

**\*CORRECTION TO DEPARTMENT DUE DATE\***

**PLEASE RESPOND ELECTRONICALLY TO TERESA GARCIA 2ND FLOOR, 602-262-7399**



## **City of Phoenix**

PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned

**From:** Joshua Bednarek  
Planning & Development Department Director

**Date:** April 23, 2025

**Subject: P.H.O. APPLICATION NO. PHO-1-25--Z-232-85-4(7) – Notice of Pending Actions by the Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **May 21, 2025**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to [pdd.pho@phoenix.gov](mailto:pdd.pho@phoenix.gov) or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **\*April 30, 2025.**

### **DISTRIBUTION**

Mayor's Office (Tony Motola), 11th Floor  
City Council (Stephanie Bracken), 11th Floor  
Aviation (Jordan D. Feld)  
CED (Michelle Pierson), 20th Floor  
Fire Prevention (Joel Asirsan), 2nd Floor  
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor  
Parks & Recreation (Todd Shackelford), 16th Floor  
Public Transit (Skitch Kitchen)  
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor  
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor  
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor  
Water Services (Don Reynolds, Victor Romo), 8th Floor  
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor  
Planning and Development/Information Services (Andrew Wickhorst), 4th Floor  
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor  
Planning Hearing Officer (Byron Easton, Teresa Garcia), 2nd Floor  
Village Planner (Nayeli Sanchez Luna, Estrella Village)  
Village Planning Committee Chair (Parris Wallace, Estrella Village)



## City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

### APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-25--Z-232-85-4(7)

Council District: 7

**Request For:** Stipulation Modification

**Reason for Request:** Request to delete Stipulation 1 regarding site access from Van Buren Street

#### Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
JC Hurts Properties LLC/VMAP Properties LLC	Owner	6336 East Hillcrest Boulevard, Scottsdale, AZ 85251	909-357-1555		zach@vanmatrelumber.com
David Hughes, EPS Group Inc.	Applicant	1130 North Alma School Road, Suite 120, Mesa, AZ 85201	480-355-0616		david.hughes@epsgroupinc.com
David Hughes, EPS Group Inc.	Representative	1130 North Alma School Road, Suite 120, Mesa, AZ 85201	480-355-0616		david.hughes@epsgroupinc.com

**Property Location:** Southeast corner of 26th Avenue and Polk Street

**Acreage:** 2.99

#### Geographic Information

Zoning Map	APN	Quarter Section
F7	109-28-061F	Q11-23
Village:		
Estrella		

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email [zoning@phoenix.gov](mailto:zoning@phoenix.gov) or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

#### Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,080.00	\$0.00	04/14/25	PHO (1-2 stipulations)

April 8, 2025

## **Van Matre Lumber (KIVA 24-306)**

*319 N. 26th Avenue, Phoenix, AZ*

### **PHO Written Request**

#### **Property Owner / Developer**

JC Hurts Properties LLC /  
VMAP Properties LLC  
6336 E. Hillcrest Blvd  
Scottsdale, AZ 85251  
Tel: (480)-557-7771  
Contact: Rick Jellies

#### **Planning Consultant**

EPS Group, Inc.  
1130 N Alma School Road, #120  
Mesa, AZ 85201  
Tel: (480)-355-0616  
Contact: David Hughes

#### **Project Description**

This PHO narrative provides information and background for a proposed commercial site located at 319 N. 26th Avenue, within the City of Phoenix. The subject parcel is currently undeveloped vacant land which consists of approximately 4.88 gross acres and is Maricopa County Assessor Parcel Numbers (APN) 109-28-061F. The subject property is currently split into two zoning districts, the west side is zoned C-2 and the east side is zoned C-3. The C-2 zoning district portion of the site was established per the City of Phoenix zoning case Z-232-85 which is the subject of this PHO request.

The proposed development is for the development of two commercial yards with associated administrative buildings for a lumber business and a contractor/contracting business. The two commercial yards will be split on the west and east halves of the property where the owners of the parcel operate both a lumber business and a contracting business. The lumber business shall operate on the east half, C-3 district, and the contracting business shall operate on the west half, C-2 district. The lumber and contracting businesses are generally involved in providing wood structural formwork for structural concrete construction on mid and high-rise construction projects in the greater Phoenix metropolitan area. The businesses will be using the yards as staging yards for their construction projects in the Downtown Phoenix area and across the Phoenix metropolitan area. The yards will hold general worksite equipment which the two businesses will transport to the various job sites in the area as necessary. There will be no concrete or cement product manufacturing, mixing, or pouring happening on the subject property. Those operations will all be occurring at the construction project sites, not within this development.

