SUBJECT
WINDSOR COURT GPA18-05 AND ZON18-06:
A request by the property owner, for a General Plan Amendment from Low Density Residential up to 1 dwelling unit per acre and Office to Medium Density Residential up to 5.0 dwelling units per acre and rezoning from A-1 (Agricultural) and C-O (Commercial Office) to R1-6 PRD (Single Residence with a Planned Residential Development Overlay) on approximately 5 acres. The site is located north of the northwest corner of 61st Avenue and Bell Road (17200 North 61st Avenue) and is in the Sahuaro District. Staff Contact: Thomas Ritz, AICP, Senior Planner (623) 930-2588.

REQUEST
General Plan Amendment from Low Density Residential up to 1 dwelling unit per acre and Office to Medium Density Residential up to 5.0 dwelling units per acre.

Rezone from A-1 (Agricultural) and C-O (Commercial Office) to R1-6 PRD (Single Residence with a Planned Residential Development overlay).

This request would allow a 24-lot single family subdivision with all lots at least 4,000 square feet.

APPLICANT/OWNER
Zachary Pebler of Zachary Pebler PLLC / MC AZ Property LLC.

REQUIRED ACTION
The Planning Commission must conduct a public hearing, determine if these requests are in the best long-term interest of the neighborhood, are consistent with the General Plan, and then make a recommendation to the City Council.

BACKGROUND INFORMATION
General Plan Designation:
The property land use designations are Low Density Residential up to 1 dwelling unit per acre and Office.

Property Location and Size:
The property is located at 17200 North 61st Avenue and is approximately 5 acres in size.

History:
The property was annexed to the City of Glendale on September 11, 1979. The southern half of the property was rezoned to C-O (Commercial Office) on February 20, 1985.

Project Details:
The site is currently vacant. The property has a single-family residence with outdoor storage zoned A-1 (Agricultural) to the north, vacant land which is the proposed location of the Hartford Court subdivision and a church which was formerly a movie theater both zoned PAD (Planned Area Development) to the east, a cell tower with a SU (Special Use District Overlay) and medical office building zoned CO (Commercial Office) to the south, and two residences with associated industrial uses zoned C-O (Commercial Office) and A-1 (Agricultural) to the west.

The site is intended to be developed as a 24-lot single-family subdivision. Minimum lot sizes are proposed to be 4,000 square feet. The site is currently divided into 4 parcels. These parcel lines will be eliminated as part of the platting process. As part of the development process, full half street improvements to 61st Avenue will be constructed. The streets will be public, and the cul-de-sac bulb will also be sized to meet the city’s requirements.

Access to the subdivision will be from a single point from 61st Avenue. No lots will front on 61st Avenue, rather access will be from an internal street, 61st Drive. No home builder has been selected and no house product sizes have been determined at this time for the 24 proposed lots.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

Windsor Court is located within the Deer Valley Unified School District (DVUSD). The applicant has met with the school district to ensure that there are adequate school facilities. DVUSD confirmed that the school district has adequate facilities to accommodate the Windsor Court subdivision. A copy of the certificate is provided as an attachment.

CITIZEN PARTICIPATION TO DATE:

Applicant’s Citizen Participation Process:
On September 6, 2018, the applicant mailed notification letters to adjacent property owners and interested parties inviting them to a neighborhood meeting on September 27, 2018 at Greenbriar Elementary School. There was one attendee and no comments or concerns were raised at the formal neighborhood meeting.

Prior to the formal neighborhood meeting, the applicant held an informal neighborhood meeting on January 10, 2018 at Greenbriar Elementary School where the owner of the
property located to the southwest attended and expressed interest in having an 8-foot perimeter wall separating the applicant’s property and their trailer manufacturing facility, to which the applicant is agreeable. Another neighbor contacted the applicant by email to notify the applicant that his water line goes across the property. This concern has been addressed by the applicant by leaving an open area between lots 6 and 7 for the line. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:
A Notice of Public Hearing was published in The Glendale Star on November 15, 2018. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 21, 2018. The property was posted on November 15, 2018.

STAFF FINDINGS AND ANALYSIS

General Plan Amendment
Findings:
- The amendment is consistent with the applicable policies and objectives of the General Plan; and
- The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale.

Analysis:
- The proposed General Plan designation is appropriate for this site and is similar to an adjacent General Plan designation in the area.
- The proposal will be compatible with other existing, planned and anticipated residential densities in the area. If approved, the proposal will develop an underutilized infill site which is currently vacant.
- The proposed project will help aid the city to provide a variety of housing types, styles and options.

Rezoning
Findings:
- The rezoning is consistent with the policies and objectives of the General Plan.
- The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale.
- As the amendment is to the official Zoning Map, the proposed change will include any conditions necessary to mitigate any adverse impacts on the businesses, persons, or properties adjacent to the requested amendment.
- A finding is made that there are adequate school facilities, if the amendment is to the Official Zoning Map, and if Section 3.812 (Adequate School Facilities) is applicable.

