



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned
From: Joshua Bednarek
Planning & Development Department Director
Date: August 18, 2025

Subject: P.H.O. APPLICATION NO. PHO-4-25--Z-47-87-1(3) – 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 **September 17, 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 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 **August 25, 2025**.

DISTRIBUTION

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Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor
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Planning and Development/Information Services (Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Logan Zappolo, Teresa Garcia), 2nd Floor
Village Planner (Matteo Moric, Paradise Valley Village)
Village Planning Committee Chair (Ms. Anita Mortensen, Paradise Valley Village)



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-4-25--Z-47-87-1(3)

Council District: 3

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 1 regarding general conformance to the site plan date stamped April 16, 1999 and the elevations date stamped May 18, 1999.

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Lee Wright, Metronet Infrastructure Group, LLC	Representative	11880 College Boulevard, Suite 100 Overland Park KS 66214	8103332303		lee.wright@metronet.com
Lee Wright, Metronet Infrastructure Group, LLC	Owner	11880 College Boulevard, Suite 100 Overland Park KS 66214	8103332303		lee.wright@metronet.com
Lee Wright, Metronet Infrastructure Group, LLC	Applicant	11880 College Boulevard, Suite 100 Overland Park KS 66214	8103332303		lee.wright@metronet.com

Property Location: Northeast corner of 32nd Street and Sunnyside Lane

Acreage: 1.12

Geographic Information

Zoning Map	APN	Quarter Section
L10	214-60-021	Q34-35
Village:		
Paradise Valley		

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 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	08/08/25	PHO (1-2 stipulations)

August 7th, 2025

Mr. Byron Easton
Planning Hearing Officer
City of Phoenix, AZ Development Services Department
200 W. Washington St, 2nd Floor
Phoenix, AZ 85003

Re: PHO Stipulation Modification from PHO-3-11--Z-47-87-1

Mr. Easton,

We, Metronet Infrastructure Group, LLC (Metronet/Vexus), request the Planning Hearing Officer's approval to modify a stipulation for our development parcel. Metronet/Vexus is a fiber-optic service provider that is proposing the communications hut located at 3206 E. Sunnyside LN/15051 N 32ND ST. The parcel is currently undeveloped, and our proposed development would include an 864sqft hut, natural gas back-up generator, CMU block screening wall around our compound, and landscaping of the whole parcel.

Metronet/Vexus is requesting to modify stipulation #1 of the Zoning Case PHO-3-11--Z-47-87-1. The stipulation reads:

1. That development be in general conformance with the site plan presented as modified by the site plan dated ~~April 16, 1999~~ **August 1, 2025**, and elevation dated ~~May 18, 1999~~ **August 1, 2025**, for the ~~north~~ **south** portion of the site.

The attached/submitted site plan and elevations will show a smaller development, which would be located on the Northern middle of the parcel, with access coming off 32nd Ave. The rest of the parcel would be landscaped per city requirements/standards. This will be an unmanned communications hut to provide fiber-optic service to the residents of Phoenix. Minimal traffic will be on site after construction, besides for normal maintenance of the building, equipment and landscaping. The existing site plan has shown a proposed building of 8,500sqft, with 35 parking spaces. This is a major decrease in development size adjacent to a residential property.

All other stipulations to the zoning case PHO-3-11--Z-47-87-1, will be met by Metronet. Those stipulations are:

2. That an 8-foot landscaped setback be provided along the east property line including 24-inch box size, drought-resistant shade trees planted 20' on center, or in equivalent groupings.
3. That no trash dumpsters will be located within 50 feet of the east property line.
4. That the building height be limited to one story (17 feet, 4 inches)
5. That a one-foot vehicular non-access easement be placed along both Sunnyside Lane and Greenway Lane.
6. That cross access be provided on the north portion of the site upon final site plan approval for the north property, or in the alternative, a common driveway entrance be provided, as approved by the Planning and Development Department.

This development is necessary to provide fiber-optic service to the residents and businesses of Phoenix. Construction of the development should take around 2 months to complete, barring any inspection delays. We would like to have planning approval as soon as possible, so we could seek a building permit immediately after approval.

Please let us know if you have any questions or concerns about our development.

Sincerely,

Lee W. Wright, P.E.
Metronet Infrastructure Group, LLC
11880 College BLVD, Suite 100
Overland Park, KS 66214



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

February 9 2012

Daniel F & Ann W Bingham
8642 West Yukon Drive
Phoenix AZ 85382

RE Z-47-87 1 (NEW DISTRICT 3) – Southeast corner of 32nd Street and Greenway Lane

Dear Applicant

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 of the Zoning Ordinance has on February 8, 2012 considered a request for Administrative action to modify Stipulation 5 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the R-O zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations

The City Council ratified application Z 47 87 1 (NEW DISTRICT 3) as recommended by the Planning Hearing Officer for approval of the deletion of Stipulation 5

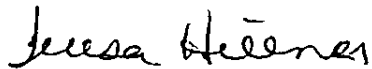
Stipulations

Mod

- ① That development be in general conformance with the site plan presented as modified by the site plan dated April 16 1999 and elevation dated May 18 1999 for the south portion of site
- 2 That an 8-foot landscaped setback be provided along the east property line including 24-inch box size drought-resistant shade trees planted 20 feet on center or in equivalent groupings
- 3 That no trash dumpsters be located within 50 feet of the east property line
- 4 That the building height be limited to one story (17 feet 4 inches)
- 5 That a one-foot vehicular non access easement be placed along both Sunnyside Lane and Greenway Lane

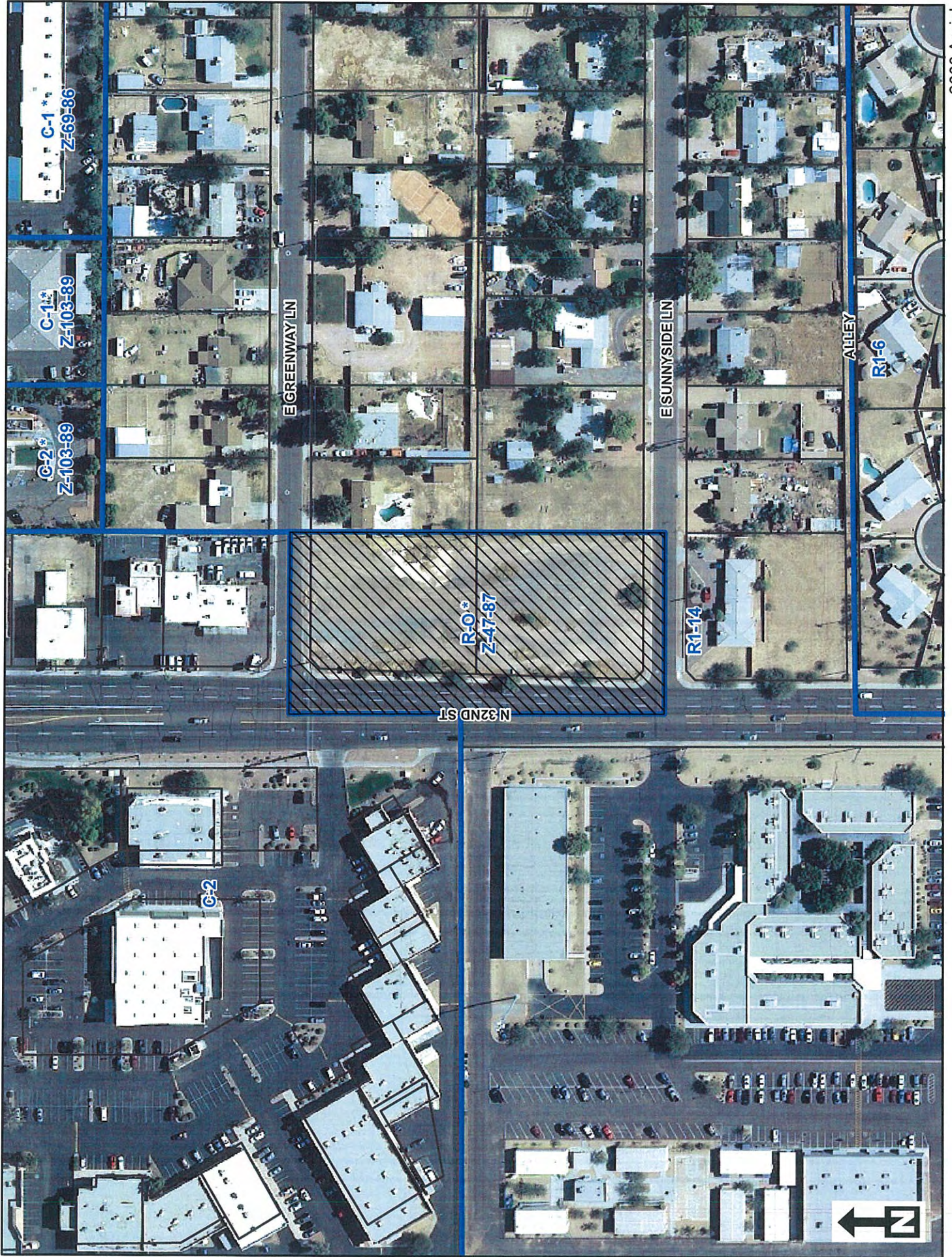
- 6 That cross access be provided on the north portion of the site upon final site plan approval for the north property or in the alternative a common driveway entrance be provided, as approved by the Planning and Development Department