#### **Existing Zoning & Property History**

The subject property is currently split into two zoning districts, the west side is C-2 and the east side is C-3. The C-2 zoning district portion of the site was established per the City of Phoenix zoning cases Z-232-85 and Z-5-13-7 which are the subjects of this PHO request. In January of 1988, the west side of the property was rezoned from R-5 to C-2 SP for the development of a mini storage facility as per Z-232-85. The first stipulation of the Z-232-85 requires access to the site shall only be from Van Buren Street. In September of 2013, the special permit was removed from the C-2 district per Z-5-13-7, and the original zoning stipulations were retained. In 2015, a Family Dollar store was constructed on the southern portion of the original Z-232-85 and Z-5-13-7 site which has blocked the subject property from having it's own access to Van Buren. Our PHO request is to delete the first

stipulation regarding access from Van Buren Street as it is no longer applicable, and the subject property must have access from the surrounding local streets, 26<sup>th</sup> Avenue, 25<sup>th</sup> Avenue, and Polk Street.

The subject property has been vacant for decades and has had a few commercial developments proposed over the years, but none have come to fruition. This area also has a historically large transient population. This particular property has a history of enforcement actions and heavy fines levied against the previous landowner for creating an attractive nuisance which caused a marked increase in homeless encampments and criminal activity.

The current landowner has cooperated with the Phoenix Police Department to remove the most recent encampments. It has been recommended that the owner take action to minimize the opportunities for re-occupation, especially along the northern property line which bounds a large cemetery, and the east which has multiple property owners actively storing dozens of vehicles in the street. The approval of this PHO request shall continue the development of this property to help alleviate the occurrences of homeless encampments and reduce the criminal activity in the area.

### **Access**

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Primary access into the development will be provided via three proposed driveways off 26th Avenue to the west, 25<sup>th</sup> Avenue to the east, and Polk Street to the north. The subject property no longer has frontage along Van Buren Street. Please see the Site Plan submitted with this application for reference.

### **Surrounding Development:**

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The subject property is located along an existing commercial corridor on Van Buren Street. The site is bordered by other commercially zoned properties, industrial properties, and residential properties. The surrounding properties have been identified as follows:

- North – Greenwood Memory Lawn Mortuary & Cemetery (R-5)
- South – Family Dollar Store / Pep Boys (C-2 & C-3)
- East – Automobile Storage Yards & Repair Shops (A-1)
- West – Residential (R-5)

### **PHO Hearing Request:**

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The subject site is currently zoned C-2 and C-3 and is subject to stipulations of approval that were established when the property was rezoned from R-5 to C-2 SP (Z-232-85) in January 1988 for the development of a mini storage facility. In September 2013, the special permit was removed for the C-2 portion of the subject site (Z-5-13-7) for the development of a Family Dollar store, and the original stipulations were retained.

The Family Dollar store was constructed on the south portion of the original Z-232-85 site which severed the subject property's access to Van Buren Street. Due to stipulation requiring access off Van Buren, the development of this portion of the site has not moved forward since and the property remains undeveloped. The property owners wish to develop this property to help alleviate the occurrences of homeless encampments and reduce the criminal activity in the area. To allow the proposed development of the property, the following deletion and modifications to the original rezoning stipulations are proposed:



**Stipulations to be Modified for the Subject Site include: #1 (Z-232-85)**

1. ~~That the only access to the site shall be from Van Buren Street.~~

Rationale (Deletion): Stipulation is not applicable for the subject property as it no longer has street frontage along Van Buren Street. The southern portion of the site in relation to the existing zoning cases was developed in 2015 which severed the current property's access to Van Buren.

2. That the landscaping along 26<sup>th</sup> Avenue and Polk Street shall include 24" box size trees at a maximum of 20' on center or placed in equivalent groupings.
3. That the applicant provide variation in the building setbacks along 26<sup>th</sup> Avenue and Polk Street as approved by the DCO.
4. That sufficient right-of-way be dedicated within one year of final City Council action to provide:
  - a. A 12' radius at 26<sup>th</sup> Avenue and Polk Street.

Thank you for your time and consideration, please do not hesitate to contact me with any questions.