Analysis:
- The City's Design Review process reviews and approves the housing products of all subdivisions built within Glendale.
- Stipulations are necessary to ensure appropriate right-of-way dedications and street improvements are completed at time of development.
- The public school district has indicated that adequate school facilities exist for the projected number of students which are a result of the proposed rezoning.
- If approved, the proposal will develop an underutilized infill site which is currently vacant.
RECOMMENDATION
The Planning Commission should recommend approval of request GPA18-05.

The Planning Commission should recommend approval of request ZON18-06 subject to the stipulations recommended by staff.

PROPOSED MOTION
Move to recommend approval of GPA18-05 Windsor Court.

Move to recommend approval of ZON18-06 Windsor Court, subject to the following stipulations:

1. Development shall be in substantial conformance with the applicant’s development booklet received November 20, 2018.
2. The cul-de-sac must be 52.5 foot turning radius.
3. Developer to provide 8’ perimeter wall in the area adjacent to the existing trailer manufacturing operation.

Attachments
Project Narrative
Citizen Participation
Certificate of Adequate School signed by Deer Valley
Statement of Support Hensley
Statement of Support Carlson
Statement of Support Holgate
General Plan Map
Vicinity Zoning Map
Aerial Photo
GPA18-05, ZON18-06 & PP18-04
WINDSOR COURT
17200 N. 61st AVENUE

Project Narrative & Planned Residential Development (PRD) Booklet

Revised: October 11, 2018

Submitted by:

[Zach Pebler
2141 E. Broadway Road, Suite 101
Tempe, AZ 85282
Phone: (480) 390-4542
Email: zpebler@aol.com]
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PROJECT NARRATIVE
WINDSOR COURT
SR-17-0173

1. Introduction:

Zachary A Pebler, PLLC, on behalf of our client MC AZ Property, LLC, is pleased to submit
this project narrative and related exhibits in support of a Minor General Plan Amendment, Rezone and
Preliminary Plat request for a new single-family residential subdivision, just south of Greenbriar Road
on the west side of 61st Ave. which is composed of Parcel #’s 200-48-022C, D, E, F. The subject
property aerial is attached herein as Exhibit A. These four parcels combine to form a project of
approximately 4.99 acres. The north two parcels are currently zoned A-1 and the south two parcels C-
O all in the City of Glendale. The rezoning and General Plan amendment request, if approved will
allow for the development of a twenty four (24) lot, single-family, detached residential subdivision
called "Windsor Court".

2. Existing General Plan Designation and Zoning Classification

As attached herein as Exhibit B, the north two parcels currently have a designation of Low
Density Residential (LDR-1) and the south two parcels contain a designation of Office (OFC) in the City
of Glendale.

3. Request

Our requests to the City of Glendale will be:
  a) A minor general plan amendment from LDR-1 and OFC to Medium Density
      Residential 3.5 - 5.0 du/acre (MDR-5)
  b) A rezoning from A-1 and C-O to R1-6 with a PRD Overlay
  c) Site Plan Approval
  d) Preliminary Plat Approval

These requests, if approved will accommodate the development of a 24-lot single-family
detached community on 4.99 acres with almost 24% open space and amenities. A copy of the
Conceptual Site Plan is attached as Exhibit C of this narrative. This project will yield a density of 4.80
dwelling units per acre.
4. **Existing Site Conditions**

The site is presently vacant and unremarkable in topography. The property is not long in depth off of 61st Avenue frontage. The property is frontage dominant along 61st Avenue. This created challenge to the site plan options.

5. **Relationship to Surrounding Properties**

The property is bound to the north by a A-1 zoned construction storage yard. To the west is a A-1 zoned property utilized by a commercial HVAC company for office and yard. To the south of that parcel still to the west of the subject property is a C-O zoned property utilized as a commercial trailer fabrication business. To the south is a sliver parcel that serves as an access to a cellphone tower zoned SU. Across 61st Ave. is Calvary Church. Just north of that is Hartford Court by Newmark Homes. A single family residential subdivision with more density than we are proposing.

The conversion of this property from a vacant lot to a residential community will add to the diversity of housing stock in the area. If approved, this project will create and start an excellent transition from the commercial and offices that front Bell Road north to the residential communities to the north. The site provides an ideal location for a quality infill residential development.

6. **General Plan Analysis**

The proposed development of this property is consistent with the Medium Density Residential (MDR-5) Land Use Designation as described in the General Plan. The General Plan states that it should "provide a suburban lifestyle with planned single family residential communities. We hope to garner support from the City of Glendale staff for the deviation from the General Plan. The site is adjacent on all four sides to functioning businesses. To the south a cell tower, to the southwest a trailer manufacturer, to the northwest an HVAC company, and to the north a construction office and yard. It is highly likely when 2 of the 3 properties (HVAC and construction company) sell, those will revert back to residential and more than likely the lots will be split to maximize investment. Bell Road has seen tremendous commercial development in the last several years. In a highly competitive commercial market and where visibility is critical, our clients property is at a tremendous disadvantage. Overall, this area is a transitional area where it doesn't have a overall theme. We are offering a vision and a plan to improve the transition from commercial to residential, by providing a beautiful boutique community similar to the Hartford Court community approved across the street.

