

Attachment B

BACKUP INFORMATION - PUBLIC HEARING/ORDINANCE ADOPTION – (Z-73-16-2) ON THE APRIL 5, 2017, FORMAL AGENDA – NORTHEAST CORNER OF THE 42ND STREET ALIGNMENT AND DYNAMITE BOULEVARD

TO: Mario Paniagua
Deputy City Manager

FROM: Alan Stephenson
Planning & Development Director

SUBJECT: BACKUP INFORMATION - PUBLIC HEARING/
ORDINANCE ADOPTION – (Z-73-16-2) ON THE APRIL 5, 2017, FORMAL
AGENDA – NORTHEAST CORNER OF THE 42ND STREET ALIGNMENT
AND DYNAMITE BOULEVARD

This report provides backup information - Public Hearing/Ordinance Adoption to Z-73-16-2 located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard on the April 5, 2017 Formal Agenda.

THE ISSUE

A rezoning application has been submitted for requesting approval by the City Council for a parcel located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard. The application is being made by the EcoVista Development LLC.

OTHER INFORMATION

Rezoning case Z-73-16-2 is a request to rezone 12.49 acres from County RU-43 (Pending S-1) to R1-18 to allow single family residential.

The Desert View Village Planning Committee heard the request on Feb. 7, 2017, and it was denied. Vote: 4-3.

The Planning Commission heard the request on Mar. 2, 2017, and it was denied. Vote: 3-3.

The request was appealed by the applicant to hold a public hearing at the Apr. 5, 2017 City Council meeting.

The application was appealed by the applicant as there was a tie vote of the Planning Commission. A tie vote is treated as a denial. A three-fourths vote of the City Council is required for approval of this rezoning request due to adjacent property owner concerns with the proposal.

Exhibits:

1. – Staff Report Z-73-16-2
2. – Village Planning Committee Meeting Summary
3. – Planning Commission Minutes
4. – Appeal
5. – Three Quarters vote



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-73-16-2
 January 23, 2017

Desert View Village Planning Committee Meeting Date: February 7, 2017
Planning Commission Hearing Date: March 2, 2017
Request From: County RU-43 (Pending S-1) (12.49 acres)
Request To: R1-18 (12.49 acres)
Proposed Use: Single Family Residential
Location: Northeast corner of the 42nd Street alignment and Dynamite Boulevard
Owner: J & M Aronica Revocable Trust
Applicant/Representative: EcoVista Development LLC; Wendy Riddell, Berry Riddell LLC
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Residential 0-2 du/acre	
Street Map Classification	42 nd Street	Local	25-foot east half street
	Dynamite Boulevard	Major Arterial	70-foot east half street
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.</i></p> <p>As stipulated, the proposed development is consistent with the scale, design, and appearance of the surrounding area. The proposal provides a high percentage of open space, integration of natural washes, and an increased setback along Dynamite Boulevard.</p>			

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; RIVERS, WASHES AND WATERWAYS; LAND USE PRINCIPLE: Preserve natural washes coming from the preserves and promote access and views of the preserves by the public.

The applicant has configured the lot layout to integrate the natural wash that currently runs through the subject property.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; RIVERS, WASHES AND WATERWAYS; DESIGN PRINCIPLE: Propose new design standards that address drainage, use of native plants, edge treatment, and access – both visual and physical – for private and public development adjacent to public preserves, parks, washes and open spaces.

The proposed development is integrating natural washes into the site design. As stipulated, the proposal also provides an increased landscape setback along the south property line with grading and landscaping to mimic the natural desert environment.

Area Plan

The North Land Use Plan designates this area as Residential 0-2 du/ac. The plan recognizes the importance that the rural character and lifestyle play in determining appropriate land use densities. The proposed 2.24 du/acre project exceeds the North Land Use Plan density cap of 2 du/acre however the proposal meets the intent of the North Land Use Plan by integrating the naturally occurring wash, providing a large amount of open space, and reestablishing a natural desert landscape within the development constraints of the subject site.

Surrounding Land Uses/Zoning

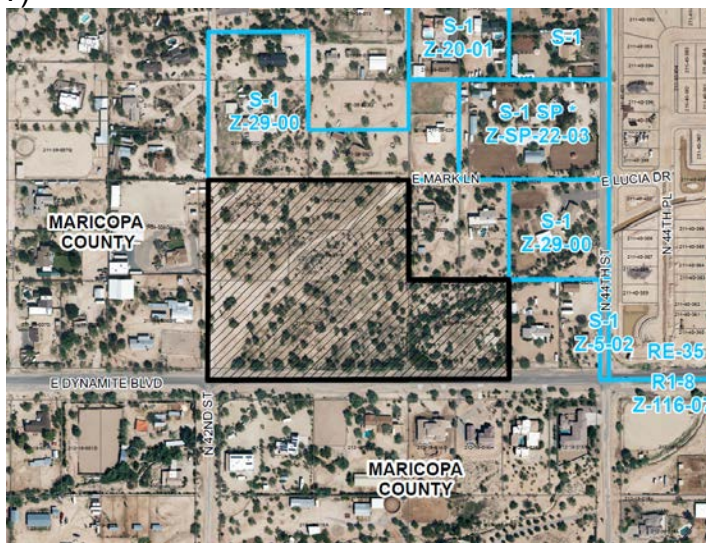
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	County RU-43 (Pending S-1)
North	Large Lot Single Family Residential	S-1
South	Large Lot Single Family Residential	County RU-43
East	Large Lot Single Family Residential	County RU-43
West	Large Lot Single Family Residential	County RU-43

R1-18 Single Family		<i>*if variance required</i>
<u>Standards</u>	<u>Requirements</u>	<u>Proposed site Plan</u>
Development Option	PRD	PRD
Gross Acreage	-	12.49 acres
Total Number of Units	-	28 units
Density	2.05, 2.34 with bonus	Met - 2.24 du/acre
Typical Lot Size	None	Met – 55 feet x 120 feet
Subject to Single Family Design Review	Yes	Yes
Open Space	Minimum 5% gross	Met – 32.7% (4.08 acres)
Perimeter Setbacks		
Street (Dynamite Boulevard)	20' adjacent to public street	Met – Varies between 56 feet and 111 feet
Street (42 nd Street alignment)	20' adjacent to public street	Met – 20 feet
Property Line (rear)	15'	Met – 23 feet 9 inches
Property Line (side)	15'	Met – 25 feet
Lot Coverage	Primary Structure 25%, Total 30%	Met – 25%; 30%
Building Height	2 stories and 30'	Not Shown

Background/Issues/Analysis

SUBJECT SITE (REQUEST)

1. This request is to rezone 12.49 acres located at the northeast corner of the 42nd Street alignment and Dynamite Boulevard from County RU-43 (Pending S-1) (Farm Residence) to R1-18 (Single Family Residential) to allow single family residential.



SURROUNDING ZONING AND LAND USE

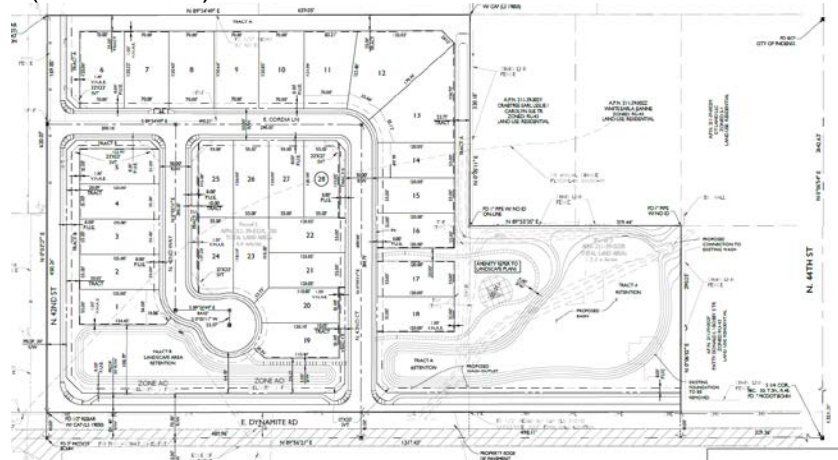
- The subject site is currently vacant, undeveloped land. To the north is large lot single family residential uses. To the south, east, and west are large lot single family residential uses located outside of the city limits.