Respectfully,



David Hughes  
EPS Group, Inc.  
Tel: 480-355-0616  
david.hughes@epsgroupinc.com



August 8, 1986

CORRECTED COPY

Slavin, Kane and Paterson  
2193 East Camelback Road  
Phoenix, Arizona 85016

Re: REZONING APPLICATION NO. 232-85

Gentlemen:

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 108-J of the Zoning Ordinance, as amended, has on September 4, 1985, concurred in the recommendation of the Planning Commission and denied as filed, but approved C-2 with a Special Permit for Rezoning Application 232-85, a rectangular-shaped parcel on the southeast corner of 26th Avenue and Polk Street (approximately 3.83 acres) from R-5 to C-2, subject to stipulations:

Stipulations

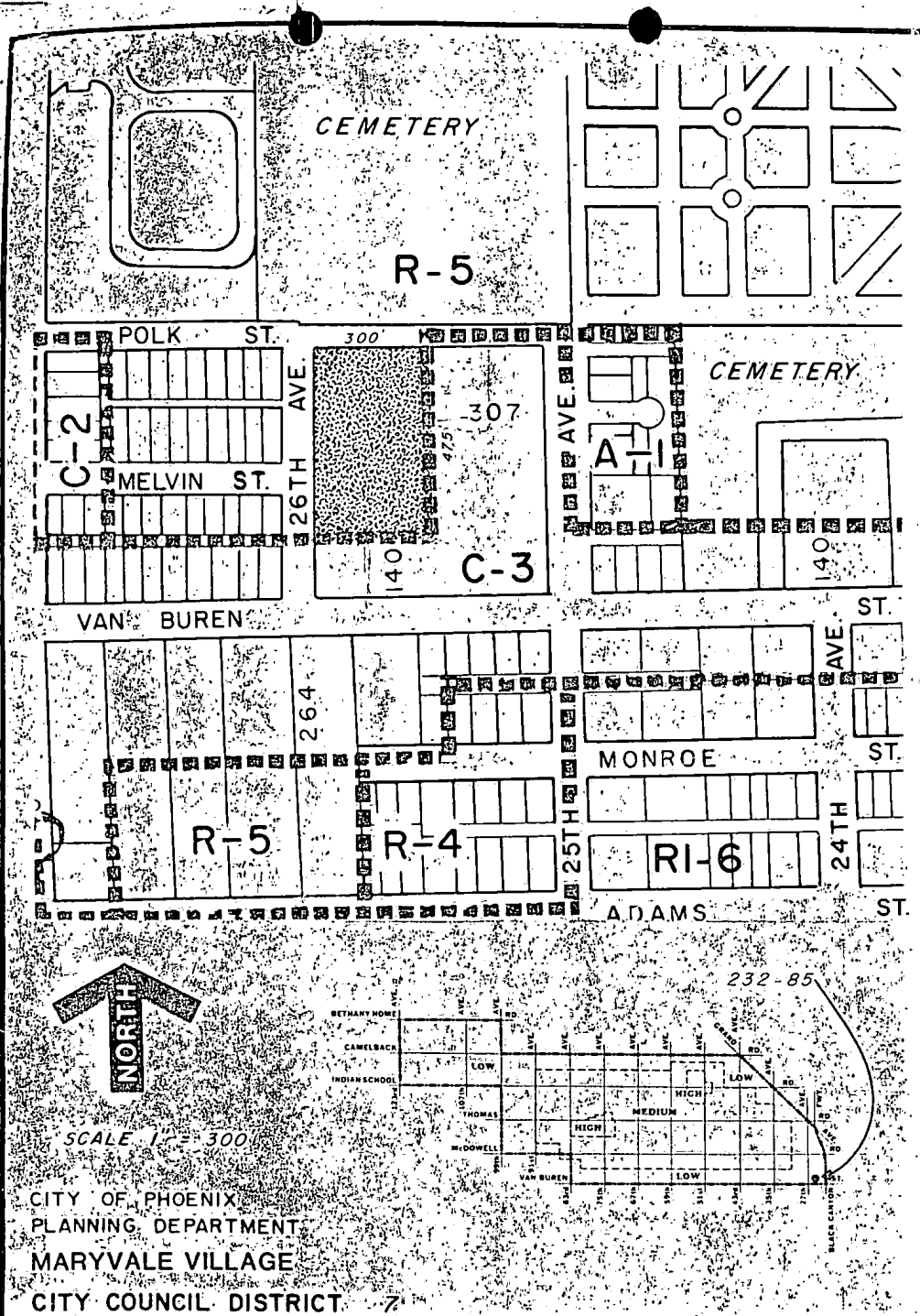
- Del
1. That the only access to the site shall be from Van Buren Street.
  2. That the landscaping along 26th Avenue and Polk Street shall include 24" box size trees at a maximum of 20' on center or placed in equivalent groupings.
  3. That the applicant provide variation in the building setbacks along 26th Avenue and Polk Street as approved by the DCO.
  4. That sufficient right-of-way be dedicated within one year of final City Council action to provide:
    - a. A 12' radius at 26th Avenue and Polk Street.

