

Attachment B



City of Phoenix

Staff Report: PHO-2-22--Z-47-17-8

APPLICATION #: PHO-2-22--Z-47-17-8

LOCATION: Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane

EXISTING ZONING: R1-10

ACREAGE: 5.12

REQUEST:
1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped July 28, 2017.
2) Review of conceptual elevations by the Planning Hearing Officer per Stipulation 4.

APPLICANT: Terrascape Consulting, LLC

OWNER: Bella Rosa Partners, LLC

REPRESENTATIVE: Terrascape Consulting, LLC

STAFF RECOMMENDATION

Approval with modifications and additional stipulations, as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION

The Planning Hearing Officer heard the request on August 17, 2022 and recommended approval with modifications and additional stipulations.

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The South Mountain Village Planning Committee heard this request on August 9, 2022 and recommended approval by a vote of 7-4.

BACKGROUND/ANALYSIS

The subject site consists of 5.12 gross acres located approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane and is zoned R1-10 (Single-Family Residence District). The subject property constitutes only the southern portion of the 11.15 gross acres included in original Rezoning Case No. Z-47-17.

The applicant requested modification of Stipulation 1 regarding general conformance with the site plan date stamped July 28, 2017. The stipulated site plan (Exhibit H) depicted a 32-unit subdivision at a density of approximately 3.03 dwelling units per gross acre on the full 11.15 gross acres of the original rezoning case area. Approximately 15 dwelling units were depicted on the southern half of the site. The proposed conceptual site plan (Exhibit G) depicts an 18-unit single-family subdivision at approximately 3.51 dwelling units per gross acre. A single street terminating in a cul-de-sac on the western edge of the site is proposed, and approximately 9 percent of the gross area would be reserved for common area open space. The lots are 58 feet wide with minor variations around the cul-de-sac.

Building elevations were not provided in the original rezoning case. Stipulation 4 requires that conceptual elevations be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process. The proposed conceptual elevations (Exhibit I) depict single-story homes at a maximum height of approximately 19 feet 6 inches to the ridge. These proposed elevations were also redesigned and resubmitted after the August 9, 2022 South Mountain Village Planning Committee (VPC) meeting to address their recommended additional stipulation regarding covered porches. The elevations depict a variety of building materials (stone façade, composite siding, wood elements, brick veneer), multiple building colors, variation in roof design, and multiple architectural features (wood posts, gable ornamentation, varied window sizes, decorative garage panels).

The appellant argues that the proposed increase in density is not appropriate for this community and does not provide any transition to S-1 zoned properties in the surrounding area. The appellant states that she supports preservation of rural character, consistency with the Rio Montaña Area Plan, single-story development, and a maximum density of 3 dwelling units per gross acre.

PREVIOUS HISTORY

On January 10, 2018, the Phoenix City Council approved Rezoning Case No. Z-47-17-8, a request to rezone approximately 11.15 gross acres located approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane from S-1 (Ranch or Farm Residence), R1-10 (Single-Family Residence District), and R1-18 (Single-Family Residence District) to R1-10 (Single-Family Residence District), subject to stipulations.

On February 20, 2019, the Phoenix City Council approved a modification of Stipulation 3 as recommended by the Planning Hearing Officer regarding the timing of the elevation review by the South Mountain VPC. This modification was intended to allow the VPC to

review elevations prior to final site plan approval rather than preliminary site plan approval. On August 9, 2022, the South Mountain VPC meeting reviewed the elevations per Stipulation 3 as a separate agenda item from the PHO request and recommended approval with two recommendations regarding staggered lots and front porches (Exhibit K). For further discussion, see Planning Hearing Officer Finding #1.

NEIGHBORHOOD CONCERNS

Public Correspondence

Twelve letters of opposition were received regarding this request. Concerns expressed include the following:

- Increase in density compared with the stipulated site plan (12 letters)
- Building height (12 letters)
- Reduction in open space compared with the stipulated site plan (11 letters)
- Enhanced setbacks along 19th and 20th Avenues (11 letters)
- Increased shade and heat mitigation measures (11 letters)
- Concern regarding Rio Montaña Area Plan conformity (11 letters)

GENERAL PLAN LAND USE MAP DESIGNATION

Residential 2 to 3.5 dwelling units per acre

CHARACTER OF SURROUNDING LAND USE

	Zoning	Land Use
On-site:	R1-10	Vacant
North:	R1-10	Vacant
South:	S-1	Single-Family Residential
East: (Across 19th Avenue)	S-1	Tree Farm
West: (Across 20th Avenue)	S-1	Single-Family Residential

PLANNING HEARING OFFICER FINDINGS

The Planning Hearing Officer's recommendation was based on the following findings:

- 1) The South Mountain Village Planning Committee (VPC) heard two agenda items regarding this case at their August 9, 2022 meeting. The first (Agenda Item #7)

was the PHO request itself. The second (Agenda Item #8) was for review and comment on architectural elevations per the requirements of Stipulation 3. Note that Stipulation 3 is redundant of, and less restrictive than, the requirement for PHO review of conceptual elevations required by Stipulation 4. However, during the review and comment item, the VPC made two recommendations regarding the provision of staggered front setbacks and front porches. These recommendations are addressed in these findings along with the consideration paid to the VPC's discussion during the PHO request itself.

- 2) The request to modify Stipulation 1 regarding general conformance with the site plan is recommended for approval with modifications to provide more standard conformance language and to add a new sub-stipulation requiring staggered front setbacks.

The subject property includes only the southern 5.12 gross acres of the 11.15 gross acres rezoned in the original case. The stipulated site plan depicted a 32-unit single-family subdivision at approximately 3.03 dwelling units per gross acre and approximately 13.9% open space. Units were arranged around four cul-de-sacs oriented north/south, with most of the open space along the west property line. The street running east/west through the site terminated in an emergency gate along the west property line.

The proposed conceptual site plan depicts an 18-unit single-family subdivision at approximately 3.51 dwelling units per gross acre, with approximately 9% open space. Units are arranged along a street running east/west through the site. The street terminates in a cul-de-sac along the west property line. Most of the open space is along the west property line. The proposal is substantially similar to the stipulated site plan, with the caveat that it is designed with less than half of the original area. The density remains below, and the open space above, Ordinance standards. The proposal is compatible with existing development in the surrounding area.

A new sub-stipulation is recommended requiring staggered front setbacks. This recommendation is consistent with the recommendation of the South Mountain Village Planning Committee. It is also consistent with design recommendations in the Rio Montaña Area Plan (Page 39, Figure 71).

- 3) The applicant submitted conceptual elevations for review and approval per the requirements of Stipulation 4. The stipulation has been complied with and is recommended to be deleted and replaced with a standard language stipulation for general conformance to the elevations provided. Stipulation 4 states that the elevations submitted should be consistent with recommendations in the Rio Montaña Area Plan. The elevations depict a variety of building materials (stone façade, composite siding, wood elements, brick veneer), multiple building colors, variation in roof design, and multiple architectural features (wood posts, gable ornamentation, varied window sizes, decorative garage panels). This diversity is

consistent with the Rio Montaña Area Plan and many of the design choices are compatible with the rural and agricultural character described in the plan.

- 4) An additional stipulation is recommended to require front porches to be provided per the requirements of the Baseline Area Overlay District (651.E.3.b.(4)). This recommendation is consistent with the recommendation of the South Mountain Village Planning Committee. It is also consistent with the Rio Montaña Area Plan (Page 22; Page 23; Page 44, Figures 97 and 100) and the intent of Stipulation 4.
- 5) The Street Transportation Department recommends one additional stipulation addressing required dedications, detached sidewalks, and landscaping along 19th Avenue. This stipulation is recommended for inclusion.

19th Avenue is identified on the City Council Approved Street Classification Map as a D-Section Arterial roadway. This cross section requires a total right-of-way dedication of 50-feet where the last 10-feet may consider a 10-foot-wide sidewalk easement. Within the ROW/sidewalk easement, an 11-foot-wide landscape strip located between back of curb and sidewalk is required to create a separated detached sidewalk and allow planting space for trees to mature and to adequately shade the sidewalk.

While Stipulation 2 (not a part of this request) addresses detached sidewalks, requiring a minimum 5-foot-wide landscape strip between back of curb and sidewalk, this does not override the City Council approved Street Classification Map. While all other detached sidewalks within the development may allow the 5-foot-wide landscape strip, 19th Avenue cannot and shall comply with the recommended stipulation as described.

- 6) 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.

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS

1.	The development shall be in general conformance with the site plan date stamped JUNE 30, 2022 July 28, 2017 , as modified by the following stipulations and approved by the Planning and Development Department, WITH SPECIFIC REGARD TO THE FOLLOWING:
A.	THE SITE PLAN SHALL DEPICT STAGGERED FRONT SETBACKS FOR COVERED BUILDING ELEMENTS, SUCH THAT ANY TWO ADJACENT LOTS SHALL PROVIDE A MINIMUM VARIATION IN FRONT SETBACK OF 4 FEET.

2.	All sidewalks shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings staggered along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the HOA.	
3.	Architectural elevations shall be presented to the South Mountain Village Planning Committee for review and comment prior to final site plan approval.	
4.	Conceptual elevations shall be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED AUGUST 17, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
5.	COVERED PORCHES A MINIMUM OF SIXTY SQUARE FEET IN AREA AT A DEPTH OF AT LEAST SIX FEET SHALL BE PROVIDED IN THE FRONT YARD OF FIFTY PERCENT OF THE HOMES IN A SUBDIVISION. NO PORCH SHALL TERMINATE WITHIN THE PLANE OF A DOOR OR WINDOW.	
6. 5.	The perimeter wall adjacent to 19th Avenue shall include minimum 3-foot offsets at a minimum spacing of every 50 feet and material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.	
7. 6.	Fence and wall materials adjacent to common areas and open space as depicted on the site plan date stamped July 28, 2017 shall consist of wrought iron, split rail, corral fencing, or a combination of 3 feet of solid masonry topped by open wrought iron or a similar material, or a combination of the aforementioned fence types and open farm fencing, as approved by the Planning and Development Department.	

8.	THE DEVELOPER SHALL DEDICATE MINIMUM 50-FEET OF RIGHT-OF-WAY ALONG THE WEST SIDE OF 19TH AVENUE. IMPROVEMENTS SHALL INCLUDE A MINIMUM 5-FOOT-WIDE DETACHED SIDEWALK AND MINIMUM 11-FOOT-WIDE LANDSCAPE STRIP LOCATED BETWEEN THE BACK OF CURB AND SIDEWALK, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. LANDSCAPE STRIP PLANTING REQUIREMENTS TO BE APPROVED BY PLANNING AND DEVELOPMENT.
9. 7.	The developer shall dedicate right-of-way totaling 25 feet for the east half of 20th Avenue, as approved by the Planning and Development Department
10. 8.	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. 9.	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.
12. 10.	The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. 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.
13.	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.

Exhibits

- A – Appeal Document (2 pages)
- B – Applicant's Narrative (12 pages)
- C – Aerial Map (1 page)
- D – Zoning Map (1 page)
- E – Recorded Ordinance from Rezoning Case No. Z-47-17 (5 pages)

- F – Sketch Map from Rezoning Case No. Z-47-17 (1 page)
- G – Proposed Site Plan date stamped June 30, 2022 (1 page)
- H – Stipulated Site Plan date stamped July 28, 2017 (2 pages)
- I – Proposed Elevations date stamped August 17, 2022 (4 pages)
- J – South Mountain Village Planning Committee Summary from August 9, 2022 for PHO-2-22—Z-47-17-8 (4 pages)
- K – South Mountain Village Planning Committee Summary from August 9, 2022 for Review and Comment Item Regarding Stipulation 3 (4 pages)
- L– PHO Summary for PHO-2-22—Z-47-17-8 from August 17, 2022 (9 pages)

EXHIBIT A

PLANNING HEARING OFFICER APPEAL I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:			
CASE NUMBER:	PHO-2-22—Z-47-17-8		
LOCATION:	Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane		
PHO HEARING DATE:	August 17, 2022	RECEIVED:	August 24, 2022
APPEALED BY:	☒ Opposition	☐ Applicant	
APPEALED TO:	PLANNING COMMISSION	October 6, 2022	
		TENTATIVE DATE	
	CITY COUNCIL	November 2, 2022	
TENTATIVE DATE			
APPELLANT NAME AND ADDRESS/EMAIL:		PHONE:	
Jewel Clark 2020 West South Mountain Avenue Phoenix, AZ 85041 hjewelclark@fastmail.com		480-664-9436	
RECEIPT NUMBER:			
REASON FOR REQUEST:			
The community opposes the change from 3 houses/acre to 3.5 houses/acre on this application b/c it does not align with current appropriate density or even appropriate transition to the surrounding established properties, which are all S-1 Acre + homes. The community has worked hard to keep our rural character by keeping density in new developments low, no more than 3 houses/acre, and working with developers to align better to the Rio Montana Plan, which guides Our area's look/feel. While we are grateful the development will be all single story, we do not want this density held up as a precedent for any future approvals in our area. It is a disappointing exception to the rule.			
TAKEN BY:	Camryn Thompson		

c: Alan Stephenson
 Joshua Bednarek
 Tricia Gomes
 Racelle Escobar
 Julie Garcia
 Ben Ernyei - Posting
 GIS Team

Adam Stranieri
 Greg Harmon
 Brad Wylam
 Victoria Cipolla-Murillo



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

AUG 24 2022

Planning & Development
Department

The PLANNING HEARING OFFICER agenda for August 17, 2022 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on September 21, 2022 Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY THE PLANNING COMMISSION is filed by 5:00 p.m. on August 24, 2022. (There is a \$630 fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission 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. on August 24, 2022.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

PHO-2-22—Z-47-17-8
APPLICATION NO.