GENERAL PLAN

- The General Plan Land Use Map designation for the subject site is Residential 0-2 du/acre. The request is not in conformance with the General Plan designation of 0-2 du/acre, however the request is for the R1-18 zoning district which is defined as a Large Lot Residential product type. Residential requests that do not change from one type of residential product to another do not require a General Plan Amendment.

ANALYSIS OF PROPOSAL (SITE PLAN)

- The site plan depicts a 28 lot subdivision with the integration of an existing wash along the southeast portion of site. The typical lot sizes are 6,600 square feet (55-foot x 120-foot) with approximately 32.7% common area provided.



Ingress and egress will be provided from 42nd Street and Dynamite Boulevard. Staff is recommending stipulations regarding the number of lots, percentage of open space, and minimum lot widths to ensure compatibility with the existing character of the area.

- View fencing provides visual access to open spaces to allow passive enjoyment and visual monitoring in order to discourage undesirable activity. To improve safety of existing washes and proposed open space, staff is recommending a stipulation that the development utilize view fencing for homes that side common open space tracts.
- The site plan depicts a large retention area along the southern portion of the subject site (Tract A and B) directly adjacent to Dynamite Boulevard. Staff is recommending a stipulation to ensure these two tracts are to be graded and planted to mimic the natural desert landscape.

STREETS

7. The Street Transportation Department has indicated that the developer shall dedicate 70 feet of right-of-way for the north half of Dynamite Boulevard. Staff is recommending a stipulation to address this request.
8. The Street Transportation Department has indicated that the developer shall dedicate 25 feet of right-of-way for the east half of 42nd Street. Staff is recommending a stipulation to address this request.
9. The Street Transportation Department has indicated that the developer shall update all existing off-street improvements to current ADA guidelines. A stipulation has been recommended to address this request.

WATER

10. The City of Phoenix Water Services Department has noted the potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

ARCHAEOLOGY

11. The City of Phoenix Archaeology Office recommends that this project area undergo an archaeological survey. A stipulation has been recommended to address this request.

OTHER

12. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed site plan, as stipulated, is compatible with the surrounding land use patterns in the area.
2. The development character respects the natural topography of the area and incorporates existing washes into the overall design.
3. The proposal will provide an additional housing option within the Desert View Village.

Stipulations

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - A. The development shall not exceed 28 lots.
 - B. A minimum 20% open space shall be provided.
 - C. The minimum residential lot width shall be 55 feet.
2. The development shall utilize view fencing for homes that side on common open space tracts, as approved by the Planning and Development Department.
3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

ARCHAEOLOGY

4. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

STREETS

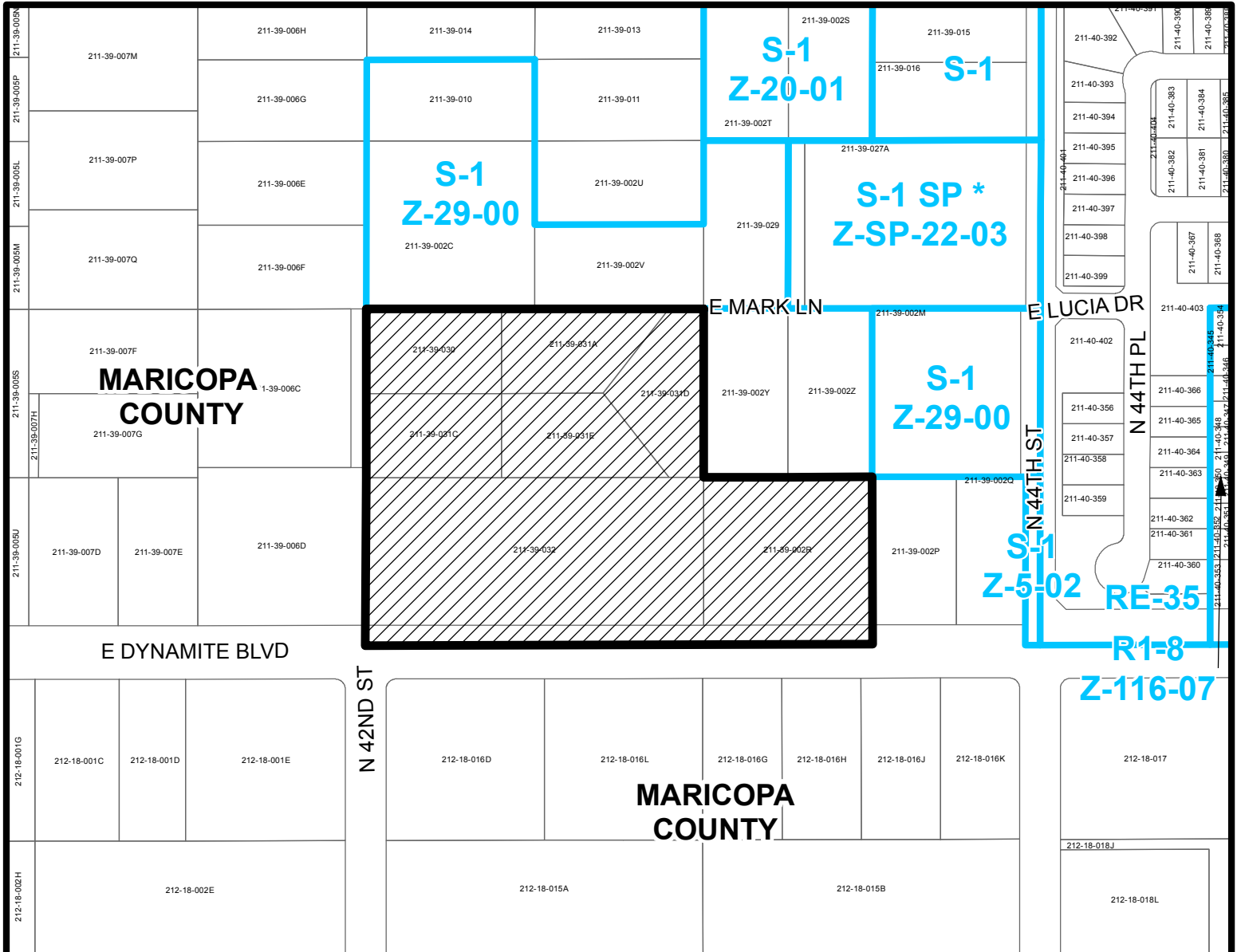
5. Right-of-way totaling 70 feet shall be dedicated for the north half of Dynamite Boulevard, as approved by the Planning and Development Department.
6. Right-of-way totaling 25 feet shall be dedicated for the east half of 42nd Street, as approved by the Planning and Development Department.
7. The developer 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

Writer

Joél Carrasco
January 23, 2017
Joshua Bednarek

Exhibits

Zoning sketch
Aerial
Site plan dated January 26, 2017 (2 pages)
Illustrative Master Plan dated January 26, 2017 (1
page)