Sincerely,

David E. Richert  
Deputy Planning Director

DER:dm

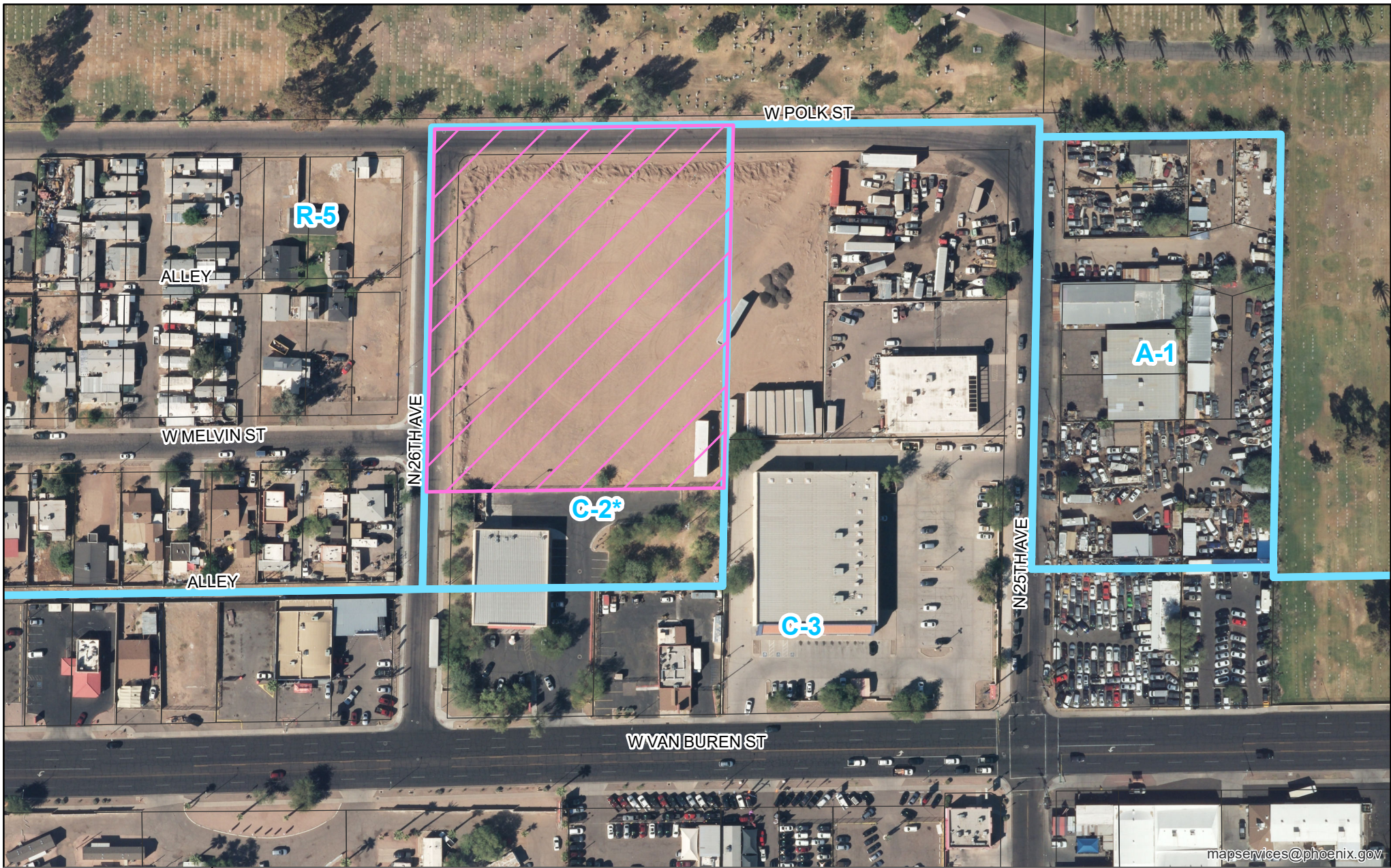
cc: City Clerk  
Jay Neville  
Tom Slade  
File