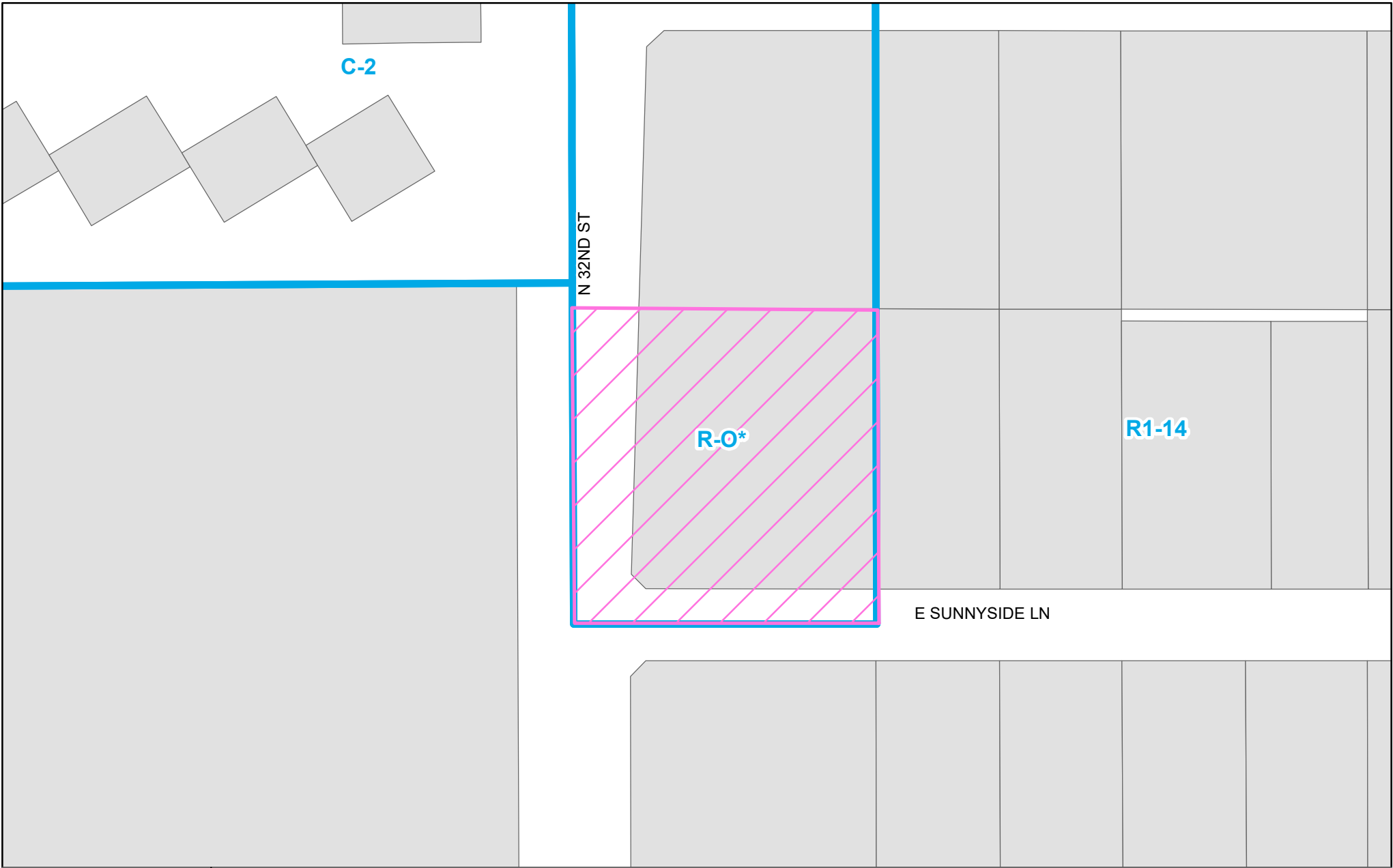
Sincerely



Teresa Hillner
Planner III

- c Aracely Herrera P&D-Planning (Electronically)
Sandra Hoffman, P&D-Development (Electronically)
Annie Alvarado NSD (Electronically)
Penny Parrella City Council (Electronically)
Book
Case File





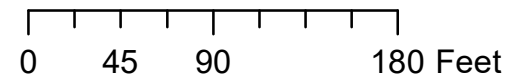
PHO-4-25--Z-47-87-1(3)

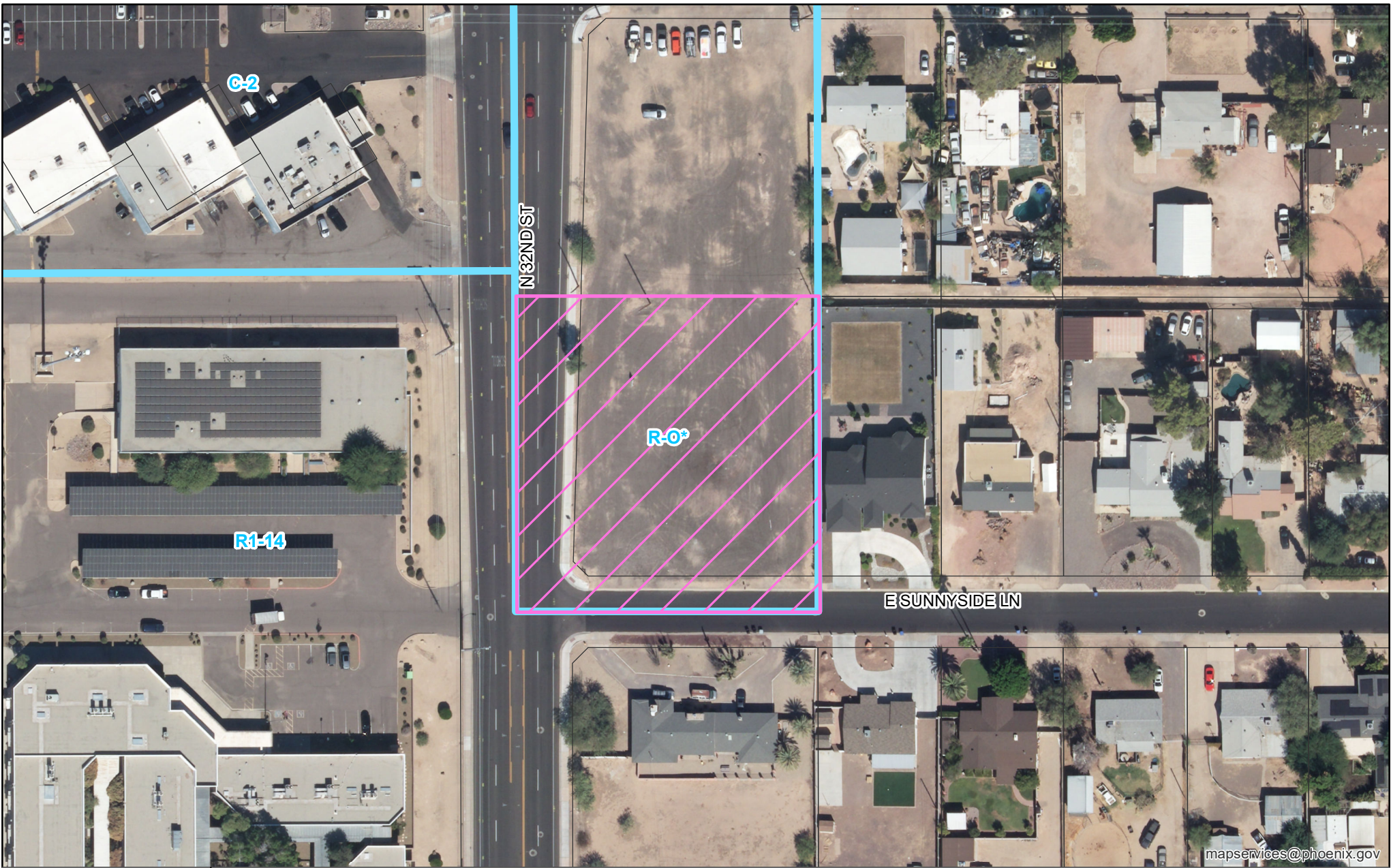
Property Location: Northeast corner of 32nd Street and Sunnyside Lane



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department





PHO-4-25--Z-47-87-1(3)