~ 130 feet north of the northwest corner of 19th Ave. & Latona Ln.
LOCATION OF APPLICATION PROPERTY

Jewel Clark
NAME (PLEASE PRINT)

☒ OPPOSITION

☐ APPLICANT

2020 West South Mountain Ave.
STREET ADDRESS

Phoenix, AZ 85041
CITY, STATE AND ZIP CODE

480.664.9436
TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

APPEALED FROM <u>August 17, 2022</u> DATE	PHO HEARING TO <u>10/6/22</u> DATE	PC HEARING
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SIGNATURE: Jewel Clark

DATE: 8/24/22

REASON FOR APPEAL:

The community opposes the change from 3 houses/acre to 3.5 houses/acre on this application b/c it does not align with current appropriate density or even appropriate transition to the surrounding established properties, which are all S-1 Acre + homes. The community has worked hard to keep our rural character by keeping density in new developments low, no more than 3 houses/acre, and working with developers to align better to the Rio Montana Plan, which guides Our area's look/feel. While we are grateful the development will be all single story, we do not want this density held up as a precedent for any future approvals in our area. It is a disappointing exception to the rule.

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL: CThompson

Copies to: Case File

PHO Planner – Bradley Wylam

PHO Secretary – Vikki Cipolla-Murillo

EXHIBIT B

June 30, 2022 (Revised July 8, 2022)

Adam Stranieri
Planning Hearing Officer
City of Phoenix
252 W. Washington Street
Phoenix, AZ 85003

RE: PHO Stipulation Modification Request for Z-47-17-8 / 2-22—Z-4717-8

On behalf of Bella Rosa 19 Partners LLC ("Developer"), Scapegoat/Terrascope ("Applicant") is providing a written request for a PHO stipulation modification request. The Developer is proposing to construct a single-family housing community consisting of eighteen (18) lots on a 5.12-acre (4.61 net acres) parcel of land located approximately 1,700 feet south of the SWC of W. Baseline Road and S. 19th Ave in Phoenix, Arizona with an APN# 300-17-004M, as shown in **Figure 1** below.

Figure 1 – AERIAL MAP



CASE HISTORY

Z-47-17-8: The Site was rezoned from S-1 to R1-10 PRD approved by City Council on January 10, 2018, through Ordinance G-6405 with eight (8) stipulations.

PHO-1-18--Z-47-17-8: Amendment to the Site was applied for and approved by City Council on February 20, 2019, through Ordinance G-6560 with 10-Stipulations (see **Exhibit I**).

At the time of the original rezoning and PHO Amendment, the Site was planned as a larger 10.56-acre subdivision with 32 single-family lots. Access into the subdivision provided for an emergency

entry off of 20th Avenue, one resident entry off of 19th Avenue and four (4) cul-de-sacs connected by 50' wide private streets. See **Exhibit II** to view the original site plan.

After the rezoning, plans for the 10.56-acre parcel did not move forward and the subdivision was not constructed. The property was eventually split into two separate parcels for purposes of developing two different subdivisions using the recently approved R1-10 PRD zoning for single family residential housing.

As the property has been subdivided into two parcels and the design intent has changed since the original concept of the rezoning, a request for modifications from the original site plan and to Ordinance G-6560 is being required.

PROPOSED STIPULATION MODIFICATIONS:

This PHO requests modifications to the following stipulations outlined in Ordinance G-6560, as listed below:

*Sitpulation 1. The development shall be in general conformance with the site plan dated stamped ~~July 28, 2017, as modified by the following stipulations and approved by the Planning and Development Department.~~ **June 30, 2022, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.***

Rationale: As plans for a single 10.56-acre subdivision are no longer being considered and the lot has been split, the site plan for this particular parcel requires reconsideration for design and lot layout for the newly split parcel. The size of the parcel still allows enough feasibility to meet the requirements of R1-10 PRD with minor adjustments to the re-orientation and re-design of the lot and street layout.

Sitpulation 4. Conceptual elevations shall be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department. – PHO is required for this stipulation, as stated. PHO must be complete prior to preliminary site plan submittal.

Rationale: The elevations attached with this application offer several design themes such as Rustic Spanish Colonial and Western Ranch that are consistent with the Rio Montaña Area Plan. Key architectural features include four (4) housing design options with a diverse façade palette and varying trim and building materials. The conceptual layout of the houses themselves will emphasis the house facade and maintain a 10' garage setback from the house's façade. Material and palette changes help to create breaks in the façade which specify undulation and changes in the overall building faces of each side.

As detailed in the attached exhibits, Bella Rosa, will continue to provide lotted single-family homes with some minor changes from the original stipulated site plan. Careful consideration has gone into planning the Site to create a community that is attractively designed and aesthetically landscaped while maintain consistency with the development guidelines of the R1-10 PRD lotting requirements. The property will be professional designed and managed to create the necessary open space and amenities that are desired in residential communities. Residents will be able to

enjoy neighborhood style living with modern finishes and private indoor/outdoor living areas.

The primary access for the community will be located off 19th Avenue and will serve as the entry and exit point for residents. The cul-de-sac provides for enough turning radii to allow easy maneuverability for emergency and trash collector vehicles.

Standards for the Site will continue to follow the R1-10 district with necessary site plan enhancements to achieve a slightly higher density from the original 3.5 DU/acre. The following table describes the proposal in comparison to the requirement of R1-10:

Standards	R1-10 PRD	Proposed
Minimum Lot Width:	45' (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))	58'
Minimum Lot Depth:	None, except 100' adjacent to freeway or arterial	140' (Avg)
Dwelling Unit Density (units/gross acre)	3.5; 4.5 with bonus	18 Lots / ± 5.12-Acres = 3.5 DU/Acre
Minimum Perimeter Building Setback:	Street (front, rear, side) – 15' Property Line (rear) – 15' (1-story); 20' (2-story) Property Line (rear) – 10' (1-story); 15' (2-story)	Street (front, rear, side) – 15' Property Line (rear) – 15' (1-story); 20' (2-story) Property Line (rear) – 10' (1-story); 15' (2-story)
Landscaped Setback Adjacent to Street:	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Common Space Minimum:	5%	9%

CONCLUSION

Approval of the requested stipulation modification will allow the Project to move forward with the development of Bella Rosa as previously discussed by the Phoenix City Council in its approval of Z-47-17-8. This request maintains an efficient design layout that is similar to the originally approved lot sizing and density requirements while accommodating a newly proposed layout that will neither jeopardize the original intent nor compromise the remaining original stipulations. The proposed zoning stipulation modification is accompanied by the following documents:

1. PHO Checklist
2. Ownership Verification form
3. Information Form
4. Preliminary Site plan
5. Conceptual Landscape Plan
6. Elevations
7. Parcel map (with project area identified)
8. Legal Description

EXHIBIT I

ORDINANCE G-6560

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE
TO REZONING APPLICATION Z-47-17-8 PREVIOUSLY
APPROVED BY ORDINANCE G-6405.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable to the property located approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane in a portion of Section 1, Township 1 South, Range 2 East, as described more specifically in Attachment "A," are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the site plan date stamped July 28, 2017, as modified by the following stipulations and approved by the Planning and Development Department.
2. All sidewalks shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings staggered along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the HOA.
3. Architectural elevations shall be presented to the South Mountain Village Planning Committee for review and comment prior to FINAL ~~preliminary~~ site plan approval.

4. Conceptual elevations shall be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
5. The perimeter wall adjacent to 19th Avenue shall include minimum 3-foot offsets at a minimum spacing of every 50 feet and material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
6. Fence and wall materials adjacent to common areas and open space as depicted on the site plan dated July 28, 2017 shall consist of wrought iron, split rail, corral fencing, or a combination of 3 feet of solid masonry topped by open wrought iron or a similar material, or a combination of the aforementioned fence types and open farm fencing, as approved by the Planning and Development Department.
7. The developer shall dedicate right-of-way totaling 25 feet for the east half of 20th Avenue, as approved by the Planning and Development Department.
8. 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.
9. 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.
10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. 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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6405, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6405 and as modified in Section 1 of this Ordinance. Any violation of the stipulations is a violation of the City of

Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 20th day of February, 2019.

Hilda Williams

MAYOR

ATTEST:

Darin Archibald

City Clerk



APPROVED AS TO FORM:

[Signature]

Acting City Attorney *pml*

REVIEWED BY:

E0 30

City Manager

PL:tml:LF19-0248:02/20/19:2093585v1

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18--Z-47-17-8

PARCEL NO. 1: (Tax Parcel 300-17-004L)

THE NORTHERLY 396.52 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, SOMETIMES DESCRIBED AS THE EAST HALF OF FARM UNIT "H", ACCORDING TO THE FARM UNIT PLAT;

EXCEPT THE EAST 33 FEET THEREOF, AS TO CONVEYED TO MARICOPA COUNTY BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 418, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2: (Tax Parcel 300-17-004M)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

EXCEPT THE NORTHERLY 396.52 FEET; AND

EXCEPT THE SOUTH 590.28 FEET; AND

EXCEPT THE EAST 33 FEET AS CONVEYED TO MARICOPA COUNTY BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 418, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

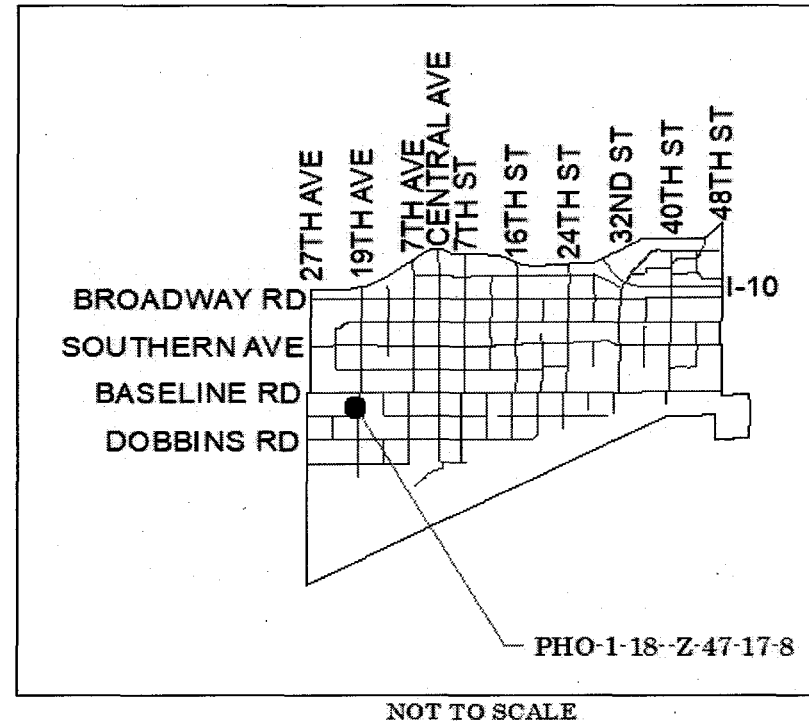
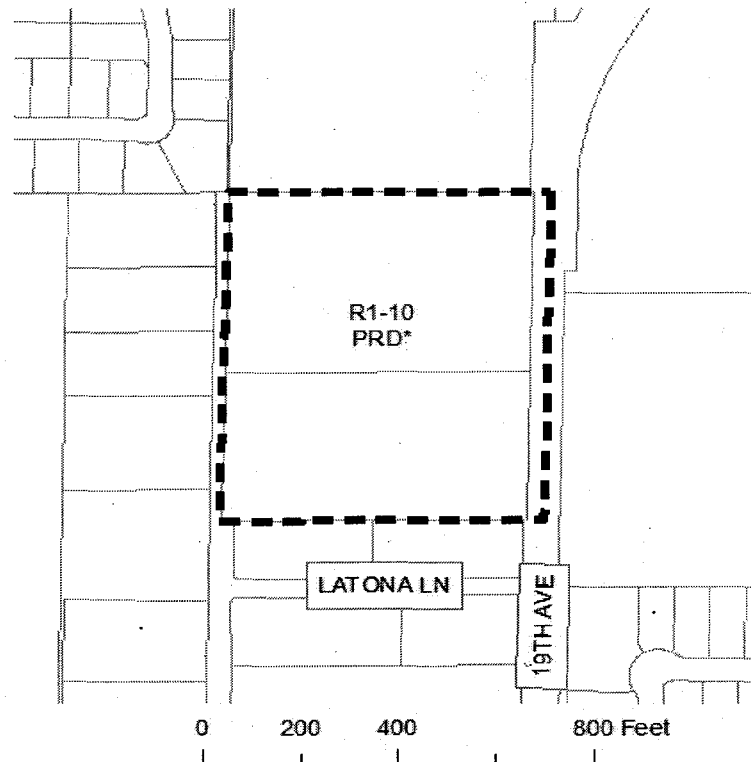
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: PHO-1-18-Z-47-17-8

Zoning Overlay: N/A

Planning Village: South Mountain



Drawn Date: 1/24/2019

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2019_Ord\2-20-19\PHO-1-18-Z-47-17-8.mxd

EXHIBIT II

APN: 300-17-004S
MICHAEL/ HELEN JOSIC
ZONING: S-1

EX. 12" WATER

add L/S
BB $\rightarrow$ 15

15'BSL(1-STORY

EAST 1/4 CORNER SECTION 36, T1S R2E
FOUND 3" CITY OF PHOENIX BRASS CAP FLUSH
STAMPED 120005.