<b>APPLICANT'S NAME</b> SLAVIN, KANE & PATERSON				<b>REQUESTED CHANGE</b>	
<b>APPLICATION NO.</b> 232-85				FROM <b>R-5</b> TO <b>C-3</b>	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 3.83 ACRES		<b>HEARING DATES</b> 8-14-85	<b>PC</b>	<b>C.C.</b>	
		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> 11-23	<b>ZONING MAP</b> E-5		
<b>MULTIPLES PERMITTED</b>		<b>UNITS STANDARD OPTION</b>		<b>* UNITS P.R.D. OPTION</b>	
_____		_____		_____	
_____		_____		_____	
_____		_____		_____	

\* MAXIMUM UNITS ALLOWED WITH P.R.D. BONUS





PHO-1-25--Z-232-85-4(7)

Property Location: Southeast corner of 26th Avenue and Polk Street



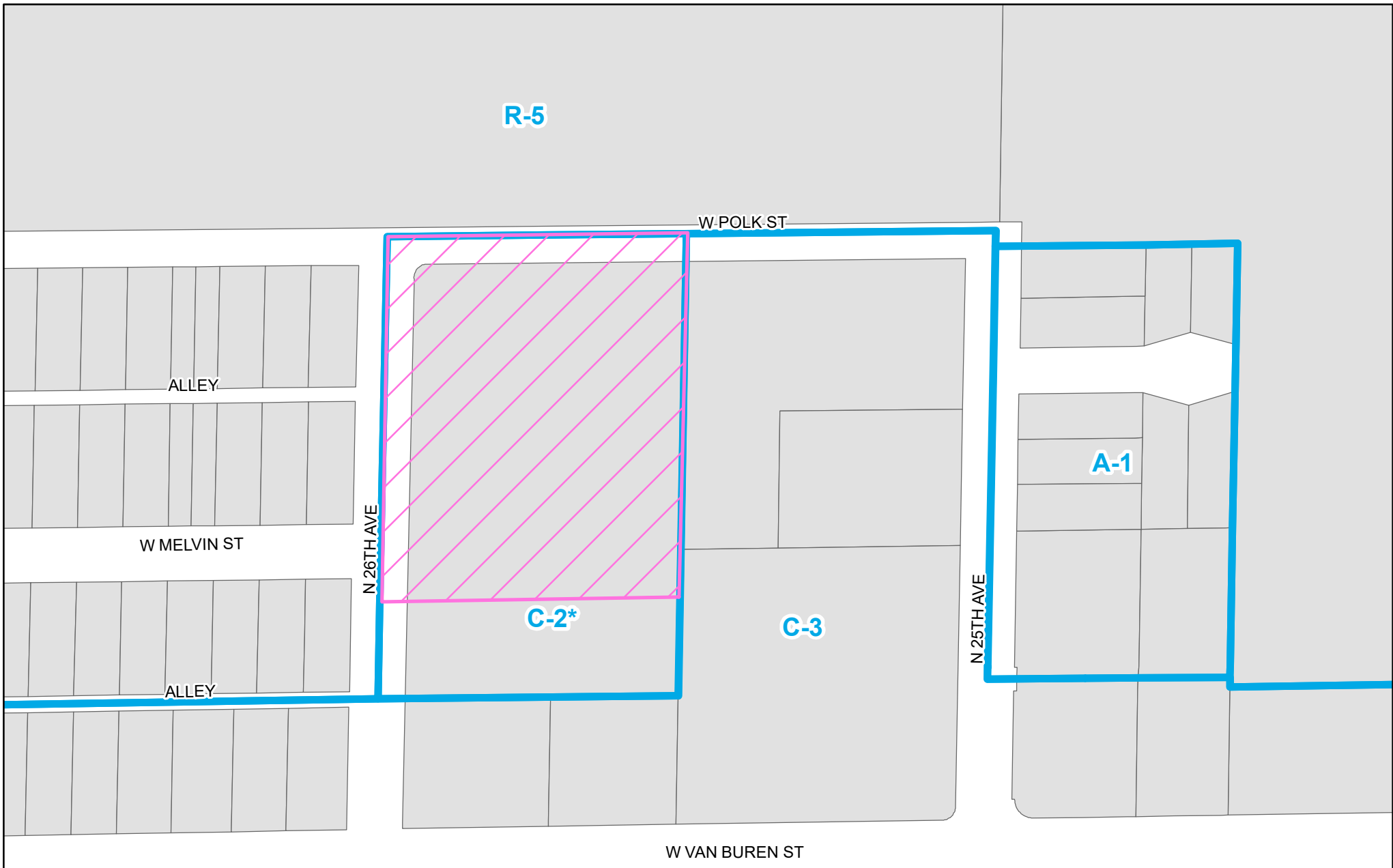
City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 65 130 260 Feet







