

ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION Byron Easton, Planner III, Hearing Officer Logan Zappolo, Planner I, Assisting

October 15, 2025

ITEM NO: 2	
	DISTRICT NO. 6
SUBJECT:	
Application #:	PHO 1-25--Z-SP-29-98-6
Location:	Northeast corner of 48th Street and Holly Street
Zoning:	R-3 SP, C-O/G-O HGT/WVR
Acreage:	2.83
Request:	1) Request to modify Stipulation 1 regarding general conformance with the site plan date stamped February 1, 1999.
Applicant:	Madison Leake, Burch & Cracchiolo, P.A.
Owner:	Harry Antram, Diocese of Phoenix Catholic Cemeteries & Funeral Homes
Representative:	Madison Leake, Burch & Cracchiolo, P.A.

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement. On November 13, 2025, the Planning Hearing Officer took the case out from under advisement and recommended approval with an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee heard this request on October 7, 2025 and recommended approval by a vote of 15-0.

DISCUSSION:

Madison Leake, representative with Burch & Cracchiolo P.A., introduced their client, St. Francis Catholic Cemetery, and provided an overview of the addition proposed on the existing building located on the northern portion of the property. Ms. Leake went on to provide additional background information related to the zoning history that established the existing zoning of R-3 SP, C-O/G-O SP HGT/WVR on the site. She indicated the proposal was to update the 1999 stipulated site plan, to include a mortuary to hold funeral services on site. Ms. Leake gave a description of the proposed elevations, noting the elevations are integrated with the existing building, and they feature stained glass and a brick facade to create the proposed church/chapel-like appearance.

Ms. Leake stated the applicant met with the Camelback East Village Planning Committee, and they unanimously recommended approval of this item. She mentioned the applicant worked with the Streets and Traffic Department to gain preliminary approval of access to the site and that both parties were comfortable with the access shown on the proposed site plan. She went on to state they also received comments from the Fire Department, all of which are being addressed through the site plan review and construction plan review process.

Byron Easton, Planning Hearing Officer, asked if they attended a site plan pre-application meeting for this submittal.

Ms. Leake confirmed they have gone through the site plan pre-application process.

Mr. Easton stated that according to the pre-application comment sheet, direct access from a public street to any mortuary use shall be prohibited. The conceptual site plan shows two points of access at the northwest corner of the parcel. He asked Ms. Leake if she could provide information on how they intend to address that comment.

Ms. Leake explained that she has documentation from the Streets Department confirming the access has been rectified. She stated the two proposed access points off 48th Street are for service vehicles and entrance only. She stated the streets department confirmed this would satisfy that requirement. She added this will be further reviewed and confirmed during the site plan review process.

Mr. Easton stated that in order to recommend approval of a modification to general conformance, he needs to confirm the proposed access points have received preliminary review/approval from the Streets Transportation Department. He asked if Ms. Leake could provide any written correspondence from the Streets Transportation Department indicating the access has been approved.

Ms. Leake explained an email from the Streets Transportation Department indicating they provided comments to include what is shown on the proposed site plan.

Mr. Easton asked for clarification on the egress for the service vehicles.

Ms. Leake confirmed the service vehicles are intended to enter from 48th Street, navigate through the parking lot and exit off Holly Street.

Mr. Easton stated the correspondence does not rectify the Zoning Ordinance Section related to access from a public street.

Ms. Leake asked for confirmation of the referenced Zoning Ordinance Section.

Mr. Easton reiterated Section 647.A.1.b for reference and confirmed this is intended for ingress and egress from a public street.

Ms. Leake stated she had discussions with senior city staff early in the process and was told the proposed access would satisfy the referenced Ordinance Section. She added that to her knowledge, the proper way to address the Ordinance Section would be to apply for variance after the PHO process is completed.

Mr. Easton agreed and asked if Ms. Leake has any written correspondence from senior staff confirming this site plan is complying with the referenced Ordinance Section.

Ms. Leake explained the proposed access is intended for service vehicle access only, not public access and thus would satisfy the requirement.

Mr. Easton asked if the gates would have a fob or key for service vehicle entry.

Ms. Leake confirmed the service vehicle entrances will have a form of entry security.

Mr. Easton reiterated the referenced Ordinance Section and stated the intent of the requirement is any access off the public street.

Ms. Leake included her interpretation of the referenced Ordinance Section, stating the intent of the Ordinance Section is for traffic generation, which service vehicles only will not generate traffic.