15' L/S

NORTHEAST CORNER SECTION 1, T1S, R2E
FOUND 3" MARICOPA COUNTY BRASS
CAP FLUSH STAMPED 2003 29891

15'BSL(2-STORY)
10'BSL(1-STORY)

SOUTH MOUNTAIN AVE

3'x50' WALL STAGGER PER
ZONING CASE# Z-47-17-8,
STIPULATION #3
(TYPICAL ALONG 19TH AVE

N01°00'21"E 2651 96'(M)

15'BSL(2-STORY)
10'BSL(1-STORY)

10'BSL(1-STORY)

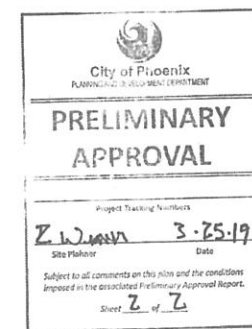
3'x50' WALL STAGGER PER
ZONING CASE# Z-47-17-8,
STIPULATION #3
(TYPICAL ALONG 19TH AVE)

1" = 40' ft.

- Show open space w/ amenities + access

- Add tract table w/ uses
- Add wall plans w/ details

JEG Site
Mark-Up
3/14/18



PRELIMINARY PLAT
BELLA ROSA

PHOENIX

SHEET NUMBER:

2 of 2

DATE: 02/06/2018
PROJ: 9023

DESIGNED: _____	####	INITIAL ISSUE: _____	####
CHECKED: _____	####	REV: Δ _____	####
DRAWN: _____	####	REV: Δ _____	####
FIELD CREW: _____		REV: Δ _____	####
FIELD WORK DATE: _____		REV: Δ _____	####
SCALE: 1" = _____	HORIZONTAL		
SCALE: 1" = _____	VERTICAL		

Westwood

Phone (460) 747-6558
Fax (460) 376-8025

6809 East Greenway Parkway, Suite 250
Scottsdale, AZ 85254
westwoodpa.com

Westwood Professional Services, Inc.

LEGAL DESCRIPTION

APN: 300-17-004L
THE NORTHERLY 396.52 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, SOMETIMES DESCRIBED AS THE EAST HALF OF FARM UNIT "H", ACCORDING TO THE FARM UNIT PLAT;

EXCEPT THE EAST 33 FEET THEREOF, AS TO CONVEYED TO MARICOPA COUNTY BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 418, RECORDS OF MARICOPA COUNTY, ARIZONA.

APN: 300-17-004M

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

EXCEPT THE NORTHERLY 396.52 FEET; AND

EXCEPT THE SOUTH 590.28 FEET; AND

EXCEPT THE EAST 33 FEET AS CONVEYED TO MARICOPA COUNTY BY QUIT CLAIM DEED RECORDED IN BOOK 105 DEEDS, PAGE 418, RECORDS OF MARICOPA COUNTY, ARIZONA.

R1-10 DEVELOPMENT OPTION - PLANNED RESIDENTIAL DEVELOPMENT

STANDARDS	PLANNED RESIDENTIAL DEVELOPMENT	PROPOSED STANDARD
MIN LOT WIDTH (IN THE EVENT OF HORIZONTAL PROPERTY REGIMES, "LOT" SHALL REFER TO THE WIDTH OF THE STRUCTURE AND EXCLUSIVE USE AREA)	45' MINIMUM (UNLESS APPROVED BY EITHER THE DESIGN ADVISOR OR THE SINGLE FAMILY ARCHITECTURAL APPEALS BOARD FOR DEMONSTRATING ENHANCED ARCHITECTURE THAT MINIMIZES THE IMPACT OF THE GARAGE.	45'
MINIMUM LOT DEPTH	NONE, EXCEPT 110' ADJACENT TO FREEWAY OR ARTERIAL	96'
DWELLING UNIT DENSITY (UNITS/GROSS ACRE)	3.5; 4.5 WITH BONUS	3.03 DU/AC
MIN. PERIMETER BUILDING SETBACKS	STREET (FRONT, REAR OR SIDE): 15' (IN ADDITION TO LANDSCAPE SETBACK); PROPERTY LINE (REAR): 15' (1-STORY), 20' (2-STORY); PROPERTY LINE (SIDE): 10' (1-STORY), 15' (2-STORY)	STREET (FRONT, REAR OR SIDE) 15'; (IN ADDITION TO LANDSCAPE SETBACK); PROPERTY LINE (REAR) 15' (1-STORY) 20' (2-STORY); PROPERTY LINE (SIDE); 10' (1-STORY) 15' (2-STORY)
COMMON LANDSCAPED SETBACK ADJACENT TO PERIMETER STREETS	15' AVERAGE, 10' MINIMUM (DOES NOT APPLY TO LOTS FRONTING ONTO PERIMETER STREETS)	15' AVERAGE, 10' MINIMUM (DOES NOT APPLY TO LOTS FRONTING ONTO PERIMETER STREETS)
MIN. INTERIOR BUILDING SETBACK	FRONT: 10'; REAR: NONE; (ESTABLISHED BY BUILDING CODE); STREET SIDE: 10' SIDES; NONE (ESTABLISHED BY BUILDING CODE)	FRONT: 10'; REAR: NONE; (ESTABLISHED BY BUILDING CODE); STREET SIDE: 10' SIDES; NONE (ESTABLISHED BY BUILDING CODE)
MIN. BUILDING SEPARATION	NONE	NONE
MIN. GARAGE SETBACK	18' FROM BACK OF SIDEWALK FOR FRONT-LOADED GARAGES, 10' FROM PROPERTY FOR SIDE-LOADED GARAGES	18' FROM BACK OF SIDEWALK FOR FRONT-LOADED GARAGES, 10' FROM PROPERTY FOR SIDE-LOADED GARAGES
MIN. GARAGE WIDTH	FOR LOTS <60': 2 CAR WIDTHS, FOR LOTS ≥60' TO 70': 3 CAR WIDTHS, FOR LOTS >70': NO MAXIMUM	FOR LOTS <60': 2 CAR WIDTHS, FOR LOTS ≥60' TO 70': 3 CAR WIDTHS, FOR LOTS >70': NO MAXIMUM
MAXIMUM HEIGHT	2 STORIES AND 30' (EXCEPT THAT 3 STORIES NOT EXCEEDING 30' ARE PERMITTED WHEN APPROVED BY THE DESIGN ADVISOR FOR DEMONSTRATING ENHANCED ARCHITECTURE.	2 STORIES AND 30' (EXCEPT THAT 3 STORIES NOT EXCEEDING 30' ARE PERMITTED WHEN APPROVED BY THE DESIGN ADVISOR FOR DEMONSTRATING ENHANCED ARCHITECTURE.
LOT COVERAGE	PRIMARY STRUCTURE, NOT INCLUDING ATTACHED SHADE STRUCTURES: 40% TOTAL 50%	AVERAGE LOT PRIMARY STRUCTURE 40%; TOTAL COVERAGE 50%
COMMON AREAS	MINIMUM 5% OF GROSS AREA	13.9%
ALLOWED USES	SINGLE-FAMILY DETACHED	SINGLE-FAMILY DETACHED
REQUIRED REVIEW	DEVELOPMENT REVIEW PER SECTION 507, AND SUBDIVISION TO CREATE 4 OR MORE LOTS	DEVELOPMENT REVIEW PER SECTION 507, AND SUBDIVISION TO CREATE 4 OR MORE LOTS
STREET STANDARDS	PUBLIC STREET OR PRIVATE ACCESSWAY(1)	PUBLIC STREET OR PRIVATE ACCESSWAY(1)
ON-LOT AND COMMON RETENTION	COMMON RETENTION REQUIRED FOR LOTS LESS THAN 8,000 SQ. FT. PER GRADING AND DRAINAGE ORDINANCE REQUIREMENTS	COMMON RETENTION AREA
LANDSCAPE STANDARDS	PERIMETER COMMON: TREES SPACED A MAXIMUM OF 20 TO 30 FEET ON CENTER (BASED ON SPECIES) OR IN EQUIVALENT GROUPINGS, AND 5 SHRUBS PER TREE.	PERIMETER COMMON: TREES SPACED A MAXIMUM OF 20 TO 30 FEET ON CENTER (BASED ON SPECIES) OR IN EQUIVALENT GROUPINGS, AND 5 SHRUBS PER TREE.

PRELIMINARY SITE PLAN
FOR
BELLA ROSA
BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH,
RANGE 2 EAST, OF THE GILA & SALT RIVER BASE & MERIDIAN,
MARICOPA COUNTY, ARIZONA

ZONING CASE NUMBER

Z-47-17-8

STIPULATIONS FOR ZONING CASE NUMBER Z-47-17-8

- ALL SIDEWALKS SHALL BE DETACHED WITH A MINIMUM 5-FOOT WIDE LANDSCAPED STRIP LOCATED BETWEEN THE SIDEWALK AND BACK OF CURB AND SHALL INCLUDE A MINIMUM 2-INCH CALIPER SHADE TREES PLANTED A MINIMUM OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS STAGGERED ALONG BOTH SIDES OF THE SIDEWALK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. THE LANDSCAPE STRIP SHALL BE INSTALLED BY THE DEVELOPER AND MAINTAINED BY THE H.O.A.
- CONCEPTUAL ELEVATIONS SHALL BE REVIEWED AND APPROVED FOR CONSISTENCY WITH THE RIO MONTAÑA AREA PLAN BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
- THE PERIMETER WALL ADJACENT TO 19TH AVENUE SHALL INCLUDE MINIMUM 3-FOOT OFFSETS AT A MINIMUM SPACING OF EVERY 50 FEET AND MATERIAL AND TEXTURAL DIFFERENCES, SUCH AS STUCCO AND/OR SPLIT FACE BLOCK WITH A DECORATIVE ELEMENT, SUCH AS TILE, GLASS INSERTS, OR STAMPED DESIGNS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- FENCE AND WALL MATERIALS ADJACENT TO COMMON AREAS AND OPEN SPACE AS DEPICTED ON THE SITE PLAN DATE STAMPED JULY 28, 2017 SHALL CONSIST OF WROUGHT IRON, SPLIT RAIL, CORRAL FENCING, OR A COMBINATION OF 3 FEET OF SOLID MASONRY TOPPED BY OPEN WROUGHT IRON OR A SIMILAR MATERIAL, OR A COMBINATION OF THE FOREMENTIONED FENCE TYPES AND OPEN FARM FENCING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY TOTALING 25 FEET FOR THE EAST HALF OF 20TH AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- 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.
- 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.
- THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE THE EXISTENCE, AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY. 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.

PROJECT ADDRESS

8020 S. 19TH AVE
PHOENIX, AZ 85041

ASSESSORS PARCEL NUMBER

A.P.N. 300-17-004L, 300-17-004M

BASIS OF BEARING

THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE MERIDIAN, MARICOPA COUNTY, ARIZONA: BEARING N01°00'21"E.

FLOOD ZONE

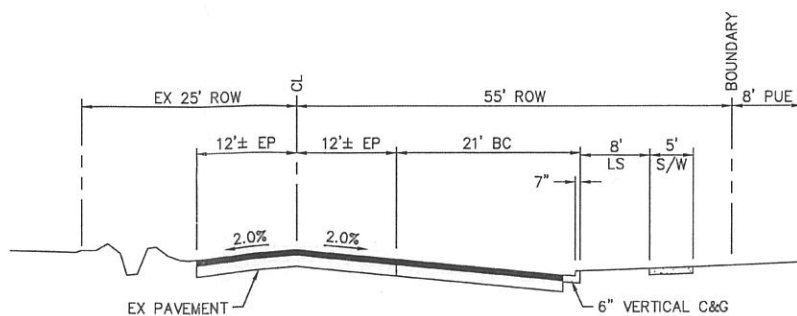
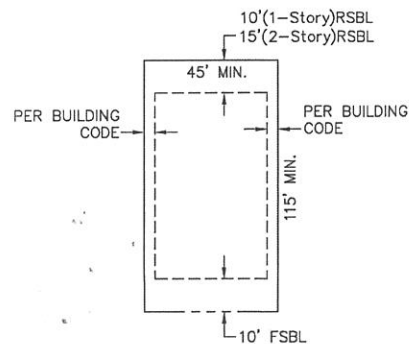
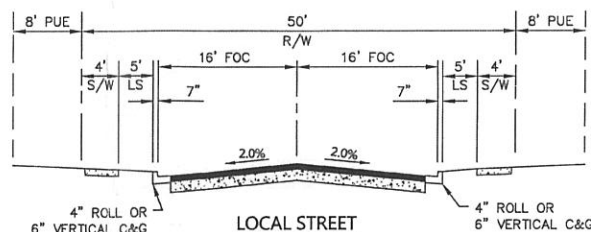
SUBJECT PARCEL IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X", ON FLOOD INSURANCE RATE MAP NO. 04013C2680L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NUMBER 040037, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

ZONE X:

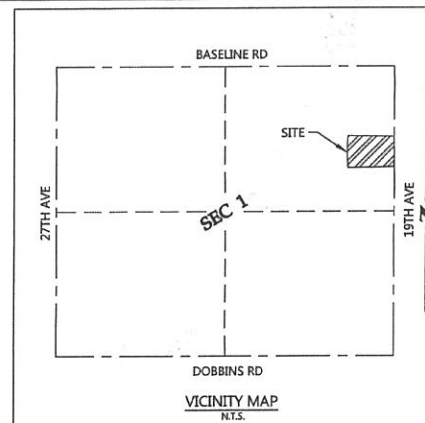
AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

LOT COVERAGE CALCULATION

$$\begin{aligned} \text{PRD LOT COVERAGE} &= \frac{\text{NET AREA-INTERNAL ROADWAY} \times 0.4}{\text{TOTAL NUM OF LOTS}} = \frac{338,957 \text{ SF} \times 0.4}{32} = 4,237 \text{ SF} \\ \text{PRD LOT COVERAGE} &= \frac{\text{NET AREA-INTERNAL ROADWAY} \times 0.1}{\text{TOTAL NUM OF LOTS}} = \frac{338,957 \text{ SF} \times 0.1}{32} = 1,059 \text{ SF} \end{aligned}$$



19TH AVENUE
CROSS SECTION
LOOKING SOUTH
N.T.S.