Property Location: Northeast corner of 32nd Street and Sunnyside Lane



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 45 90 180 Feet



IMPROVEMENT
PLANS FOR

METRONET SHELTER

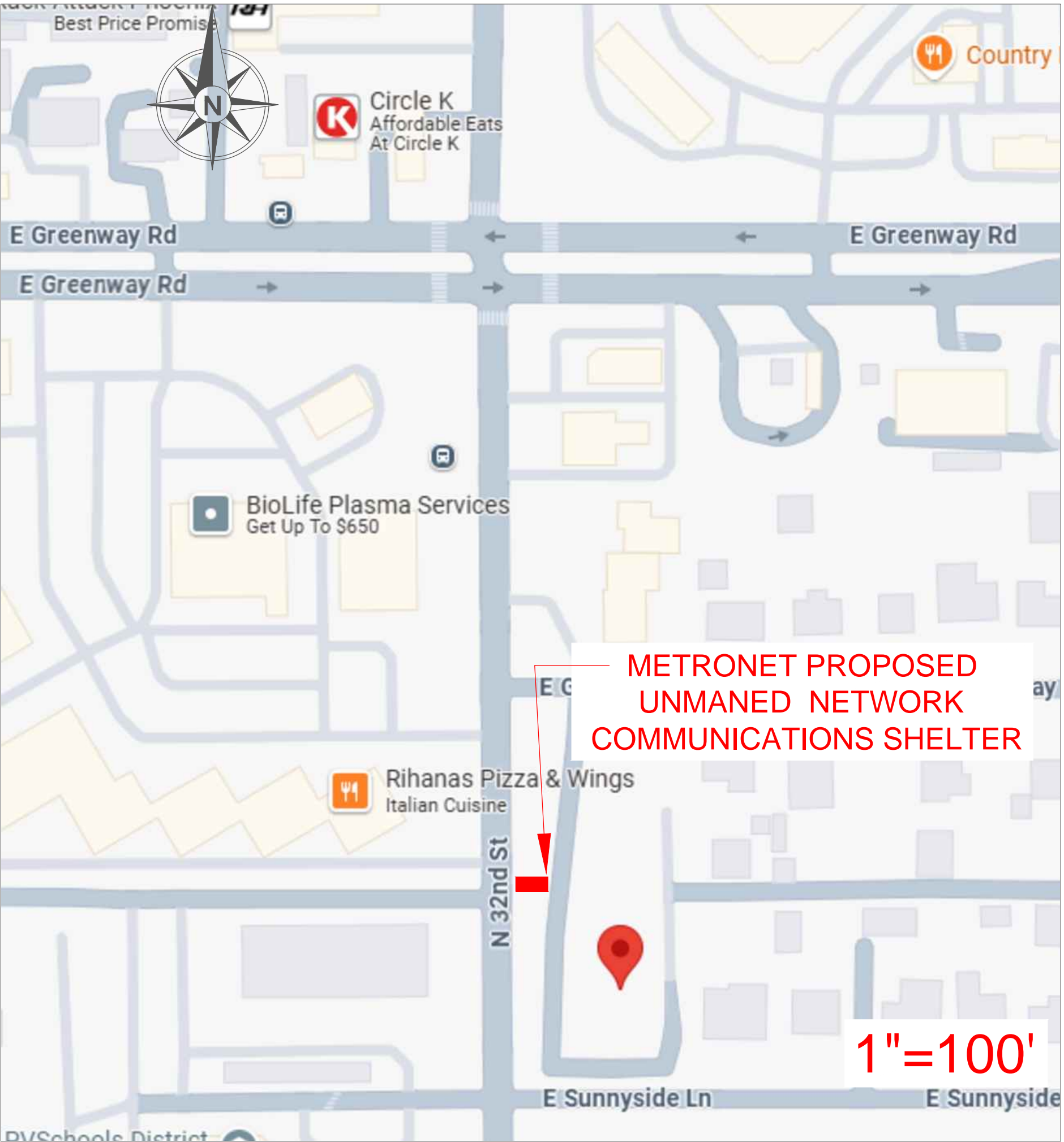
INDEX OF PLAN SHEETS:

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CITY OF PHOENIX

AUG 07 2025

Planning & Development
Department



CONTACTS

ENGINEER (CONTACT):

LEE W. WRIGHT, P.E.
METRONET
11880 COLLEGE BLVD
SUITE 100
OVERLAND PARK, KS 66210
(810)–333–2303
LEE.WRIGHT@METRONET.COM

PROJECT MANAGER

CHRIS DEER
FACILITIES ENGINEERING DIRECTOR
3701 COMMUNICATIONS WAY,
EVANSVILLE, IN 47715
CHRISTOPHER.DEER@METRONET.COM

LAND SURVEYOR

US SURVEYORS
4929 RIVERWIND POINTE DRIVE,
EVANSVILLE, INDIANA 47715
1–800–867–8783 EXT. 201
MJFELDBUSCH@USSURVEYOR.COM

GEOTECHNICAL ENGINEER

JOSEPH V BORRELLI, P.E.
DELTA OAKS GROUP, PLLC
4904 PROFESSIONAL CT
RALEIGH, NC 27609
919–235–5347
JBORRELLI@DELTAOAKSGROUP.COM

APPLICANT

METRO FIBERNET. LLC
8837 BOND ST
OVERLAND PARK, KS 66214
810–333–2303

Rezoning Case Number:Z–47–87 KIVA 25–298 SDEV 2500107 PAPP 2501581 QS 34–35
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PROJECT SITE INFORMATION:

Address: 3206 E Sunnyside Ln, Phoenix AZ 85032

Type: Public Utility Unmanned
Communications Hut

Shelter Type: Prefabricated Concrete

Shelter Size: (1) 24’ W X 36’ L

Owner: Metro Infrastructure Group, LLC

Legal Description: SUNNYSIDE AC MCR 53–41 LT 19 EX BEG SW COR LT 19 N TO NW COR LT 19 THE E 6.62F TH SLY ALG A LN DESIG AS LN A TO PT IN S LN A TO PT IN S LN LT 19 WH IS 0.91F E OF POB TH TO POB & EX BEG INTERSEC SD LN A WI S LN LT 19 TH NLY ALG LN A 10F TH SELY YO PT IN S LN LT 19 WH IS 10F E OF POB TH TO POB

Zoning: R–0 (Residential Office Restricted Commercial)

Land Use: Vacant Commercial Urban
Non–Subdivide

Proposed Land Use– Utility–Communications Hut

Proposed Building Height:

Allowed Building Height: 17’–4”

Square Foot of Building: 864’

Net Lot Area: 33,505.7’ 0.76’ Acres

Gross Lot Area: 34,396’ 0.79 Acres

Allowed Lot Coverage: 30%

Percentage Net Lot Coverage: 2.51%

metronet

3701 COMMUNICATIONS WAY
EVANSVILLE, IN 47715
812-213-1095

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COMMUNICATIONS
SHELTER
PHOENIX, AZ

DESIGN ENG: LWW

DRAWN BY: JDF

REVIEWED BY: LWW

SUBMITTALS		
DATE	DESCRIPTION	REV
2/18/25	PERMITTING	A



SCALE:

NTS

SITE ADDRESS:

3206 SUNNYSIDE LN

SITE NAME:

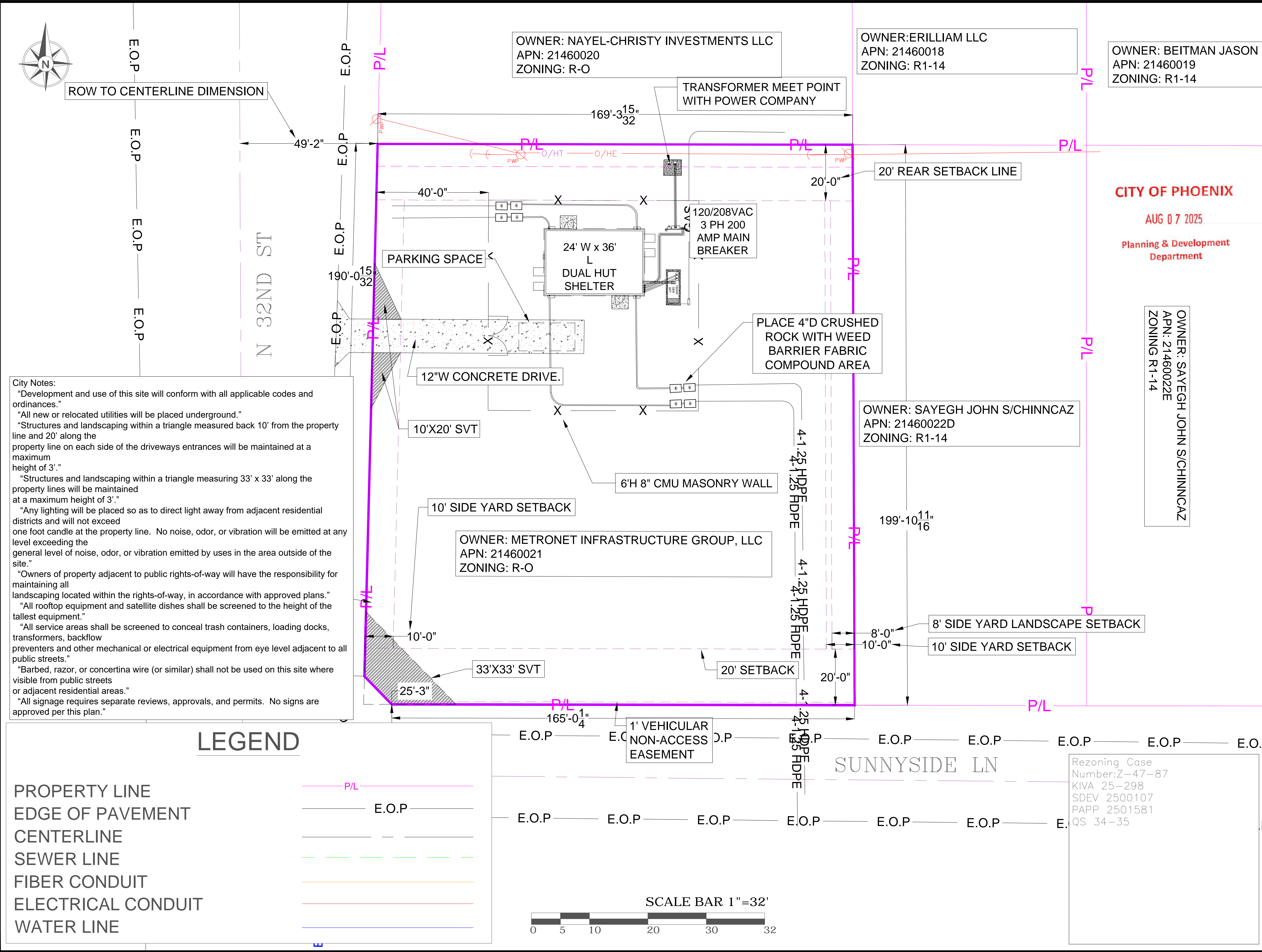
PHOENIX SHELTER

SHEET NAME:

COVER SHEET

SHEET NUMBER:

