

# ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION  
Byron Easton, Planner III, Hearing Officer  
Logan Zappolo, Planner I, Assisting

March 18, 2026

ITEM NO: 1	
	DISTRICT NO. 4
SUBJECT:	
Application #:	PHO-1-25--Z-257-84-5(4) (Continued from January 21, 2026)
Location:	Southeast corner of 24th Avenue and Cooidge Street
Zoning:	R-3
Acreage:	0.49
Request:	1) Modification of Stipulation 1 regarding substantial conformance to the site plan and elevations presented to the Planning Commission. 2) Deletion of Stipulation 2 regarding maximum density. 3) Deletion of Stipulation 3 regarding time condition.
Applicant:	Kirstopher Ontiveros, SOKO Designs
Owner:	Jeffrey Dash, JMS AZ Property I LLC
Representative:	Kirstopher Ontiveros, SOKO Designs

## **ACTIONS:**

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed, approval with an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Alhambra Village Planning Committee heard this request on February 24, 2026 and recommended approval by a vote of 10-0.

## **DISCUSSION:**

Kristopher Ontiveros, representative of SOKO Designs, overviewed the original rezoning case where the property was rezoned to multi-family and included a stipulation limiting the development to a maximum density of 6 units, a substantial conformance to the site plan stipulation, and a time condition stipulation. Mr. Ontiveros explained the proposed site plan depicts a 7th unit on the property, which he described would still be in conformance with the density allowed by the current zoning district. He added the client is not requesting to expand the development at all rather convert an existing laundry/storage room into a livable unit.

Byron Easton, Planning Hearing Officer, asked if the site plan had any modifications other than the conversion shown on the proposed floor plan.

Mr. Ontiveros confirmed there are no changes to the site plan, only the floor plan. He added the plan will conform with all parking and building regulations.

Mr. Easton asked if their team had a site development pre-application.

Mr. Ontiveros replied they had gone through site plan review, and the Site Planning Division requested the proposed PHO modification and a variance requirement for parking within the right of way.

Mr. Easton asked if Mr. Ontiveros could speak to the substantial conformance stipulation.

Mr. Ontiveros stated they aren't making any changes outside of the under-roof area and only wish to update the date stamp to the current site plan depicting the additional unit.

Mr. Easton explained the substantial conformance stipulation if modified would not revert to another conformance stipulation. He asked for an explanation of the differences between the previous site plan and proposed site plan.

Mr. Ontiveros stated there are no changes to the site plan other than updating the date stamp for the proposed plans.

Mr. Easton asked if there are any registered speakers for the case.

Logan Zappolo, Planning Hearing Officer Assistant, confirmed there are no registered speakers for this case.

Mr. Easton asked what the reasoning for the previous continuance was.

Mr. Ontiveros stated the continuance was required due to notices not sent before the deadline.

Mr. Easton stated the Alhambra Village Planning Committee heard the case on February 24, 2026, recommended approval of the request by vote of 10-0. He added the applicant acknowledged the need for a variance and stated this is an at-risk PHO request, meaning if receiving a recommendation of approval through PHO this does not guarantee the site plan would be approved as proposed.

Mr. Ontiveros stated he understands the approval is at risk.

Mr. Easton requested to view the submitted elevations for the substantial conformance stipulation. There were no proposed elevations submitted for the request.

Mr. Ontiveros confirmed there were no elevations submitted since there is no change.

Mr. Easton explained since there are no proposed changes to the site plan or elevations there is no need to modify the stipulation. Mr. Easton recommended denial of request 1 to preserve the original stipulation. He recommended approval of requests 2 and 3 and added an additional stipulation for a Prop 207 waiver stipulation to be recorded and submitted prior to final site plan approval.

**FINDINGS:**

- 1) The request to modify Stipulation 1 regarding substantial conformance to the site plan and elevations presented to the Planning Commission during the original rezoning of the site is recommended to be denied as filed. Any proposed modification to this stipulation would be necessary to accommodate changes to a stipulated site plan. Since there are no proposed changes to the stipulated site plan from Z-257-84-5(4) a modification to this stipulation is not necessary.

Since the approval of the original rezoning case in 1984, the site was developed as shown on the site plan submitted with this case. The applicant is only proposing an additional unit to the building that will be under roof and will not result in any exterior modifications or additions to the building. Any future development that changes the site in any way will have to go through a PHO if it is not in substantial conformance with this plan.

- 2) The request to delete Stipulation 2 regarding maximum density is recommended to be approved. The applicant is adding one unit under roof, filling in a space previously occupied by a laundry room. This will result in a maximum density of seven (7) units as the site/building will not be able to accommodate any additional units beyond the addition of one unit. Removing the stipulation will allow this development as it conforms with the underlying zoning district.
- 3) The request to delete Stipulation 3 regarding the time condition is recommended to be approved. The time condition is not pertinent to this request.
- 4) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to

require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record.

