

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer
Bradley Wylam, Planner I, Assisting

June 15, 2022

ITEM NO: 4

DISTRICT 6

SUBJECT:

Application #: PHO-1-22--Z-275-84-6
Location: Approximately 550 feet east of the northeast corner of 48th Street and Virginia Avenue
Zoning: R-3
Acreage: 0.62
Request: 1) Deletion of Stipulation 1 limiting development to eight units.
2) Deletion of Stipulation 2 limiting building height to one story.
Applicant: Leodra Bowdell, Phoenix Permit Service
Owner: Camelback View Apartments LLC
Representative: Leodra Bowdell, Phoenix Permit Service

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee opted not to hear this request.

DISCUSSION:

Leodra Bowdell, representative with Phoenix Permit Services, stated the subject site is one of five parcels included in a larger 28-unit multifamily residential development. She stated that the multifamily development proposed in the original rezoning case was never developed. She stated that the proposed deletion of Stipulation 1 limiting the development to 8 units, as well as the deletion of Stipulation 2 limiting the building height to one story, would allow the larger development to occur according to R-3 standards. She stated that they had correspondence with neighbors during a recent Zoning Adjustment hearing process concerning utility constraints, but there were no issues with the development itself. She noted that the alley to the north would be abandoned prior to development.

Rich Hasl stated that he had concerns regarding traffic and how traffic issues are reviewed throughout the City's development processes. Mr. Stranieri and Ms. Bowdell noted that traffic studies may be completed depending on Street Transportation Department recommendations and that traffic impacts are considered as the developer continues through the development process.

Edgar Assaker raised concerns regarding homeless communities and traffic near 51st Avenue and Cactus Road. Mr. Stranieri asked if the subject site for the case he is referring to is related to Item 2 (PHO-1-22—Z-147-06-1). Mr. Assaker stated that Item 2 is what he is concerned with. Mr. Stranieri stated that Item 2 had been approved with modifications and additional stipulations earlier in the hearing.

Adam Stranieri, Planning Hearing Officer, stated that no public correspondence was received, and the Camelback East Village Planning Committee opted not to hear the case. He noted that there are no department comments of note regarding the request. He stated that the proposed site plan may comply with Stipulation 1 limiting the development to eight units, however he noted that the deletion would only allow for a maximum of 9 units comparatively if developed to the hypothetical maximum per R-3 standards. He stated that the proposed deletion of Stipulation 1 is recommended for approval. He stated that Stipulation 2 limiting the development to one story, would only restrict the number of stories and not the maximum building height. Therefore, he recommended approval of its deletion. He stated that a Recorded Proposition 207 Waiver is still required prior to preliminary site plan approval and is recommended to be added as a stipulation.

FINDINGS:

- 1) The request to delete Stipulation 1 limiting development to eight units is recommended for approval. In the original rezoning case, this restriction was not based on any development plan and historic aerials indicate no new structures have been developed since the original approval. The underlying zoning would otherwise permit only up to nine units (based on 0.62 gross acres utilizing the R-3, Table B, PRD development option at 15.23 dwelling units per gross acre). The requested modification does not represent a significant deviation from the original stipulation.
- 2) The request to delete Stipulation 2 restricting height to a single-story is recommended for approval. The original stipulation was not prescriptive regarding the building height measurement and would otherwise permit a single-story building at a maximum of 30-feet in height. The proposal is compatible with the land use pattern in the surrounding area which includes similar two-story multifamily residential development along Virginia Avenue, west of the 49th Street alignment. Finally, the applicant

noted that the request would allow consistency in design as the property is proposed to develop in conjunction with property adjacent to the west.

STIPULATIONS:

1.	That development be limited to eight units developed with joint access through the parcel to the west to Virginia Avenue.	
2.	That building height not exceed one story.	
1.	That Sufficient right-of-way SHALL be dedicated within one year of final	
3.	City Council action to provide:	
	a.	An eight-foot south half alley dedication along the north property line.
2.	PRIOR TO PRELIMINARY 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.	

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. To request a reasonable accommodation, please contact Les Scott at 602-376-3981 or TTY: 7-1-1.