OWNER

19TH AVENUE PARTNERS LLC
7330 E PALO VERDE 4
SCOTTSDALE, AZ 85250

ENGINEER

WESTWOOD PROFESSIONAL SERVICES
6909 EAST GREENWAY PARKWAY, SUITE 250
SCOTTSDALE, AZ 85254
TELE: 480-747-6558
CONTACT: DAVID BOHN
EMAIL: DAVID.BOHN@WESTWOODPS.COM

SITE DATA

GROSS ACREAGE: 10.56 ACRES MORE OR LESS
(NET): 8.0 ACRES MORE OR LESS
NUMBER OF LOTS: 32
PROPOSED ZONING: R1-10 PRD
LOTS AREA: 6.05 ACRES
PROPOSED DENSITY: 3.03 DU/AC
LOTS SALES: YES
OPEN SPACE: 1.47 ACRES = 13.9%
RETENTION: COMMON RETENTION AREAS

LEGEND

---	BOUNDARY LINE
---	CENTER LINE
---	RIGHT OF WAY LINE (R/W)
---	LOT LINE
---	SETBACK LINE

BENCHMARK

ADOT ALUMINUM CAP MARKED TEST SITE: ON NORTH WINGWALL OF IRRIGATION GATE NORTHWEST CORNER OF INTERSECTION OF 27TH AVE AND SOUTH MOUNTAIN AVE. ELEVATION IS 1095.42 PER CITY OF PHOENIX DATUM

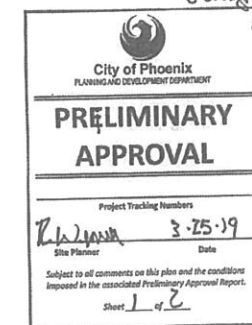
PROJECT DESCRIPTION

BELLA ROSA IS A 32 SINGLE FAMILY RESIDENTIAL SUBDIVISION.

STATEMENT OF INTENT

THIS PROPOSAL INTENDS TO SUBDIVIDE THE 10.5 ACRE PROPERTY INTO 32 SINGLE FAMILY LOTS. THESE LOTS WILL BE DEVELOPED UNDER R1-6 ZONING STANDARDS. PRD DEVELOPMENT STANDARDS.

Jean Site Mark-Up
3/14/18
(Original PRD Date - Plead
for Town Extension)

PRELIMINARY SITE PLAN
BELLA ROSA

PHOENIX



SHEET NUMBER:

1 OF 2

DATE: 02/06/2018
PROJ: 9023

EXHIBIT C



PHO-2-22--Z-47-17-8

Property Location: Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane

EXHIBIT D



PHO-2-22--Z-47-17-8

Property Location: Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane

EXHIBIT E

ORDINANCE G-6560

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE
TO REZONING APPLICATION Z-47-17-8 PREVIOUSLY
APPROVED BY ORDINANCE G-6405.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The zoning stipulations applicable to the property located
approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane in
a portion of Section 1, Township 1 South, Range 2 East, as described more specifically in
Attachment "A," are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the site plan date stamped
July 28, 2017, as modified by the following stipulations and approved by the
Planning and Development Department.
2. All sidewalks shall be detached with a minimum 5-foot wide landscaped strip
located between the sidewalk and back of curb and shall include a minimum 2-
inch caliper shade trees planted a minimum of 20 feet on center or equivalent
groupings staggered along both sides of the sidewalk, as approved by the
Planning and Development Department. The landscape strip shall be installed by
the developer and maintained by the HOA.
3. Architectural elevations shall be presented to the South Mountain Village
Planning Committee for review and comment prior to FINAL ~~preliminary~~ site plan
approval.

4. Conceptual elevations shall be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
5. The perimeter wall adjacent to 19th Avenue shall include minimum 3-foot offsets at a minimum spacing of every 50 feet and material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
6. Fence and wall materials adjacent to common areas and open space as depicted on the site plan dated July 28, 2017 shall consist of wrought iron, split rail, corral fencing, or a combination of 3 feet of solid masonry topped by open wrought iron or a similar material, or a combination of the aforementioned fence types and open farm fencing, as approved by the Planning and Development Department.
7. The developer shall dedicate right-of-way totaling 25 feet for the east half of 20th Avenue, as approved by the Planning and Development Department.
8. 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.
9. 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.
10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. 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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6405, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6405 and as modified in Section 1 of this Ordinance. Any violation of the stipulations is a violation of the City of

Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 20th day of February, 2019.

Hilda Williams

MAYOR

ATTEST:

Darin Archibald

City Clerk



APPROVED AS TO FORM:

[Signature]

Acting City Attorney *pml*

REVIEWED BY:

E0 30

City Manager

PL:tml:LF19-0248:02/20/19:2093585v1

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18--Z-47-17-8

PARCEL NO. 1: (Tax Parcel 300-17-004L)

THE NORTHERLY 396.52 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, SOMETIMES DESCRIBED AS THE EAST HALF OF FARM UNIT "H", ACCORDING TO THE FARM UNIT PLAT;

EXCEPT THE EAST 33 FEET THEREOF, AS TO CONVEYED TO MARICOPA COUNTY BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 418, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2: (Tax Parcel 300-17-004M)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST HALF OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

EXCEPT THE NORTHERLY 396.52 FEET; AND

EXCEPT THE SOUTH 590.28 FEET; AND

EXCEPT THE EAST 33 FEET AS CONVEYED TO MARICOPA COUNTY BY QUIT CLAIM DEED RECORDED IN BOOK 105 OF DEEDS, PAGE 418, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

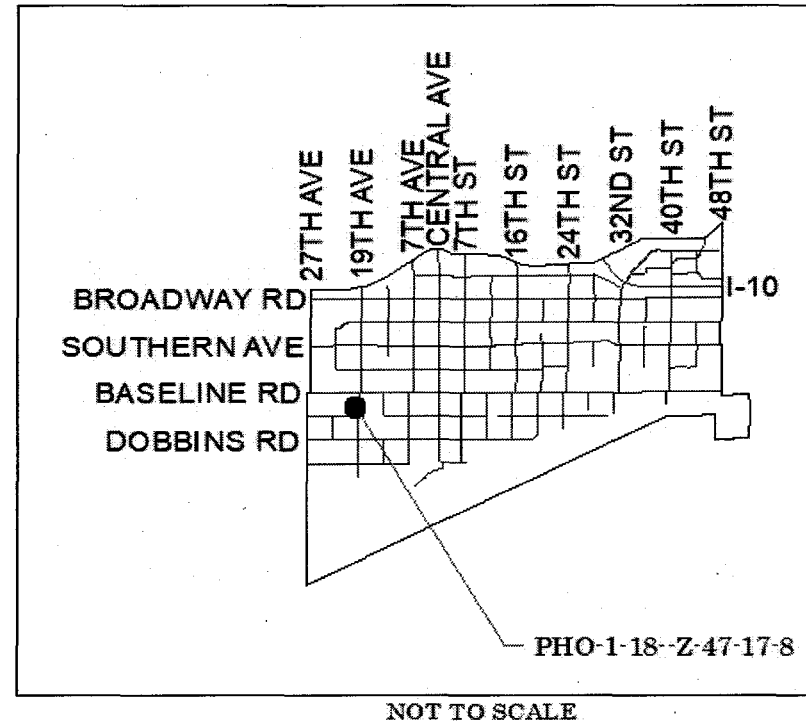
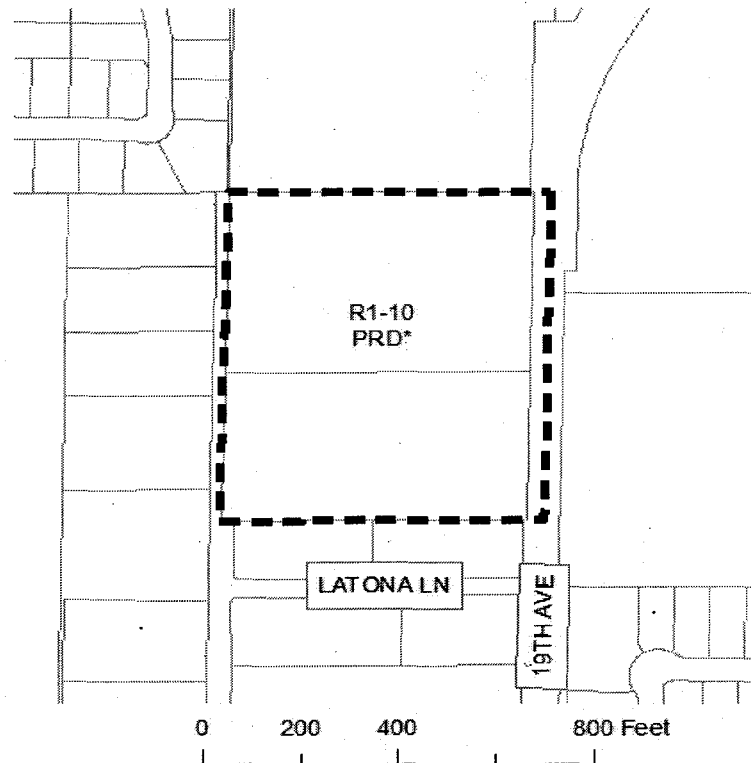
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: PHO-1-18-Z-47-17-8

Zoning Overlay: N/A

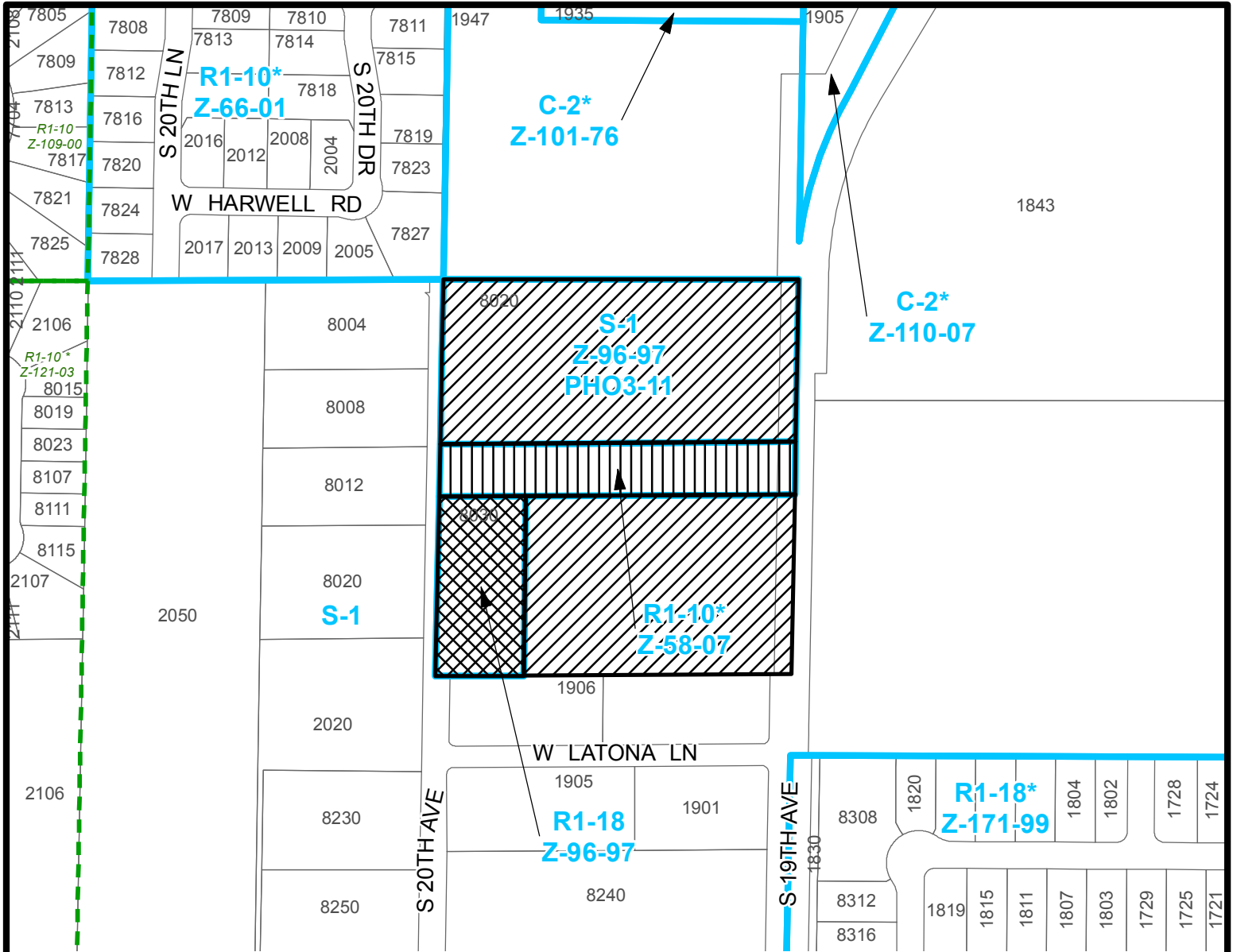
Planning Village: South Mountain



Drawn Date: 1/24/2019

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2019_Ord\2-20-19\PHO-1-18-Z-47-17-8.mxd

EXHIBIT F



Feet

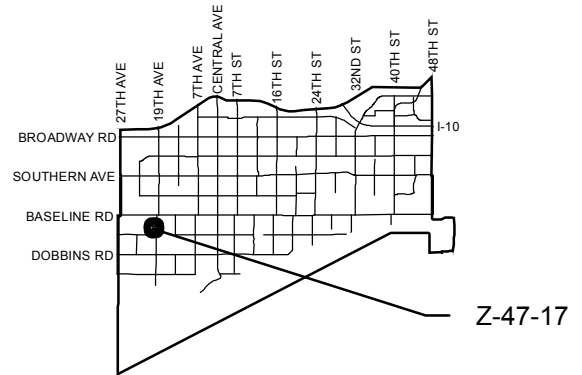
300 150 0 300

SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME:

Richard Jellies, The Lead Group

APPLICATION NO.

