIZE: 1.842 ACRES
FLOOR AREA RATIO: 1.796 ACRES
TOTAL NUMBER BEDS: 92 BEDS
TOTAL BUILDING AREA: 35,486 SQUARE FEET
PATIENT ROOMS: 11,747 SQUARE FEET
LOBBY / LOUNGE: 1,817 SQUARE FEET
TREATMENT / THERAPY ROOMS: 3,635 SQUARE FEET
OFFICE: 2,383 SQUARE FEET
DINING: 625 SQUARE FEET
(BUILDING AREA) 600 SQUARE FEET
TOTAL PARKING SPACES: 130 PARKING SPACES
ACCESSIBLE PARKING SPACES: 5 PARKING SPACES
REQUIRED PARKING SPACES: 68 PARKING SPACES

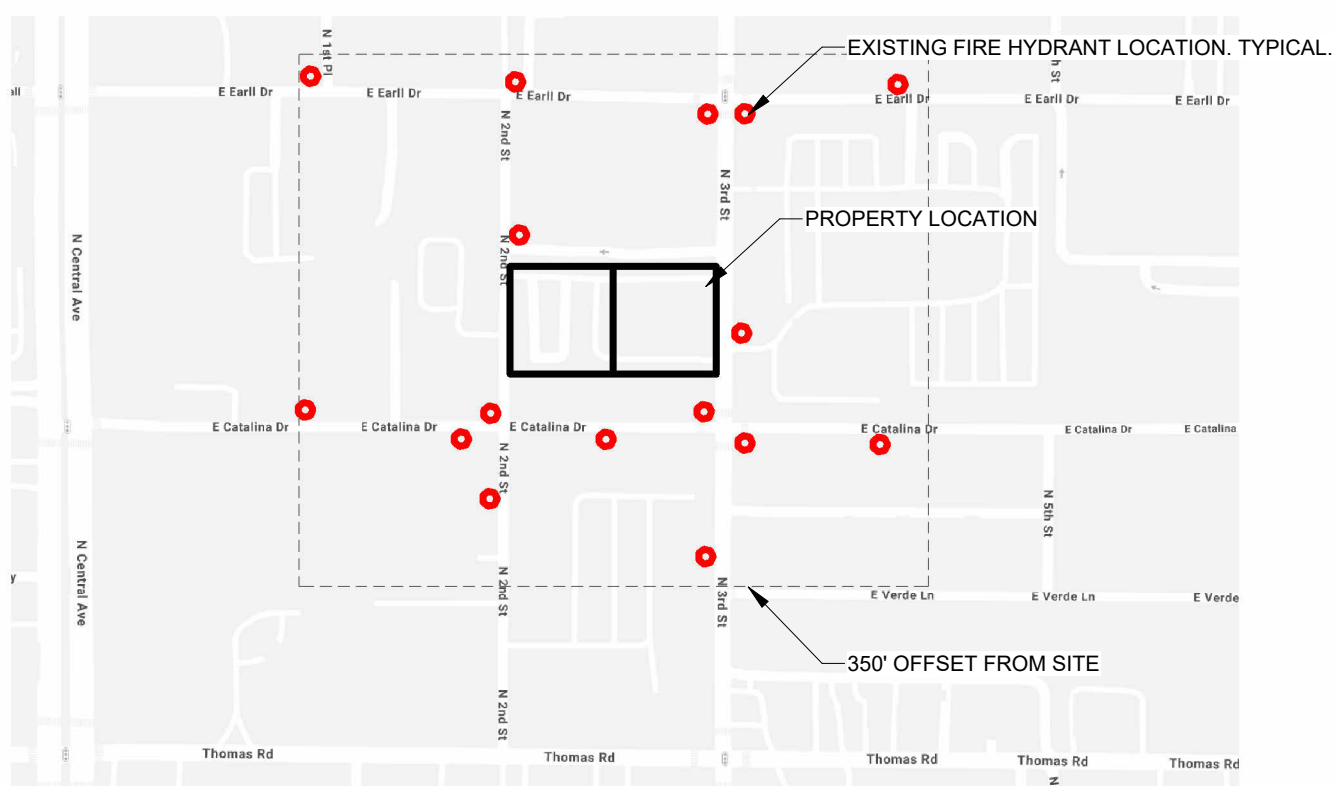
STANDARDS	C-2 H-R TOD-1	EXISTING (2025 Use Permit and Variances)	PROPOSED
MAXIMUM LOT COVERAGE	50%	33%	19.67%
MAX HEIGHT	250'	3 STORIES, 36.9'	3 STORIES, 36.9'
SETBACKS			
FRONT	MINIMUM 12'	20 FEET	20 FEET
REAR	MINIMUM 12'	20 FEET	20 FEET
SIDE	MINIMUM 0' / 30'	10 FEET	10 FEET
PHOENIX ZONING SECTION 702. OFF-STREET-PARKING AND LOADING			
TABLE: TYPE OF LAND USE / PARKING REQUIREMENTS			
TYPE CATEGORY	REQUIREMENT	SPACES REQUIRED	
COMMUNITY RESIDENCE CENTER	1 SPACE / 2 PATIENT BEDS 92 BEDS / 2	46 SPACES	
OFFICE BUILDING WITH LESS THAN 50,000 SF OF GROSS BLDG. AREA	1 SPACE / 300 SF 1ST FLOOR 1,649 SF 2ND FLOOR 403 SF 3RD FLOOR 403 SF TOTAL = 2,455 SF / 300 SF	9 SPACES	
DINING	1 SPACE / 50 SF BISTRO/DINING 625 SF FIRST FLOOR (WITHOUT PERIMETER ACCESS REDUCTION) TOTAL = 625 SF / 50 SF	13 SPACES	