PHO-1-25--Z-232-85-4(7)

**Property Location: Southeast corner of 26th Avenue and Polk Street**



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Planning & Development Department**

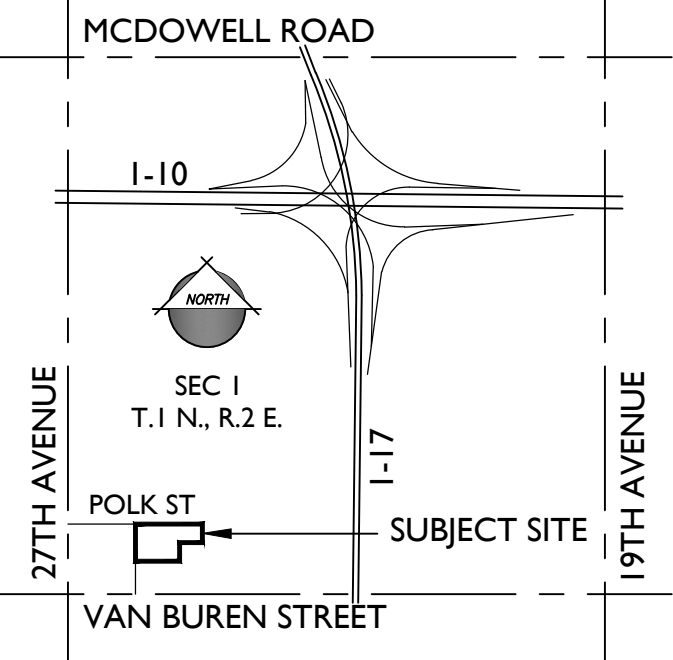
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VICINITY MAP  
N.T.S.



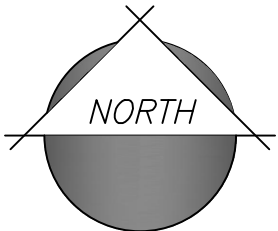
PROJECT TEAM

**DEVELOPER/OWNER:**  
JC HURTS PROPERTIES LLC /  
VMAP PROPERTIES LLC  
6336 E. HILLCREST BLVD.  
SCOTTSDALE, AZ 85251  
TEL: (909) 357-1555  
CONTACT: RICK JELLIES  
rjellies@cityofcitycre.com

**APPLICANT**  
EPS GROUP, INC.  
1130 N. ALMA SCHOOL ROAD, STE. 120  
MESA, AZ 85201  
TEL: (480) 503-2250  
FAX: (480) 503-2258  
CONTACT: DAVID HUGHES  
david.hughes@epsgroupinc.com

PROJECT DATA

APN:	109-28-061F
SITE ADDRESS:	319 N. 26TH AVENUE, PHOENIX, AZ 85009
LOCATION:	N/NEC 26TH AVENUE & VAN BUREN STREET
CITY OF PHOENIX VILLAGE:	ESTRELLA
CURRENT LAND USE:	VACANT / UNDEVELOPED
EXISTING GENERAL PLAN:	COMMERCIAL & TRADITIONAL LOT RESIDENTIAL (3.5-5 DU/AC)
EXISTING ZONING:	C-2 & C-3
GROSS AREA:	4.88 ACRES (212,513 SF)
NET AREA:	4.05 ACRES (176,325 SF)
<b>C-2 DISTRICT</b>	
GROSS AREA:	3.00 ACRES (130,678 SF)
NET AREA:	2.52 ACRES (109,654 SF)
GROSS BUILDING AREA:	
BUILDING A	15,854 SF
MAX. LOT COVERAGE:	50% OF NET AREA
PROPOSED LOT COVERAGE:	14.5% OF NET AREA
PARKING REQUIREMENTS:	
WAREHOUSE (1/1,000 SF)	14 SPACES (14,000 SF)
OFFICE (1/300 SF)	6 SPACES (1,854 SF)
TOTAL	20 SPACES
PARKING PROVIDED:	21 SPACES
<b>C-3 DISTRICT</b>	
GROSS AREA:	1.88 ACRES (81,835 SF)
NET AREA:	1.53 ACRES (66,671 SF)
GROSS BUILDING AREA:	
BUILDING B	11,554 SF
MAX. LOT COVERAGE:	50% OF NET AREA
PROPOSED LOT COVERAGE:	17.3% OF NET AREA
PARKING REQUIREMENTS:	
WAREHOUSE (1/1,000 SF)	10 SPACES (10,000 SF)
OFFICE (1/300 SF)	5 SPACES (1,554 SF)
TOTAL	15 SPACES
PARKING PROVIDED:	15 SPACES



