

Attachment C

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



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

Date: March 15, 2024

From: Joshua Bednarek

Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. PHO-1-24--Z-44-86-1(3) – 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 **April 17, 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 **March 22, 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 (Chase Hales, North Mountain Village)
Village Planning Committee Chair (Stephanie Fogelson, North Mountain Village)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-24--Z-44-86-1(3)

Council District: 3

Request For: Stipulation Modification

Reason for Request: Request to delete Stipulation 1 regarding turnaround for 15th Lane.; Request to delete Stipulation 4 regarding the termination of 15th Lane.

Contact Information

| Name | Relationship Type | Address | Phone | Fax | Email |
|----------------------------|-------------------|---|--------------|-----|-------------------------|
| Han Choi | Applicant | 3334 North 20th Street Phoenix AZ 85016 United States | 602-875-6221 | | han.choi@kontexture.com |
| Han Choi | Representative | 3334 North 20th Street Phoenix AZ 85016 United States | 602-875-6221 | | han.choi@kontexture.com |
| Benjamin/Corina Covaciu | Owner | 2409 West Woburn Lane, Phoenix AZ 85085 | | | |

Property Location: Approximately 300 feet west of the northwest corner of 15th Avenue and Peoria Avenue

Acreage: 1.52

Village:
North Mountain

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 | 02/02/24 | PHO (1-2 stipulations) |

PHO WRITTEN REQUEST

DATE: January 29, 2024

RE: Peoria Ave Apartments
Multi-Family Residence
APN: 159-14-042A
Phoenix, AZ 85029

CLIENT: Benjamin Covaciu
2409 W Woburn Ln
Phoenix, AZ 85085
bcovaciu@cox.net

TO: City of Phoenix
Planning and Development Department
Planning Hearing Officer

CITY OF PHOENIX

FEB 08 2024

Planning & Development
Department**1. Introduction**

The purpose of this request is to modify the Zoning Stipulations on the property at 1528 W Peoria Avenue. The stipulations are per Zoning Case Z-44-86.

2. Project Background

This lot had a rezoning application approved on March 19, 1986, subject to stipulations of Zoning Case Z-44-86. The current owner wishes to construct two (2) new buildings. One of them will be located in the south area of the parcel and will contain three (3) 1,200 square foot apartments. The second one will be in the north area of the parcel and will contain seven (7) 1,200 square foot apartments as well. Each unit will also have an enclosed one (1) car garage and storage.

3. Request and Rationale

We are requesting the following changes to Zoning Stipulations #1 and #4 of Rezoning Application Z-44-86 as indicated in capitalization/bold-text and strikethrough:

*Stipulation 1 – **REMOVAL:***

~~That the property be developed so as to provide a satisfactory turnaround for 15th Lane and be subject to Development Coordination approval pursuant to Section 511 of the Zoning Ordinance.~~

*Stipulation 4 – **REMOVAL:***

~~That a termination for 15th Lane be acceptable to the Department of Streets and Traffic be provided.~~

The existing stipulations limit the site to an unusable size relative to its gross site area, as the Department of Streets and Traffic requires a cul-de-sac with a 50' radius, or 100' diameter. This would make the site unfit to accommodate the proposed ten units, which is already well below the maximum residential density of 22 DU/GA. Enforcement of the cul-de-sac will also negatively affect the owner's ability to provide intended amenities, common areas, and landscaping, reducing the property's appeal to growing families in the area.

This project does not intend to utilize or provide access to/from 15th Ln, and a 6' screening wall will be located along the entire length of the north side of the parcel. The two properties on either side of the end of 15th Ln (159-14-032 and 159-14-033A) have sufficient space to turn around both on their own respective properties, as well as by backing out from their driveways onto 15th Ln in a typical manner. This appears to be how they have already been utilizing the lane.

Please see accompanying drawings.