USABLE OUTDOOR OPEN SPACE	S.F.
AREA #1 EXISTING FENCED IN OPEN SPACE/PATIO	716
AREA #2 EXISTING OPEN LANDSCAPING AREA RE-VEGETATED AS NECESSARY	742
AREA #3 NEW BASKETBALL HOOP AND PLAY AREA	630
TOTAL S.F. 2,088	



1 OVERALL SITE PLAN - NEW
1" = 20'-0"

VICINITY MAP / FIRE HYDRANT LOCATOR



CITY OF PHOENIX

JUL 29 2025

Planning & Development
Department

NOT FOR CONSTRUCTION

LAYNE AUSTIN HUNTON
ARCHITECT REG NUMBER: 83836

SITE PLAN - NEW

status PERMIT SET
date 7/29/2025
project 2510

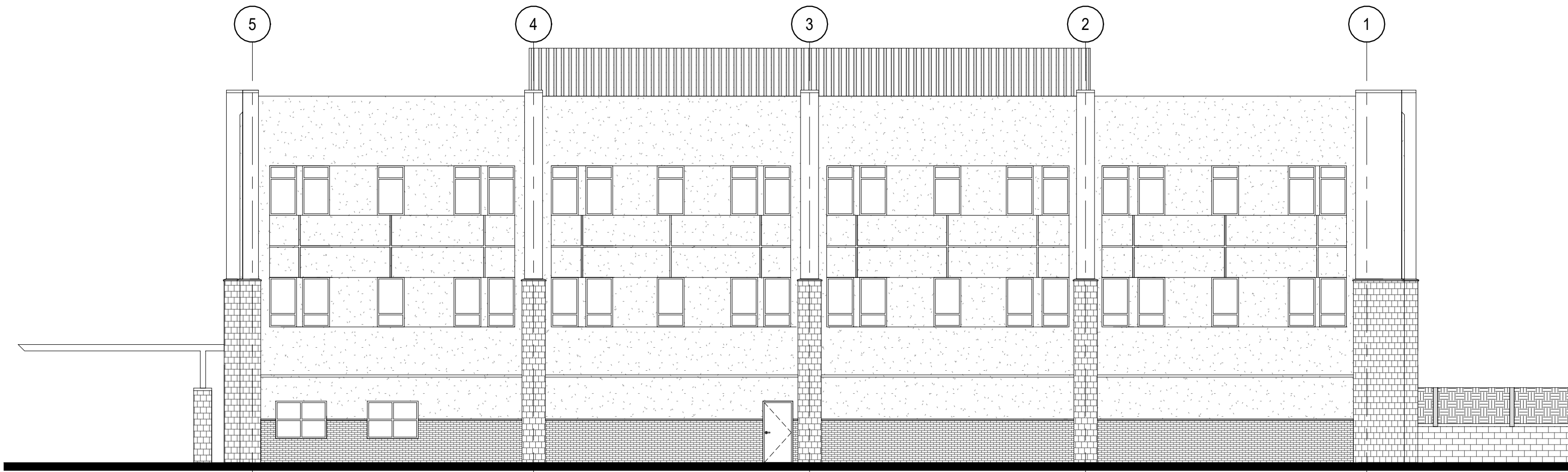
A100b

YHC CENTER IMPROVEMENTS
3008 N 3RD STREET, PHOENIX AZ
THROUGHLINE ARCHITECTURE LLC
2021 S. WAVERLY AVE. SUITE #100 SPRINGFIELD, MO 65804