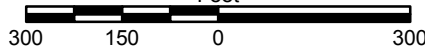


MARICOPA COUNTY

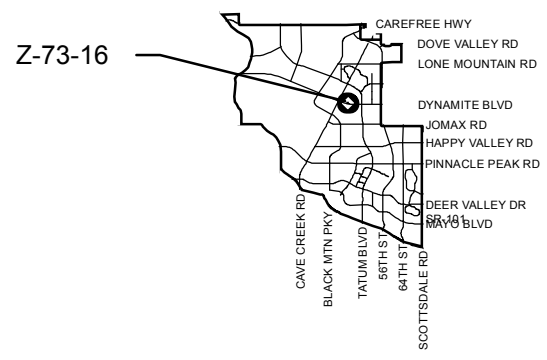
MARICOPA COUNTY



Feet

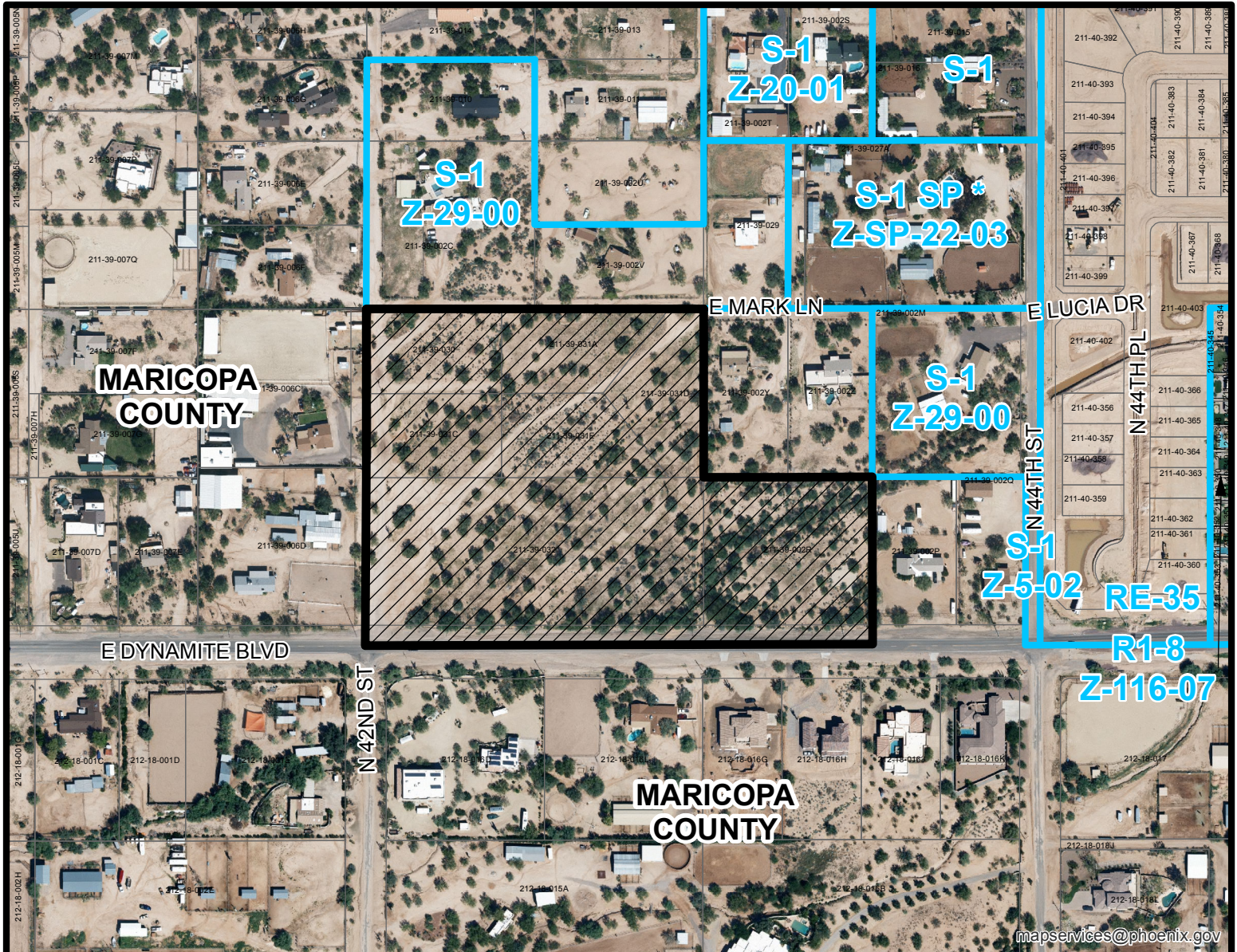


DESERT VIEW VILLAGE
CITY COUNCIL DISTRICT: 2



APPLICANT'S NAME: EcoVista Development LLC/ Seth		REQUESTED CHANGE: FROM: County RU-43 (pending S-1), (12.49 a.c.) TO: R-1-8, (12.49 a.c.)	
APPLICATION NO. Z-73-16	DATE: 10/17/2016 REVISION DATES: 01/20/2017		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 12.49 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 51-37	ZONING MAP P-10	
MULTIPLES PERMITTED County RU-43 (pending S-1) R-1-8	CONVENTIONAL OPTION 12 (12) 24	* UNITS P.R.D. OPTION N/A 29	

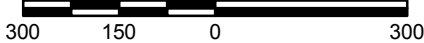
* Maximum Units Allowed with P.R.D. Bonus



mapservices@phoenix.gov



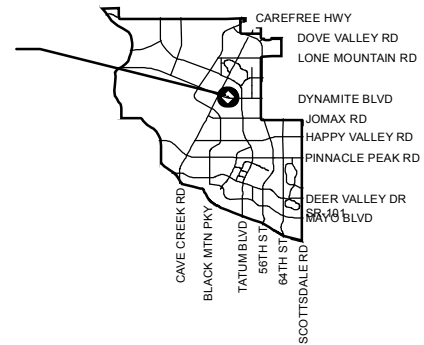
Feet



DESERT VIEW VILLAGE
CITY COUNCIL DISTRICT: 2



Z-73-16



APPLICANT'S NAME: EcoVista Development LLC/ Seth

REQUESTED CHANGE:

FROM: County RU-43 (pending S-1), (12.49 a.c.)

APPLICATION NO. Z-73-16

DATE: 10/17/2016
REVISION DATES:

01/20/2017

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

12.49 Acres

AERIAL PHOTO & QUARTER SEC. NO.
QS 51-37

ZONING MAP
P-10

TO: R1-18, (12.49 a.c.)

MULTIPLES PERMITTED

CONVENTIONAL OPTION

* UNITS P.R.D. OPTION

County RU-43 (pending S-1)

12 (12)

N/A

R1-18

24

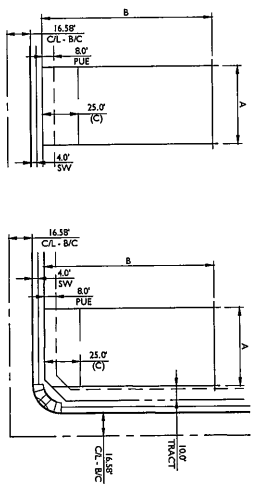
29

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

PRELIMINARY SITE PLAN FOR SAGURO TRAILS

NEC DYNAMITE ROAD & 42ND STREET, CAVE CREEK, ARIZONA
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, T.15 N., R.4 E.,
OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY, ARIZONA

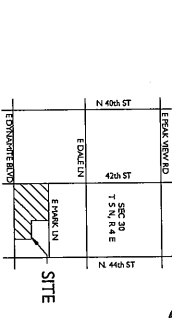
TYPICAL LOT DETAIL



R1-18 PLANNED RESIDENTIAL DEVELOPMENT STANDARDS

REQUIRED	REQUIRED	PROPOSED
MIN. LOT FRONT	100'	120'
MIN. LOT DEPTH	NONE	120'
DWELLING UNIT DENSITY	206.34 U/A ZONING	234
REPERMITS STANDARDS	25' ADJACENT TO A PUBLIC STREET	25' ADJACENT TO A PUBLIC STREET
BUILDING SERVICES	25' FRONT	25' FRONT
HOODING HEIGHT	23' (MAX) 2'	23' (MAX) 2'
LOT COVERAGE WITH SHADY STRUCTURE	20%	20%
COMMON AREAS	MIN. 5% OF GROSS AC	22% OF GROSS AC (MIN. 4,000 SQ FT)
REQUIRED REVIEW	SECTION 1507	SECTION 1507
REQUIRED REVIEW	SECTION 1507	SECTION 1507
REQUIRED REVIEW	SECTION 1507	SECTION 1507

VICINITY MAP



PROJECT TEAM

PROPERTY DEVELOPER:
SAGURO TRAILS, LLC
11130 ARIZONA AVENUE, SUITE 100
SCOTTSDALE, AZ 85251
TEL: (480) 593-2255
FAX: (480) 593-2255
CONTACT: JACQUELINE GRIFFITH

PLANNER, ENGINEER, AND ARCHITECT:
EPS GROUP
2045 S. VINEYARD AVENUE, SUITE 101
MESA, AZ 85210
TEL: (480) 593-2255
FAX: (480) 593-2255
CONTACT: JACQUELINE GRIFFITH

PROJECT DATA

LOCATION:
11130 ARIZONA AVENUE, SUITE 100
NEC DYNAMITE ROAD & 42ND STREET
CITY OF PHOENIX

CURRENT LAND USE:
UNDEVELOPED
1.11 ACRES (APPROXIMATE LOT SIZE)
BUREAU MERIDIAN (MARICOPA COUNTY)