Z-47-17

DATE:

08/11/2017

REVISION DATES:

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

11.15 Acres

AERIAL PHOTO &
QUARTER SEC. NO.

QS 01-24

ZONING MAP

D-7

REQUESTED CHANGE:

FROM:



S-1 (8.41 a.c.)

R1-10 (1.49 a.c.)

R1-18 (1.25 a.c.)

TO: R1-10 (11.15 a.c.)

MULTIPLES PERMITTED

S-1, R1-10, R1-18

R1-10

CONVENTIONAL OPTION

8, 5, 2

39

* UNITS P.R.D. OPTION

N/A, 6, 3

50

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

EXHIBIT G

PRELIMINARY SITE PLAN FOR BELLA ROSA

PHOENIX, ARIZONA

CIVIL ENGINEER

TERRASCAPE CONSULTING
645 E. MISSOURI AVE., SUITE
PHOENIX, ARIZONA 85012

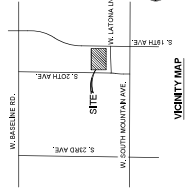
CONTACT: SCOTT LUCAS
PHONE: (480) 454-8007
EMAIL: SLUCAS@TERRA

PROPERTY OWNER

BELLA ROSA PARTNERS 19, LLC
11811 N. TATUM BLVD., SUITE 1060
PHOENIX, AZ 85028

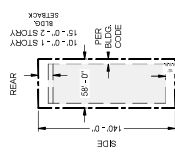
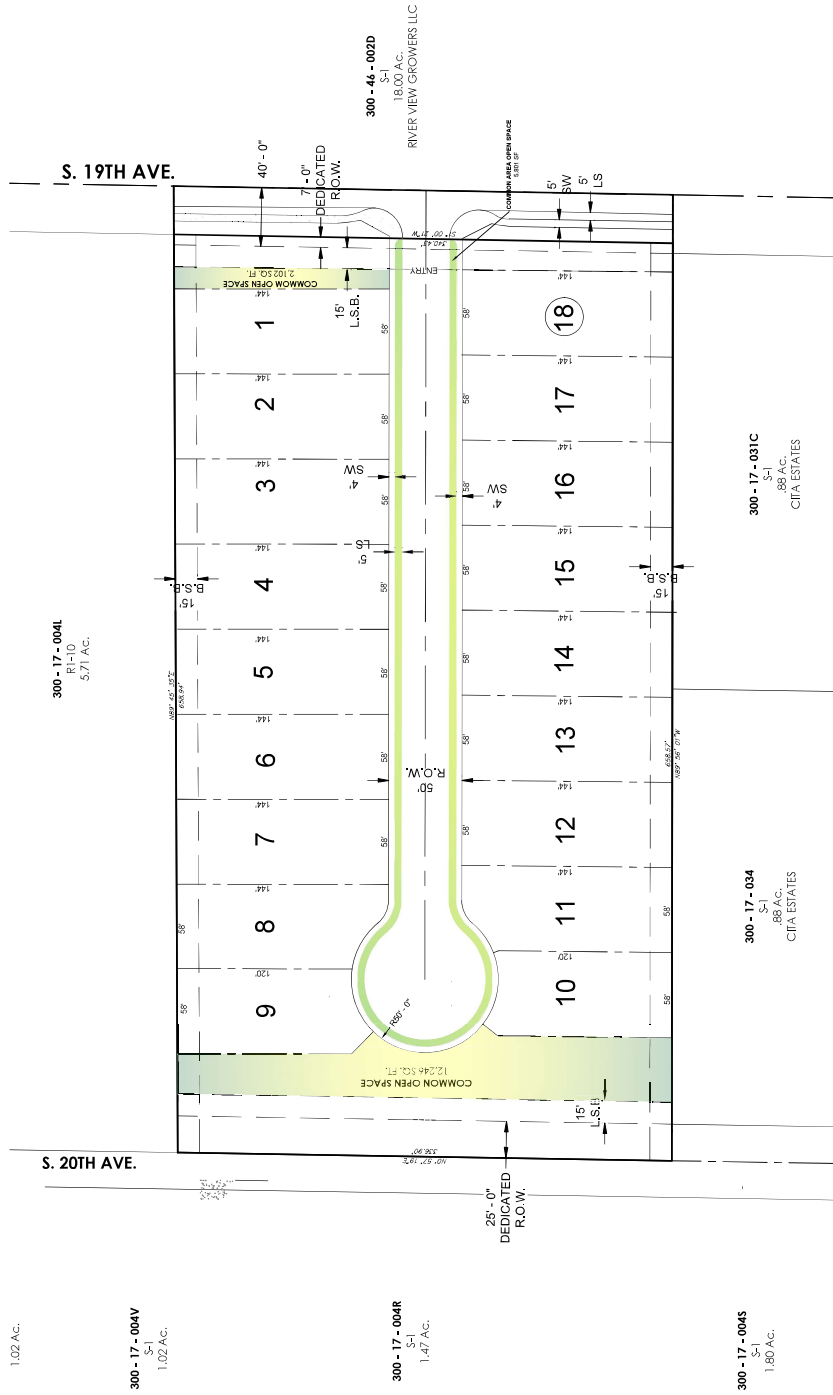
CONTACT: CHUCK KENNEDY
PHONE: 602-967-4601
EMAIL: CKENNEDY@GROSSVENHOLDINGS.COM

1.02 Ac.



SITE DATA:

JURISDICTION	PHENIX	END OF W. BASELINE RD. & 10TH AVE
APN	305410004M	
LOCATION		
SITE ADDRESS		
NET AREA	+4,512 Sq. Ft. (220,275 Sq. Ft.)	
REQUIRED ZONING	+1,681 Sq. Ft. (200,875 Sq. Ft.)	
EXISTING ZONING	R-10 PHD	
REQUIREMENTS	3.5 DUAC	
ROW WIDTH	45 DUAC WITH 15' EASUS	
MIN. LOT WIDTH	50'-0"	
MIN. LOT DEPTH	45'-0"	
COMMON AREA	110'-0"	
	5%	
DENSITY (GROSS)	3.51 DUAC	
LOT:	18	
LOT WIDTH	85'-0"	
LOT DEPTH (AVG.)	110'-0"	
COMMON AREA	140'-0"	



LOT, TYP.

PLAN

1" = 60' - 0"

CITY OF PHOENIX

JUN 30 2022

Planning & Development
Department

PHO-2-22--Z-47-17-8

Proposed Site Plan

Hearing Date: August 17, 2022

EXHIBIT H



Westwood

DESIGNED:	GG
CHECKED:	DB
DRAWN:	****
FIELD CREW:	
FIELD WORK DATE:	
SCALE: 1" =	HORIZONTAL
SCALE: 1" =	VERTICAL

0000	▽	REV
0000	▽	AD
0000	▽	AD
0000	▽	REV
0000		INITIAL ISSUE

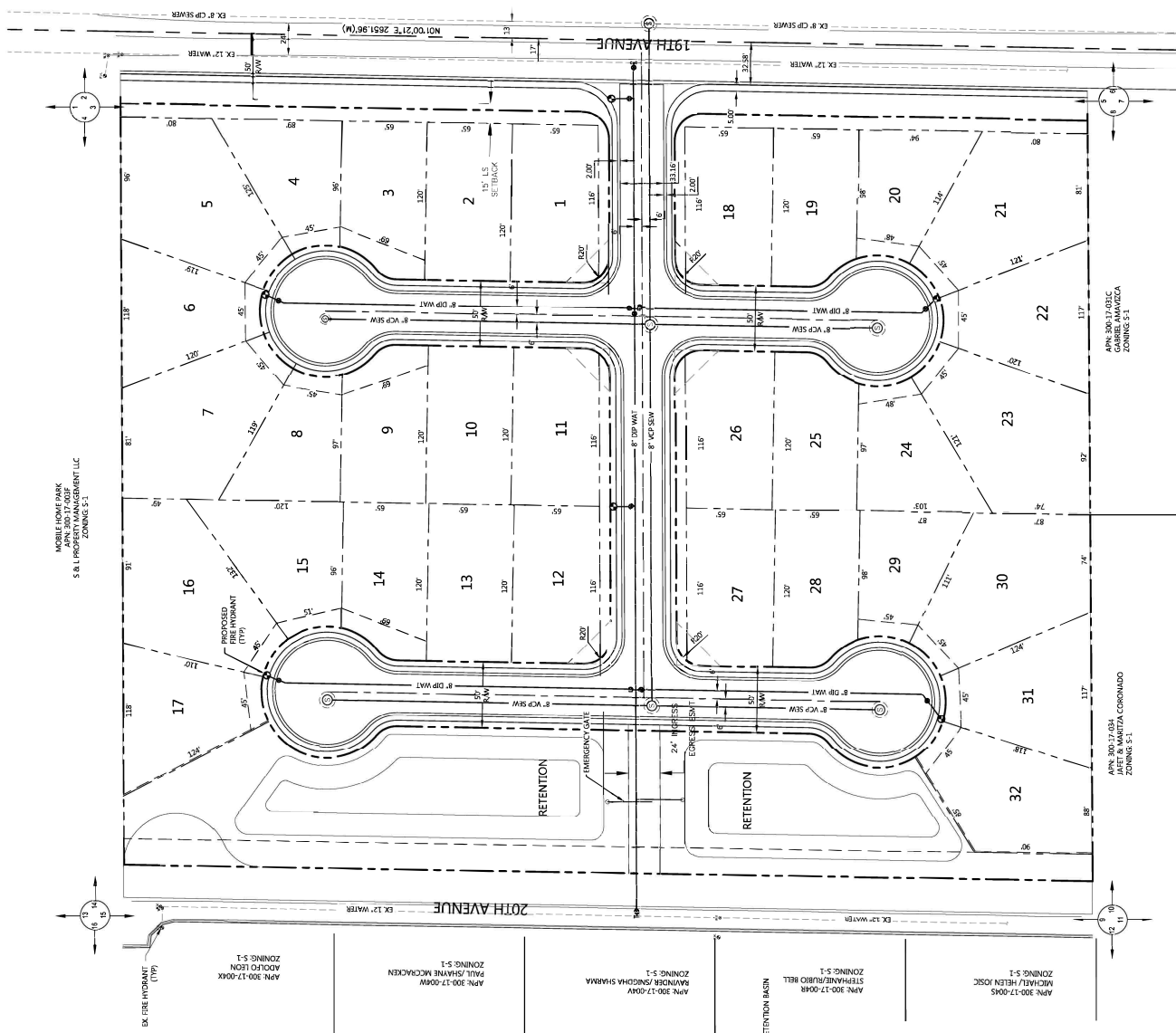
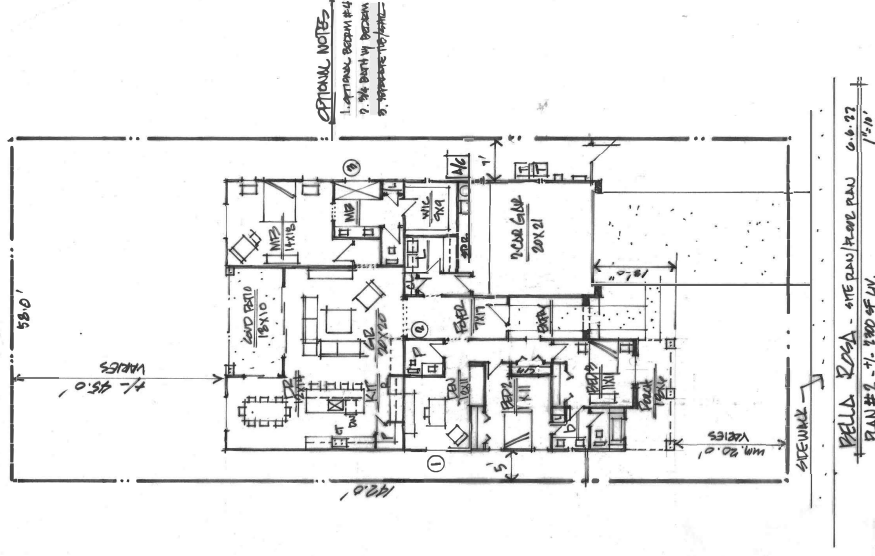
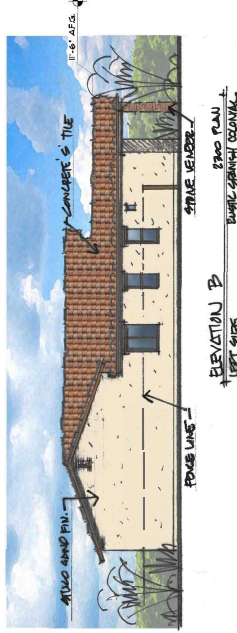
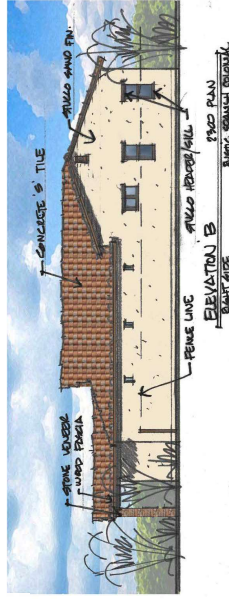
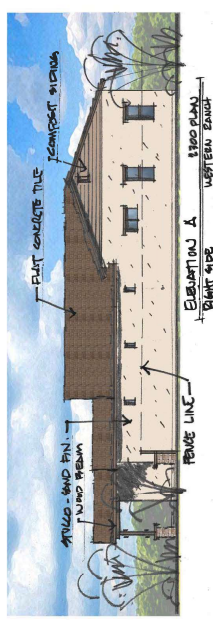
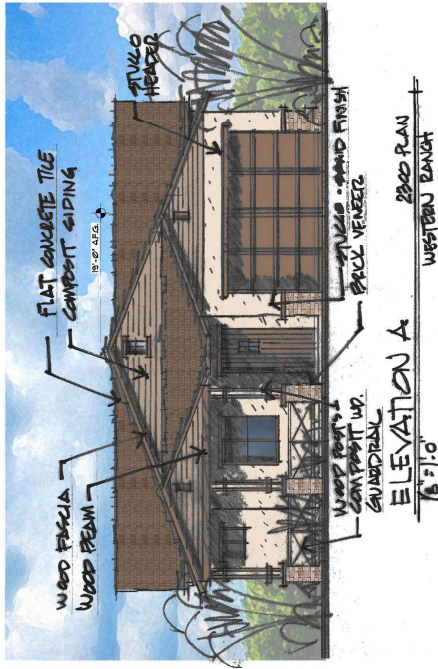
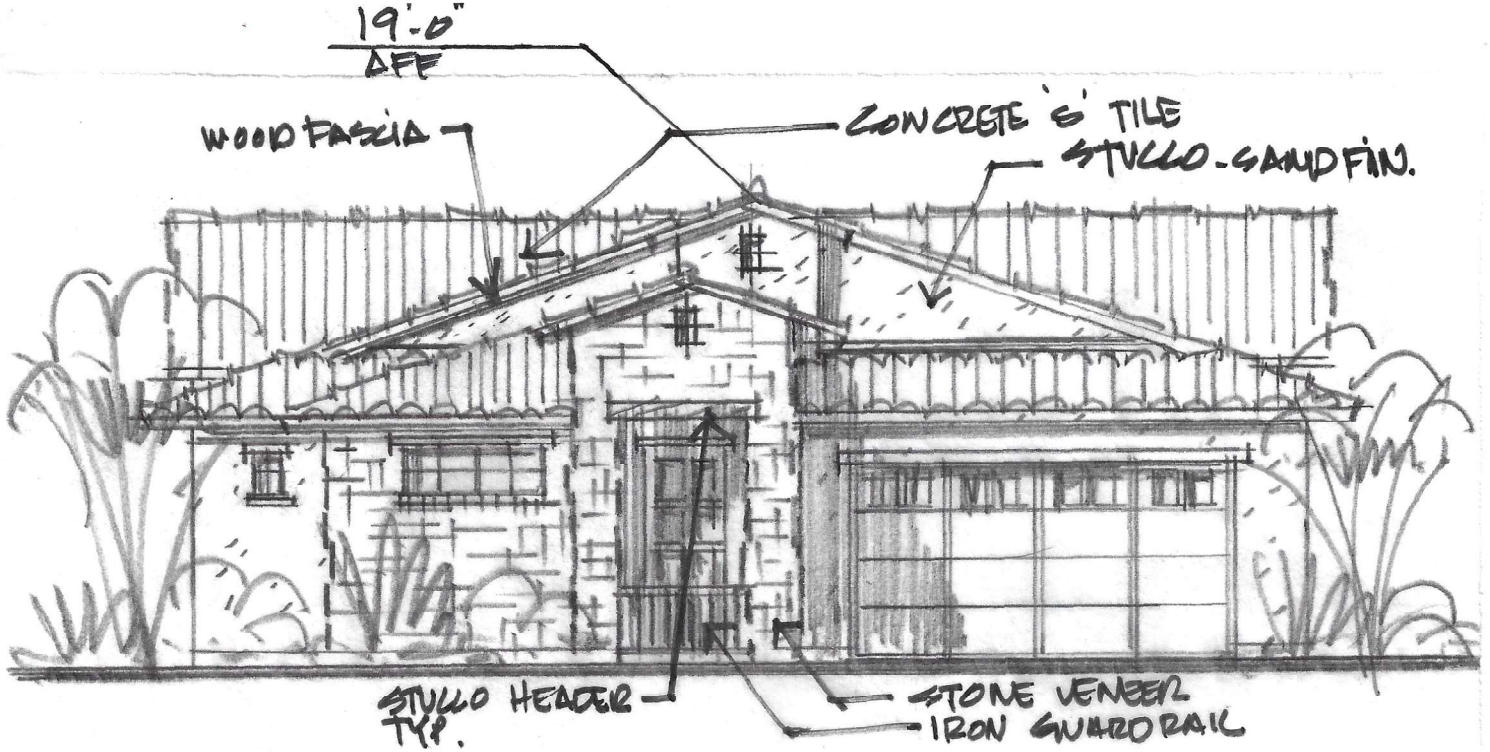