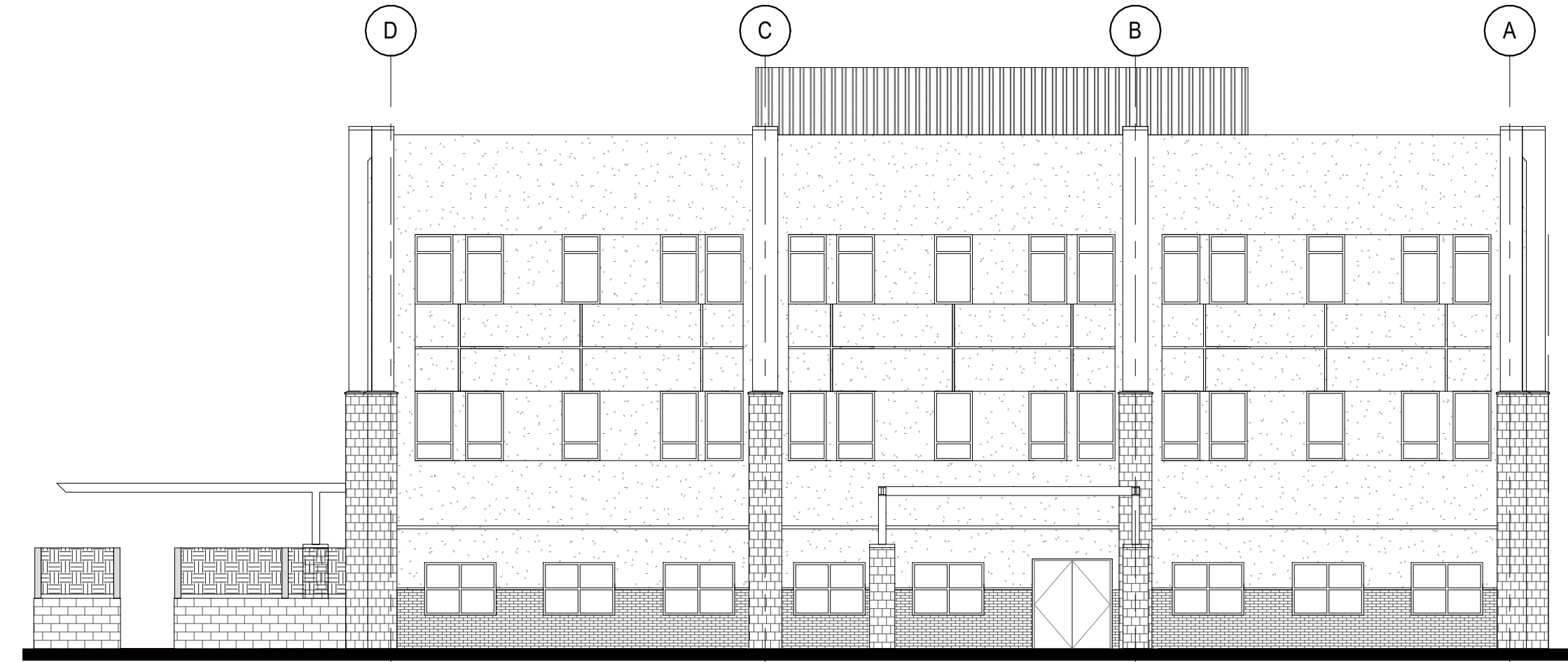
CITY OF PHOENIX

JUL 29 2025

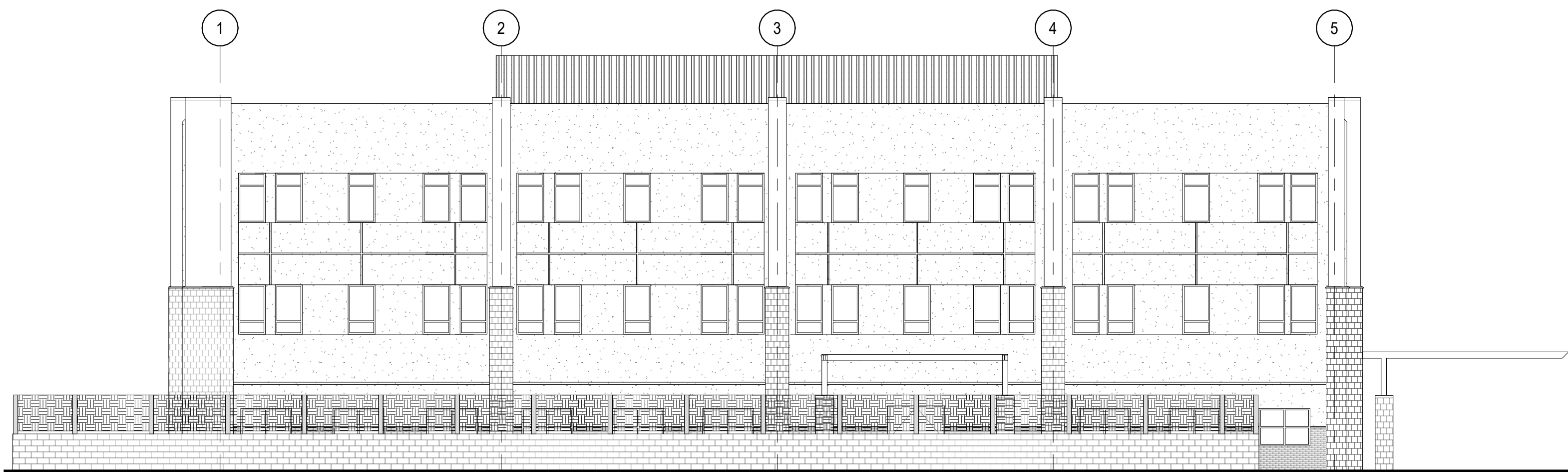