7. **Design Intent**

As previously noted, this community is proposed to have twenty four (24) single-family detached homes. The typical lot size is 45' x 90-100' with a average square footage of 4,269 sq.ft. The main entry will be flanked by two large open space areas that will also function as retention. The streets within Windsor Court will be public. The community is designed with two cul-de-sacs on the north and the south side of the community. A designed community gathering area is highlighted in the north culd-de-sac and green belt area. This amenity is complete with a ramada and outdoor BBQ and gaming area with the all popular bag toss. Walking paths can be found at the ends of each side of the community to promote interconnectivity to all the Bell Road corridor has to offer! This will create the feeling of a private, quaint, and quiet boutique community.
8. Development Standards

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<tr>
<td>Min. Net Lot Area (sf):</td>
<td>6,000</td>
<td>4,000 minimum (average lot is 4,269 sq.ft)</td>
</tr>
<tr>
<td>Min. Width (ft):</td>
<td>60</td>
<td>45</td>
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<tr>
<td>Min. Depth (ft):</td>
<td>100</td>
<td>90</td>
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<tr>
<td>Min. Front Setback (ft):</td>
<td>15 or 20 (garage)</td>
<td>15ft yard &amp; 20 ft. garage</td>
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<tr>
<td>Min. Rear Setback (ft):</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Min. Side Setback (ft):</td>
<td>5 or 15 ft separation adjacent lots w/ homes</td>
<td>5 or 10 ft separation adjacent lots w/homes</td>
</tr>
<tr>
<td>Min. Street Side Setback (ft):</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Max. Structure Height (ft):</td>
<td>30 w/ 2-story maximum</td>
<td>30 w/ 2-story maximum</td>
</tr>
<tr>
<td>Max. % Lot Coverage:</td>
<td>40</td>
<td>50</td>
</tr>
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</table>

With our application submission we are asking the City of Glendale to allow our PRD to deviate from the R1-6 zoning standards on a few categories. The first is the minimum lot size. Windsor Court is asking for a slightly smaller lot. However, in exchange for this accommodation, the overall density of the project is below 5.0 du/acre with nearly 24% open space. Naturally, with a smaller lot our PRD request will ask for a deviation in minimum lot width and depth to be 45 feet and 90 feet respectively. The PRD request for sideyard setbacks will be in-line as approved in case precedent across 61st Ave. at Hartford Court. Our PRD is requesting a 5 foot sideyard setback which will provide for a 10 foot minimum separation between buildings on adjacent lots. Lastly, the PRD is calling for a slight increase 50% lot coverage.

9. Design Intent

As previously stated, the goal is to build a detached single-family home community designed to attract new millennials, empty nesters or anyone that prefers a home with little yard maintenance. We envision our product buyer to be more attuned to spending their free time exploring the outdoors and the excellent retail shops, coffee shops, restaurants, and bars along the Bell Road corridor.

10. Conclusion

The proposed Windsor Court subdivision will be a quality addition to the area by bringing a high quality housing product with diversity in lot size and superior community and home design. This project is an excellent transition and in-fill project for the City of Glendale. The applicant and property owner look forward to working with the City of Glendale.

Enclosed: Exhibit A - Aerial
Exhibit B - General Plan Map #5
Exhibit C - Projected Site Plan

Thank you,

Zachary Pebler
LEGAL DESCRIPTION

Parcel No. 1:

The South half of the North half of Lot 22 of the Southeast quarter of Section 31, Township 4 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, oil, gas and other mineral deposits in said land as reserved to the United States of America, in the Patent to said land; and

EXCEPT all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the United States of America in the Patent to said land.

Parcel No. 2:

The North half of the North half of Lot 22 of the Southeast quarter of Section 31, Township 4 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, oil, gas and other mineral deposits in said land as reserved to the United States of America, in the Patent to said land; and

EXCEPT all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the United States of America in the Patent to said land.

Parcel No. 3:

The North half of the South half of Lot 22 of the Southeast quarter of Section 31, Township 4 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, oil, gas and other mineral deposits in said land as reserved to the United States of America, in the Patent to said land; and

EXCEPT all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the United States of America in the Patent to said land.

Parcel No. 4:

The South half of the South half of Lot 22 of the Southeast quarter of Section 31, Township 4 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, oil, gas and other mineral deposits in said land as reserved to the United States of America, in the Patent to said land; and

EXCEPT all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved to the United States of America in the Patent to said land.
RECORDING REQUESTED BY:
Grand Canyon Title Agency, A division of FNIA

AND WHEN RECORDED MAIL TO:
MC AZ Property, LLC, an Arizona LLC

ESCROW NO.: 42020453-042-DO

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration,
Liviu Mihulet, a married man, as his sole and separate property
("Grantor") conveys to
MC AZ Property, LLC, an Arizona LLC Limited Liability Company
the following real property situated in Maricopa County, Arizona:
See Exhibit A attached hereto and made a part hereof.

Affidavit and Fee exempt under A.R.S. 11-1134-B7

SUBJECT TO: Current taxes and other assessments, reservations in patents and all
easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations,
and liabilities as may appear of record.

Grantor warrants the title against all persons whomsoever, subject to the matters set forth
above.