City of Phoenix
Planning Department

September 18, 1986

Mr. Bob Carr
3836 W. Dunlap
Suite B
Phoenix, AZ 85051

Re: Rezoning Application No. 44-86

Dear Mr. Carr:

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 108-J of the Zoning Ordinance, as amended, has on March 19, 1986, concurred with the recommendations of the Planning Commission for Rezoning Application No. 44-86 for approval of R-3A, subject to the following stipulations :

Stipulations

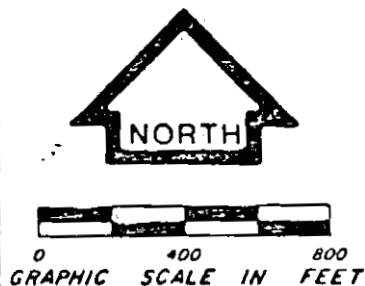
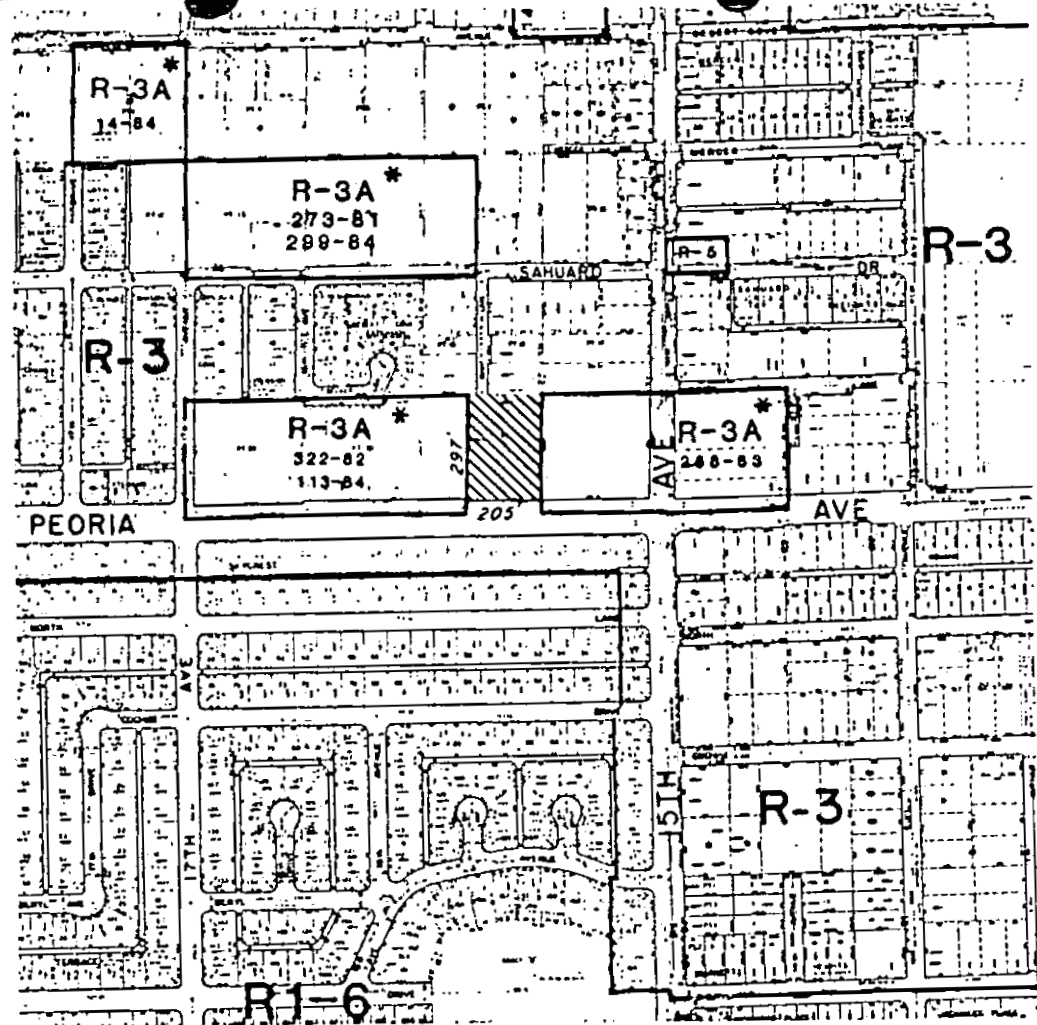
- Del 1. That the property be developed so as to provide a satisfactory turnaround for 15th Lane and be subject to Development Coordination approval pursuant to Section 511 of the Zoning Ordinance.
2. That perimeter landscaping shall require 24-inch box size shade trees placed in groupings approved by the Development Coordination Office. A minimum four-foot block or masonry wall shall be required on the north, east, and west property lines.
3. That all landscape materials shall be of a drought-resistant nature.
- Del 4. That a termination for 15th Lane acceptable to the Department of Streets and Traffic be provided.