Planning & Development
Department



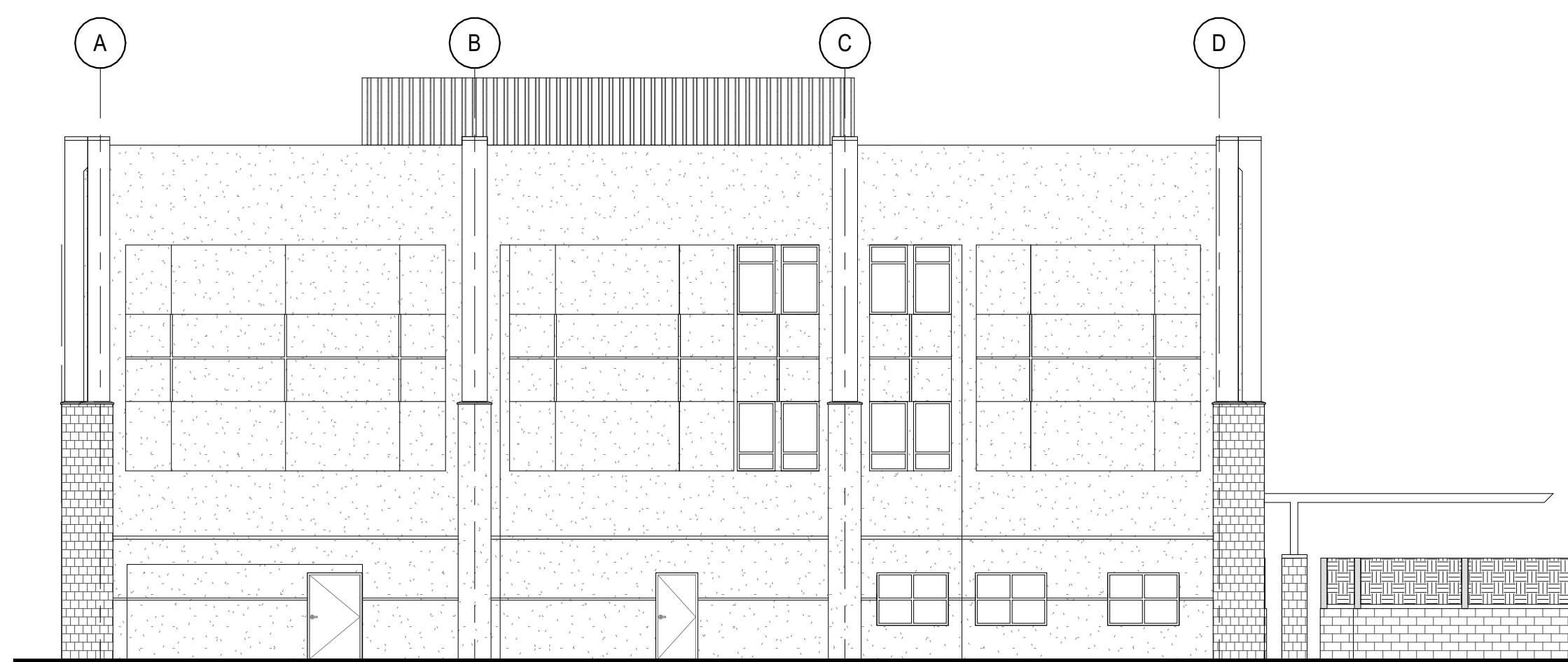
1 NORTH ELEVATION
3/32" = 1'-0"