PROPOSED ZONING:
R1-18 PD

GROSS AREA:
4.124 ACRES = 178,422 SQ FT

NET AREA:
4.124 ACRES = 178,422 SQ FT

ARTIFICIAL IRRIGATION:
NONE

NO. OF LOTS:
22

NO. OF UNITS:
22

TOTAL GROSS AREA:
4.124 ACRES

TOTAL GROSS AREA:
4.124 ACRES (22% OF GROSS AREA)

UTILITIES

WATER: CITY OF PHOENIX

SEWER: CITY OF PHOENIX

ELECTRIC: SOUTHWEST GAS

TELEPHONE: CENTURYLINK (COX COMMUNICATIONS)

CABLE TV: CENTURYLINK (COX COMMUNICATIONS)

POLICE: CITY OF PHOENIX

BASE OF BEARING

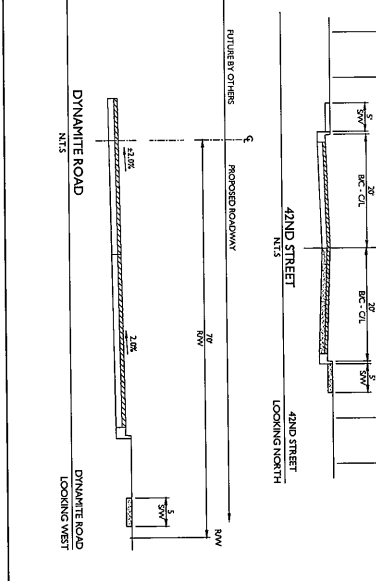
THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 4 EAST, OF THE GILA AND SALT TOWER BUREAU MERIDIAN, MARICOPA COUNTY RECORDS 35 OF MARICOPA COUNTY RECORDS.

PROJECT DESCRIPTION

THIS DEVELOPMENT PLAN CONSISTS OF A 22 LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. THE DEVELOPMENT IS TO BE DEVELOPED IN ACCORDANCE WITH THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT'S (PDS) GENERAL PERMIT FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. THE DEVELOPMENT WILL BE IN COMPLIANCE WITH LOCAL ORDINANCES AND THE CITY OF PHOENIX ZONING ORDINANCE.

GENERAL NOTES

1. EMPLOYMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSIGNED WATER SHED.
3. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
4. ALL SERVICES REQUIRING SEPARATE PERMITS AND PERMITS:
5. NOT EXCEED ONE FOOT COVERED AT THE PROPERTY LINE. NO MOSE, GROUND OR VIBRATION WILL BE PERMITTED SO THAT IT EXCEEDS THE GENERAL LEVEL OF MOSE, GROUND OR VIBRATION PERMITTED BY USES OUTSIDE OF THE SITE.
6. OWNERS OF PROPERTY ADJACENT TO THIS PROJECT WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL ADJACENT UTILITIES WITHIN THE BOUNDARIES OF THE PROPERTY ADJACENT TO THIS PROJECT.
7. STRUCTURE HEIGHTS SHALL BE IN ACCORDANCE WITH THE CITY OF PHOENIX ZONING ORDINANCE. STRUCTURE HEIGHTS SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 27 FEET.
8. STRUCTURES AND LANDSCAPING WITHIN A TRIANGULAR HEADLAND SHALL BE SET BACK FROM THE PROPERTY LINES WITHIN THE TRIANGULAR HEADLAND AS FOLLOWS: 5 FEET FOR THE FRONT STRUCTURE, 10 FEET FOR ATTACHED SHADE STRUCTURES (NOT TOTAL).
9. THE STRUCTURE SHALL BE SET BACK FROM THE PROPERTY LINES AS FOLLOWS: 5 FEET FOR ATTACHED SHADE STRUCTURES (NOT TOTAL).
10. EACH OF THE STRUCTURES, A BUILDING ENVELOPE AND ACCESSORY USES SUCH AS POOLS, SWIMCAGES, PATIOS AND ACCESSORY STRUCTURES ARE PERMITTED EXCEPT AS OTHERWISE REGULATED BY OTHER CITY CODES AND ORDINANCES.
11. EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT.
12. ADDITIONAL INDIVIDUAL LOT REQUIREMENTS (SEE SETBACK WALL BEHAVIOR) ARE LOCATED ON THE APPROVED PLANNING AND DEVELOPMENT SERVICES DEPARTMENT'S (PDS) GENERAL PERMIT FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.
13. ALL SERVICES ARE TO BE PROVIDED BY THE CITY OF PHOENIX.
14. A MINIMUM 18 FOOT SETBACK SHALL BE PROVIDED FROM THE BACK OF DRIVEWAY TO THE FACE OF THE GARAGE DOOR.
15. AFTER FINAL APPROVAL, THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE CONSTRUCTION COMPLIANCE. THE CITY OF PHOENIX WILL CONDUCT AN INSPECTION TO VERIFY COMPLIANCE WITH ALL CITY CODES AND ORDINANCES. CALL 202-800-1000 AND REQUEST A DEVELOPMENT INSPECTION.
16. ALL SERVICES ARE TO BE PROVIDED BY THE CITY OF PHOENIX.
17. ALL NEW WATER SERVICES WITHIN THE SITE SHALL BE PRIVATE WATER LINES SUBJECT TO THE PHOENIX WATER DEPARTMENT'S (PWS) GENERAL PERMIT FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. THE DEVELOPMENT WILL BE IN COMPLIANCE WITH LOCAL ORDINANCES AND THE CITY OF PHOENIX ZONING ORDINANCE (MCC 18.9.020) WHICH EVER IS APPLICABLE.
18. THE EXISTING SEWER COLLECTION SYSTEM WITHIN THE PROJECT WILL BE A PRIVATE SEWER SYSTEM OWNED AND MAINTAINED BY THE CITY OF PHOENIX. THE DEVELOPMENT SHALL BE IN COMPLIANCE WITH THE CITY OF PHOENIX ZONING ORDINANCE (MCC 18.9.020) WHICH EVER IS APPLICABLE.
19. ALL ONSET WATER LINES SHALL BE PRIVATE TUBING LINES SUBJECT TO THE PHOENIX TUBING CODE.
20. THIS PROJECT IS LOCATED IN THE NORTHWEST DEVELOPMENT IMPACT FEE AREA.



TRACT USE TABLE

TRACT	USE	AREA (SQ)	AREA (AC)
A	LANDSCAPE (OPEN SPACE) / RECREATION / AMENITY	131.61	3.01
B	LANDSCAPE (OPEN SPACE) / RECREATION / AMENITY	42.03	0.97
C	LANDSCAPE (OPEN SPACE)	22.03	0.51
D	LANDSCAPE (OPEN SPACE)	11.06	0.25
TOTAL TRACT USE		177.73	4.08