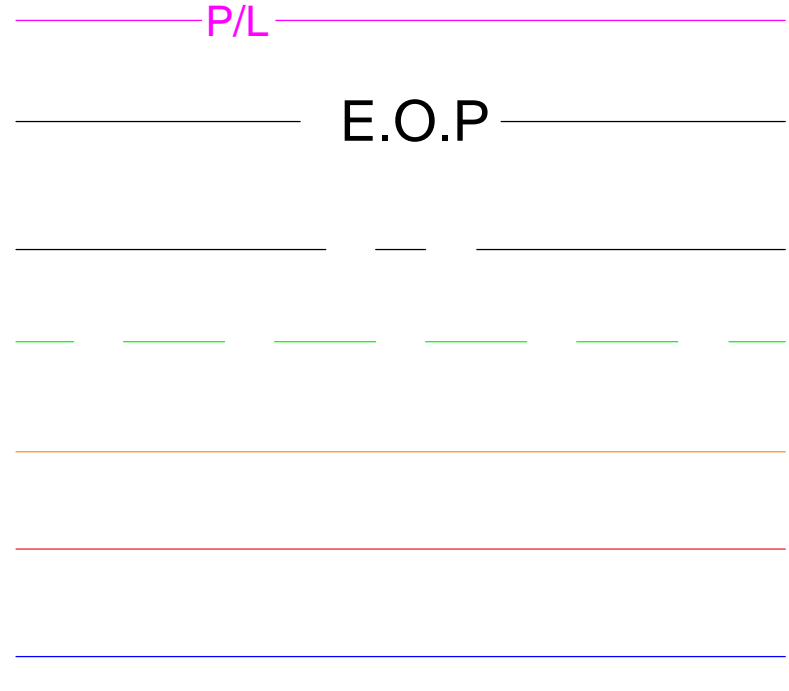
1



City Notes:
"Development and use of this site will conform with all applicable codes and ordinances."
"All new or relocated utilities will be placed underground."
"Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveways entrances will be maintained at a maximum height of 3'."
"Structures and landscaping within a triangle measuring 33' x 33' along the property lines will be maintained at a maximum height of 3'."
"Any lighting will be placed so as to direct light away from adjacent residential districts and will not exceed one foot candle at the property line. No noise, odor, or vibration will be emitted at any level exceeding the general level of noise, odor, or vibration emitted by uses in the area outside of the site."
"Owners of property adjacent to public rights-of-way will have the responsibility for maintaining all landscaping located within the rights-of-way, in accordance with approved plans."
"All rooftop equipment and satellite dishes shall be screened to the height of the tallest equipment."
"All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment from eye level adjacent to all public streets."
"Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas."
"All signage requires separate reviews, approvals, and permits. No signs are approved per this plan."

LEGEND

PROPERTY LINE
EDGE OF PAVEMENT
CENTERLINE
SEWER LINE
FIBER CONDUIT
ELECTRICAL CONDUIT
WATER LINE



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3701 COMMUNICATIONS WAY
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COMMUNICATIONS
SHELTER
PHOENIX, AZ

DESIGN ENG: LWW

DRAWN BY: JDF

REVIEWED BY: LWW

SUBMITTALS

DATE	DESCRIPTION	REV
2/18/25	PERMITTING	A



SCALE: 1"=32'

SITE ADDRESS: 3206 SUNNYSIDE LN


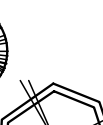
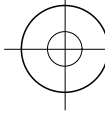
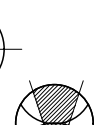
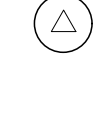
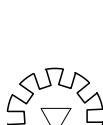
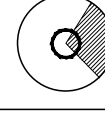

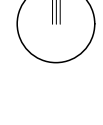
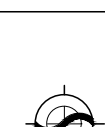



SITE NAME: PHOENIX SHELTER

SHEET NAME: OVERALL SITE PLAN

SHEET NUMBER: 5

Rezoning Case Number: Z-47-87
KIVA 25-298
SDEV 2500107
PAPP 2501581
QS 34-35

PRELIMINARY PLANT LEGEND

SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	CHILOPSIS LINEARIS - DESERT WILLOW	13	24" BOX	STANDARD
	PARKINSONIA X 'DESERT MUSEUM' - DESERT MUSEUM PALO VERDE	9	24" BOX	STANDARD
SHRUBS				
	CAESALPINIA PULCHERRIMA - RED BIRD OF PARADISE	12	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA - RED FAIRY DUSTER	21	5 GAL	FULL CAN
	EREMOPHILA HYGROPHANA - BLUE BELLS	18	5 GAL	FULL CAN
	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' - GREEN CLOUD TEXAS RANGER	18	5 GAL	FULL CAN
	TECOMA X 'SPARKY' - SPARKY TECOMA	22	5 GAL	FULL CAN
ACCENTS				
	ASCLEPIAS SUBULATA - DESERT MILKWEED	17	5 GAL	FULL CAN
	HESPERALOE PARVIFLORA - RED HESPERALOE	18	5 GAL	FULL CAN
GROUND COVERS				
	LANTANA MONTEVIDENSIS - PURPLE TRAILING LANTANA	10	5 GAL	FULL CAN
	LANTANA X 'NEW GOLD' - NEW GOLD LANTANA	28	5 GAL	FULL CAN
SALVAGE MATERIAL				
	EXISTING TREE TO REMAIN	SEE PLAN	-	-
	DECOMPOSED GRANITE - T.B.D.	32,362 SQ.FT.		

- NOTES:
1. DUE TO PLANT MATERIAL AVAILABILITY, SUBSTITUTIONS FOR PLANT MATERIAL LISTED ABOVE MAY BE USED. ANY ALTERNATES OR SUBSTITUTIONS MUST BE ON THE ADWR LOW WATER USE PLANT LIST.

2. SUB-SPECIES OR HYBRIDS OF PLANT MATERIAL LISTED ABOVE MAY BE USED AS ALTERNATES/SUBSTITUTIONS.

3. ADDITIONAL PLANT MATERIAL MAY BE ADDED TO THE LIST ABOVE DUE TO UTILITY COMPANY OR H.O.A. REQUESTS AND/OR PLANTING RESTRICTIONS WITHIN UTILITY EASEMENTS.

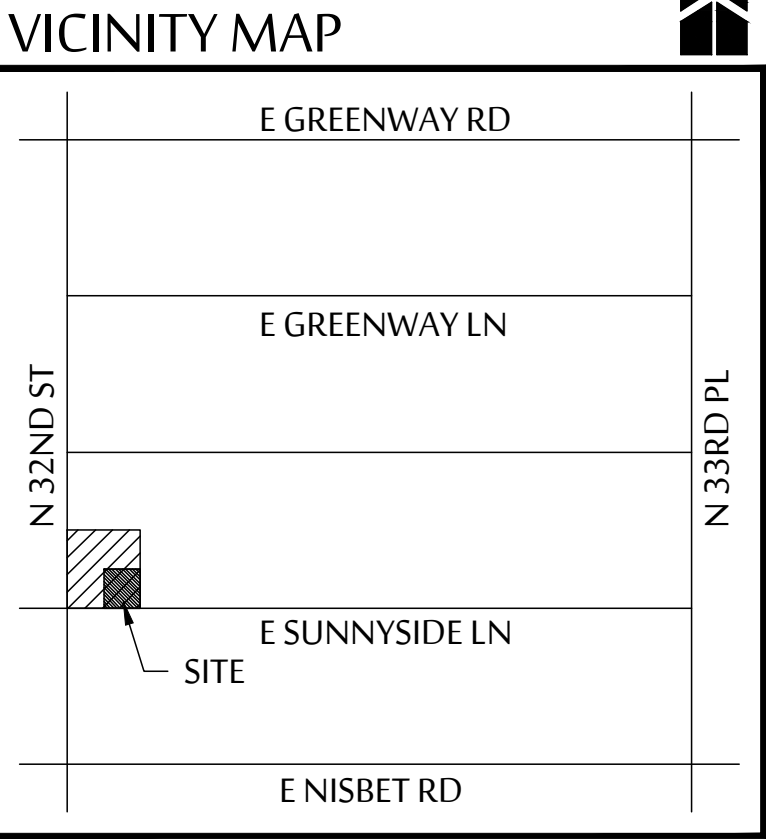
4. NO TREES TO BE LOCATED WITHIN THE P.U.E. OR ANY OTHER NOTED EASEMENTS.