3 EAST ELEVATION
3/32" = 1'-0"



2 SOUTH ELEVATION
3/32" = 1'-0"



4 WEST ELEVATION
3/32" = 1'-0"

YHC CENTER IMPROVEMENTS
3008 N 3RD STREET, PHOENIX AZ

THROUGHLINE ARCHITECTURE LLC
2021 S. WAVERLY AVE. SUITE #100 SPRINGFIELD, MO 65804

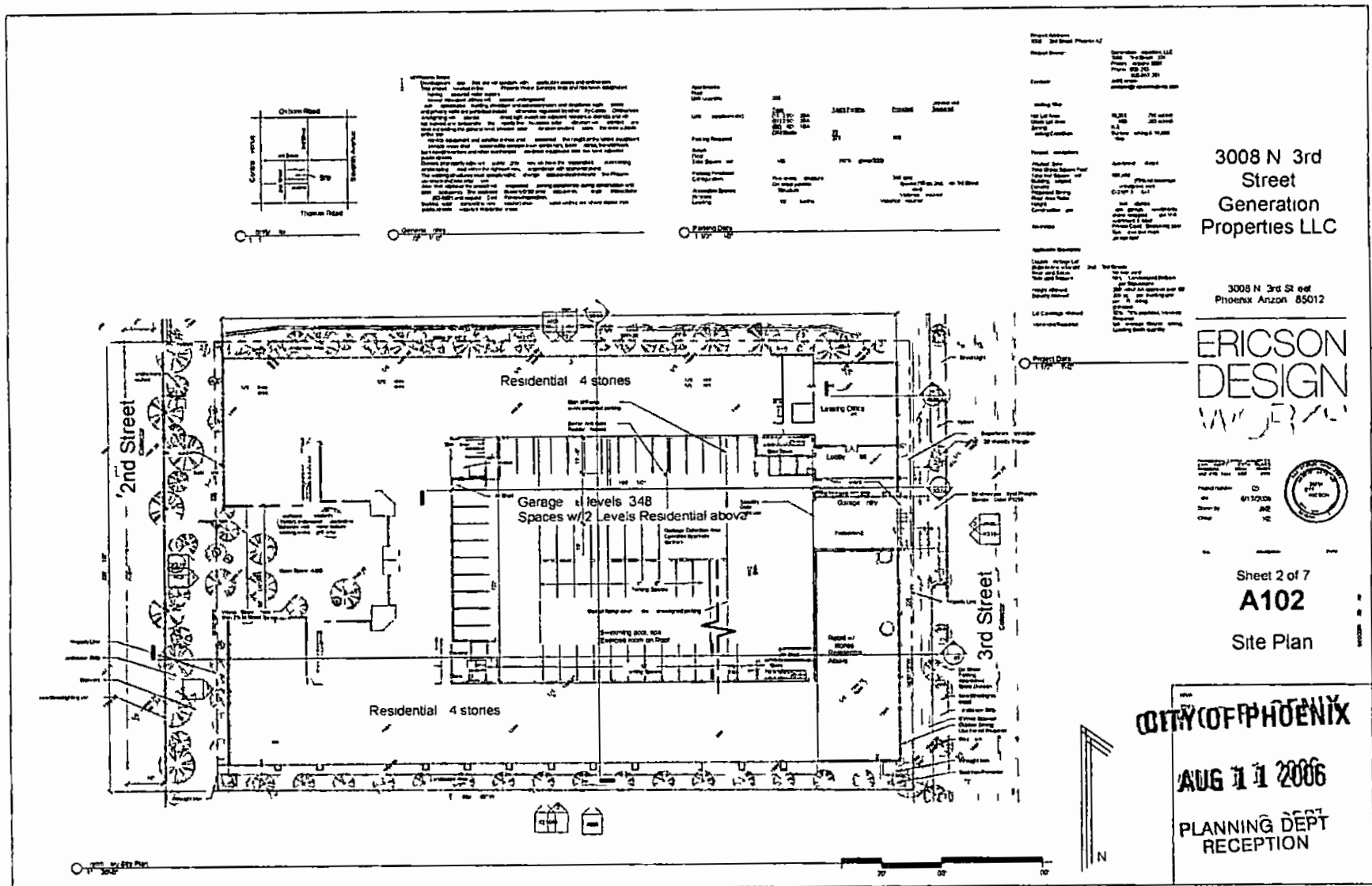
NOT FOR CONSTRUCTION

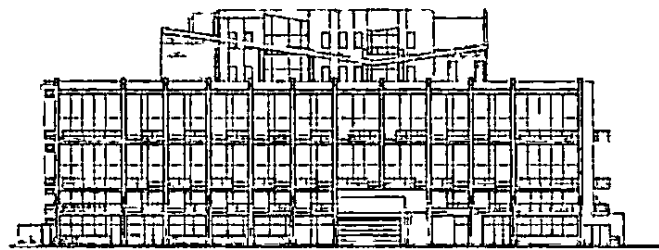
LAYNE AUSTIN HUNTON
ARCHITECT REG NUMBER: 83836

ELEVATIONS

status	PERMIT SET
date	7/29/2025
project	2510

A104

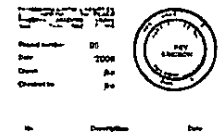




3008 N 3rd
Street
Generation
Properties LLC

3008 N 3rd St. 1
Ph Artzen 85012

ERICSON
DESIGN



A105

Elevations

CITY OF PHOENIX

AUG 11 2006

PLANNING DEPT
RECEPTION

November 1 2006

GENERAL PLAN AMENDMENT/ZONING CASES SCHEDULED FOR PUBLIC HEARING

<u>ITEM 5</u>	DISTRICT 7	GPA LV-1-06 7 59TH AVENUE AND SOUTHERN AVENUE APPLICANT JASON MORRIS - WITHEY, ANDERSON AND MORRIS
Application Request From To Acreage Location Proposal	GPA LV-1 06 7 Map Amendment Residential 3-5-5 and Commerce/Business Park Residential 10-15 and Commercial 76.5 +/- Southwest corner of 59th Avenue and Southern Avenue To allow for uses compatible with potential community college campus	
Staff	Approved	
VPC Action	Laveen - September 11 2006 - Approved	Vote 11-0
PC Action	October 11 2006 - Approved	Vote 8-0