40 0 40 80  
scale: 1" = 40' feet

CITY OF PHOENIX

MAR 18 2025

Planning & Development  
Department

03.17.2025



Hearing Date: May 21, 2025

23-0592



Van Matre Lumber

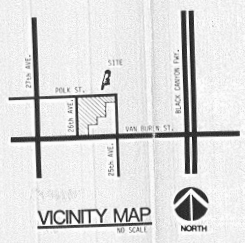
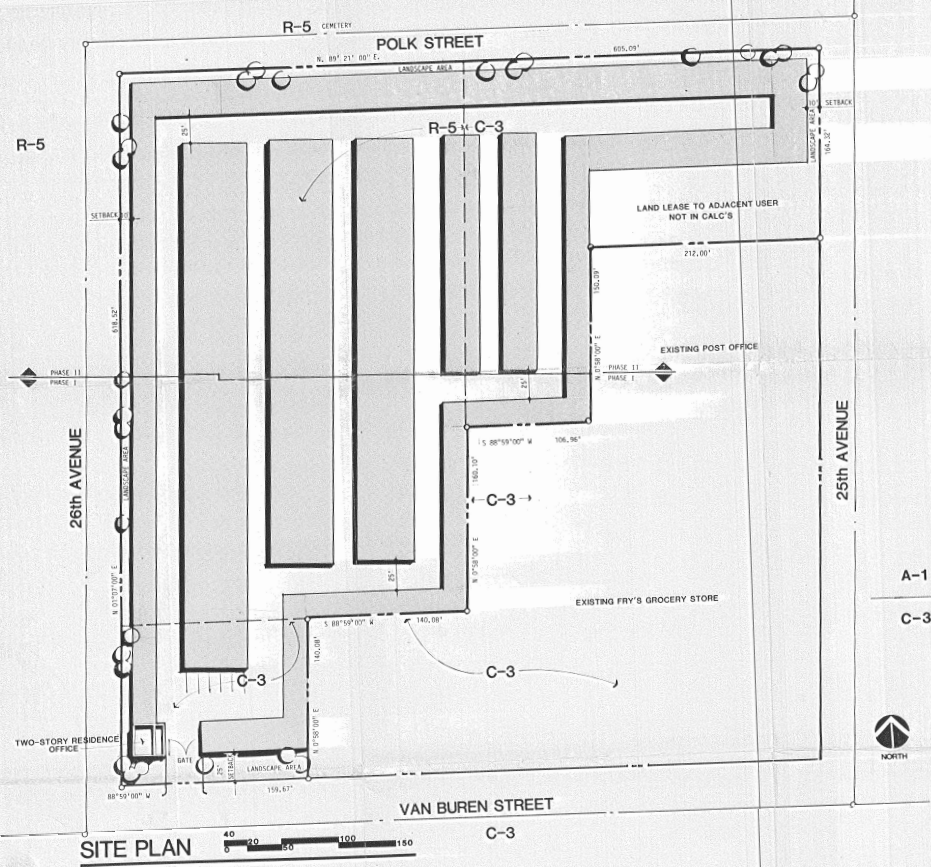
PHO-1-25--Z-232-85-4(7)

City of Phoenix, AZ

Conceptual Site Plan

Proposed Conceptual Site Plan





# LEGAL

SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS: THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION ONE (1), TOWNSHIP ONE (1), NORTH, RANGE TWO (2) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 30.00 FEET OF THE EAST 306.9 FEET OF THE SOUTH 340 FEET; AND EXCEPT THE NORTH 150 FEET OF THE SOUTH 490 FEET OF THE WEST 200 FEET OF THE EAST 230 FEET; AND EXCEPT THE EAST AND WEST 10 FEET; AND EXCEPT THE SOUTH 40 FEET (100' WIDE); AND EXCEPT THE WEST 140 FEET OF THE EAST 476.90 FEET OF THE SOUTH 180 FEET THEREOF.