Dated: September 29, 2015

Grantor(s):

Liviu Mihulet 9/29/15
NOTARY ACKNOWLEDGMENT(S) TO WARRANTY DEED

State of Arizona, } ss:
County of Maricopa },

The foregoing document was acknowledged before me this 29 day of September 2005

by Liviu Mihulet

(Seal)
My commission expires: 11-25-2016

C. Williams
Notary Public

Maricopa County
My Commission Expires November 28, 2018

Unofficial Document
PRELIMINARY GRADING PLAN
FOR
WINDSOR COURT SUBDIVISION
GLENDALE, ARIZONA

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 NORTH,
RANGE 2 EAST, OF THE 2ND ADDITION TO THE CITY AND COUNTY OF HERITAGE,
MARICOPA COUNTY, ARIZONA
NORTH OF BEL Road AND 43ST AVENUE
CITIZEN PARTICIPATION
FINAL REPORT

WINDSOR COURT
ESTIMATED ADDRESS: 17300 N. 61ST AVE. GLENDALE 85308
PARCEL #s 200-48-022F, E, C, D
WEST SIDE OF 61ST AVE. SOUTH OF GREENBRIAR DR.
GPA18-05 & ZON18-06

PREPARED BY:
ZACHARY PEBLER

October 11, 2018

APPROVED

City of Glendale
Planning Department

Zachary A Pebler
president
direct: 480-330-4542  office: 480-777-4500  email: zapebler@aol.com
Project Description: Our office has been hired by the property owner to apply for a minor General Plan amendment, Rezoning and Preliminary Plat application. The property consists of four different parcels and two parcels indicate a property address of 17300 N. 61st Ave. Glendale, AZ. 85308. This is on the west side of 61st Ave. half way between Bell Road and Greenbriar Drive in the Sahuaro Council District of Glendale.

The planned residential community will include parcel #'s 200-48-022C, -022D, -022E, and -022F. These four parcels combined equal 4.99 acres total. The parcels are currently zoned A-1 and C-O.

The proposed development consists of 24 residential lots with typical dimensions of 45' by 90'. Lot setbacks are designed to be 5' feet on the side yards with 20' feet in the back and 15' feet in the front. The streets will be 32' back of curb to back of curb with a 4' sidewalk along both sides. The project includes almost 24% open space. Storm-water retention for the project is provided in two surface retention basins. Proposed zoning is R1-6 w/ Planned Residential Development (PRD) overlay.

Elements of the Citizen Participation Plan: As part of the plan we sent out notifications for a Neighborhood Meeting on Thursday, October 11th, 2018 at 6:00 pm at Greenbriar Elementary School. This was the same venue we held our initial informal meeting. The notifications went out to every property owner within the 300 foot buffer of the project as approved and requested by Planner Paul Whalen in the Citizen Participation Plan. In addition, as approved in the Citizen Participation Plan, notifications went out to the Mayor's Office, our Councilman's office, and to the Planning Department alerting Mr. Whalen and Ms. Diana Figueroa. A list of "Interested Parties" as supplied within the approved Citizen Participation Plan was alerted of the meeting, and it was determined there were no Homeowners Associations or Neighborhood Groups to notify with exception to those cited in the "Interested Parties".

From the initial and informal meeting our only public attendee's were Karen and David Hammer, address 17033 N. 63rd Ave. They are the property neighbors to the southwest of this property. Their main concern was they requested an 8 foot perimeter wall which we accommodated in the current site plan. We were ready to present the change to the Hammer's at the official meeting but they did not appear. They followed up with an email which is attached herein.

Notification Date: Mailing notifications for the official Neighborhood Meeting went out September 6, 2018. The Neighborhood Notification Letter Affidavit of Mailing was filled out, signed, notarized and mailed to Mr. Paul Whalen on September 7th, 2018. SEE APPENDIX FOR COMPLETE LIST OF NEIGHBORS, INTERESTED PARTIES, AND CITY OF GLENDALE STAFF

Map of Notified Residents: SEE NEXT PAGE of all neighbors within the approved buffer from the Citizen Participation Plan.
**Dates & Locations of Meetings:** After our pre-application meeting with the City of Glendale Staff, to assure we were on the right direction with the neighbors and interested parties within the City of Glendale we held an informal meeting on Thursday, January 10th, 2018 at 6:00 pm at Greenbriar Elementary School. Then on Thursday, September 27th, 2018 we held our official Neighborhood Meeting as approved in the Citizen Participation Plan at Greenbriar Elementary School again, which is located at 6150 W. Greenbriar Dr., about a 1/2 mile from the project.

**People Notified vs. Peron's Participated:** 61 people or groups were sent notifications. One citizen and Mr. Paul Whalen and Mr. David Williams from the City of Glendale Planning Department showed up for our formal meeting. One neighbor called Zachary Pebler a few days prior to the meeting via phone. And one neighbor emailed Zachary Pebler the next day after the neighborhood meeting.

**Concerns, Issues, Problems:** The one citizen that showed up to the meeting was a faculty member of the school and was just curious of the project. She expressed no concerns, issues, or problems, and didn't live within the buffer of the project. The Hammer family via email (Exhibit "A" herinafter) expressed concern the current perimeter wall on the west side of the project is deemed too short. In addition, they reiterated they operate a business and tend to start work early in the summer hours in which noise from the business may or may not be heard. They expressed a preference for 1-story homes on the west side of the project. General dust concerns were discussed via email with the Hammer family also. Don Hensley, the gentleman that called Zachary Pebler via phone just wanted to confirm we were aware his water line goes across the subject property to 61st Ave.