ZONING CASES SCHEDULED FOR PUBLIC HEARING

<u>ITEM 9</u>	DISTRICT 4	Z 77-06-4 - 3RD STREET AND CATALINA DRIVE APPLICANT PAUL E GILBERT - BEUS GILBERT OWNER CAPSTONE DEVELOPMENT, LLC REPRESENTATIVE RACHEL J RYBSKI BEUS GILBERT
Application	Z-77-06-4 - Pulled from October 4 2006 agenda for public hearing	
From	R 5 TOD 1 P 1 TOD 1	
To	C-2 H R TOD 1	
Acreage	2.28	
Location	Approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive	

November 1 2006

Proposal	Retail and Multi-Family Residential
Staff	Approved subject to a stipulation
VPC Action	<u>Encanto</u> – August 7 2006 – Approved subject to a staff stipulation in the addendum report and an additional stipulation Vote 8-1
ZHO Action	August 21 2006 – Approved subject to a staff stipulation in the addendum report and an additional Village stipulation
PC Action	September 13 2006 – Ratified – Approved subject to a staff stipulation in the addendum report and an additional Village stipulation Vote 9-0

The above information reflected this item exactly as it appeared before City Council on October 4 2006 Listed below for reference purposes were the stipulations related to this item as granted by the Zoning Hearing Officer on August 21 2006 and ratified by Planning Commission on September 13 2006 as referenced above

Stipulations

- 1 That development shall be in general conformance with the site plan and elevations date stamped August 11 2006 as modified and approved by the Development Services Department
- 2 THAT THE APPROVAL SHALL BE CONDITIONAL UPON DEVELOPMENT COMMENCING WITHIN 36 MONTHS OF THE CITY COUNCIL APPROVAL OF THIS CHANGE OF ZONING IN ACCORDANCE WITH SECTION 506 B 1 OF THE PHOENIX ZONING ORDINANCE FOR PURPOSES OF THIS STIPULATION DEVELOPMENT SHALL COMMENCE WITH THE ISSUANCE OF BUILDING PERMITS AND ERECTION OF BUILDING WALLS ON SITE

Noting there was no one present wishing to speak MOTION was made by Mr Lingner SECONDED by Mr Siebert that Items 2 5 and 9 be granted per Planning Commission's recommendation

The following language was granted per Planning Commission's recommendation for Item 2

October 4 2006

MOTION was made by Ms Neely SECONDED by Mr Lingner, that Item 1U be continued to the November 1, 2006 recessed meeting MOTION CARRIED UNANIMOUSLY

ITEM 1P

DISTRICT 4

Z-77 06-4 - 3RD STREET
AND CATALINA DRIVE
APPLICANT PAUL E
GILBERT - BEUS GILBERT
OWNER CAPSTONE
DEVELOPMENT, LLC
REPRESENTATIVE
RACHEL J RYBSKI -
BEUS GILBERT

Application	Z-77-06-4
From	R-5 TOD-1 P-1 TOD-1
To	C-2 H-R TOD-1
Acreage	2 28
Location	Approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive
Proposal	Retail and Multifamily Residential
Staff	Approved subject to a stipulation
VPC Action	<u>Encanto</u> – August 7 2006 – Approved subject to a staff stipulation in the addendum report and an additional stipulation Vote 8-1
ZHO Action	August 21 2006 – Approved subject to a staff stipulation in the addendum report and an additional Village stipulation
PC Action	September 13 2006 – Ratified – Approved subject to a staff stipulation in the addendum report and an additional Village stipulation Vote 9-0

Planning Director Debra Stark explained Mr Simplot wished to schedule this case for a public hearing In addition to obtaining additional information, he also wanted to receive input from the residents surrounding the project

MOTION was made by Mr Simplot SECONDED by Mr Lingner that Item 1P be continued to the November 1 2006 recessed meeting MOTION CARRIED UNANIMOUSLY

6. Application #: Z-77-06-4 (Approval, subject to a staff stipulation as per the addendum to the staff report and an additional VPC stipulation)
7. Application #: Z-78-06-4 (Approval, subject to staff stipulations)

Ms. Carol Johnson presented the August 21, 2006 ZHO applications for ratification per the ZHO.

Commissioner Keuth made a MOTION to ratify applications Z-27-B-01-7, Z-49-06-4, Z-59-06-7, Z-75-06-1, Z-76-06-5, Z-77-06-4, and Z-78-06-4 from the August 21, 2006 ZHO hearing.

Commissioner Hart SECONDED.

MOTION PASSED by a vote of 9-0.