**STIPULATIONS:**

A.	Application No. 146-84		
	1.	That the floor area ratio shall not exceed 0.3.	
	2.	That the following setbacks are required:	
	a.	For a lot boundary adjoining a public street, setback of 50 feet shall be provided which shall be landscaped and maintained.	
	b.	For a lot boundary not adjoining a public street:	
	(1)	There shall be a minimum 30-foot set-back from the property line.	
	(2)	Either a six-foot high wall or a land-scaped buffer on the property line; to be left to the discretion of the Development Coordination Office.	
	(3)	There shall be a five-foot wide land-scaped strip within the wall if a wall is required. The landscape material shall project a minimum of five feet above the wall.	
	(4)	There shall be no loading or unloading of vehicles in the unlandscaped portion of the yards.	
	3.	That any unlandscaped portion of the site shall be screened from view from any public right-of-way by use of the wall not less than five or more than eight feet high, or by hedge-type land-scaping which will serve the same screening purpose.	
	4.	That no building shall exceed the height of 15 feet within 75 feet of a residential district excluding elevator shafts, mechanical equipment or similar uses, so long as the total area of such facilities shall not exceed 25 percent of the total roof area. The maximum height may be increased by one foot for each additional three feet of setback to a maximum of 40 feet.	
	5.	That development be in general conformance to the site plan presented to the Planning Commission.	

B.	Application No. 303-84	
	1.	That right-of-way needs for Osborn Road be determined by Development Coordination; if 40 feet is required, the minimum building setback from Osborn Road shall be 18 feet. If the current 33-foot half street is retained, the minimum building setback from Osborn Road shall be 25 feet.
C.	Application No. 237-84	
	1.	That development be limited to one-story or 18-feet in height.
	2.	That a 35-foot building setback be provided along the west property line (existing) and a 50-foot building setback be provided along the north property line.
	3.	That the north and west boundaries of the site be landscaped with 24-inch box size shade trees placed a minimum 25-feet on center in a minimum five-foot wide landscape strip.
	4.	That a six-foot masonry wall be provided along the north property line.
D.	Application No. 244-84	
	1.	That development be in substantial conformance to the site plan submitted July 26, 1984 to the Planning Commission.
	2.	That gross leasable area not exceed 66,500 square feet for the subject site nor 133,000 square feet gross leasable area if site is developed with the property to the east.
	3.	That building height not exceed three stories.
	4.	That access to Townley Avenue is subject to joint access to Dunlap Avenue with the westerly adjacent parcel and Townley Avenue being fully improved from 23rd Avenue to I-17 Freeway.
	5.	That sufficient right-of-way be dedicated within one year of final City Council action to provide:
	a.	An easement for traffic signal equipment location to be determined at the time of the site plan submittal.
E.	Application No. 257-84	

1.	That development be in substantial conformance to the site plan and elevations presented to the Planning Commission.
2.	PRIOR TO FINAL SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.
<del>2.</del>	<del>That development allow a maximum of six dwelling units.</del>
<del>3.</del>	<del>That approval of this rezoning be conditioned upon development within 12 months of final City Council approval of the zone change in accordance with Section 108-K of the Zoning Ordinance.</del>
F.	Application No. 262-84
1.	That, prior to the issuance of any building permits for individual buildings within the project, a pedestrian/bike circulation plan shall be submitted to and approved by the City Parks, Recreation and Library Department and Planning Department which will provide any necessary trail connection between the adjacent Planned Community Districts. All individual projects within the development shall be required to make accommodations necessary to implement this plan.
2.	That the applicant provide a lighting plan for the area to minimize light impact and to be duly implemented through development proposals.
G.	Application No. 263-84
1.	That, prior to the issuance of any building permits for individual buildings within the project, a pedestrian/bike circulation plan shall be submitted to and approved by the City Parks, Recreation and Library Department and Planning Department which will provide any necessary trail connection between the adjacent Planned Community Districts. All individual projects within the development shall be required to make accommodations necessary to implement this plan.
2.	That the applicant provide a lighting plan for the area to minimize light impact and to be duly implemented through development proposals.
H.	Application No. 264-84

	1.	That approval of this rezoning be conditioned upon use as a furniture sales and showroom in accordance with Section 108-K of the Zoning Ordinance with 18 months of the final approval of the change of zone by the City Council.
	2.	That such use and future development utilize the existing main house allowing for building expansion to the south of the existing structure.
I.		Application No. 291-84
	1.	That development be in general conformance to the site plan presented for that portion being rezoned.
	2.	That approval of this rezoning be conditioned upon development of a theater in accordance with Section 108-K of the Zoning Ordinance within 18 months of the final approval of the change of zone by the City Council.

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