**Strategy for Concerns:** We directly dealt with the concern of the west wall in our Preliminary Plat; as it fulfills everyone's request of it being 8 feet tall. We will directly deal with disclosure of surrounding land uses and businesses via a Public Report as required by the Arizona Department of Real Estate. Regarding housing product, Zachary Pebler warned the Hammer family that 2-story homes are a strong likelihood but could offer additional landscape packages for the families that buy homes along the west wall. General dust concerns are just hypothetical concerns and dispute or complaint procedure was explained in detail and was communicated it is taken up through Maricopa County. Mr. Hensley's water line concern is already addressed in the Preliminary Plat between lots #6 & #7 calling out a waterline easement.

At this point there are real no issues or problems we have not addressed. Furthermore, the proposal doesn't warrant a revision based on the voiced concern. There are no objections specifically to the General plan Amendment, the rezoning or the preliminary plat as presented to the public.
From: Zachary Pebler <zapebler@aol.com>
To: karen <karen@flemingtrailers.com>
Subject: Re: West side of 61st Avenue north of Bell
Date: Fri, Sep 28, 2018 8:06 am

Karen,

Don Hensley the neighbor to the north of you called me early last week with a concern of his water supply that goes out to 61st Ave. over this property. He asked what we were doing to make sure we didn't interrupt him or cut his feed. I told him we have that accommodated between Lot #6 & #7 with a landscape and utility tract to accommodate. Other than that, it has been silent.

Regarding the spinning brodies, when I drove by the site on the way to the meeting I saw that the fence was pushed over in the southeast corner and it appeared that fresh tire tracks had been laid down. So that was my exact suspicion. I just hung up from a conference call with the owner. I mentioned this and he is going to get his handy man up to repair that fencing ASAP. I apologize.

Zack

Zachary A. Pebler, PLLC.
Pebler Equities, LLC.
Office: 480-321-8149
Direct: 480-390-4542

-----Original Message-----
From: karen <karen@flemingtrailers.com>
To: 'Zachary Pebler' <zapebler@aol.com>
Sent: Fri, Sep 28, 2018 7:41 am
Subject: RE: West side of 61st Avenue north of Bell

Yes we remember your family having a ranch – thank you so much for your quick reply. We had a meeting in Mesa and got stuck coming back. The lady janitor there said we just missed you and she had your card and said you were a very nice man. So we will be sure to not have any other conflicts the next time. We were sad to hear from you (and from the janitor) that there were not many in attendance. We’ve talked with our other neighbors around there and they seemed to be interested in being included in the process but I guess that wasn’t the case. So thank you again and my husband and I will look at all this and get back to you if we have questions. We wondered if it was moving forward as the Available sign was still on it – we had someone get into the property a few weeks ago spinning brodies in the dirt! 😁

“There is no limit to the amount of good you can do if you don’t care who gets the credit.”
· Ronald Reagan

Karen Hammer
Vice President
Fleming Trailers Inc.
602-938-2513
From: Zachary Pebler <zapebler@aol.com>
Sent: Friday, September 28, 2018 5:35 AM
To: karen@flemingtrailers.com
Cc: zapebler@aol.com
Subject: Re: West side of 61st Avenue north of Bell

Good morning Karen,

Of course I remember you, my family has a few Fleming trailers on our cattle ranch! Since you and Mr. Hammer were the only ones to show up last meeting, I thought I was going to see you again. With that I brought the initial meeting minutes to prepare to discuss what has transpired since then.

General update on the project is we decreased the density of the overall project to under 5 homes per acre. This meets the City of Glendale standard from our single family residential zoning. In addition, we increased our open space, retention and amenity area to almost 25%. This is about 30% more than required by city standard. We decreased our overall lot number down to 24 lots. I think the land plan we initially met about was either 27 lots or 28 lot. We also increased our lot width. Attached is the new land plan and landscape plan.

From our initial meeting on 1/10/18 the concerns/suggestions I have in minutes from you and your husband were/are:

1. You requested we install a 8 foot perimeter wall between the project and your property. We call for that in the preliminary plat attached. You will see that notation on the lot line remarks on your property.

2. You disclosed your business starts early in the morning and extra early in the summer. As discussed in the initial meeting that is well and fine for us. We are required to disclose many things and one is surrounding businesses in a Public Report to every potential buyer in the community. This report is required by the Arizona Department of Real Estate.

3. You mentioned a preference for 1-story homes that back to your property. At this point I can comment on that as the developer has only interviewed architects and hasn't started on product. I will say though, from the discussions I have been privy to the intention is to build all 2-story homes at a height that is compliant to city standard. However, with that, tall tree landscape packages are going to be encouraged along the west side of the project.

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I'm sorry you missed last night but you didn't miss anything. We had just one person show up who was a teacher at the school and just curious about what was going in on the project. She stayed for maybe 5 minutes. I had Paul Whalen our current city planner in attendance and David Williams the Planning Director there to introduce himself.