Saguaro Trails R1-18 PD Lot Coverage Calculation

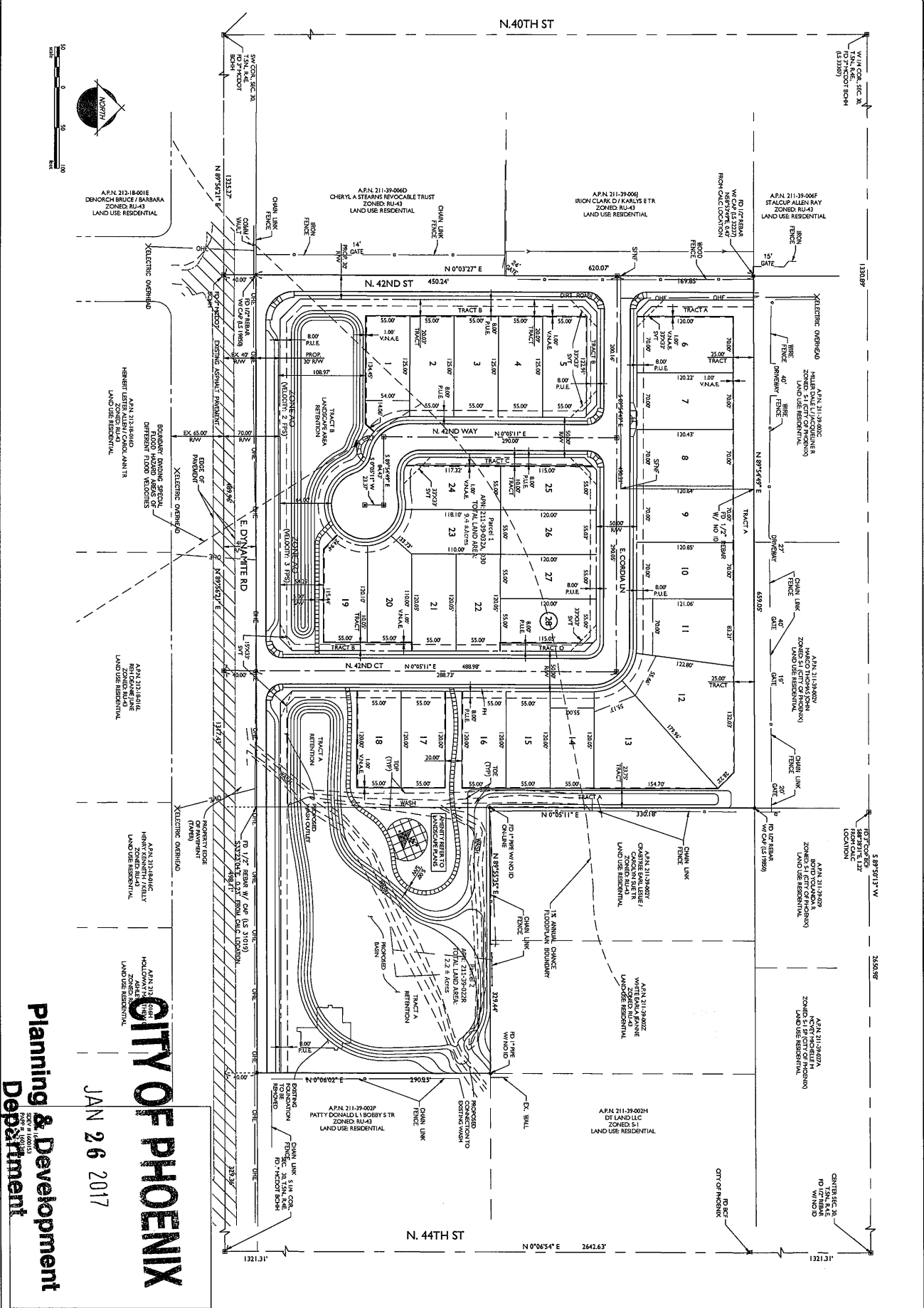
No.	Lot Area (sq ft)	Lot Coverage w/o Shade Structure (ft ² , 40%)	Lot Coverage w/ Shade Structure (ft ² , 40%)
1	776.33	3,089.67	4,355.89
2	697.50	3,497.50	4,125.00
3	697.50	3,497.50	4,125.00
4	697.50	3,497.50	4,125.00
5	697.50	3,497.50	4,125.00
6	697.50	3,497.50	4,125.00
7	860.73	3,389.09	4,138.82
8	817.29	3,362.00	4,211.35
9	817.29	3,362.00	4,211.35
10	817.29	3,362.00	4,211.35
11	817.29	3,362.00	4,211.35
12	1389.26	4,864.35	4,864.35
13	1389.26	4,864.35	4,864.35
14	1389.26	4,864.35	4,864.35
15	660.00	3,300.00	3,860.00
16	660.00	3,300.00	3,860.00
17	660.00	3,300.00	3,860.00
18	660.00	3,300.00	3,860.00
19	660.00	3,300.00	3,860.00
20	660.00	3,300.00	3,860.00
21	660.00	3,300.00	3,860.00
22	660.00	3,300.00	3,860.00
23	660.00	3,300.00	3,860.00
24	660.00	3,300.00	3,860.00
25	660.00	3,300.00	3,860.00
26	660.00	3,300.00	3,860.00
27	660.00	3,300.00	3,860.00
28	660.00	3,300.00	3,860.00
TOTALS:	211,812.33	964,093.33	1,125,299.73

LOT COVERAGE CALCULATION: THE ALLOWED LOT COVERAGE IS 40% OF THE TOTAL LOT AREA. THE TOTAL LOT COVERAGE IS 1,125,299.73 SQ FT. THE TOTAL LOT COVERAGE IS 1,125,299.73 SQ FT. THE TOTAL LOT COVERAGE IS 1,125,299.73 SQ FT.

PLANNING & DEVELOPMENT DEPARTMENT

JAN 26 2017

CITY OF PHOENIX



CITY OF PHOENIX
 Planning & Development
 Department
 JAN 26 2017

OCTOBER 06, 2016 - SITE PLAN SUBMITTAL
 DECEMBER 21, 2016 - SITE PLAN REVISIONS
 JANUARY 25, 2017 - SITE PLAN REVISIONS

Project: Saguaro Trails
 Location: Phoenix, AZ
 Preliminary Site Plan

EPS GROUP
 2045 S. Vineyard Ave, Suite 101
 Mesa, AZ 85210
 T: 480.503.2250 | F: 480.503.2258
 www.epsgroupinc.com



PROJECT TEAM

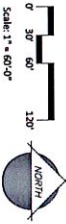
PROPERTY DEVELOPER:
 ECOVISTA DEVELOPMENT LLC
 20451 VINEYARD, SUITE 101
 SCOTTSDALE, AZ 85251
 TEL: (480) 215-6888
 FAX: (480) 215-6888
 CONTACT: STEVE JANDRINE

PLANNER, ENGINEER, AND LANDSCAPE ARCHITECT:
 HESLA, AZ 85110
 20451 VINEYARD, SUITE 101
 TEL: (480) 501-2328
 FAX: (480) 501-2328
 CONTACT: JACQUE GUTHRIE

PROJECT DATA

APN: 211-29-020-023A-003A
LOCATION: N.E.C. DYNAMITE ROAD & 43RD STREET
CITY OF PHOENIX VILLAGES: DESERT VIEW
CURRENT LAND USE: UNDERDEVELOPED
EXISTING ZONING: RU-43 (PINALOPHA COUNTY)
PROPOSED ZONING: R-11.0 (CITY OF PHOENIX)
NET AREA: 411,113.84 AC
LOT SIZE: 57' x 120'
NO. OF LOTS: 22
LOT SIZE: 78' x 120'
NO. OF LOTS: 6
TOTAL NO. OF LOTS: 28
GROSS DENSITY: 4.83 AC (12.38% OF GROSS AREA)
OPEN SPACE: 4.83 AC (12.38% OF GROSS AREA)

- KEYNOTES**
- 1 ENTRY HOUSING
 - 2 4-BDRM WALK
 - 3 ACCESS EAST
 - 4 PEDESTRIAN NODE
 - 5 RAMADA RESIDUAL AREA
 - 6 WALKING TRAIL



PLANT LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
1	Acacia senaria	Sweet Acacia	2' to 4'
2	Callitriche canadensis 'Woodley'	Thymus Canadensis	2' to 4'
3	Callitriche canadensis 'Woodley'	Thymus Canadensis	2' to 4'
4	Callitriche canadensis 'Woodley'	Thymus Canadensis	2' to 4'
5	Callitriche canadensis 'Woodley'	Thymus Canadensis	2' to 4'
6	Callitriche canadensis 'Woodley'	Thymus Canadensis	2' to 4'

SHRUBS/ACCENTS

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
1	Agave americana	Century Plant	5' to 6'
2	Agave americana	Century Plant	5' to 6'
3	Agave americana	Century Plant	5' to 6'
4	Agave americana	Century Plant	5' to 6'
5	Agave americana	Century Plant	5' to 6'
6	Agave americana	Century Plant	5' to 6'
7	Agave americana	Century Plant	5' to 6'
8	Agave americana	Century Plant	5' to 6'
9	Agave americana	Century Plant	5' to 6'
10	Agave americana	Century Plant	5' to 6'
11	Agave americana	Century Plant	5' to 6'
12	Agave americana	Century Plant	5' to 6'
13	Agave americana	Century Plant	5' to 6'
14	Agave americana	Century Plant	5' to 6'
15	Agave americana	Century Plant	5' to 6'
16	Agave americana	Century Plant	5' to 6'
17	Agave americana	Century Plant	5' to 6'
18	Agave americana	Century Plant	5' to 6'
19	Agave americana	Century Plant	5' to 6'
20	Agave americana	Century Plant	5' to 6'
21	Agave americana	Century Plant	5' to 6'
22	Agave americana	Century Plant	5' to 6'
23	Agave americana	Century Plant	5' to 6'
24	Agave americana	Century Plant	5' to 6'
25	Agave americana	Century Plant	5' to 6'
26	Agave americana	Century Plant	5' to 6'
27	Agave americana	Century Plant	5' to 6'
28	Agave americana	Century Plant	5' to 6'