EXHIBIT I



OPTIONAL NOTES
1. APPROXIMATE ROOM SIZES
2. 1/8\"/>

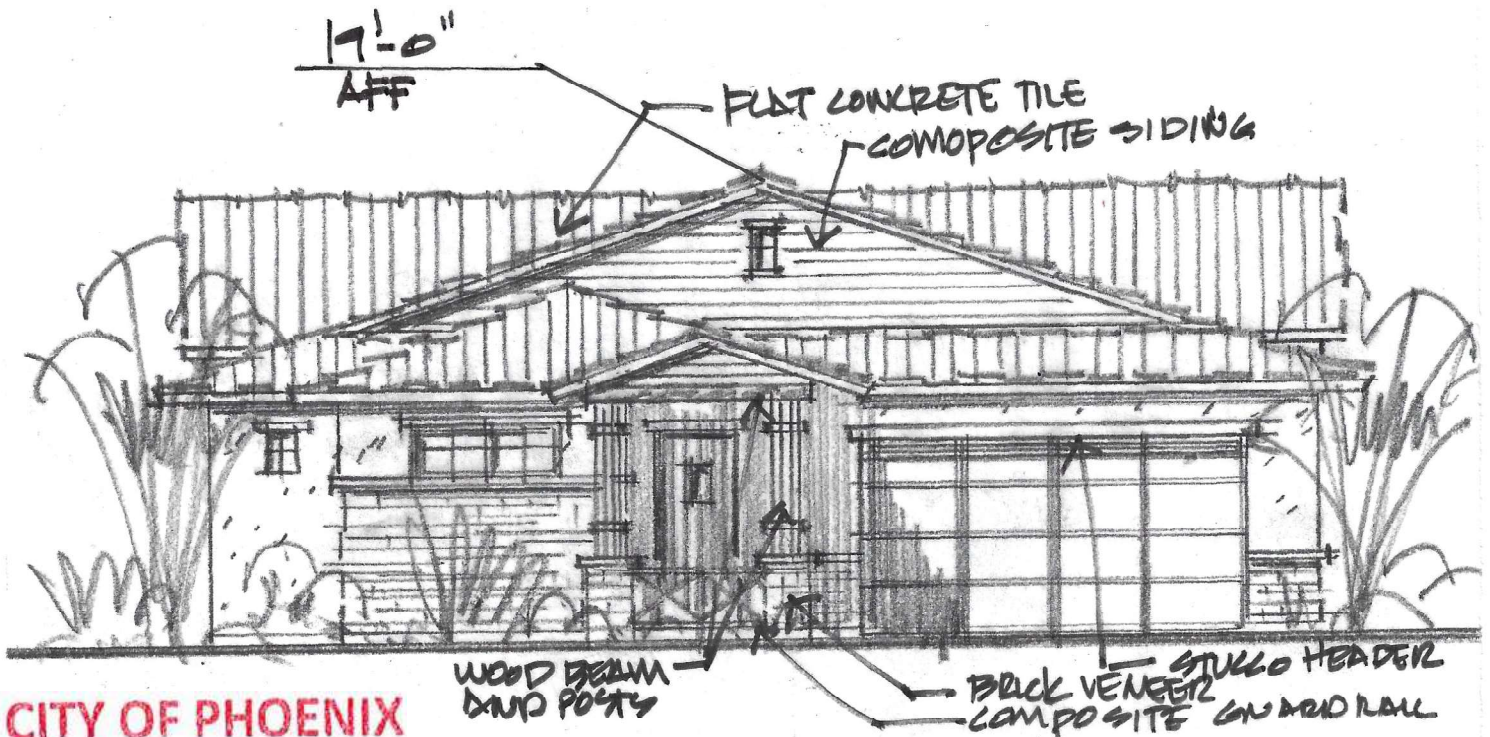


ELEVATION B

2200 PLAN

$\frac{1}{8}" = 1'-0"$

RUSTIC SPANISH COLONIAL



CITY OF PHOENIX

AUG 17 2022

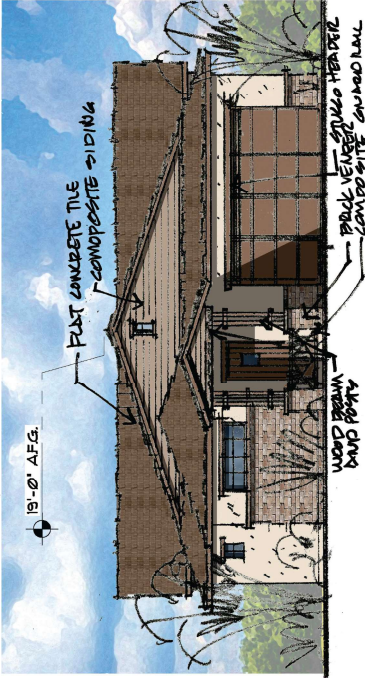
Planning & Development
Department

ELEVATION A

2200 PLAN

$\frac{1}{8}" = 1'-0"$

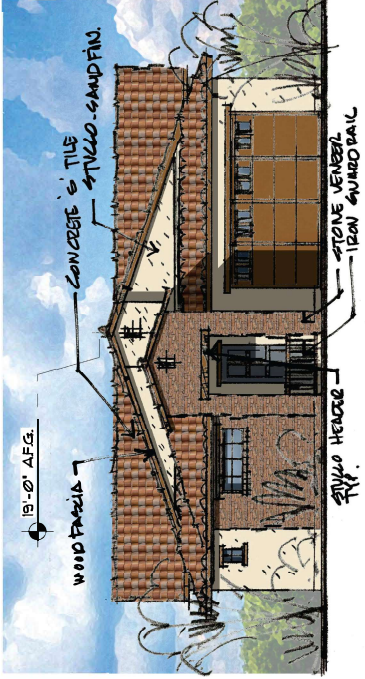
WESTERN RANCH



ELEVATION A (NO PORCH)

WESTERN RANCH

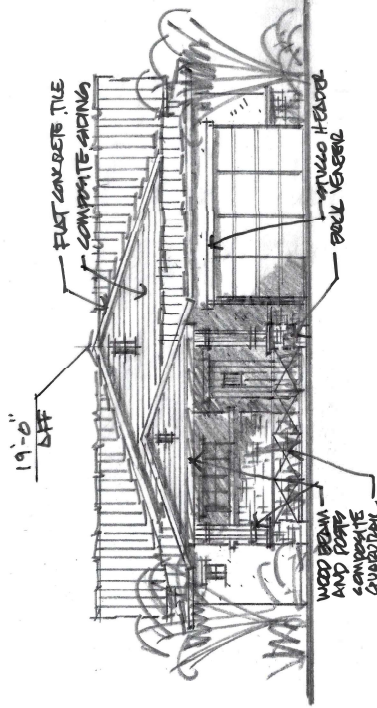
SCALE: 3/16"=1'-0"



ELEVATION B (NO PORCH)

RUSTIC SPANISH COLONIAL

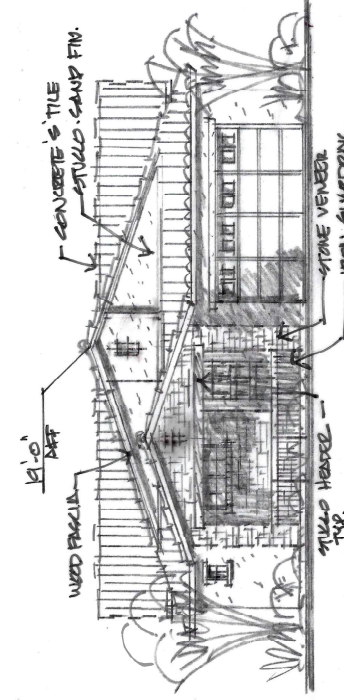
SCALE: 3/16"=1'-0"



ELEVATION A (WITH PORCH)

WESTERN RANCH

SCALE: 3/16"=1'-0"



ELEVATION B (WITH PORCH)

RUSTIC SPANISH COLONIAL

SCALE: 3/16"=1'-0"

EXHIBIT J

Village Planning Committee Meeting Summary
PHO-2-22--Z-47-17-8

Date of VPC Meeting	August 9, 2022
Planning Hearing Officer	August 17, 2022
Hearing Date	
Request	1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped July 28, 2017 2) Review of conceptual elevations by the Planning Hearing Officer per Stipulation 4
Location	130 feet north of the northwest corner of 19th Avenue and Latona Lane
VPC Recommendation	Approval
VPC Vote	7-4 ; Members Alvarez, Brooks, Busching, Montoya, Shepard, Marchuk and Daniels in favor. Coleman, Holmerud, Muhammad Roque, and Viera opposed.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

8 members of the public registered to speak on this item.