Sincerely,

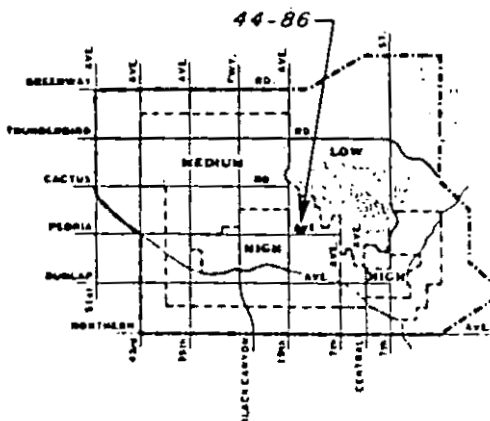
David E. Richert
Deputy Planning Director

DER/dr/3456N

cc: City Clerk
Jay Neville
Tom Slade
File

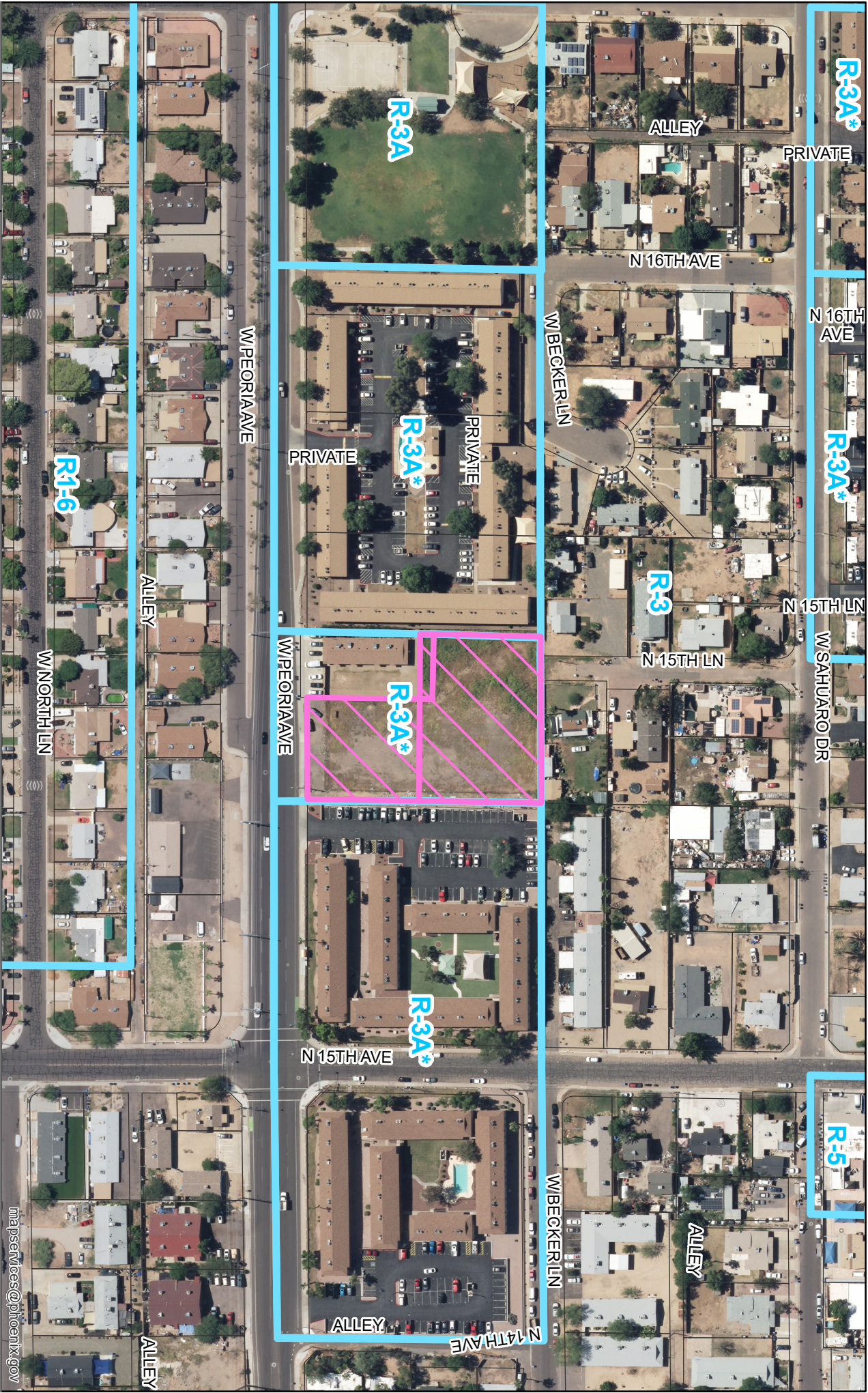


CITY OF PHOENIX PLANNING DEPARTMENT
NORTH MOUNTAIN VILLAGE
CITY COUNCIL DISTRICT 1



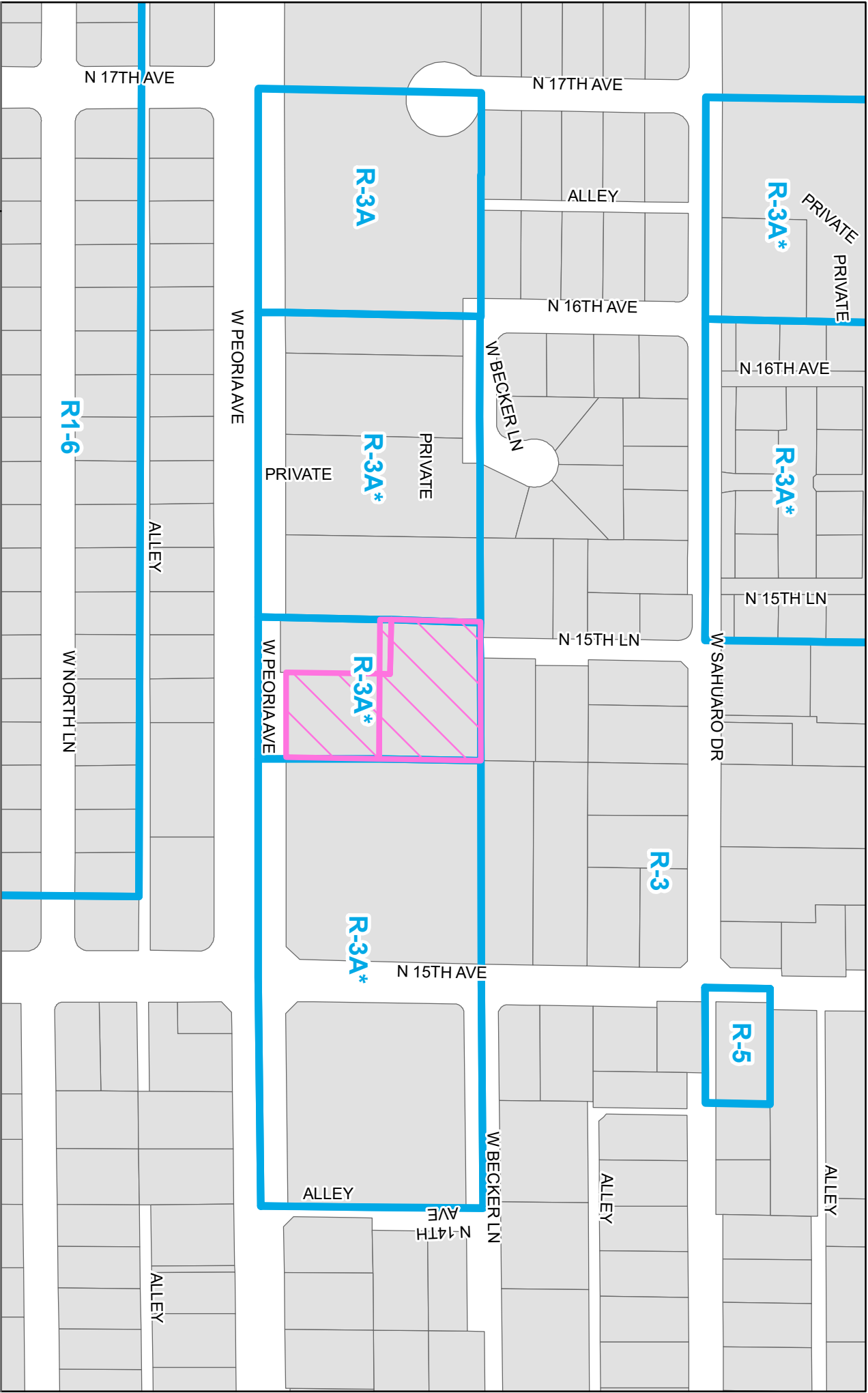
| | | |
|---|---|---|
| APPLICANT'S NAME <i>BLUESTONE I INVESTMENTS PHILIP WOLFSTEIN</i> | | REQUESTED CHANGE FROM: <i>R-3</i> TO: <i>R-3A</i> |
| APPLICATION NO. <i>44-86</i> | HEARING DATES Z.H.O. P.C. C.C. <i>1-27-86</i> | |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. <i>1.56</i> ACRES | AERIAL PHOTO & QUARTER SEC. NO. <i>29-25</i> | ZONING MAP <i>K-7(J-5)</i> |
| MULTIPLES PERMITTED | UNITS STANDARD OPTION | * UNITS P.R.D. OPTION |
| <i>R-3</i> | <i>22</i> | <i>27</i> |
| <i>R-3A</i> | <i>34</i> | <i>41</i> |