Moving forward, the project will come to a public vote at Planning Commission and City Council. I don't have dates for those yet but you will be notified. I suspect it will be in the December month.
Let me know if any other issues or concerns has arisen since we last met and I will do my best to address them!

Thank you,

Zack Pebler

Zachary A. Pebler, PLLC.
Pebler Equities, LLC.
Office: 480-321-8149
Direct: 480-390-4542

-----Original Message-----
From: karen <karen@flemingtrailers.com>
To: zapebler <zapebler@aol.com>
Sent: Thu, Sep 27, 2018 7:28 pm
Subject: West side of 61st Avenue north of Bell

I don’t know if you remember us. We own Fleming Trailers to the west of the project on 61st Avenue. We came for the meeting tonight to find that we were too late. We were stuck in traffic and didn’t arrive until 6:50. Is it possible for you to update us on the meeting? We are very interested in what is going on with the property to the East of us and would greatly appreciate any information you can provide to us since we missed the meeting. Thank you for your time.

“There is no limit to the amount of good you can do if you don’t care who gets the credit.”
- Ronald Reagan

Karen Hammer
Vice President
Fleming Trailers Inc.
602-938-2513
September 3rd, 2018

Zachary Pebler
2141 E. Broadway Rd. #101
Tempe, AZ. 85282
zapebler@aol.com

Subject: West side of 61st Ave. north of Bell Rd. and south of Greenbriar Dr.

Dear Neighbor,

This letter is to inform you that our office has been hired by the property owner to apply for a general plan amendment, rezoning, and preliminary plat application. The property consists of four different parcels and two parcels indicate a property address of 17300 N. 61st Ave. Glendale, AZ. 85308. This is on the west side of 61st Ave. half way between Bell Road and Greenbriar Drive in the Sahuarita Council District.

The planned residential community will include parcel #’s 200-48-022C, 200-48-022D, 200-48-022E, 200-48-022F. These four parcels combine to form a master site approximately 330’ by 655’ which equals 4.99 acres total. The parcels are currently zoned A-1 and C-O. To the north of the property is a storage yard, zoned A-1. To the west of the property is a storage/industrial uses, zoned A-1 and C-O. To the south is an access road to a cell tower site, zoned A-1 and an office building east of that residential property, zoned C-O. Across 61st Avenue, east of the subject site is vacant land, the north portion having a approved preliminary site plan for approximately 3950 sq. ft. single family lots, called "Hartford Court".

The proposed development, "Windsor Court", consists of 24 residential lots with typical dimensions of 45’ wide with depths of 90-100’. Lot setbacks are designed to be 5’ feet on the side yards with 20’ feet in the back and 15’ feet in the front. The streets will be 50’ right-of-way, public streets with a 5’ sidewalk along both sides. The project includes 46,601 square feet of common area. Storm-water retention for the project is provided in two surface retention basins. Proposed zoning is Planned Residential Development (PRD).

The purpose of the request is to bring new housing product to this unique in-fill location. We seek to work closely with City planning staff and the neighborhood to create a balanced community. I have included a site plan with this letter for your review. A neighborhood meeting will take place at Greenbriar Elementary School on September 27th, 2018 at 6:00 pm. Comments and questions will be accepted at this time. If you are unable to attend, please write, email, or call me at the contact info provided above. You may also contact Paul Whalen with the City of Glendale at (623) 930-2597.

Sincerely,

Encl: Site Plan & Exhibit
Formal Neighborhood Meeting
Windsor Court
9/27/18
6:00 pm
Greenbriar Elementary

Meeting Minutes

6:00 pm

Meeting is started. Zack Pebler calls the meeting to begin. One person is in attendance. She explains she doesn't live in the buffer zone of the project and is just an interested faculty member at the school but does live in the area.

1. Janeen (last name or address) email: jcarlson03@cox.net

The project is introduced and explained.

6:05 pm

Paul Whalen, City Planner appears and Pebler makes introductions for the attendee and Mr. Whalen. We discuss the project and the city process to Janeen. She makes it clear she has no opposition and was just a curious mind.

Pebler discloses to Mr. Whalen, Mr. Don Hensley, address 17225 62nd Ave., which is contiguous to the project to the west called Pebler on Monday, September 10th to discuss his water line. The water line goes across the project property and feeds into his property. Pebler explained that city staff and Pebler are aware of this and has accommodated for it. Pebler explains that a 20 foot wide water easement line is reflected in the preliminary plat between Lots #6 and #7 to maintain the service. Mr. Hensley was satisfied at the resolution of the conversation.

6:10 pm

Mr. David Williams, Planning Administrator appears and Mr. Whalen introduces Pebler to Mr. Williams. Janeen is also is introduced. Janeen then exits while thanking us for our time and education on the matter.

6:45 pm

It is clear no other neighbors or concerned citizens will show. Meeting is adjourned.
7:58 pm

Pebler receives an email from Karen Hammer, address 17033 N. 63rd Ave. explaining they missed the meeting due to a schedule conflict. Attached is the full email conversation. It is just an overall update from the initial neighborhood meeting held 1/10/18

THESE MEETING MINUTES ARE DEEMED TO BE TRUTHFUL AND CORRECT BY THE OFFICE OF ZACHARY A PEBLER, PLLC. AND THE REPRESENTATIVE FROM THE COMPANY.