# TABULATIONS

EXISTING ZONING:	C-3 AND R-5
PROPOSED ZONING:	C-3
NET SITE AREA:	75,470 S.F. (C-3)
	162,778 S.F. (R-5)
TOTAL THIS PROJECT:	218,440 S.F. (C-3)
(NOTE: ADDITIONAL 18 LEGAL, N.E.C. 13,018 S.F. (C-3))	

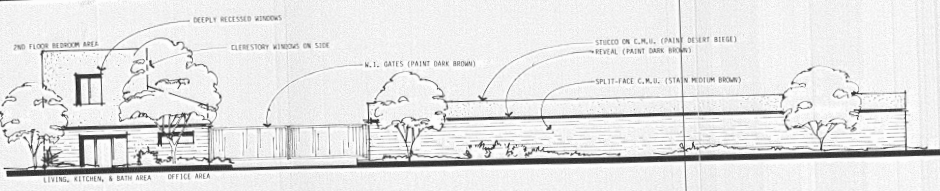
  

BUILDING AREA:	SIZE OF UNITS	PHASE I	SQUARE FEET	PHASE II	SQUARE FEET	TOTAL
6' x 5'	24	500	74	1,800	188	2,500
5' x 10'	123	6,150	214	10,700	337	16,850
10' x 10'	85	8,500	203	20,300	288	28,800
10' x 15'	35	5,250	39	5,850	74	11,100
10' x 20'	114	22,800	122	24,400	236	47,200
10' x 30'	6	1,800	15	45,000	21	46,800
				TOTAL	1,054	112,758

LANDSCAPE AREA REQUIRED (75' x 10,640 S.F.)	15,900 S.F.
LANDSCAPE AREA PROVIDED	15,900 S.F.

SITE PLAN



STREET ELEVATION

# SELF STORAGE FACILITY

2-232-85



A DEVELOPMENT BY  
ARIZONA RENT-A-STORAGE  
14981 NORTH HAYDEN ROAD SCOTTSDALE, ARIZONA



CC Sept. 4, 1985

DISTRICT 7 -  
SLAVIN, KANE AND PATERSON

Application 232-85 - Request of Slavin, Kane and Paterson, on behalf of 26th and West Van Buren Partnership, to rezone a rectangular-shaped parcel on the southeast corner of 26th Avenue and Polk Street (approximately 3.83 acres) from R-5 to C-3.

The Planning Commission recommended denial as filed, approval of C-2 with a special permit to allow a self storage warehouse, subject to stipulations.

SUMMARY OF ZONING CASES  
ITEM 16  
August 14, 1985  
Page 13

ITEM 16. Application No.: 232.85  
Applicant: Slavin, Kane and Paterson  
(Owner: 26th and West Van Buren Partnership).  
Subject: To rezone a rectangular-shaped parcel on the southeast  
corner of 26th Avenue and Polk Street (approximately  
3.83 acres) from R-5 to C-3

The Planning Commission and Staff recommend that the application be  
denied as filed, but approved for C-2 with a Special Permit to allow  
a self storage warehouse.

This item was approved on the consent agenda per the Staff report.

STIPULATIONS

1. That the only access to the site shall be from Van Buren Street.
2. That the landscaping along 26th Avenue and Polk Street shall  
include 24' box size trees at a maximum of 20' on center or placed in  
equivalent groupings.
3. That the applicant provide variation in the building setbacks along  
26th Avenue and Polk Street as approved by the DCO.
4. That sufficient right-of-way be dedicated within one year of  
final City Council action to provide:
  - a. 12' radius at 26th Avenue and Polk Street.

Ms. Drake made the motion. Mr. Turner seconded. Ms. Moore, Mr. Cox  
and Mr. Kerrick were absent.

Commission Vote: 4-0

Planning Commission  
August 14, 1985

Application No. 232-85

Applicant: Slavin, Kane and Paterson (Owner: 26th and West Van Buren  
Partnership)

Subject: To rezone a rectangular-shaped parcel on the southeast corner  
of 26th Avenue and Polk Street (approximately 3.83 acres) from  
R-5 to C-3.

This case was scheduled for consent by the Planning Commission.

There was no opposition present.

Ms. Drake made the MOTION that Application No. 232-85 be forwarded to the  
City Council with a recommendation for approval, subject to the staff's  
stipulations.

Mr. Turner SECONDED the motion.

Mr. Bookbinder called for the vote and the MOTION PASSED unanimously, four  
to zero.

\* \* \* \*

#### Stipulations

1. That the only access to the site shall be from Van Buren Street.
2. That the landscaping along 26th Avenue and Polk Street shall include  
24-inch box size trees at a maximum of 20 feet on center or placed in  
equivalent groupings.
3. That the applicant provide variation in the building setbacks along  
26th Avenue and Polk Street as approved by the DCO.
4. That sufficient right-of-way be dedicated within one year of final  
City Council action to provide:
  - a. A 12-foot radius at 26th Avenue and Polk Street.

\* \* \* \*