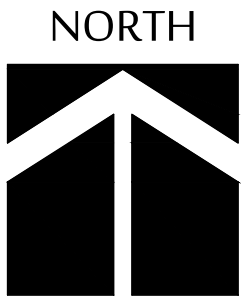
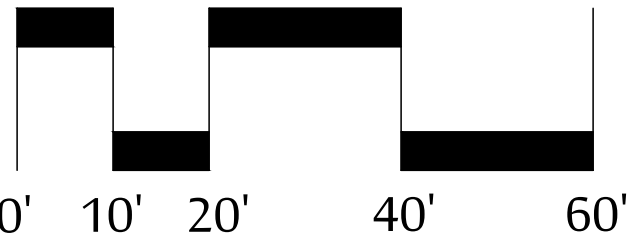
CITY OF PHOENIX

AUG 07 2025

Planning & Development
Department



SCALE: 1"=20'-0"



METRONET SHELTER
PRELIMINARY LANDSCAPE PLAN

3206 E. SUNNYSIDE LANE, PHOENIX, AZ 85032
JULY 30, 2025



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DESIGN ENG: LWW

DRAWN BY: JDF

REVIEWED BY: LWW

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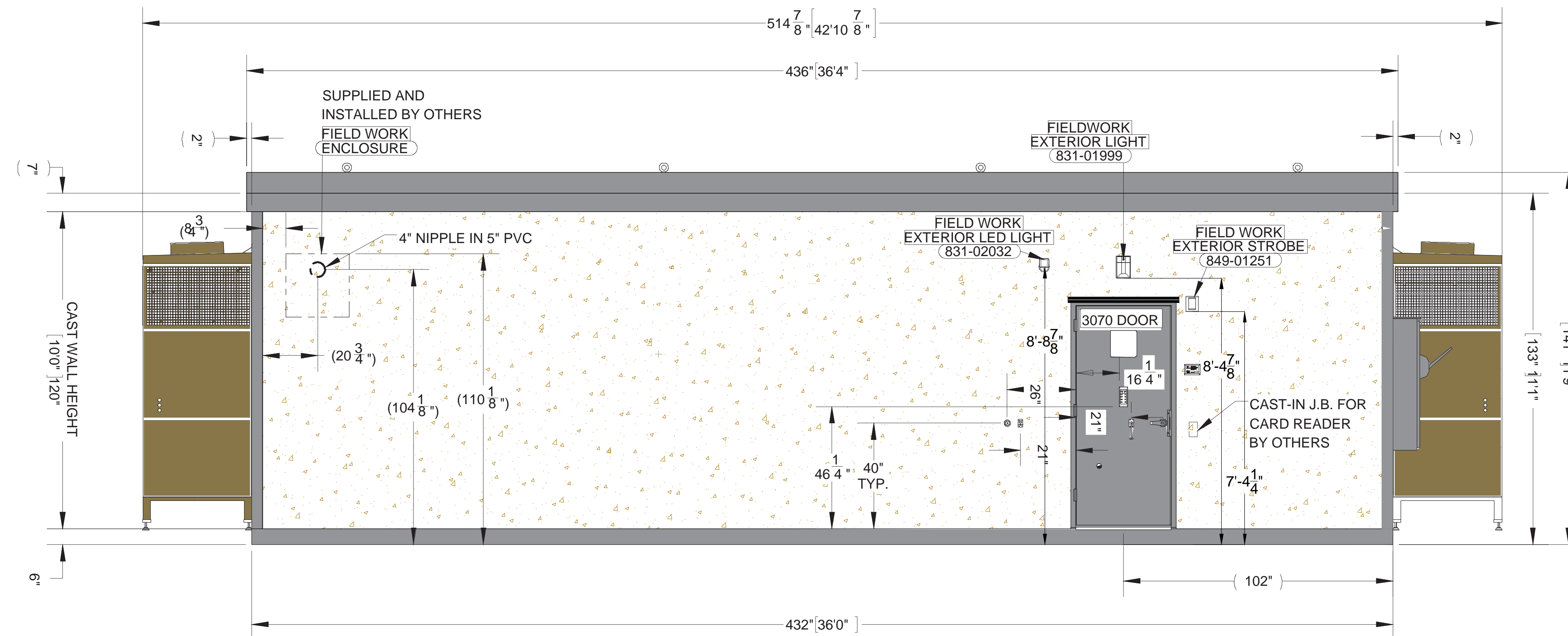
SCALE: NTS

SITE ADDRESS:
3206 SUNNYSIDE LN

SITE NAME:
PHOENIX SHELTER

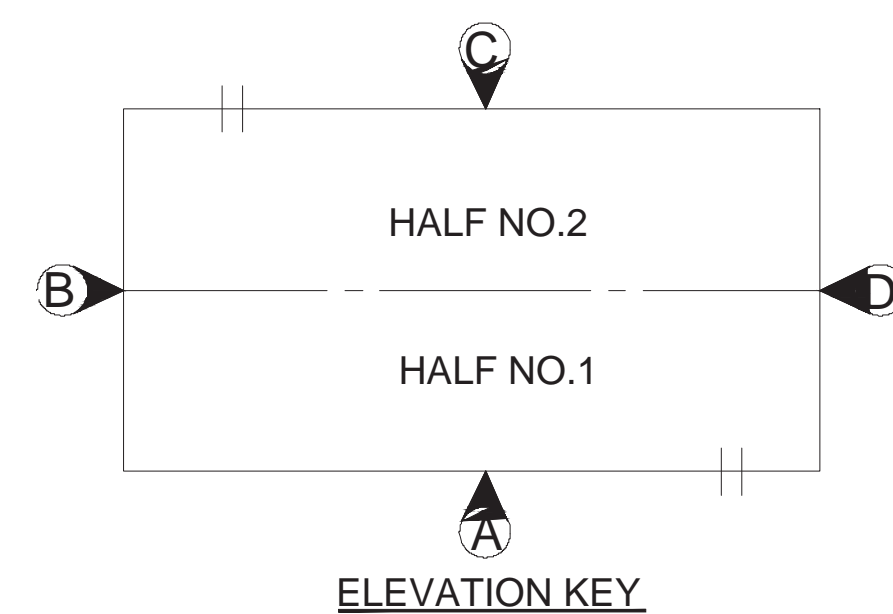
SHEET NAME:
SHELTER ELEVATIONS

SHEET NUMBER:
14



ELEVATION, EXTERNAL, WALL-A

NOTES:
1.REFER SHEET 1-3 FOR BUILDING NOTES.



CITY OF PHOENIX
AUG 07 2025
Planning & Development
Department

[illegible]

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THEIR CONFIDENTIAL NATURE.

1300 DAVENPORT DRIVE, MINDEN, LA 71055
ph. (800) 824-2614 www.fibrebond.com

METRO FIBERNET, I

24' - 0" X 36' - 0" BUILDING

ELEVATION, EXTERNAL,

DRN.
BY: GD

CHK.	
BY: DL	

DATE:	29-DEC-2021
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DATE:

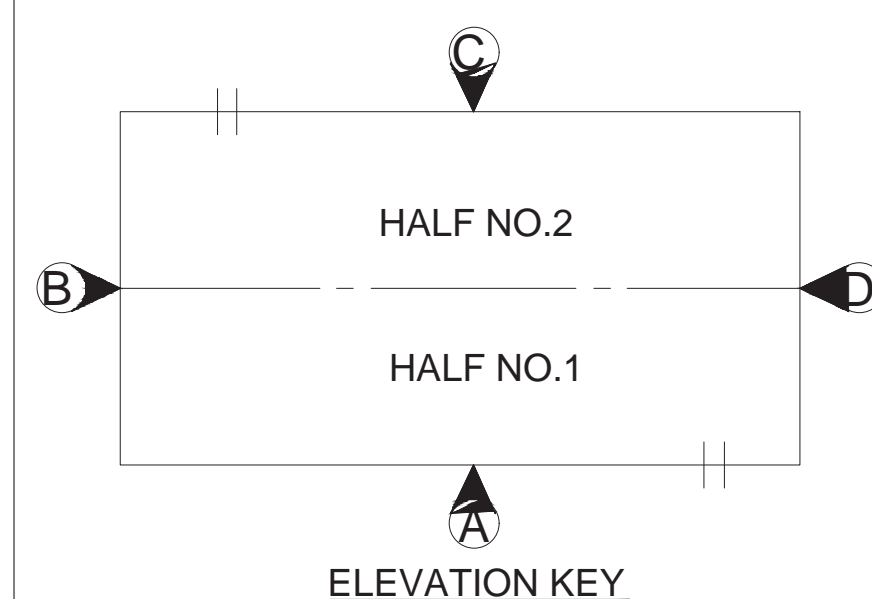
INTERNAL, 4'-0" BUILD		Rezoning Case Number: Z-47-87
INTERNAL, 4'-0" BUILD		KIVA 25-298
INTERNAL, 4'-0" BUILD		SDEV 2500107
INTERNAL, 4'-0" BUILD		PAPP 2501581
APP. BY: MG		QS 34-35



COMMUNICATIONS
SHELTER
PHOENIX, AZ

REVIEWED BY: LWW

SHEET NUMBER:
14



				THESE PLANS ARE THE CONFIDENTIAL PROPERTY AND TRADE SECRETS OF FIBREBOND CORPORATION. ANY USE OF THESE DRAWINGS OR THE INFORMATION CONTAINED HEREIN FOR ANY REASON OTHER THAN AS EXPRESSLY AUTHORIZED BY FIBREBOND CORPORATION IS STRICTLY PROHIBITED. THESE DRAWINGS HAVE BEEN DISTRIBUTED WITH THE UNDERSTANDING THAT ANYONE RECEIVING OR OTHERWISE OBTAINING POSSESSION OF THEM WILL BE EXPRESSLY NOTIFIED OF THEIR CONFIDENTIAL NATURE.
REV	BY	DATE	REVISION	APP

APP.
BY:

LD	Rezoning Case
	Number:Z-47-87
-V	KIVA 25-298
	SDEV 2500107
G	PAPP 2501581
	QS 34-35



COMMUNICATIONS
SHELTER
PHOENIX, AZ

REVIEWED BY: LWW

SHEET NUMBER:
14

[illegible]

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METRO FIBERNET, L

24' - 0" X 36' - 0" BUILD

ELEVATION, EXTERNAL, V

DRN.
BY: GD

DATE: 20 DEC 2021

APP.
BY: MG

CHK.
BY: DL

DATE:

APP.
BY:

Rezoning Case
Number: Z-47-87
KIVA 25-298
SDEV 2500107
PAPP 2501581
QS 34-35



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COMMUNICATIONS
SHELTER
PHOENIX, AZ

DESIGN ENG: LWW

DRAWN BY: JDF

REVIEWED BY: LWW

[illegible]