[Signature]
Name: Zachary Peler
Date: 1/26/18
From: Zachary Pebler <zapebler@aol.com>
To: karen <karen@flemingtrailers.com>
Subject: Re: West side of 61st Avenue north of Bell
Date: Fri, Sep 28, 2018 8:06 am

Karen,

Don Hensley the neighbor to the north of you called me early last week with a concern of his water supply that goes out to 61st Ave. over this property. He asked what we were doing to make sure we didn’t interrupt him or cut his feed. I told him we have that accommodated between Lot #6 & #7 with a landscape and utility tract to accommodate. Other than that, it has been silent.

Regarding the spinning brodies, when I drove by the site on the way to the meeting I saw that the fence was pushed over in the southeast corner and it appeared that fresh tire tracks had been laid down. So that was my exact suspicion. I just hung up from a conference call with the owner. I mentioned this and he is going to get his handy man up to repair that fencing ASAP. I apologize.

Zack

Zachary A. Pebler, PLLC.
Pebler Equities, LLC.
Office: 480-321-8149
Direct: 480-390-4542

-----Original Message-----
From: karen <karen@flemingtrailers.com>
To: 'Zachary Pebler' <zapebler@aol.com>
Sent: Fri, Sep 28, 2018 7:41 am
Subject: RE: West side of 61st Avenue north of Bell

Yes we remember your family having a ranch – thank you so much for your quick reply. We had a meeting in Mesa and got stuck coming back. The lady janitor there said we just missed you and she had your card and said you were a very nice man. So we will be sure to not have any other conflicts the next time. We were sad to hear from you (and from the janitor) that there were not many in attendance. We’ve talked with our other neighbors around there and they seemed to be interested in being included in the process but I guess that wasn’t the case. So thank you again and my husband and I will look at all this and get back to you if we have questions. We wondered if it was moving forward as the Available sign was still on it – we had someone get into the property a few weeks ago spinning brodies in the dirt! 😊

"There is no limit to the amount of good you can do if you don’t care who gets the credit."
· Ronald Reagan

Karen Hammer
Vice President
Fleming Trailers Inc.
602-938-2513

https://mail.aol.com/webmail-std/en-us/PrintMessage
From: Zachary Pebler <zapebler@aol.com>  
Sent: Friday, September 28, 2018 5:35 AM  
To: karen@flemingtrailers.com  
Cc: zapebler@aol.com  
Subject: Re: West side of 61st Avenue north of Bell

Good morning Karen,

Of course I remember you, my family has a few Fleming trailers on our cattle ranch! Since you and Mr. Hammer were the only ones to show up last meeting, I thought I was going to see you again. With that I brought the initial meeting minutes to prepare to discuss what has transpired since then.

General update on the project is we decreased the density of the overall project to under 5 homes per acre. This meets the City of Glendale standard from our single family residential zoning. In addition, we increased our open space, retention and amenity area to almost 25%. This is about 30% more than required by city standard. We decreased our overall lot number down to 24 lots. I think the land plan we initially met about was either 27 lots or 28 lot. We also increased our lot width. Attached is the new land plan and landscape plan.

From our initial meeting on 1/10/18 the concerns/suggestions I have in my minutes from you and your husband were/are:

1. You requested we install a 8 foot perimeter wall between the project and your property. We call for that in the preliminary plat attached. You will see that notation on the lot line remarks on your property.

2. You disclosed your business starts early in the morning and extra early in the summer. As discussed in the initial meeting that is well and fine for us. We are required to disclose many things and one is surrounding businesses in a Public Report to every potential buyer in the community. This report is required by the Arizona Department of Real Estate.

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Moving forward, the project will come to a public vote at Planning Commission and City Council. I don’t have dates for those yet but you will be notified. I suspect it will be in the December month.
NEIGHBORHOOD NOTIFICATION LETTER

AFFIDAVIT OF MAILING

Case No. (if available) GPA-18-05-4 ZON-18-016

Project Name: Windsor Court

I, Zachary Parker, certify that I am the authorized applicant/representative to the City of Glendale for the above application, and do hereby affirm that notice as required for the case noted above has been completed in accordance with the Citizen Participation Process in the City of Glendale’s Zoning Ordinance, and a copy of the letter and mailing labels has also been submitted.

Applicant/Representative Signature: ________________________________

STATE OF ARIZONA

COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 7th day of September, 2018.

Notary Public

My Commission Expires: 7/29/2026

KELLY M. STOUT
Notary Public - Arizona
Maricopa County
My Comm. Expires Jul 29, 2020
September 26, 2018

ZACHARY A PEBLER
PEBLER EQUITIES
2141 E BROADWAY RD #101
TEMPE, AZ 85282

Dear Mr. Pebler,

CalvaryPHX is a church of 5,000 members in the northwest valley. One of our campus locations is a 44,000 sf facility at 6060 W Bell Road in the Gateway Village Shopping Center. We are directly east of the southern part of your WINDSOR COURT project across 61st Avenue. We are pleased to see these plans and support this development as the best use of that vacant land.

I am writing to express our support for the project in case we cannot have a representative at the neighborhood meeting on September 27th. We hope that you are successful in bringing this welcome improvement to the area.

