

## Attachment B

Planning Hearing Officer Summary of August 21, 2019  
Application Z-190-D-84-7  
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### REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer  
Sofia Mastikhina, Planner I, Assisting

August 21, 2019

#### ITEM 2

#### DISTRICT 7

#### SUBJECT:

Application #: Z-190-D-84-7 (PHO-1-19)  
Zoning: R-3A PCD  
Location: Northwest corner of 83rd Avenue and Palm Lane  
Acreage: 5.56  
Request: 1) Deletion of Stipulation No. 2 regarding general conformance to the site plans presented with the rezoning application  
Applicant: Brian Greathouse, Burch & Cracchiolo  
Owner: Guardian Storage Centers, LLC  
Representative: Brian Greathouse, Burch & Cracchiolo

#### **ACTIONS**

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval.

Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee chose not to hear this case.

#### **DISCUSSION**

Brian Greathouse, applicant and representative with Burch & Cracchiolo, stated that the site was part of a 1984 rezoning case for a larger planned community development (PCD) that included multifamily units and several amenities. He explained that in 1993, the majority of the PCD was rezoned to allow multifamily residential, but was developed with single family homes. He stated that the original site plan is no longer practical, and he is requesting to develop the site as a multifamily community. He noted that the proposal is consistent with the R-3A PCD zoning that is currently on the site.

Adam Stranieri stated that neither the multifamily units nor the recreational facility proposed in the original rezoning case were developed. He noted that only a few non-single-family uses were developed within the boundaries of this case – a multifamily complex on McDowell, tree farm, and school. He explained that the approval of the rezoning in 1984 was intended to introduce housing diversity and that is still a valid desire to see in the area. He noted that the City adopted the Maryvale Village Core Plan in 2011 and established an area that envisions a large concentration of mixed use, commercial, and multifamily uses. He explained that the applicant's site is directly adjacent to the western perimeter of the Maryvale Village Core Plan and that the

proposed multifamily development is consistent with the goals of the plan. He added that the proposed development is also consistent with the goals of the original rezoning case.

Mr. Stranieri stated that the stipulated plan in the 1984 rezoning case did not have specific development depicted on the other parcels – the sites to the west and south were depicted as future phases. He noted that the original case may have stipulated to this specific site plan because it provided consideration as to where the major recreational facility and amenities would be located within the PCD and what these would consist of.

Mr. Stranieri indicated that he is inclined to delete the stipulation given that the site is the last parcel within the rezoning area that remains undeveloped and the proposal is consistent with the underlying zoning.

## **FINDINGS**

- 1) The original rezoning action established R-3A, R-4, and Special Permit zoning on approximately 100 gross acres. However, the area of the original rezoning case has been almost entirely developed as single-family residential. Exceptions include one multifamily complex, a public elementary school, and a tree farm along McDowell Road.
- 2) The stipulated site plan depicted a large multifamily development and a major recreational facility on approximately 35 acres of the rezoning area, which includes the subject property of this request. The major recreational facility was proposed to be built on a part of the subject property. Additionally, note that the stipulated site plan only depicts a specific development proposal in the area generally surrounding the recreational facility. All other areas are identified only as future phases. Neither the multifamily use nor the recreational facility were developed. Deleting the stipulation is appropriate because none of the planned development has occurred and the current request comprises a small remaining infill parcel within the original rezoning area.
- 3) The proposed multifamily development is consistent with the intent of the original rezoning case, which sought to increase housing diversity in the Maryvale Village. This goal has also been recently reaffirmed with the 2011 adoption of the Maryvale Village Core Plan. The boundaries of the Plan are roughly between 75<sup>th</sup> Avenue and 83<sup>rd</sup> Avenue and Thomas Road to McDowell Road. The Plan envisions greater mixed use, commercial, and multifamily uses in the Village Core and in proximity to major amenities such as the Ak-Chin Pavilion. The subject property is immediately adjacent to the western boundary of the Plan area.

**DECISION:** The Planning Hearing Officer recommended approval.

## **STIPULATIONS**

1.	<del>That</del> THE Development SHALL be in conformance with the approved Master Street Plan, Master Landscape Plan, and Master Grading and Drainage Plan.
2.	<del>That site development be in general conformance to the site plans presented with the rezoning application.</del>
2. 3.	That within 90 days of final City Council approval of this change of zone, an updated PCD General Development Plan be submitted for review and approval.
3. 4.	<del>That</del> The recreational facilities are limited to use of residents of the Amberlea PCD only.
4. 5.	<del>That</del> The development SHALL be limited to 2056 dwelling units for those parcels under application.
5. 6.	<del>That</del> The original dwelling unit cap for the Amberlea PCD SHALL be limited to 3,475 units.

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