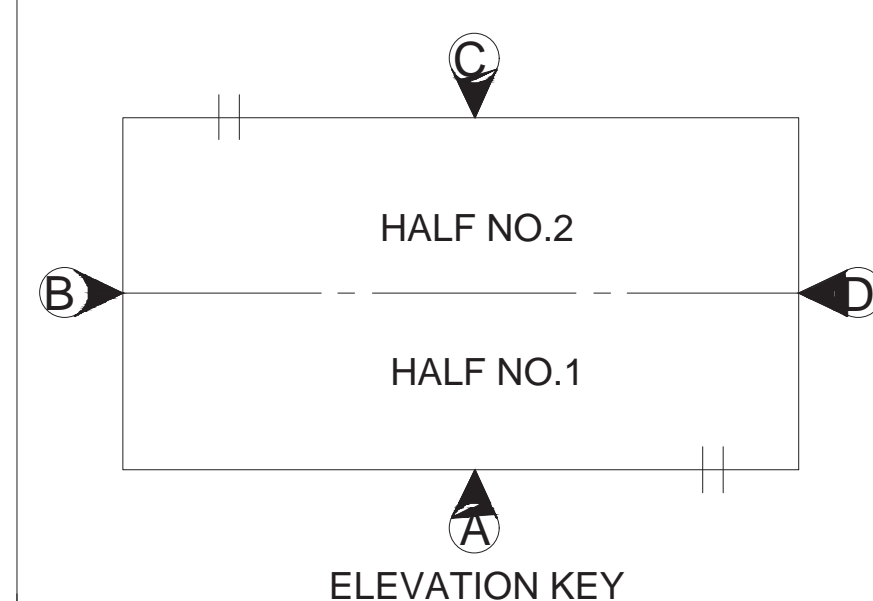
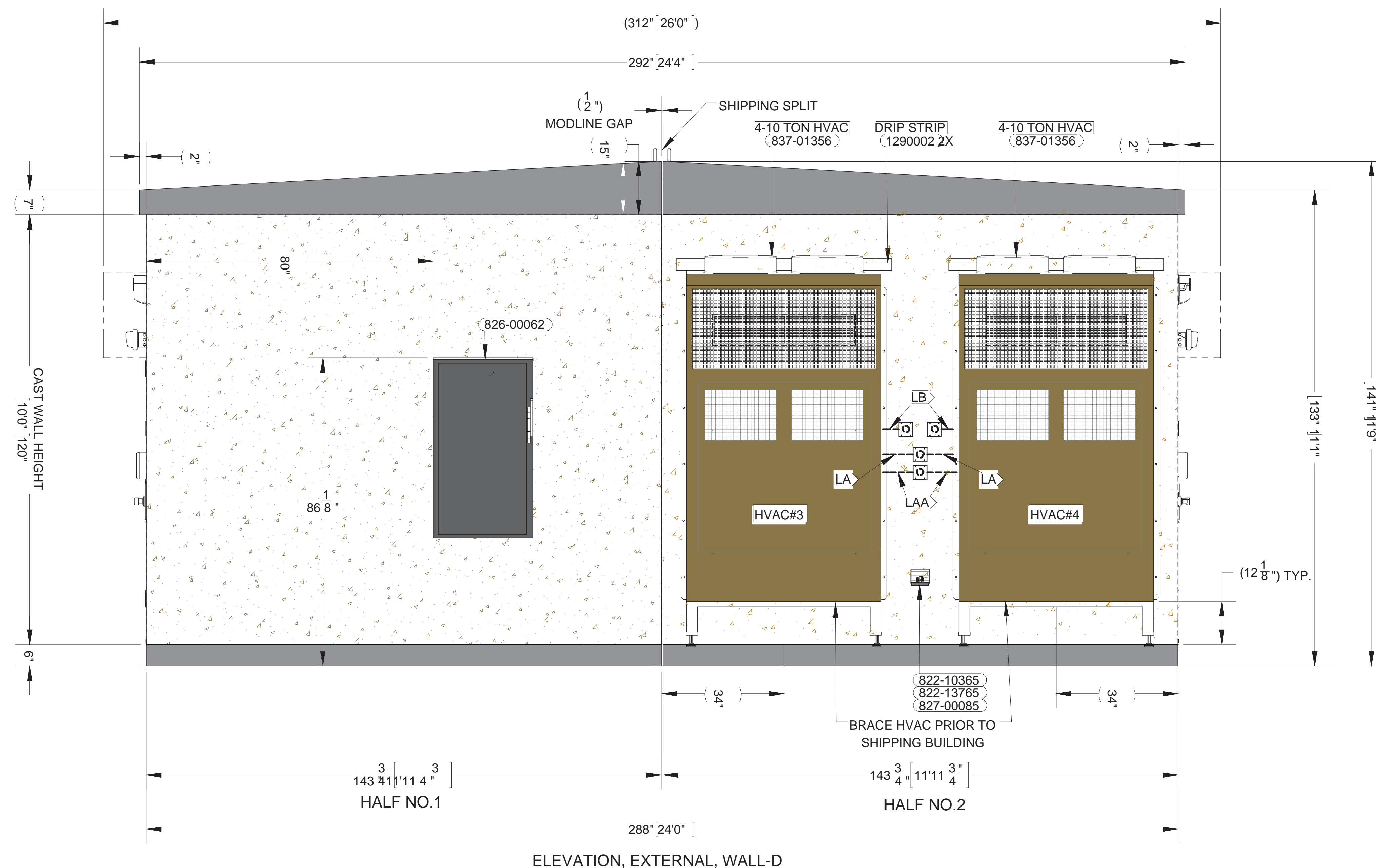
SCALE: NTS

SITE ADDRESS:
3206 SUNNYSIDE LN

SITE NAME:
PHOENIX SHELTER

SHEET NAME:
SHELTER ELEVATIONS

SHEET NUMBER: 14



CITY OF PHOENIX

AUG 07 2025

**Planning & Development
Department**

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REV	BY	DATE	REVISION		APP

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1300 DAVENPORT DRIVE, MINDEN, LA 71055
ph. (800) 824-2614 www.fibrebond.com

METRO FIBERNET, LLC

34' 0" X 36' 0" BLUE DIRT

ELEVATION, EXTERNAL, W

DRN. BY: GD

CHK.	
BY: DI	

DATE: _____

DATE:	29-DEC-2021
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APP. BY: MC	K
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MG	
APP. BY:	

ISSUED FOR:	*APPROVAL A.00*
	APPROVALS IN PDM

Rezoning Case	
Number: Z-47-87	
KIVA 25-298	
SDEV 2500107	
PAPP 2501581	
QS 34-35	

1. ALL UTILITIES WILL BE PLACED UNDERGROUND.
2. ANY LIGHTING WILL BE PLACED SO THAT IT WILL REFLECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS. NO NOISE, ORDER, OR VIBRATION EMITTED BY USES OUTSIDE THE SITE.
3. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
4. ALL SIGNS WILL CONFORM TO THE SIGN ORDINANCES.
5. OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHT OF WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING WITHIN THE RIGHTS-OF-WAY IN ACCORDANCE WITH APPROVED PLANS.
6. IF DRAINAGE EASEMENTS ARE PROVIDED: NO STRUCTURE OF ANY KIND CAN BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT OR AREAS WHICH WOULD IMPEDE THE FLOW OF WATER OVER, UNDER OR THROUGH THE EASEMENT OR AREAS. THE CITY OF PHOENIX MAY, IF IT SO DESIRES, CONSTRUCT AND/OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER THE LAND IN THE DRAINAGE EASEMENT OR AREAS.
7. NO STRUCTURE OF ANY KIND CAN BE CONSTRUCTED ON, OVER OR PLACED WITHIN THE PUE, EXCEPT WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING AND/OR PAVING NOR ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF PHOENIX SHALL NOT BE REQUIRED TO AFFIX ANY OBSTRUCTIONS OR PLANTINGS REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION OF CITY UTILITIES.
8. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PL. ON EACH SIDE OF THE DRIVEWAY (PRIVATE ACCESS WAY) WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
9. STORMWATER RETENTION BASINS WITHIN THE YARDS ADJACENT TO THE PUBLIC STREETS BE A MAXIMUM OF 1' IN DEPTH.
10. THE SITE LIES WITHIN THE PARADISE VALLEY SUBSIDENCE AREAS. IF CONSTRUCTION IS PHASED OR EXTENDED OVER 4 MONTHS OR MORE, THE GROUND ELEVATIONS, DESIGN GRADES AND/OR CONTROL, BENCHMARKS SHOULD BE CHECKED AND ADJUSTED AS NECESSARY TO ASSURE THAT THE IMPROVEMENTS WILL MATCH SITE GRADES AND OTHER OFF-SITE IMPROVEMENTS.

- 11 CONSTRUCTION FENCE ALONG ALL PROPERTY LINE, A 6' HIGH CHAIN LINK FENCE WITH REQ. TEMPERATURE BRACINGS SHALL BE INSTALLED BY AMERICAN FENCE (OR EQ.) AS PER THE SUPPLIERS WRITTEN SPECS.
- 12 DIMENSIONS: THE CONTRACTOR SHALL FOLLOW NUMBERED DIMENSIONS SHOWN ON THE DRAWINGS IN LIEU OF SCALED MEASUREMENT. WHERE CONFLICTS OCCUR, LARGER SCALE DRAWINGS OR DETAILS GOVERN. ADVISE THE ARCHITECT OF ANY VARIATIONS OR DISCREPANCIES IN THE DOCUMENTS PRIOR TO CONSTRUCTION.
- 13 ENGINEERING: ALL MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL ENGINEERING DRAWINGS SHALL BE COORDINATED WITH THE ARCHITECTURAL DOCUMENTS.
- 14 AREA SEPARATION: TENANT IMPROVEMENT DEMISING WALLS OR FIRE BLOCKING MUST OCCUR UP TO THE UNDERSIDE OF ROOF SHEATHING IN SUCH A MANNER AS TO NOT CREATE MORE THAN 3000 SF. OF OPEN AREA ABOVE SUSPENDED CEILING. FIRE BLOCKING SHALL BE OF A NON COMBUSTIBLE MATERIAL, 1/2" PLYWOOD WITH JOINTS BACKED, WOOD 2" MIN. NOM. THICKNESS, 1" WOOD WITH JOINTS BACKED, (2" THICKNESS).
- 15 BURGLAR ALARM SYSTEM: ALL DOORS AND WINDOWS SHALL BE PREWIRED TO A CENTRAL PANEL FOR A BURGLAR ALARM SYSTEM AS SUPPLIED BY DICTOGRAPH SECURITY SYSTEMS. THE SYSTEM SHALL CONSIST OF 22 GA. SOLID CORE COPPER WIRE FROM A CENTRAL PANEL TO EACH WINDOW AND DOOR. VIBRATION DETECTORS SHALL BE INSTALLED AT ALL FIXED WINDOWS.