* * * *

Opposition – None present

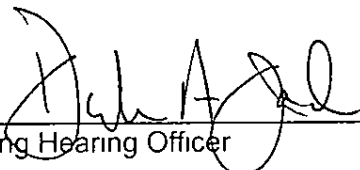
ZHO – Mr Doug Jorden recommended approval subject to a staff stipulation per the addendum to the staff report and an additional VPC stipulation

FINDINGS

- 1 The proposed development is consistent with the TOD overlay district
The site has been designed to incorporate a mixture of uses at a pedestrian scale
- 2 The proposed development will add a unique housing type to an area that is predominately office

STIPULATIONS

- 1 That development shall be in general conformance with the site plan and elevations date stamped August 11 2006 as modified and approved by the Development Services Department
- 2 THAT THE APPROVAL SHALL BE CONDITIONAL UPON
DEVELOPMENT COMMENCING WITHIN 36 MONTHS OF THE CITY
COUNCIL APPROVAL OF THIS CHANGE OF ZONING IN
ACCORDANCE WITH SECTION 506 B 1 OF THE PHOENIX ZONING
ORDINANCE FOR PURPOSES OF THIS STIPULATION
DEVELOPMENT SHALL COMMENCE WITH THE ISSUANCE OF
BUILDING PERMITS AND ERECTION OF BUILDING WALLS ON SITE



Zoning Hearing Officer

8-28-06

Date

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

Upon request this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability This publication may be made available through the following auxiliary aids or services large print Braille audiotape or computer diskette Contact Theresa Damiani regarding ADA 602 262 6368/voice or City TTY Relay/602 534 5500
H:\Data\Hearings\ZHO\Summanes\2006\082106 doc

**NOTICE OF PUBLIC MEETING
ENCANTO VILLAGE PLANNING COMMITTEE
[RESULTS]**

Pursuant to A R S Section 38 431 02 notice is hereby given to the members of the **ENCANTO VILLAGE PLANNING COMMITTEE** and to the general public that the **ENCANTO VILLAGE PLANNING COMMITTEE** will hold a meeting open to the public on **August 7, 2006 at 6 15 p m** located in the **Willo Conference Room, Phoenix College, 3310 N 10th Avenue, Phoenix, Arizona** (The Room is located at the northeast corner of Flower Street and 11th Avenue - Enter from Flower Street)

Note

- Agenda items may be taken out of order
- Anyone wishing to address an agenda item must complete a Speaker Card
- Time for comments may be limited to ensure that different viewpoints are heard

The agenda for the meeting is as follows

- 1 Call to Order and announcement by the chair of the following
Due to the time required for number for the items, the following time limit is recommended so that the Committee may give all cases on the agenda the same level of attention
 - **Staff Recommendation (5 minutes)**
 - **Applicant (10 minutes)**
 - **Other Interested Parties (3 minutes each)**
 - **Applicant Response (5 minutes)**
 - **Floor Closed Committee discussion and vote**

Chair Andrew Smigielski called the meeting to order at 6 20 PM A quorum was present with 8 members in attendance The chair introduced the new member Dewey Leitch

Jill Gering joined later to bring the number in attendance to 9

- 2 Approval of the **June 5, 2006** meeting minutes

Dr Ruth Ann Marston moved to approve the minutes and GG George Seconded The minutes were approved unanimously (8-0)

Dr Marston thanked Anna Bloch for her always-meticulous efforts in the preparation of the minutes

- 3 For committee information only Presentation on green building design and technology by Max Enterline Planning Department (10 minutes)

Max Enterline gave a brief presentation about the green building technology and US GBC (Green Building Council) He emphasized how the green technology and LEEDS certification can help improve and preserve the environment and reduce the cost of maintenance of buildings for its life cycle

He advised the VPC to encourage applicants to incorporate green building elements in their plans while reviewing rezoning requests

- 4 **Presentation discussion and possible action on rezoning case Z-49-06-4 a request to rezone approximately 2.64 acres of land located at approximately 660 feet north of the northeast corner of Thomas and SR-51 from C-2 to R-5 HR Presentation by staff and applicant (25 minutes)**
The Zoning Hearing Officer will review this case on August 21, 2006

Ambika Adhikari presented the staff report stating the staff recommendation for approval of the request. This proposal in a constrained site will allow development of several mid-cost housing units in the central part of the city.

On behalf of the applicant, Rich Baxter provided the details of the site plan, elevation and design. He stated that the buildings have been designed to create minimum negative impact on the aesthetics of the neighborhood. The project is designed to reduce the height impact on the street. Further, the project will be a catalyst for the area and will have economic multiplier effect in the community.

Dr. Ruth Ann Marston moved to approve the request with staff stipulations. Dewey Leitch seconded. The motion was approved unanimously (9-0).

- 5 **Presentation discussion and possible action on rezoning case Z-53-06-4 a request to rezone approximately 1.9 acres of land located at approximately 450 feet south of the southwest corner of 3rd Avenue and Indian School Road from C-2 C-2 SP P-1 and R 5-to-R-5 HR Presentation by staff and applicant (25 minutes)**
The Planning Commission will review this case on September 13, 2006

On behalf of the applicant, Mr. Larry Lazarus requested to continue the hearing until next month (September 11, 2006), as the applicant had not properly posted the zoning sign.