GROUNDCOVERS

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
1	Andropogon scoparius	Thymus Canadensis	1' to 2'
2	Andropogon scoparius	Thymus Canadensis	1' to 2'
3	Andropogon scoparius	Thymus Canadensis	1' to 2'
4	Andropogon scoparius	Thymus Canadensis	1' to 2'
5	Andropogon scoparius	Thymus Canadensis	1' to 2'
6	Andropogon scoparius	Thymus Canadensis	1' to 2'
7	Andropogon scoparius	Thymus Canadensis	1' to 2'
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9	Andropogon scoparius	Thymus Canadensis	1' to 2'
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12	Andropogon scoparius	Thymus Canadensis	1' to 2'
13	Andropogon scoparius	Thymus Canadensis	1' to 2'
14	Andropogon scoparius	Thymus Canadensis	1' to 2'
15	Andropogon scoparius	Thymus Canadensis	1' to 2'
16	Andropogon scoparius	Thymus Canadensis	1' to 2'
17	Andropogon scoparius	Thymus Canadensis	1' to 2'
18	Andropogon scoparius	Thymus Canadensis	1' to 2'
19	Andropogon scoparius	Thymus Canadensis	1' to 2'
20	Andropogon scoparius	Thymus Canadensis	1' to 2'
21	Andropogon scoparius	Thymus Canadensis	1' to 2'
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26	Andropogon scoparius	Thymus Canadensis	1' to 2'
27	Andropogon scoparius	Thymus Canadensis	1' to 2'
28	Andropogon scoparius	Thymus Canadensis	1' to 2'

MATERIALS

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
1	Andropogon scoparius	Thymus Canadensis	1' to 2'
2	Andropogon scoparius	Thymus Canadensis	1' to 2'
3	Andropogon scoparius	Thymus Canadensis	1' to 2'
4	Andropogon scoparius	Thymus Canadensis	1' to 2'
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27	Andropogon scoparius	Thymus Canadensis	1' to 2'
28	Andropogon scoparius	Thymus Canadensis	1' to 2'

CITY OF PHOENIX

JAN 26 2017

Planning & Development Department





Village Planning Committee Meeting Summary Z-73-16-2

Date of VPC Meeting	February 7, 2017
Request From	County RU-43 (Pending S-1) (12.49 acres)
Request To	R1-18 (12.49 acres)
Proposed Use	Single family residential
Location	Northeast corner of the 42nd Street alignment and Dynamite Boulevard
VPC Recommendation	Denied
VPC Vote	4-3 (Bowser, Kruczek, Lagrave)

VPC DISCUSSION & RECOMMENDATION:

Staff provided an overview of the request and summarized the staff report regarding the proposal, findings, and recommended stipulations. Staff further discussed the existing context, zoning and entitlements, as well as how the proposal, as stipulated, is consistent with the surrounding land use pattern in the area.

Committee members requested clarification on the height from staff. Staff clarified that the maximum height allowed with R1-18 is 2 stories or 30 feet.

Ms. Wendy Riddell, Berry Riddell LLC, presented additional details about the request. Ms. Riddell highlighted the multiple revisions of the site plan in working with staff, the fact that Dynamite is designated as a Major Arterial, and that the applicant has helped to connect the city and county regarding the larger area flooding issues that impact the site and the adjacent properties. The applicant also proposed two additional stipulations: one would limit the height on lot 13 to single story and the second would require full cut off light fixtures to prevent light spillage onto adjacent properties.

Committee members had the following questions and concerns:

1. What street improvements are being made?
2. What flooding improvements are being made?
3. Is the east portion of the site developable?
4. The setbacks along Dynamite are appreciated.
5. The extra area dedicated for retention/drainage is appreciated.
6. Lot 23 shares property lines with 5 adjacent lots, this is undesirable.
7. View fencing may not be appropriate for properties that are adjacent to Dynamite Boulevard.
8. What is the flood zone at this location?

9. How much higher in elevation is the Crabtree property (property to the east)?
10. Clarify what full cut off lighting is?
11. Did the applicant consider assembling adjacent properties?

Ms. Riddell responded with the following:

1. The city requires 70 feet of right of way dedication for the north half of Dynamite Boulevard.
2. Larger than required retention areas will help slow and dissipate flood waters.
3. Yes, the east portion of the site can be developed however staff has directed the applicant to preserve the wash in its natural state as much as possible.
4. Noted.
5. Noted.
6. Noted.
7. The applicant agrees and is supportive of the removal of the view fencing stipulation from staff.
8. The applicant called upon the project engineer to provide clarity to the flood zone designation.
9. The exact elevation change was not available; however, it was suggested to be approximately 4 feet.
10. Full Cut off doesn't allow you to see the bulb.
11. The applicant did consider assembling other parcels.

Chairman Bowser opened the floor to public comment.

Ms. Mary Markey, area resident, opposed the project and chose not to speak.

Ms. Lana Cullen, area resident, commented that she opposes the request due to flooding and density concerns.

Ms. Kelly Henry, opposed the project and wished to donate her time to her husband.

Mr. Corky Irion, area resident, raised concerns about area flooding and that the right of way dedication for 42nd Street is not equivalent to what he is dedication on the west side of 42nd Street.

Mr. Tom Marco, area resident, raised concerns about not being notified about this proposal and had additional concerns regarding height and density. Mr. Marco requested that no construction start prior to 6am and that the lighting be restricted to 16 foot light poles.

Mr. KC Henry, area resident, raised concerns regarding the flooding and suggested that the east portion of the property where the wash occurs should not contribute towards the gross acreage and density calculation. Mr. Henry commented that more outreach should have occurred and that this land use is not needed in the area.

Mr. Matt Holloway, area resident, raised concerns regarding the proposed lot sizes which are approximately 15% smaller than those surrounding the property and that the proposal does not fit the character of the area.

Ms. Earla White, area resident, raised concerns about mosquitos in the newly proposed retention areas and reiterated concerns regarding the larger area flooding issues, lighting and impact to wildlife.

Ms. Carlyn Crabtree, area resident, raised concerns regarding the larger area flooding issues.

Ms. Jackie Miller, area resident raised concerns regarding the larger area flooding issues. Ms. Miller also stated that she was not notified of this proposal.

Ms. Mary Markey, area resident, decided to speak and raised concerns regarding development trends in this area.

Ms. Riddell, in rebuttal, responded to some of the public concerns. Ms. Riddell commented that the applicant is happy to restrict the light poles to 16 feet in height. Ms. Riddell commented that the City and County are aware of the larger flooding issues and the applicant has helped to initiate this conversation.

Committee members had the following questions and concerns:

1. What is the depth of the retention basins?
2. Are there any other washes/areas of stormwater runoff on the property?

Ms. Riddell responded with the following:

1. The retention basins are approximately 3 to 4 feet in depth.
2. Yes, other areas of storm water runoff come from the north east and will be guided down a swale along the east portion as well as along the perimeter landscaping on the west portion of the site.

Vice Chair Kruczek commented that there are four issues he is concerned about:

1. We need more expertise from city or county staff regarding the larger area flooding.
2. All the adjacent property owners/neighbors have concerns.
3. The request is not consistent with the General Plan designation of 0-2 du/acre.
4. It appears the proposal is “gaming the system” as the lot sizes are not “large lots” as described by the General Plan.

Mr. Lagrave commented that no one is less in favor than he is however the area already has a flood problem, the property owner has rights as well, and similar cases in the past have encountered similar issues and constraints.

Committee member continued deliberation regarding the market for large lots vs. traditional lots, density, clustering, open space, and integration of the wash.