ADDRESS: 1501 NORTH 32ND ST.
PHOENIX, ARIZONA 85032

ARCHITECT: DUANE FOSTER
4323 N MILLER RD.
SCOTTSDALE, ARIZONA 85251
(602) 675-0999 (PHONE)
(480) 675-9909 (FAX)

OWNER: DAN BINGHAM C/O
BINGHAM ENGINEERING
13,416 N 32nd ST. STE. 109
PHOENIX, ARIZONA 85032
PHONE (602) 971-3033
FAX (602) 971-9781

DEVELOPER: DAN BINGHAM C/O
BINGHAM ENGINEERING
13,416 N 32nd ST. STE. 109
PHOENIX, ARIZONA 85032
PHONE (602) 971-3033
FAX (602) 971-9781

ZONING: R-O

CONSTRUCTION TYPE: V N

OCCUPANCY: BUSINESS

LOT AREA GROSS: 48,664 SF. OR 112 AC. +/-

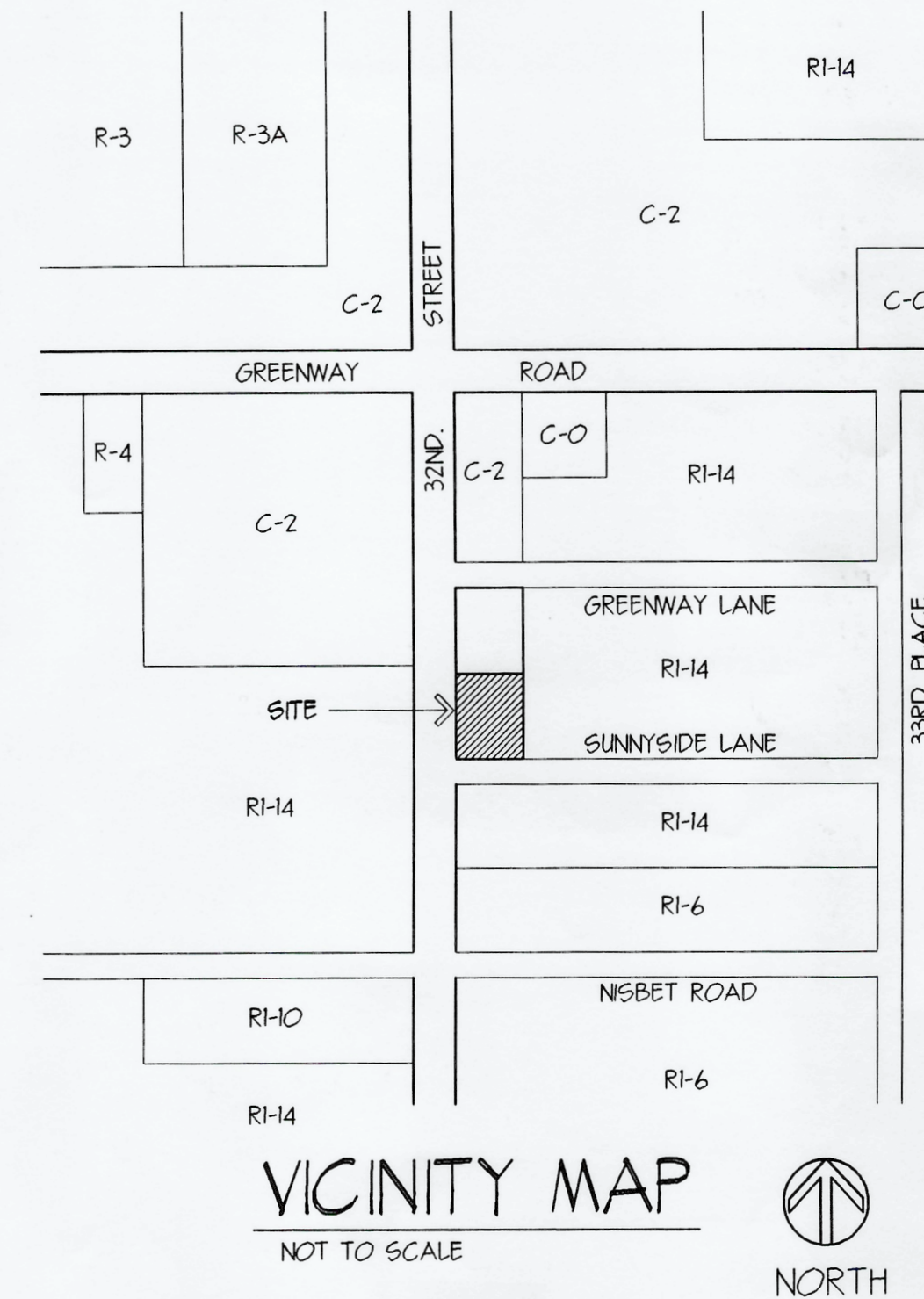
LOT AREA NET: 34,453 SF. OR 0.790 AC. +/-

LOT AREA W/ SETBACKS: 21,653 SF. OR 0.497 AC. +/-

LOT COVERAGE: 8,500 SF. BLDG. AREA UNDER ROOF = 24.7%
34,453

PARKING REQUIRED: 29 SPACES @ 8,500 SF. - 300

PARKING PROVIDED: 35 SPACES

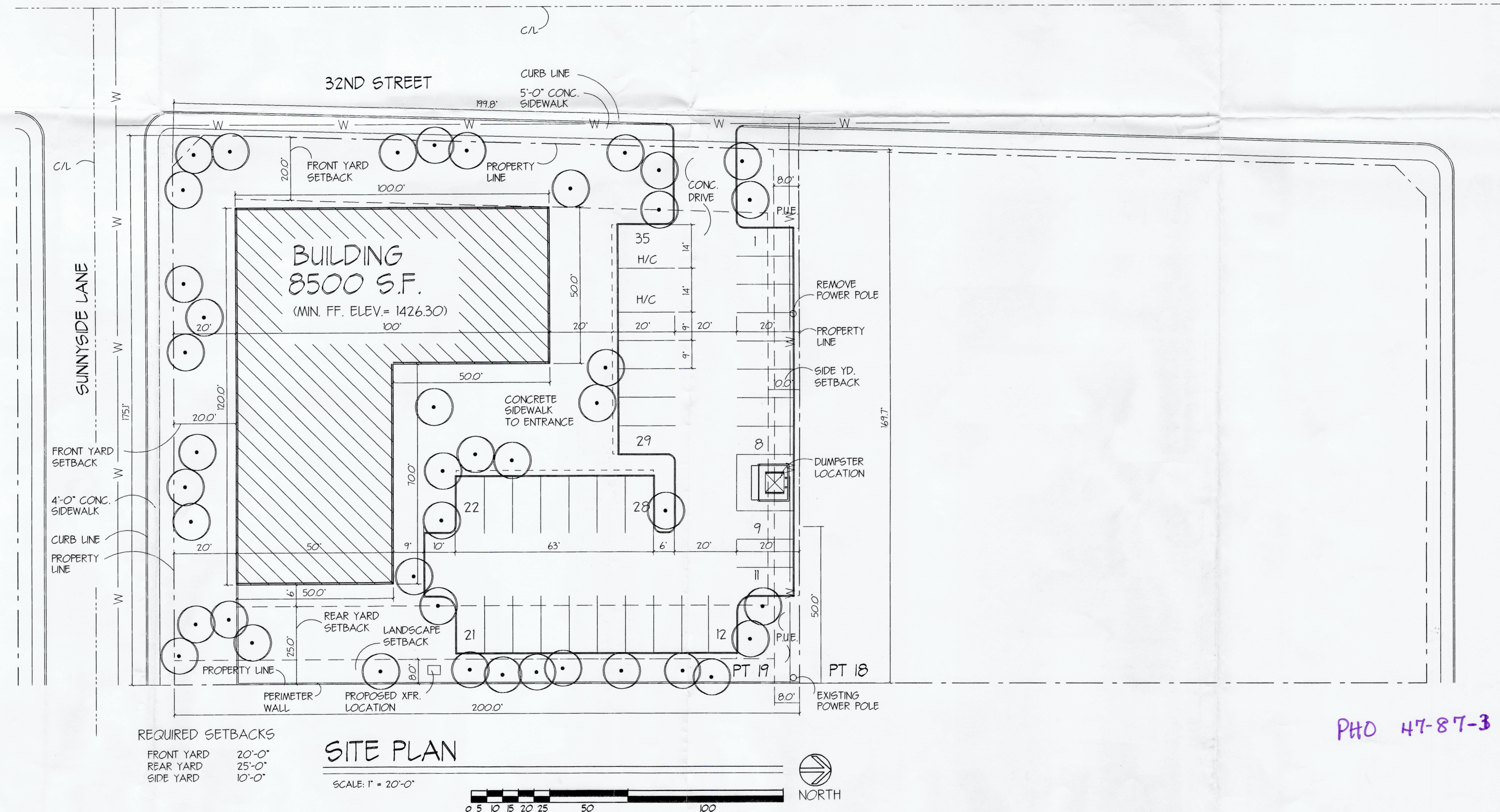


LOT 19 SUNNYSIDE ACRES
ACCORDING TO BOOK 53 OF MAPS, PAGE 41.
RECORDS OF MARICOPA COUNTY, ARIZONA

REZONING APPLICATION NO.