Dr. Ruth Ann Marston moved to approve the request for continuation and GG George Seconded. The motion was approved unanimously (9-0).

- 6 **Presentation discussion and possible action on rezoning case Z-77-06-4 a request to rezone approximately 2.28 acres of land located at approximately 150 feet north of the northwest corner of 3rd Street and Catalina Drive from R 5, P-1 to C-2 HR TOD-1 Presentation by staff and applicant (15 minutes)**
The Zoning Hearing Officer will review this case on August 21, 2006

Ambika Adhikari presented the staff report and stated staff support for the proposal. The proposal for five story residential development is compatible with the surrounding development of high and mid rise development. Further, the site is within the Central Avenue corridor, which the City has designated for high-rise and intense development.

On behalf of the applicant, Paul Gilbert provided the details of the site plan, building design and elevations. He gave justification for the high intensity

development at this site Landscape architect Christine Tenyke provided the details of the landscaping and greenery on the site

Committee members had questions about the density, high ground coverage, traffic pattern, entry from the third Street, design elements and elevations The applicant responded to these queries

Bob Coons moved to approve the request with the staff stipulations and an additional stipulation as given below GG George seconded

The motion passed (8-1) Gill Gering opposing

Stipulation # 2

2 That the approval shall be conditional upon development commencing within 36 months of the City Council approval of this change of zoning in accordance with Section 506 B 1 of the Phoenix Zoning Ordinance For purpose of this stipulation, development shall commence with the issuance of building permits, and erection of building walls on site

- 7 Presentation discussion and possible recommendation on PHO-1-06 Z-47-00-4 a request to modify two stipulations one related to general conformance with site plan and another related to the height of enclosure wall for eBay facilities located at approximately 200 feet south of the southwest corner of 3rd Street and Indian School Road Presentation by staff and applicant (15 minutes)
The Planning Hearing Officer will review this case on August 16 2006

Ambika Adhikari introduced the application

On behalf of the applicant, Greg from eBay provided the detailed description of the request, mentioning that the changes to the site plan and wall heights were necessitated by the change of ownership and need for the back up water supply tower

Committee members had several questions about the design, and advised the incorporation of landscaping elements on the site

Bob Coons moved to recommend approval of the request with a second from Jill Gering

The motion passed (7-2) FC Slaght and Dr Marston opposing

- 8 Presentation discussion and possible recommendation on PHO-1-06 Z SP-7-04 a request to modify the stipulation related to general conformance to the site plan for Phoenix Motor Company properties located at approximately 400 feet south of the southwest corner of 3rd Avenue and Indian School Road Presentation by staff and applicant (15 minutes)

Ambika Adhikari briefed the committee about the application The application is to modify the general conformance stipulations, as a new site plan has been prepared for the site Ambika provided the history of the rezoning on this site

The applicant was absent in the meeting

The committee members wished to have the applicant come to the meeting and explain the rationale for the request

Dr Ruth Ann Marston moved to deny the request and FC Slaght seconded the motion The motion to deny passed unanimously (9-0)

- 9 For committee information only not for action Report by the chairs of various sub committees Report of the Subcommittee on the Central Corridor request for adoption of statement and policies (10 minutes)

Jill Gering distributed the summary of the sub-committee work on the Central Avenue Corridor planning

Dr Ruth Ann Marston stated that the variance review process will continue although during the summer it had somewhat slowed down

Larry Hackleman distributed background information related to the planning for the State Fairgrounds

- 10 Committee announcements and public comments (Not for committee discussion)

A committee member asked who the Planning Commission contact is for the Encanto VPC Staff will check on this

Todd Lawson from Carnation Association spoke to the committee about their concerns about the two rezoning cases that will be coming to the Encanto VPC They oppose the application Z-60-06-4 a request to rezone property near 7th Avenue and Glenrosa Avenue However, as they have received revised plan and elevations, they will review the changes before revising their earlier stance

The association is also concerned about the proposed height and its impact on privacy of the application Z-53-06-4, a rezoning request near Indian School Road and 3rd Avenue They will be coming the VPC meeting to present their point of view on these applications

- 11 Identification of possible future agenda items and next meeting date
- Z-60-06-4 rezoning for the site near 7th Avenue Glenrosa for high-rise residential condos from C-2 to C-2 MR SAUMSO
- Next meeting is on September 6, 2006 (Note it is 1st Wednesday, due to holiday on first Monday)**

- 12 Adjournment

The meeting adjourned at 8 55 PM

For further information please call **Ambika Adhikari** Village Planner at **602-262-4074** Rezoning staff reports currently in the hearing process are now available online at the following website <http://phoenix.gov/PLANNING/rezstrpt.html>