Mr. Easton stated that depending on the number of trips to the mortuary, traffic may be generated, especially for the type of use proposed.

Ms. Leake stated there may be one to two service vehicles per day.

Mr. Easton asked for confirmation of the proposed addition for a mortuary only and not a crematorium.

Ms. Leake confirmed the proposed addition is only a mortuary.

Mr. Easton described correspondence received from the Fire Department stating the proposed site plan shows the fire access will not work with the proposed turning radius. He asked how they addressed this comment.

Ms. Leake included she did not read that the proposed design will not work, however, she has reviewed the plan with their architect who confirmed each comment will be met.

Mr. Easton compared Site Plan Pre-Application comments versus the comments received for the PHO hearing. He asked Logan Zappolo, Planning Hearing Officer Assistant, if he knew which turnaround is indicated in the Fire Department comments.

Mr. Zappolo confirmed this was intended for the turnaround located at the center of the site.

Ms. Leake reiterated all comments will be addressed through the site plan review process.

Mr. Easton noted there is conflict between pre-application comments versus the PHO Hearing comments. He asked if they have anyone on the call that can speak to the Fire Department comments.

Ms. Leake stated she read through the comments received and stated they have not received comments stating they are not meeting the requirement.

Mr. Easton confirmed the PHO reviewer submitted comments indicating access issues, and a comment from the site plan pre-application referenced fire sprinklers. He will need to confirm the department's true intent prior to issuing a recommendation.

Mr. Easton took the case Under Advisement.

Ms. Leake asked if there was any documentation necessary to provide.

Mr. Easton requested correspondence from senior staff regarding the required ordinance section and any correspondence from the Fire Department confirming approval of the proposed access.

Ms. Leake suggested approval with a stipulation as an alternative and added the proposed site plan is subject to amendments.

Mr. Easton stated the general conformance to a site plan must be within 10 percent. Mr. Easton and Mr. Zappolo confirmed City Council dates and stated they will attempt to keep this on the November 19th City Council Agenda.

FINDINGS:

- 1) The request to modify Stipulation 1 regarding general conformance to a site plan is recommended for approval with a modification to provide more standard conformance language. The original rezoning cases, approved in 1999 under cases 117-98-6 and SP 29-98-6, rezoned 2.81 acres to allow the expansion of a cemetery and corporate office for St. Francis.

The proposed mortuary building will be an expansion of the existing office building on the R-3 SP portion of the site and requires an update to the site plan originally submitted with the 1999 zoning cases.

The stipulated site plan for this area depicted an approximately 13,720 square foot office building located at the northwest corner of the parcel and parking along the south and east property lines. The proposed conceptual site plan depicts the existing building with an approximately 10,312 square foot addition that will be approximately 28 feet tall. The new building will be approximately 25,029 square feet.

The site offers no public vehicular access to 48th street and all public access to the site shall be from East Holly Street. The two entrance only access points to 48th Street are noted on the proposed site plan and have been reviewed by the Streets Transportation Department. The proposed site plan may need to be redesigned after the original submittal to address concerns raised in correspondence received by staff regarding turning radius for Fire Department apparatus.

The proposal is compatible with its location adjacent to a working cemetery that is owned and operated by the property owner. The proposed lot coverage and height are below the maximum permitted by the current zoning and consistent with the original approval. The recommendation for general conformance will control for deviation from the proposed plans.

- 2) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record.

STIPULATIONS:

1.	That THE development SHALL be in general conformance WITH to the site plan dated STAMPED OCTOBER 16, 2025, February 1, 1999, as may be modified by the following stipulations, Ordinance requirements and Development Services Department site plan review. AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	That The height of the building be limited to 34 feet.
3.	That Any walls along the west and south property lines SHALL be constructed of stone masonry and steel pickets to match the character of

	existing fencing on the cemetery property.
4.	That Any fence constructed along the east property line SHALL be constructed of wood, or with chain link in conjunction with a landscaped hedge which will serve to screen the cemetery property.
5.	That Signage SHALL be limited to that allowed under the R-5 district standards.
6.	That The building SHALL be designed to complement the residential character of the area, with such design to be approved through PLANNING AND Development Services Department review.
7.	PRIOR TO FINAL 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 Saneeya Mir at saneeya.mir@phoenix.gov or (602) 686-6461 or TTY: 7-1-1