Motion

Vice Chair Kruczek motioned to approve as recommended by staff with modification and additional stipulations as follows:

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development

Department with specific regard to the following:

- A. The development shall not exceed 28 lots.
 - B. A minimum 20% open space shall be provided.
 - C. The minimum residential lot width shall be 55 feet.
2. The development shall utilize view fencing for homes that side on common open space tracts, as approved by the Planning and Development Department.
 3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

ARCHAEOLOGY

4. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

STREETS

5. Right-of-way totaling 70 feet shall be dedicated for the north half of Dynamite Boulevard, as approved by the Planning and Development Department.
6. Right-of-way totaling 25 feet shall be dedicated for the east half of 42nd Street, as approved by the Planning and Development Department.
7. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. THE DEVELOPMENT SHALL USE FULL CUT OFF AND FULLY SHIELDED EXTERIOR LIGHT FIXTURES, AND ANY STREET LIGHTS WITHIN THE PARCEL SHALL BE MINIMIZED AND USE THE LEAST LUMENS POSSIBLE TO REDUCE LIGHT SPILLAGE FROM THE PROPERTY LINES TO ADJACENT PROPERTIES AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT.
9. STREET LIGHTS WITHIN THE PARCEL SHALL BE LIMITED TO A MAXIMUM OF 16 FEET IN HEIGHT.
10. THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 70 FEET.
11. LOTS 1 THROUGH 19 SHALL BE LIMITED TO SINGLE STORY.

Committee member Mr. Barto seconded.

Friendly Amendment

Committee member Mr. Lagrave requested a friendly amendment to have the motion be for all perimeter lots be limited to single story and that the minimum lot width shall be 70 feet or the minimum lot size shall be 8,400 square feet.

1. The development shall be in general conformance with the site plan date stamped January 26, 2017, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - A. The development shall not exceed 28 lots.
 - B. A minimum 20% open space shall be provided.
 - C. The minimum residential lot width shall be 55 feet.
2. The development shall utilize view fencing for homes that side on common open space tracts, as approved by the Planning and Development Department.
3. A minimum 50-foot landscape setback shall be graded and planted to mimic natural desert landscape along the south property line, as approved by the Planning and Development Department.

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7. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
8. **THE DEVELOPMENT SHALL USE FULL CUT OFF AND FULLY SHIELDED EXTERIOR LIGHT FIXTURES, AND ANY STREET LIGHTS WITHIN THE PARCEL SHALL BE MINIMIZED AND USE THE LEAST LUMENS POSSIBLE TO REDUCE LIGHT SPILLAGE FROM THE PROPERTY LINES TO ADJACENT PROPERTIES AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT.**

9. STREET LIGHTS WITHIN THE PARCEL SHALL BE LIMITED TO A MAXIMUM OF 16 FEET IN HEIGHT.
10. THE MINIMUM RESIDENTIAL LOT WIDTH SHALL BE 70 FEET OR **MINIMUM LOT SIZE SHALL BE 8,400 SQUARE FEET.**
11. **ALL PERIMETER** LOTS 1 THROUGH 19 SHALL BE LIMITED TO SINGLE STORY.

Vote: 3-4 (Bowser, Chew, Nowell, Powell), Motion to approve failed

Staff shared with the committee that a recommendation is still needed for this item. Committee member continued discussion regarding the larger area flooding issue. Staff clarified that the committee may recommend to approve with modifications or additions to the stipulations, recommend to deny, or even recommend to continue, however suggested that the applicant be given an opportunity to respond to any remaining questions or concerns as well as voice their positions on the possibility of a continuation.

Chairman Bowser requested the applicant provide a brief explanation of the proposed flooding mitigation for the site.

Mr. Brian Nicholls, EPS Group, the project engineer provided clarification on the proposals flooding mitigation strategy. Ms. Riddell provided additional information regarding the public outreach strategy and suggested that a continuation would be a hardship for the applicant.

Motion

Vice Chair Kruczek motioned to deny the request. Committee member Mr. Powell seconded.

Vote: 4-3 (Bowser, Kruczek, Lagrave), Motion to deny passed.

Vice Chair Kruczek noted that he voted against the motion to deny as he proposed the motion only because he felt that the committee's discussion had reached its conclusion and that an up-or-down motion was appropriate to move the discussion forward.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

REPORT OF PLANNING COMMISSION ACTION
March 2, 2017

ITEM NO: 11	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-73-16-2
Location:	Northeast corner of the 42nd Street alignment and Dynamite Boulevard
Request:	County RU-43 (Pending S-1) To: R1-18 Acreage: 12.49
Proposal:	Single-family Residential
Applicant:	EcoVista Development LLC/ Seth
Owner:	J & M Aronica Revocable Trust
Representative:	Berry Riddell LLC/ Wendy Riddell esq.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations

Village Planning Committee (VPC) Recommendation:
Desert View 2/7/2017 Denied. Vote: 4-3

Planning Commission Recommendation: Denied

Motion discussion: Commissioner Katsenes made a MOTION to approve Z-73-16-2 as recommended by staff with an additional stipulation that Lots 7, 11 and 13 be limited to one story.

Commissioner Glenn made a friendly amendment to add an additional stipulation that reads as follows:

PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT(S) THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF NEARBY EXISTING RANCHETTES AND ANIMAL PRIVILEGE PRIVATE PROPERTIES THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Commissioner Katsenes accepted the friendly amendment.

Commissioner Glenn Second the motion.

Ms. Gomes asked for clarification regarding the building height stipulation and suggested that the stipulation be added under 1.D and read as follows:

BUILDING HEIGHTS ON LOTS 7, 11 AND 13 SHALL BE LIMITED TO A SINGLE STORY.

Ms. Gomes also asked if staff could get clarification as to what the maximum height of the one story will be because single story means different things to different people.

Commissioner Johnson stated it would be a maximum of 22 feet.

Ms. Gomes then stated that Stipulation 1.D would read as follows:

BUILDING HEIGHTS ON LOTS 7, 11 AND 13 SHALL BE LIMITED TO A SINGLE STORY WITH A MAXIMUM HEIGHT OF 22 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Commissioner Glenn stated that he had struggled as of late regarding this area. He noted that he could not speak for his fellow commissioners but from his perspective he looked for solutions regarding this project. He noted that the applicant had gone a long way to try to solve a lot of non-self-inflicted problems regarding the drainage issues and stated that the solutions provided may not appease everyone. He noted that density was also an issue and had taken guidance from a previous case in the area that approved R1-18 zoning. He believed that this specific zoning district is a good compromise as he could not support R1-10 or R1-6 in the area which had been approved to the east of the subject site. He noted that for those reasons he would be in support of the case tonight as he believed that R1-18 was a good and healthy compromise.

Commissioner Heck commented that the washes scare her because they are everywhere. However, she noted that it sounded as though the applicants worked hard to try to work around mother nature which was a hard thing to do. She stated that while this seemed like a good development she would have to respect the Village Planning Committee on this one and therefore was unable to support the case for that reason.

Commissioner Wininger asked if the motion could be read back before there was a vote made.

Ms. Gomes stated that the motion on the floor was as follows:

Approve Z-73-16-2 as recommended by staff with an additional stipulation that Lots 7, 11 and 13 be limited to one-story and 22 feet, as approved by the Planning and Development Department and an additional stipulation to read as follows:

PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT(S) THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF NEARBY EXISTING RANCHETTES AND ANIMAL PRIVILEGE PRIVATE PROPERTIES THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Commissioner Shank stated that she believed the project was nice and that she would really like to see this built somewhere and believed that the density was not terrible for this neighborhood. She noted that she had a property on 42nd Street and would be siding with the neighborhood and what she heard from the Village. She stated that her neighbors here tonight were not thrilled with this development and that they were not happy with what they were seeing. She noted that she respected the horses and that we have encroached on the horse community and the people really like that lifestyle. She then noted that while she did not live

here full time she was there four days a week riding; therefore, she felt the need to support the neighborhood. She also stated that even though this was not her village she would be voting no on this item.