Dean Chiarelli, Mike Josic, Cheverra Trillo, Gina Johnson, Nick Torrez, Ravi Sharma donated time to Jewel Clark.

Fatima Muhammad Roque asked what community outdoor areas and spaces were being provided for the community. **Chuck Kennedy** said that large retention basins, limited access to 20th Avenue, shade structures, picnic tables, and possible barbecue areas may be provided.

Dr. George Brooks asked how the site is capturing new resources to maximize efficiency, such as higher SEER rated units, Energy Star ratings, and electric vehicle outlets. **Mr. Kennedy** mentioned they are providing water efficient fixtures, drought tolerant planting, and landscaping that provides shade.

Chair Tamala Daniels stated a HERS rating of 55 or lower is a good energy efficient number. **Dr. Brooks** asked what the HERS rating was for the proposed homes. **Mr. Kennedy** answered they didn't have one at this stage

Dr. Brooks asked if the applicant read the South Phoenix Food Plan. **Chuck Kennedy** stated they did not.

Gene Holmerud asked if the developer is providing EV vehicle outlets in the homes. **Mr. Valencia** mentioned that things like EV outlets could be options the developer can provide but the city would not be able to enforce them. **Gene Holmerud** mentioned that would be one way to make incremental change.

Dr. Viera asked if more energy efficient items could be requested by the committee even if the city cannot enforce them instead of waiting five or more years for things to be required. **Mr. Valencia** answered that the committee can make any recommendation they'd like but advised to make enforceable stipulations to avoid being set up for disappointment. **Gene Holmerud** asked for examples of what the committee could stipulate. **Mr. Valencia** stated open space, landscaping, tree caliper size, and tree spacing to name a few.

Kevin Zenk wanted to clarify that he never received a copy of the Food Action Plan to review. **Mr. Valencia** said he would forward the Food Action plan to the applicant. **Dr. Viera** asked that the Climate Action Plan be forwarded too.

Chair Daniels asked if the streets would be tree lined. **Kevin Zenk** said they would be.

Chair Daniels asked for the original site plan to be showed and why the emergency access to 20th was removed from the new site plan. **Kevin Zenk** stated there was conversation with the Fire department and they said the cul-de-sac turnaround radius met fire requirements. This would also allow for more retention and open space area.

Chair Daniels asked staff if the Street Transportation Department was okay with only one access point. **Mr. Valencia** answered that a technical appeal would be required because the streets are not connecting. Mr. Valencia added that Fire is okay with the cul-de-sac radius because the cul-de-sac radius is designed with a fire truck being able to turn around in mind. Connecting the street and gating it off would not count as connectivity but connecting it does result in less open space. Mr. Valencia also showed an aerial to point out that 20th avenue does not connect any further north and how 19th avenue has the bigger build out and is more connected.

Chair Daniels asked if the cul-de-sac triggers the technical appeal. **Mr. Valencia** answered that it triggers two technical appeals. One for having an overlength distance to the cul-de-sac from 19th Avenue and one for not connecting to 20th Avenue. **Chair Daniels** asked if Streets was okay with that. **Mr. Valencia** replied that he did not receive any comments from Streets because this is a PHO case and street correspondence more than likely was sent to the Hearing Officer.

Chair Daniels asked if the developer had met with the PHO already. **Mr. Valencia** said that has not happened yet because the public hearing for PHO is after the Village. Recommendations made at the Village will be forwarded to the PHO for their analysis.

Gene Holmerud asked if a light duty fence for fire to smash through could be constructed. **Mr. Valencia** said the original proposal had an emergency gate and fire

could gain access through what's called a Knox box. Crashing through a fence would possibly be a last resort.

PUBLIC COMMENT:

Erin Hegedus was concerned that there are no real heat mitigations proposed. Ms. Hegedus talked about an open SRP irrigation canal across on 19th Avenue. There are numerous crashes that happen on 19th Avenue and Southern because it is a two-lane street that goes into a swerve. She expressed that there is a lack of infrastructure in the area to support the density that keeps coming in the area and that there are many reports of crashes in the irrigation ditch across from the site. Ms. Hegedus also expressed concerns with the lack of tree canopy, landscape enhancements, and sidewalk details not being shown on the plans.

Jewel Clark stated that the original development had three houses per acre and that anything with higher density is not keeping in character with the area. Mrs. Clark asked for the city to keep the density to the original approval and asked for greater street setbacks from the S-1 homes across the street. Mrs. Clark stated dropping the density would allow for the greater setbacks to be achieved and for an even greater open space percentage which is more consistent with the surrounding area. Mrs. Clark also brought up how all the existing and recently approved projects in the area are single-story in height and was not sure why the applicant is proposing two-story homes without showing any of those elevations. Mrs. Clark stated the Rio Montaña Area Plan calls for limited two-story homes, yet the applicant has given no indication of how many they intend to provide. Mrs. Clark said there is enough lacking to either continue or deny the request, an inconsistency with the character of the Rio Montaña Area Plan, and lack of commitment to heat mitigation from the applicant's proposal. Mrs. Clark mentioned their neighborhood area feels cooler because of the amount of open space there is, and as a strong supporter of sustainability she would like to see more requirements being placed on these final products since the site was only recently acquired in April there should be more time to review and improve the proposal. Mrs. Clark commented on the elevations and how the Rio Montaña Area Plan not only mentions garages be recessed 10-feet back from the front, but also calls for alley and side loaded garages. Mrs. Clark finished her remarks summarizing that the key issues are density, open space, setbacks, and single-story if possible.

APPLICANT RESPONSE

Kevin Zenk said that they submitted a landscape plan showing tree lined streets as well as the necessary vegetation in the landscape strips, but that it was denied, and they were told it was not needed. As for density and open space they are more than double what is required in R1-10 PRD. Density of 3.5 du/ac is within what is allowed in R1-10 PRD zoning and the Rio Montaña Area Plan. Mr. Zenk said they are willing to be stipulated to Energy Star conformance and to work with the utility and development teams to ensure these homes are sustainable and energy efficient.

COMMITTEE DISCUSSION

Marcia Busching appreciated all the public and committee comments including irrigation, open space, and tree lined streets. She reminded the committee that unfortunately the request being presented is to provide comments for a modification to a previously approved site plan and as a result she is in favor of the item.

Kay Shepard agreed with Marcia Bushing and stated that she was ready to make a motion.

MOTION:

Kay Shepard motioned to approve case PHO-2-22--Z-47-17-8 as filed. **Marcia Busching** seconded the motion to approve.

VOTE:

7-4, motion passed; Members Alvarez, Brooks, Busching, Montoya, Shepard, Marchuk, and Daniels in favor. Coleman, Holmerud, Muhammad Roque, and Viera opposed. Mr. Holmerud stated with the site being purchased in April it seemed rushed together.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

- 1) Note that this item is related to Item #8 (Review and Comment Item - regarding Rezoning Case No. PHO-2-22--Z-47-17-8) heard on this same agenda. See documents regarding that item and case file for further discussion on these items.

EXHIBIT K

Village Planning Committee Meeting Summary
REVIEW AND COMMENT
PHO-2-22--Z-47-17-8

Date of VPC Meeting	August 9, 2022
Location	130 feet north of the northwest corner of 19th Avenue and Latona Lane
VPC Recommendation	Stipulation 3 met and two recommendations provided to staff regarding staggered lots and front porches
VPC Vote	11-0 ; Members Alvarez, Brooks, Busching, Coleman, Holmerud, Montoya, Muhammad Roque, Shepard, Viera, Marchuk, and Daniels in favor.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. Valencia mentioned Stipulations 3 and 4 of the underlying case created redundancy. Stipulation 3 for review and comment would have less weight than providing PHO comments for their review as part of Stipulation 4. Mr. Valencia asked the committee if they would like to provide elevation comments to the PHO they should do so as part of this discussion, unless they would rather have the applicant come back to them prior to final site plan approval.

Chair Daniels stated that we don't really have elevations.

Mr. Valencia said exactly and that is why the committee could be specific as to what they would like to achieve from the elevations such as height, or side loaded garages.

Marcia Bushing asked for clarification on the elevations on pages 72 and 73 of the packet and if there are only four elevations being proposed.

Kevin Zenk answered that those are the preferred conceptual elevations.

Mr. Valencia shared two additional elevations for a single-story home that were emailed by the applicant after the packet had been sent out and asked the applicant if they had any two-story homes proposed. **Chuck Kennedy** answered that the majority would be single-story, but they wanted to allow some flexibility to be able to build two-story in case a buyer wanted additional floor area.

Mr. Valencia reminded the committee that if they wanted to restrict the heights or certain lots to be a certain height this would be the time to provide that information.

Chair Daniels said she did not have an issue with height as it creates diversity, but she did want to go over side loaded garages and characteristics for the Rio Montaña area plan while going over the elevations.

Mr. Valencia presented the elevations while bringing out that some key areas include reduction of garage dominance which could be done by stepping back the garage which all the elevations seem to indicate. Mr. Valencia stated that side loaded garages are closer to the front property line but break up garage dominance because it has windows and acts like a faux front. Mr. Valencia stated that none of the elevations indicate side loaded garages so of the committee wants that they will have to give some specifics such as percentage of elevations to provide that option. Mr. Valencia next mentioned front porches are also characteristic of the Rio Montaña Area Plan and that all the proposed elevations do not indicate porches or their dimensions. All elevations indicate pitched roofs which Mr. Valencia said was another Rio Montaña Area Plan character trait. As well as the variety of materials being proposed.

Chair Daniels asked how much percentage could be asked for on porches. **Mr. Valencia** cited earlier cases where the committee stipulated 75 percent of the elevations to have porches.

Chair Daniels stated she would like to see front porches on the elevations and asked if side loaded garages create a staggering effect. **Mr. Valencia** replied that a staggering effect is created by side loaded garages because the building projects forward on some lots while others are further back.

Chair Daniels asked for side loaded garages and for porches on 75 percent of the elevations since the applicant is also seeking the technical appeals creating a win-win situation.

Kevin Zenk mentioned that side loaded garages would be difficult to achieve on lots of this width because of turning radius requirements. Mr. Zenk added that they are accepting of the front porch requirements as it does create more massing and reduces the prominence of the garage. **Chair Daniels** replied that she has seen smaller lots with side loaded garages.

Gene Holmerud asked if the elevations are coming back for them to review. **Mr. Valencia** stated if the committee wants the applicant to come back with elevations as Stipulation 3 of the underlying case, then the comments they provide are under no guarantee of being implemented during site review. If the committee opts to provide comments to the PHO, then the PHO can use those comments as part of their review. Although there is no guarantee that the PHO will enact the committees' comments, the committees' comments hold more weight in that forum. **Gene Holmerud** stated that if a motion is made then it should be to provide comments to the PHO.

MOTION 1

Mr. Valencia asked if the motion the committee wanted was to consider Stipulation 3 met and to provide elevation comments to staff to include requiring 25 percent of the elevations to accommodate side loaded garages and 75 percent of the elevations to provide front porches, with porches to be designed consistent with recommendations in the Rio Montaña Area Plan, with a minimum 6-foot depth and a minimum 60 square-feet in area.

Gene Holmerud agreed and made that motion. No second was provided for this motion. The motion failed.

MOTION 2

Kay Shepard stated that side loaded garages would not look appealing due to the amount of concrete that would be required for the driveway and maneuvering area on lots of this width. **Chair Daniels** agreed with Kay Shepard and asked if they could still stagger the houses. **Mr. Valencia** answered that the lots are about 140 feet in depth and that there is that opportunity to create undulation. **Kay Shepard** stated that she liked the staggered idea.

Ms. Shepard made a motion to consider Stipulation 3 of PHO-2-22-Z-47-17-8 met and to provide two recommendations to staff:

- 1) The lots in the subdivision shall be staggered.
- 2) 75 percent of the elevations shall provide covered porches. Porches shall be consistent with recommendations in the Rio Montaña Area plan and provide a minimum of six-foot depth and a minimum sixty square feet in area.

Marcia Busching seconded the motion.

VOTE:

11-0; Members Alvarez, Brooks, Busching, Coleman, Holmerud, Montoya, Muhammad Roque, Shepard, Viera, Marchuk, and Daniels in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

- 1) Note that this item was advertised and intended to be heard as a '*Review and Comment*' item and therefore, no motion and vote was required. However, there is no impact from the VPC having taken a motion and vote and the recommendations will be provided to staff regardless.
- 2) Note that this item is related to Item #7 (Rezoning Case No. PHO-2-22--Z-47-17-8) heard on this same agenda. See documents regarding that item and case file for further discussion on these items.

- 3) The VPC did not provide specific dimensions for the staggering of front yard setback lines. However, an example of this staggering is depicted in Figures 71 and 72 on page 39 (42 in PDF) of the Rio Montaña Area Plan and is also mentioned as an option in the Single-Family Design Review Checklist (SFDR).
- 4) The Rio Montaña Area Plan, page 22 (25 in PDF), mentions “providing deep overhangs and covered porches on residential buildings”. Although no specific dimensions are given, note that the nearby Baseline Area Overlay District (BAOD) provides recommended dimensions in Section 651.E.3.b.(4).