REQUEST: TO REZONE A PARCEL LOCATED AT THE NORTHEAST CORNER OF 32ND STREET AND E. SUNNYSIDE LANE. R14 TO C-O/60. THE COUNCIL DENIED THE APPLICATION AS FILED AND APPROVED R-O SUBJECT TO THE FOLLOWING STIPULATIONS:

1. DEVELOPMENT BE IN GENERAL CONFORMANCE WITH THE SITE PLAN PRESENTED.
2. AN 8' LANDSCAPED SETBACK BE PROVIDED ALONG ALONG THE EAST PROPERTY LINE INCLUDING 24' SOIL, DROUGHT-RESISTANT SHADE TREES PLANTED 20' ON CENTER, OR IN EQUIVALENT GROUPINGS.
3. NO TRASH DUMPSTERS BE LOCATED WITHIN 50' OF THE EAST PROPERTY LINE.
4. THE BUILDING HEIGHT BE LIMITED TO ONE STORY (17'-4').
5. APPROVAL OF THIS REZONING BE CONDITIONED UPON DEVELOPMENT OF THE ENTIRE SITE IN ACCORDANCE WITH SECTION 109-H OF THE ZONING ORDINANCE WITHIN 18 MONTHS OF THE FINAL APPROVAL OF THE CHANGE OF ZONE BY CITY COUNCIL.
6. A ONE-FOOT VEHICULAR NON-ACCESS EASEMENT BE PLACED ALONG BOTH SUNNYSIDE LANE AND GREENWAY LANE.



PHO 47-87-3

[illegible]

Received @
PHO 5 19 99
Z 47-87-3



February 8, 2012

- ~~5.~~ 4. That the 10-foot landscaped setback along the east property line shall contain 2-inch caliper trees planted on average of 20 feet on center or as approved by the PLANNING AND Development Services Department.
- ~~6.~~ 5. That display of vehicles for sale shall be limited to no more than 4 spaces with the exception of interior display areas. The remaining spaces shall be signed for either employee or customer parking.
- ~~7.~~ 6. That no raised vehicle display pads or inclined ramps shall be used to elevate any vehicle or permit viewing a vehicle undercarriage above the surface of the subject site.
- ~~8.~~ 7. That no public address system speakers shall be used.
- ~~9.~~ 8. That there shall be no use of barbed, razor, concertina wire, or similar wire or fencing where visible from public streets or adjacent residential areas.
- ~~10.~~ 9. That signage shall be limited to monumentation signage no greater than 35 feet in height, with no wall signs allowed.
- ~~11.~~ ~~That one year from the issuance of a Certificate of Occupancy, the case shall be reviewed through the Planning Hearing Officer process for compliance with Zoning stipulations and Ordinance standards.~~
- ~~12.~~ 10. All vehicles on outside display will be parked inside the building after business hours.

DISTRICT 3
32ND STREET AND
GREENWAY LANE
APPLICANT: CITY OF
PHOENIX PLANNING
COMMISSION
OWNER: DANIEL F. AND
ANN W. BINGHAM
REPRESENTATIVE: CITY OF
PHOENIX PLANNING AND
DEVELOPMENT
DEPARTMENT

B. Application: Z-47-87-1 (New District 3)
Existing Zoning: R-O

February 8, 2012

Location: Southeast corner of 32nd Street and Greenway Lane
Acreage: 2.24
Proposal: Administrative action to modify Stipulation 5 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the R-O zoning to its former R1-14 zoning classification due to non-compliance with rezoning stipulations.

The Planning Hearing Officer recommended approval of the deletion of Stipulation 5.

The Paradise Valley Village Planning Committee did not review this request.

Stipulations

1. That development be in general conformance with the site plan presented, as modified by the site plan dated April 16, 1999, and elevation dated May 18, 1999, for the south portion of site.
2. That an 8-foot landscaped setback be provided along the east property line including 24-inch box size, drought-resistant shade trees planted 20 feet on center, or in equivalent groupings.
3. That no trash dumpsters be located within 50 feet of the east property line.
4. That the building height be limited to one story (17 feet, 4 inches).
- ~~5. That approval be conditioned upon development of the south portion of the site, in accordance with Zoning Ordinance Section 506.B., within 18 months of final City Council approval. (The north portion of the site shall be required to seek a separate time extension.~~
6. 5. That a one-foot vehicular non-access easement be placed along both Sunnyside Lane and Greenway Lane.
- ~~7. 6.~~ 6. That cross access be provided on the north portion of the site upon final site plan approval for the north property, or in the alternative, a common driveway entrance be provided, as approved by DSD THE PLANNING AND DEVELOPMENT DEPARTMENT.

REPORT OF PLANNING HEARING OFFICER ACTION

Teresa Hillner Planner III Hearing Officer
Aracely Herrera Planner I Assisting

January 18 2012

ITEM 4

DISTRICT 1

SUBJECT

Application #	Z 47 87 1 (NEW DISTRICT 3)
Zoning	R O Q S 34 35
Location	Southeast corner of 32nd Street and Greenway Lane
Acreage	2 24
Request	Administrative action to modify Stipulation 5 to extend or remove the conditional time stipulation or determine compliance with the schedule for development or take legislative action to revert the R O zoning to its former R1 14 zoning classification due to noncompliance with rezoning stipulations
Applicant	City of Phoenix Planning Commission
Owner	Daniel F & Ann W Bingham
Representative	City of Phoenix Planning & Development

ACTIONS

Planning Hearing Officer Recommendation The Planning Hearing Officer recommended deletion of Stipulation 5

Village Planning Committee (VPC) Recommendation The Paradise Valley Village Planning Committee did not review this request

DISCUSSION

Staff presented the case and explained the property was rezoned from R1 14 to R O zoning to develop offices. The property owner has not complied with Stipulation 5 that requires development to commence within 18 months of City Council approval of the zoning change. There were two time extensions granted. One was granted on June 28 1989 for a 6 month time extension and another was granted on June 9 1999 for an 18 month time extension on the south property only.

The current property owner was notified regarding the status of the expired conditional zoning. The first notification was sent on June 13 2011 followed by the second notification sent on July 8 2011 by certified mail. This notification also informed the owner of the Planning Commission briefing meeting and potential zoning reversion of the zoning. Staff did receive confirmation that the certified letters were received and did speak with a property owner in July and stated that he would apply for the PHO request but staff never received the application.

Mr. Daniel Bingham explained he has the current owner of the subject site. He explained that in 2000 a site plan to develop the offices was designed. The site plan showed compliance with all stipulations of the case. However, due to problems with the business partnership development of the site never occurred. Mr. Bingham stated it was his intent to develop the site in the future as originally proposed.

The Planning Hearing Officer asked the audience if anyone was interested in speaking on the case

Ms Kanemi Suizu stated she resides close to the subject property and wanted clarification on the proposed development She also noted that she had not received a notification but saw a sign on the site that had the hearing information She was concerned for potential commercial uses of the site

The Planning Hearing Officer clarified to Ms Suizu that the property had an approved zoning of R O which allows for development of offices and no commercial activity would be permitted on the site

Mr Robi Bell explained he gets around the neighborhood in a wheel chair and would like to know if the construction on the site would prevent him from accessing 32nd Street

The Planning Hearing Officer noted that the developer of the site would be required to install a sidewalk adjacent to the site and should not have an impact on his ability to access 32nd Street

Ms Suizu finalized by stating that she was opposed to a time extension

Ms Didi Magee stated the area has a rural character and she would not like to see development of commercial uses or offices She suggested that instead of developing as offices the site could become an animal exercise park and keep the area as open space

The Planning Hearing Officer noted having R O zoning at the site was appropriate as the site was located near commercial zoning districts in the area and adjacent to an arterial street She then decided to approve deletion of Stipulation 5

FINDINGS

- 1 Deletion of Stipulation 5 is appropriate the remaining stipulations ensure that whenever development occurs it will have appropriate screening landscaping and building setbacks to reduce any impact it may have on adjacent residential properties
- 2 The proposed use is appropriate as it is located adjacent to an arterial street and serves as a transitional land use between residential uses to the east and higher intensity commercial uses located on the west

DECISION The Planning Hearing Officer recommended deletion of Stipulation 5

STIPULATIONS

- 1 That development be in general conformance with the site plan presented as modified by the site plan dated April 16 1999 and elevation dated May 18 1999 for the south portion of site
- 2 That an 8 foot landscaped setback be provided along the east property line including 24 inch box size drought resistant shade trees planted 20 feet on center or in equivalent groupings
- 3 That no trash dumpsters be located within 50 feet of the east property line
- 4 That the building height be limited to one story (17 feet 4 inches)

- ~~5~~ — That approval be conditioned upon development of the south portion of the site in accordance with Zoning Ordinance Section 506-B within 18 months of final City Council approval. (The north portion of the site shall be required to seek a separate time extension.
- 6 5 That a one foot vehicular non access easement be placed along both Sunnyside Lane and Greenway Lane
- 7 6 That cross access be provided on the north portion of the site upon final site plan approval for the north property or in the alternative a common driveway entrance be provided as approved by DSD THE PLANNING AND DEVELOPMENT DEPARTMENT