Commissioner Katsenes stated that she would like to echo the comment made by Commissioner Glenn that all of the commissioners struggled on this item. She noted that the Planning Commission had heard several cases in this area, some that have had additional density compared to what this project had. She also noted that nearly all of the speakers were not opposed to the density of the development but rather the drainage issues. She then stated that she read the Village report and found that drainage seemed to be the topic of most concern. She commented that the applicant and the developer worked hard to address those concerns and that they would not be able to solve all of the issues regarding drainage simply because one small project cannot address all of those concerns and that it was not their responsibility to do so. She further commented that the drainage problem seemed to exist on the property before this project was proposed. She stated that she felt confident that this development will not add to drainage issues and that those questions have been very well addressed which is why she would be in support of this case.

Commissioner Johnson stated that the commission members live throughout Phoenix and that they have made decisions that are part of their neighborhoods and not part of their neighborhoods. He then noted that the commission looked at planning issues and at times these are hard decisions. He stated that it was important to keep in mind that the Planning Commission recommendation was just a recommendation and that City Council would make the final decision. He noted that he hoped the applicant and neighborhood would have time to work together over the next thirty days and find a solution that worked for both parties.

Commissioner Winger stated that she would need to abstain from voting on this item as she could not often hear the discussions over the phone.

Motion details – Commissioner Katsenes made a MOTION to approve Z-73-16-2 as recommended by staff with an additional stipulation that Lots 7, 11 and 13 be limited to one-story and 22 feet and an additional stipulation to read as follows:

PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT(S) THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF NEARBY EXISTING RANCHETTES AND ANIMAL PRIVILEGE PRIVATE PROPERTIES THAT MAY CAUSE ADVERSE NOISE, ODORS, DUST, AND OTHER EXTERNALITIES. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.

Maker: Katsenes

Second: Glenn

Vote: 3-3 (Shank, Montalvo and Heck) (Winger: Abstained)

Absent: Whitaker

Opposition Present: Yes

Note: *There was a quorum of seven members; however, Commissioner Winger abstained from voting on this item, leaving six Commissioners. The vote was split 3-3, therefore the motion did not obtain a majority vote resulting in a denial decision by the Planning Commission.*

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. Please contact Nici Wade at Voice (602) 495-0256 or the City TTY Relay at (602) 534-5500.

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-73-16-2 Northeast corner of the 42 nd Street alignment and Dynamite Boulevard	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	applicant X
APPEALED FROM:	PC 3/2/17	Wendy Riddell 480-682-3902	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 4/5/17	6750 E Camelback Rd, #100 Scottsdale, AZ 85251	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
REASON FOR REQUEST:			
<p>The applicant's representative respectfully requests that the City Council hear rezoning case Z-73-16 at the hearing scheduled for April 5, 2017. The Planning Commission hearing resulted in a tie vote for a variety of reasons that were out of our control, but included the absence of one member and the inability of one Commissioner to hear the discussion due to a faulty telephone connection. Additionally, the applicant is continuing to work with the neighbors.</p>			
RECEIVED BY:	MM / mb for LO	RECEIVED ON:	03/09/17

Alan Stephenson
Sandra Hoffman
Tricia Gomes
Christina Encinas
Stephanie Saenz
Lilia Olivarez, PC Secretary
PLN All



MAR 09 2017

Planning & Development
Department

The **PLANNING COMMISSION** agenda for March 2, 2017 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

- 1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. March 9, 2017.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., March 9, 2017.

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front; back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. March 9, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. March 16, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING: *42nd St alignment*

Z-73-16 APPLICATION NO. NEC 44th Street & Dynamite Blvd. LOCATION OF APPLICATION SITE

March 7, 2017 DATE APPEALED FROM OPPOSITION APPLICANT *Matthew M...* PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Wendy Riddell PRINTED NAME OF PERSON APPEALING *[Signature]* SIGNATURE

6750 E Camelback Road, Suite 100 STREET ADDRESS March 8, 2017 DATE OF SIGNATURE

Scottsdale, Arizona 85251 CITY, STATE & ZIP CODE 480-682-3902 TELEPHONE NO.

REASON FOR REQUEST See attached

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Reason for Request:

The applicant's representative respectfully requests that the City Council hear rezoning case Z-73-16 at the hearing scheduled for April 5, 2017. The Planning Commission hearing resulted in a tie vote for a variety of reasons that were out of our control, but included the absence of one member and the inability of one Commissioner to hear the discussion due to a faulty telephone connection. Additionally, the applicant is continuing to work with the neighbors.

CITY OF PHOENIX

MAR 09 2017

**Planning & Development
Department**

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE PC / CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-73-16-2 Northeast corner of the 42 nd Street alignment and Dynamite Boulevard	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	x
		applicant	
APPEALED FROM:	PC 3/2/17	Ken C Henry 602-723-4752	
	<small>PC/CC DATE</small>	<small>NAME / PHONE</small>	
TO PC/CC HEARING	CC 4/5/17	4307 E Dynamite Boulevard Cave Creek AZ 85331	
	<small>DATE</small>	<small>STREET ADDRESS/CITY/STATE/ZIP</small>	
REASON FOR REQUEST: To require a 3/4 vote by City Council at pending meeting on the application dated 4/5/17			
RECEIVED BY:	MM / LO	RECEIVED ON:	03/08/17

Alan Stephenson
Sandra Hoffman
Tricia Gomes
Christina Encinas
Stephanie Saenz
Lilia Olivarez, PC Secretary
PLN All



MAR 8 2017

The **PLANNING COMMISSION** agenda for March 2, 2017 is attached.

**Planning & Development
Department**

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

- 1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. March 9, 2017.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., March 9, 2017.

- 2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. March 9, 2017.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

- 3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. March 16, 2017.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

2-73-16-2
APPLICATION NO.

N.E. CORNER of 42nd St. ALIGHTMENT and
DYNAMITE BLVD,
LOCATION OF APPLICATION SITE

3/2/17
DATE APPEALED FROM

OPPOSITION
 APPLICANT

Mattie Allen
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

KEI C. HENRY
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

4307 E. DYNAMITE BLVD.
STREET ADDRESS

3/6/17
DATE OF SIGNATURE

CAVE CREEK AZ 85331
CITY, STATE & ZIP CODE

602-723-4752
TELEPHONE NO.

REASON FOR REQUEST TO REQUIRE A 3/4 VOTE BY CITY COUNCIL AT
PENDING MEETING ON THE APPLICATION DATED 3/4/17

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

MAR 8 2017

Petition for THREE QUARTERS Vote by City Council

For

Planning & Development
Department

REZONING APPLICATION #Z-73-16-2

Request: RU-43 to R1-18

Location: Northeast corner of the 42nd Street alignment and Dynamite Boulevard

We the undersigned are OWNERS of property within 150 feet of the property requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three quarters (3/4) vote.

Date	SIGNATURE	Print Name	ADDRESS	APN
3/7/17		Ken C. Henry	4307 E. DYNAMITE BLVD	212-18-016G
3/7/17		Kelly Henry	4307 E. Dynamite Blvd	212-18-016G
3/7/17		ASHLEY HOLLOWAY	4323 E. DYNAMITE BLVD	212-18-016H
3/8/17		Matt Holloway	4323 E. Dynamite Blvd	212-18-016H
3/7/17		YOLANDA BOYD	4308 E. MARK LANE	211-39-029
3/7/17		Earla White	4319 E. Mark Lane	211-39-002Z
3/7/17		Cardyn Sue Crabtree	4315 E Mark Lane	211-39-002Y
3/7/17		Earl L. Crabtree	4315 E Mark Lane	211-39-002Y
3/7/17		SUSAN GARVEY	4335 E. DYNAMITE BLVD	212-18-016J
3/7/17		JERRY PITTMAN	4335 E DYNAMITE BLVD	212-18-016J
3/7/17		JACOBS MILLER	28411 N. 42 nd ST	211-39-002C
3/7/17		LES HEINERT	4209 E. DYNAMITE BLVD	212-18-016D
3/7/17		CAROL HEINERT	4209 E Dynamite Blvd	212-18-016D
3/7/17		CORKY IRION	28232 N. 42 nd ST	211-39-006J
3/7/17		KARLYS IRION	28232 N. 42 nd ST.	211-39-006J
3/7/17		ALLEN STALCUP	28404 N. 42 nd ST.	211-39-006F
3/8/17		TOM MARCO	4234 E. MARK LN	212-39-002V