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



PHO-1-24--Z-44-86-1(3)

Property Location: Approximately 300 feet west of the northwest corner of 15th Avenue
and Peoria Avenue



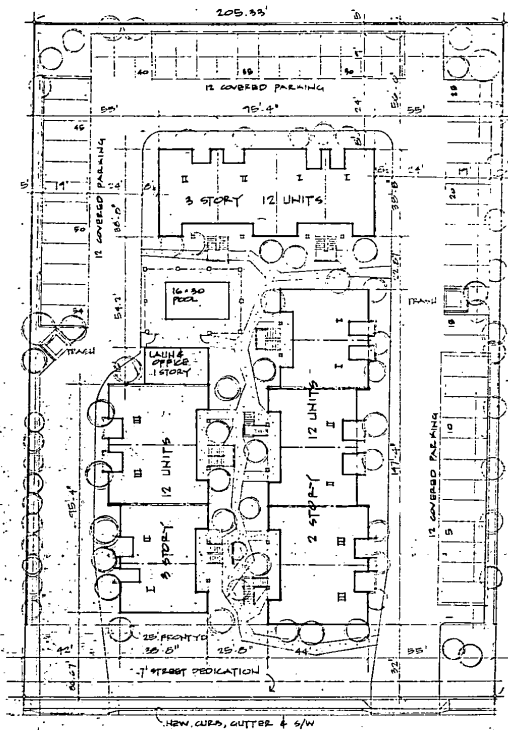
PHO-1-24-Z-44-86-1(3)

Property Location: Approximately 300 feet west of the northwest corner of 15th Avenue and Peoria Avenue

