

REPORT OF PLANNING HEARING OFFICER ACTION  
Teresa Hillner, Planner III, Hearing Officer  
Jazmine Braswell, Planner I, Assisting

April 18, 2018

ITEM 4

DISTRICT 8

SUBJECT:

Application #: Z-49-17-8  
Zoning: R1-8  
Acreage: 38.84  
Location: Northwest corner of 55th Avenue and Elliot Road  
Proposal: 1) Modification of Stipulation No. 1 regarding conceptual elevations  
being approved by the Planning Hearing Officer prior to preliminary  
site plan approval.  
2) Review of Stipulation No. 1 regarding Planning Hearing Officer  
review and approval of conceptual elevations.  
Applicant: Richard Jellies, The Lead Group, LLC  
Owner: Miller Farm Investments, LLC  
Representative: Richard Jellies, The Lead Group, LLC

**ACTIONS:**

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed, approved with modifications.

Village Planning Committee (VPC) Recommendation: At their April 9, 2018 meeting, the Laveen Village Planning Committee recommended approval with modifications by an 9-0 vote.

**DISCUSSION:**

Mr. Kent Baker, representing the applicant, stated their request is to modify Stipulation No. 1 to allow for the elevations to be approved prior to final plat approval. Ashton Woods is currently in escrow for this site. He stated there is full support from the Laveen Village Planning Committee and the LCRD and both committees approved the elevations unanimously.

Ms. Teresa Hillner stated the proposed elevations were not presented during the original zoning case and she is glad they have a builder on board now. She stated the Laveen Village Planning Committee was unanimous in deleting a portion of the stipulation. She stated all the lots are of sizes the would require single-family design review.

Mr. Baker stated that was correct.

Ms. Hillner stated she likes the product and the design is consistent with the sounding area. She stated she is going to deny the request as filed and approved a modified stipulation.

**FINDINGS:**

1. When the original rezoning case went through the process, conceptual building elevations were not available so a stipulation was added to require a public hearing process to evaluate the conceptual elevations. The remainder of that stipulation gave some guidance as to what is expected for the building elevations.
2. The building elevations provided by the applicant now are complementary to the surrounding neighborhoods. They incorporate the four-sided architecture and detailing desired by the stipulation.

**DECISION:**

The Planning Hearing Officer recommended denial as filed, approved with modifications.

**STIPULATIONS:**

1. Conceptual elevations shall be IN GENERAL CONFORMANCE TO THE ELEVATIONS DATE STAMPED FEBRUARY 22, 2018 ~~reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval.~~ The elevations shall comply with the requirements of single-family design review and shall incorporate four-sided architecture, exterior accent materials, detailing, and a color palette, that conveys a sense of continuity throughout the development.
2. The developer shall provide detached sidewalks along both 55th Avenue and Elliott Road. A minimum five-foot wide landscaped strip shall be located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department.
3. The streetscape landscaping along Elliott Road shall be installed and maintained with minimum 50% 2-inch caliper shade trees and a minimum 50% 3-inch caliper shade trees planted a minimum of 20 feet on center, staggered on both sides of the sidewalk, or equivalent groupings for a depth of 25 feet. An additional 25 feet shall be landscaped with 2-inch caliper shade trees 30 feet on center or equivalent groupings. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.
4. The developer shall provide a landscaped entry feature located on both sides the south entrance into the development along Elliott Road, as approved by the

Planning and Development Department.

5. The developer shall construct a minimum 10-foot wide pedestrian pathway within a 30-foot wide centralized open space tract that connects from Elliot Road to the northern boundary of the site, as approved by the Planning and Development Department.
6. The perimeter walls adjacent to 55th Avenue shall include minimum 3-foot v-shaped offsets at a minimum interval of every four lots. Additionally, materials and textural differences such as stucco and/or split face block, decorative concrete, brick, and stone, or a combination of these materials with block stucco walls shall be incorporated, as approved by the Planning and Development Department.
7. The lots located at the most southern and eastern boundaries of the site shall be limited to a maximum of 50% 2-story homes, with no two 2-story homes built adjacent to each other, as approved by the Planning and Development Department.
8. The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 20-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, along the north side of Elliot Road and the west side of 55th Avenue, as approved by the Planning and Development Department.
9. The following right-of-way dedications shall be provided and shall be consistent with the Tierra Montana PCD Master Street Plan, as approved by the Planning and Development Department:
  - a. Thirty feet shall be dedicated for the west half of 55th Avenue.
  - b. A total of 50 feet shall be dedicated for the north half of Elliot Road.
10. 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.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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