EXHIBIT L

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Bradley Wylam, Planner I, Assisting

August 17, 2022

ITEM NO: 5	
	DISTRICT 8
SUBJECT:	
Application #:	PHO-2-22--Z-47-17-8
Location:	Approximately 130 feet north of the northwest corner of 19th Avenue and Latona Lane
Zoning:	R1-10
Acreage:	5.12
Request:	1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped July 28, 2017. 2) Review of conceptual elevations by the Planning Hearing Officer per Stipulation 4.
Applicant:	Terrascape Consulting LLC
Owner:	Bella Rosa Partners LLC
Representative:	Terrascape Consulting LLC

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this request on August 9, 2022 and recommended approval by a vote of 7-4.

DISCUSSION:

Kevin Zenk, representative with Terrascape Consulting, reviewed the subject site and surrounding uses. He provided an overview of the original rezoning case and noted that both parcels in the original rezoning case area have changed ownership and will be developed separately. He reviewed the proposed conceptual site plan, which depicts an 18-unit single-family subdivision at approximately 3.51 dwelling units per gross acre. He stated that a single street with a cul-de-sac is proposed and that approximately 9% of the gross area would be reserved as common open space. He stated that the lot widths at approximately 58 feet are similar to the lot sizes on the stipulated site plan. He provided an overview of the proposed elevations and stated that the elevations are consistent with design guidelines from the Rio Montaña Area Plan, including

staggered lots with various front setbacks and a variety of building materials. He noted that only single-story elevations were submitted but noted that he hopes to include a two-story elevations in the final development of the subdivision. He noted that the Rio Montaña Area Plan states that houses with varying heights are encouraged to create housing diversity. He stated that landscaping was discussed at the South Mountain Village Planning Committee (VPC) and displayed a conceptual landscape plan that depicts landscaping along streets.

Michael Josic, adjacent property owner to the west speaking in opposition, expressed concerns regarding privacy and wished to eliminate all two-story homes from the western side of the subdivision. He specified that Lots 8, 9, 10, and 11 should be limited to single-story development only.

Jewel Clark, adjacent property owner to the west speaking in opposition, stated that she is representing multiple property owners in the surrounding area, including Miguel Rubio and Ravinder Sharma, who also own property adjacent to the subject site. She stated that the stipulated site plan depicts 3.03 dwelling units per gross acre, compared to the 3.51 dwelling units per gross acre currently proposed, and noted that the density would be greater than that approved in two recent rezoning cases at the southeast and southwest corners of 19th Avenue and South Mountain, approximately 600 feet south of the subject site. She stated that the proposed density is out of character with the surrounding community, which consists of large lot residences that are zoned S-1. She stated that the development should be limited to approximately 3 dwelling units per acre, consistent with the stipulated site plan. She stated that the Rio Montaña Area Plan states that the area is to be preserved with open space and create an area that feels rural. She noted that active agriculture is present in the surrounding area. She stated that by reducing the number of units, increased open space and perimeter setbacks could be introduced that may ease neighbors' concerns. She stated that she would like the development to consist of single-story units only, which would match the character of the area. She noted that there are no two-story residences near the property and that the two subdivisions recently approved to the south are limited to one story. She stated that the Rio Montaña Area Plan notes that two-story development should be limited. She reiterated that the density of 3.51 dwelling units per gross acre significantly deviates from the density on the stipulated site plan and noted that she hoped the site would be limited to single-story development. She stated that the lack of two-story elevations in the applicant's submittals is concerning.

Mr. Zenk stated that the developer is willing to stipulate that Lots 8, 9, 10, and 11 are to be limited to single-story development, as recommended by Mr. Josic. He stated that the Rio Montaña Area Plan notes that a diversity of building heights is recommended. He stated that the two-story residences are proposed to be staggered in development and not located directly adjacent to other two-story

units. He stated that the development would be in conformance with the density and height permitted by the R1-10 zoning district.

Adam Stranieri, Planning Hearing Officer, stated that 12 letters in opposition were received prior to the hearing and noted that Ms. Clark's letter comprised the text of 11 of those letters. He stated that the concerns noted in the correspondence include the increased density, building height, and reduction in open space. He provided an overview of the South Mountain Village Planning Committee (VPC) recommendation, which recommended approval by a vote of 7-4. He noted that the VPC made two recommendations during a "review and comment" item regarding architectural elevations per Stipulation 3. He noted that they recommended adding a stipulation that front setbacks be staggered and requiring front porches. He noted that the VPC recommendations were addressed in Mr. Zenk's presentation. He stated that Stipulations 3 and 4 are redundant and that he would consider the VPC's recommendations for Stipulation 3 made in conjunction with the recommendation on the PHO item. He stated none of the application materials provided by the applicant discuss or propose two-story buildings and that the conceptual elevations did not include any two-story home designs. He stated that he is not comfortable recommending any stipulation that infers that two-story development would be permitted due to the lack of two-story elevations. He also stated that the intent of Stipulation 4 was to address the lack of elevations in the original rezoning case and require the applicant to provide elevations, when available, through a public hearing process. He stated that he does not feel the stipulation has been complied with if the applicant did not provide any two-story elevations and now wants approval for such homes. He stated that he would be comfortable recommending a continuance to allow the applicant to provide elevations for the two-story homes they have discussed, or alternately he would be comfortable providing a recommendation based solely on the single-story elevations provided. He noted that a general conformance stipulation to solely single-story elevations would not allow the applicant to construct two-story homes without a subsequent PHO case to modify that stipulation to include those designs. He discussed the use of 'general conformance' as a term in zoning stipulations. Mr. Zenk stated that he would prefer to move forward with a recommendation based on the conceptual building elevations provided.

Mr. Stranieri provided an overview of the proposed conceptual site plan and stated that the density depicted consists of approximately two more units than what would be permitted using the density shown on the stipulated site plan. He stated that the change is modest and remains below the maximum permitted density in the R1-10 zoning district. He stated that approximately 9% open space is depicted on the proposed conceptual site plan, which is approximately twice the minimum open space required by the Zoning Ordinance. He stated that a technical appeal may be required regarding the termination of the cul-de-sac on the west portion of the site. Scott Lucas, representative with Terrascope

Consulting, stated that the technical appeal has not been applied for, but would be following the results of the PHO process.

Mr. Stranieri recommended approval of the request to modify Stipulation 1 with a modification to provide more standard language. He stated that the proposed conceptual elevations depict a variety of building materials, multiple building colors, variation in roof design, and multiple architectural features such as wood posts, gable ornamentation, varied window size, and decorative garage panels. He stated that the staggered front setbacks, which was recommended by the South Mountain VPC and recommended in the Rio Montaña Area Plan is recommended for approval as a new sub-stipulation of Stipulation 1. He stated that the stipulation would state that the front setback is to be staggered a minimum of 4 feet compared to adjacent lots. He stated that the South Mountain VPC recommendation requiring front porches is recommended for approval. He stated that this stipulation would follow standard language drawn from the Baseline Area Overlay District. He recommended that Stipulation 4 regarding the review and approval of conceptual elevations be replaced with a standard language general conformance stipulation with the elevations date stamped August 17, 2022. He requested that staff combine the multiple elevations submitted throughout the hearing process under a single cover and date stamp for simplicity. He stated that the Street Transportation Department recommended an additional stipulation regarding dedications, detached sidewalks, and landscaping along 19th Avenue.

Mr. Josic asked a question regarding an open irrigation canal on the west side of 19th Avenue. Mr. Lucas stated that the drainage would be updated through street improvements along the subject site's frontage. Mr. Stranieri noted that the proposed conceptual site plan approved by the PHO would not have an impact on any existing Subdivision or Zoning Ordinance technical requirements that may be implemented as the developer continues through the plan review process.

FINDINGS:

- 1) The South Mountain Village Planning Committee heard two agenda items regarding this case at their August 9, 2022 meeting. The first (Agenda Item #7) was the PHO request itself. The second (Agenda Item #8) was for review and comment on architectural elevations per the requirements of Stipulation 3. Note that Stipulation 3 is redundant of, and less restrictive than, the requirement for PHO review of conceptual elevations required by Stipulation 4. However, during the review and comment item, the VPC made two recommendations regarding the provision of staggered front setbacks and front porches. These recommendations are addressed in these findings along with the consideration paid to the VPC's discussion during the PHO request itself.

- 2) The request to modify Stipulation 1 regarding general conformance with the site plan is recommended for approval with modifications to provide more standard conformance language and to add a new sub-stipulation requiring staggered front setbacks.

The subject property includes only the southern 5.12 gross acres of the 11.15 gross acres rezoned in the original case. The stipulated site plan depicted a 32-unit single-family subdivision at approximately 3.03 dwelling units per gross acre and approximately 13.9% open space. Units were arranged around four cul-de-sacs oriented north/south, with most of the open space along the west property line. The street running east/west through the site terminated in an emergency gate along the west property line.

The proposed conceptual site plan depicts an 18-unit single-family subdivision at approximately 3.51 dwelling units per gross acre, with approximately 9% open space. Units are arranged along a street running east/west through the site. The street terminates in a cul-de-sac along the west property line. Most of the open space is along the west property line. The proposal is substantially similar to the stipulated site plan, with the caveat that it is designed with less than half of the original area. The density remains below, and the open space above, Ordinance standards. The proposal is compatible with existing development in the surrounding area.

A new sub-stipulation is recommended requiring staggered front setbacks. This recommendation is consistent with the recommendation of the South Mountain Village Planning Committee. It is also consistent with design recommendations in the Rio Montaña Area Plan (Page 39, Figure 71).

- 3) The applicant submitted conceptual elevations for review and approval per the requirements of Stipulation 4. The stipulation has been complied with and is recommended to be deleted and replaced with a standard language stipulation for general conformance to the elevations provided. Stipulation 4 states that the elevations submitted should be consistent with recommendations in the Rio Montaña Area Plan. The elevations depict a variety of building materials (stone façade, composite siding, wood elements, brick veneer), multiple building colors, variation in roof design, and multiple architectural features (wood posts, gable ornamentation, varied window sizes, decorative garage panels). This diversity is consistent with the Rio Montaña Area Plan and many of the design choices are compatible with the rural and agricultural character described in the plan.

- 4) An additional stipulation is recommended to require front porches to be provided per the requirements of the Baseline Area Overlay District (651.E.3.b.(4)). This recommendation is consistent with the recommendation of the South Mountain Village Planning Committee. It is also consistent with the Rio Montaña Area Plan (Page 22; Page 23; Page 44, Figures 97 and 100) and the intent of Stipulation 4.
- 5) The Street Transportation Department recommends one additional stipulation addressing required dedications, detached sidewalks, and landscaping along 19th Avenue. This stipulation is recommended for inclusion.

19th Avenue is identified on the City Council Approved Street Classification Map as a D-Section Arterial roadway. This cross section requires a total right-of-way dedication of 50-feet where the last 10-feet may consider a 10-foot-wide sidewalk easement. Within the ROW/sidewalk easement, an 11-foot-wide landscape strip located between back of curb and sidewalk is required to create a separated detached sidewalk and allow planting space for trees to mature and to adequately shade the sidewalk.

While Stipulation 2 (not a part of this request) addresses detached sidewalks, requiring a minimum 5-foot-wide landscape strip between back of curb and sidewalk, this does not override the City Council approved Street Classification Map. While all other detached sidewalks within the development may allow the 5-foot-wide landscape strip, 19th Avenue cannot and shall comply with the recommended stipulation as described.

- 6) 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.	The development shall be in general conformance with the site plan date stamped JUNE 30, 2022 July 28, 2017 , as modified by the following stipulations and approved by the Planning and Development Department, WITH SPECIFIC REGARD TO THE FOLLOWING:
A.	THE SITE PLAN SHALL DEPICT STAGGERED FRONT SETBACKS FOR COVERED BUILDING ELEMENTS, SUCH THAT ANY TWO ADJACENT LOTS SHALL PROVIDE A MINIMUM VARIATION IN FRONT SETBACK OF 4 FEET.

2.	All sidewalks shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings staggered along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the HOA.	
3.	Architectural elevations shall be presented to the South Mountain Village Planning Committee for review and comment prior to final site plan approval.	
4.	Conceptual elevations shall be reviewed and approved for consistency with the Rio Montaña Area Plan by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED AUGUST 17, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
5.	COVERED PORCHES A MINIMUM OF SIXTY SQUARE FEET IN AREA AT A DEPTH OF AT LEAST SIX FEET SHALL BE PROVIDED IN THE FRONT YARD OF FIFTY PERCENT OF THE HOMES IN A SUBDIVISION. NO PORCH SHALL TERMINATE WITHIN THE PLANE OF A DOOR OR WINDOW.	
6. 5.	The perimeter wall adjacent to 19th Avenue shall include minimum 3-foot offsets at a minimum spacing of every 50 feet and material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.	
7. 6.	Fence and wall materials adjacent to common areas and open space as depicted on the site plan date stamped July 28, 2017 shall consist of wrought iron, split rail, corral fencing, or a combination of 3 feet of solid masonry topped by open wrought iron or a similar material, or a combination of the aforementioned fence types and open farm fencing, as approved by the Planning and Development Department.	

8.	THE DEVELOPER SHALL DEDICATE MINIMUM 50-FEET OF RIGHT-OF-WAY ALONG THE WEST SIDE OF 19TH AVENUE. IMPROVEMENTS SHALL INCLUDE A MINIMUM 5-FOOT-WIDE DETACHED SIDEWALK AND MINIMUM 11-FOOT-WIDE LANDSCAPE STRIP LOCATED BETWEEN THE BACK OF CURB AND SIDEWALK, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. LANDSCAPE STRIP PLANTING REQUIREMENTS TO BE APPROVED BY PLANNING AND DEVELOPMENT.
9. 7.	The developer shall dedicate right-of-way totaling 25 feet for the east half of 20th Avenue, as approved by the Planning and Development Department
10. 8.	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. 9.	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.
12. 10.	The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. 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.
13.	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.

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