ZONING REQUESTED R3A DENSITY 23.1 UNITS PER ACRE

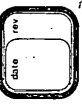
GROSS SITE AREA $205,832.07 \div 33 = 6,237.34$ 1.5547 AC
 NET SITE AREA $205,832.07 - 20,956.55 = 184,875.52$ 4.21 AC
 DENSITY ALLOWED $1.5547 \times 23.1 = 35.92$ 36 UNITS
 PARKING REQ'D $36 \times 1.5 = 54$ SPACES
 PARKING PROVIDED 54 SPACES
 BUILDING HEIGHTS 2 STORY BLOCKS 24' TO ROOF RIDGE
 3 STORY BLOCKS 27' TO ROOF RIDGE (1ST FLE SET 4' INTO GRADE)
 LOT COVERAGE (ALL STRUCTURES, INCLUDING BALCONIES) 20,956.55
 SITE COVERAGE $20,956.55 \div 100 = 10.18\%$

| UNIT COUNT | | | |
|------------------------------|----|--------|--|
| I 1 BEDRM 1 BATH C 607 sq AC | 13 | 7891 | |
| II 2 BEDRM 1 BATH C 849 sq | 13 | 11037 | |
| III 2 BEDRM 2 BATH C 1071 sq | 10 | 10700 | |
| TOTAL | 36 | 29,628 | |
| LAUNDRY & OFFICE 4500 | | 30,256 | |



PEORIA AVENUE
 ADDRESS 1330 W PEORIA AVENUE
 SITE PLAN
 NORTH

LEGAL DESCRIPTION:
 PART OF LOT 31, DUBSET COVE EXTENSION, A SUBDIVISION
 RECORDED IN PLAT MAPS, PG 34 MCR



A 36 UNIT APARTMENT PROJECT FOR
 BLUESTONE I INVESTMENTS 1980 LTD
 700 HILL STREET, 1250 LOS ANGELES CA 90017

Robert Harold Carr Architect, Inc.
 100 West Duane, Phoenix, Arizona 85001
 Drawn by: [Signature]
 Checked by: [Signature]
 Date: 11/15/86

JOB NO. 0012-12
 SHEET NO. P1

-609-

March 19, 1986

The Planning Commission recommended this application be denied.

DISTRICT 6 -
MICHAEL J. CURLEY

- E. Application 50-86: Request of Michael J. Curley, on behalf of HBH Associates, to rezone a 0.4 acre parcel on the west side of 29th Street beginning approximately 102' south of Thomas Road from R-3 to C-2.

The Planning Commission recommended this application be denied as filed, approved C-1 subject to stipulations.

DISTRICT 1 -
BLUESTONE I INVESTMENTS

- F. Application 44-86: Request of Bluestone I Investments to rezone a 1.56-acre parcel on the north side of Peoria beginning approximately 298' west of 15th Avenue from R-3 to R3-A.

The Planning Commission recommended this application be approved with stipulations.

ITEM 13 Application No.: 44-86 (ZHO APPEAL)
 Applicant: Bluestone Investments (Owner: Same)
 Subject: A request to rezone a 1.56 acre parcel on the
 north side of Peoria beginning approximately
 298' west of 15th Avenue from R-3 to R3-A.

The Planning Commission recommended approval with stipulations. Staff recommended denial. There was no opposition present.

Mr. Robert Carr presented the case.

The applicant reported that the Fire Department and the Sanitation Department were willing to accept a 16' easement through the property in place of a turn-around. However, staff continued to be concerned that a more satisfactory solution be provided for the general public using 15th Lane and needing to turn around.

Mr. Rivera made the motion. Mr. Cox seconded. Absent: Mr. Cantelme
Dissenting Vote: Mr. Turner

STIPULATIONS

1. That the property be developed so as to provide a satisfactory turn-around for 15th Lane and be subject to DCO approval pursuant to Section 511 of the Zoning Ordinance.
2. That perimeter landscaping shall require 24" box shade trees placed in groupings approved by the DCO. A minimum 4' block or masonry wall shall be required on the north, east and west property lines.
3. That all landscape materials shall be of a drought-resistant nature.
4. That a termination for 15th Lane acceptable to the Department of Streets and Traffic be provided.

Commission Vote: 5-1