Best Regards,

[Signature]

Dan Holgate
Executive Pastor

J. Mark Martin, Pastor/Teacher
www.calvaryphx.com • 12612 N. Black Canyon Hwy • Phoenix, AZ 85029 • Phone (602) 973-4768 • calvary@calvaryphx.com
Certification of Adequate School Facilities
for
Residential Rezoning – Glendale, Arizona
Revised November 2001

Glendale City Ordinance No. 2104 applies to applications for residential rezoning which will increase the projected number of students for any school district’s attendance area. This includes applications for rezoning which change zoning classifications from non-residential to residential and rezonings, which change residential zoning classifications to a higher density classification.

To be completed by City Staff

City Staff Contact: Paul Diakos
Property Address: 6730 W. 91st Ave. N, North of Bell Rd, South of Greenbriar
Property Size: 7.99 acres
Existing Zoning: C-2 A-4.1
Proposed Zoning: C-1 C-1 P O
Existing Dwelling Unit Potential: Single Family: 0 Multi-Family: 0
Proposed # of Dwelling Units: Single Family: 24 Multi-Family: 0
Net Increase in Dwelling Units from Existing Zoning:
  Single Family: 24 Multi-Family: 0

Affected School District(s):
  Elementary: Deer Valley
  Middle: "
  High School: "

Impacted School(s):
  Elementary: Greenbriar
  Middle: Highland Lakes
  High School: Deer Valley High

Applicant/Contact for Rezoning Application: Paul Diakos
Address: 2411 E. Broadway Rd #111, Tempe, AZ 85281
Telephone: 480-321-8149
Fax: 480-321-8149
Email: pdiakos1@eao1.com

Sent for Certification to: Julie Higginbotham
Referred Date: 8/22/16
Response Deadline: 9/13/16
Response Date: 8/27/16

If no response is received by this date, it will be assumed that there are adequate school facilities for the proposed rezoning.
Certification of Adequate School Facilities
for
Residential Rezoning – Glendale, Arizona
Revised November 2001

To Be Completed By School Official (Choose One)

1. X The school district has adequate facilities to accommodate the projected number of new students within the school district attendance area that will be generated by this rezoning request.

2. The school district will have adequate school facilities by a planned capital improvement to be constructed within one (1) year and located within the school district's attendance area affected by this residential rezoning request.

3. The school district has determined an existing or proposed charter school can provide adequate school facilities.

4. The applicant and the school district have entered into an agreement to provide, or help to provide, adequate school facilities in a timely manner within the school district's attendance area affected by this residential rezoning request. Details of this agreement are not required.

5. The school does not have adequate school facilities to accommodate projected growth attributable to the rezoning.

If response number five (5) is selected, please provide specific details regarding the factors contributing to the lack of adequate facilities as related to the School Facilities Board Guidelines. Indicate where facilities are not adequate. Attach additional details as necessary.

A. School Site
B. Academic Classroom Space
C. Classroom Fixtures and Equipment
D. Libraries and Media Centers
E. Auditoriums and Multipurpose Rooms
F. Technology
G. Transportation
H. Science Facilities
I. Arts Facilities
J. Vocational Educational Education Facilities
K. Physical Education-Comprehensive Health Program
L. Other School Facility Areas and Equipment
   a. Compliance with Building Codes
   b. Building Systems
   c. Building Soundness
   d. Minimum Cross Square Footage
   e. Critical Health or Safety Issues

School District: DEER VALLEY USA
Representative Name (Please Print): JAMES E. MILLER
Representative Signature:
Title: SUPERINTENDENT
Date: 9/22/2001
Application No.: GPA 12-03

The completed Certification of Adequate School Facilities should be forwarded to:
Planner Name, Title: PATTI WOHLERS, Senior Planner
City of Glendale Planning
5850 West Glendale Avenue, Suite 212
Glendale, Arizona 85301
STATEMENT OF SUPPORT  
“Windsor Court” – 61st Ave. & Bell Rd.

I am in support of the proposed Minor General Plan Amendment, Rezoning, and Preliminary Plat request for approximately 4.99 gross acres located at 17200 N. 61st Avenue on the west side of 61st Avenue and north of Bell Road in Glendale, AZ. It is my understanding that the rezoning request, if approved, will allow for the development of a quality 24-lot single-family residential community with a total density of 4.8 du/acre.

I have taken the time to review and understand the proposed project and rezoning. I am a resident or property owner of Glendale, AZ and live adjacent to or near the project site. I believe the proposed density and community design will not burden the neighborhood and fits appropriately with the existing development in the area.

Signature  

Printed Name  Don C. Hensley

Street Address 17225 N 63rd Ave

City Glendale Zip Code 85308

Phone Number 602-826-9531

Email dhensley@forrestanderson.net

Date 11-6-2018
STATEMENT OF SUPPORT
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Signature: [Signature]

Printed Name: Jim Carlson

Street Address: 7725 East Evans Road

City: Scottsdale, AZ  85260

Phone Number: (480) 505-4600

Email: jcarlson@newmarkhomes-az.com

Date: 11/07/2018
September 26, 2018

ZACHARY A PEBLER
PEBLER EQUITIES
2141 E BROADWAY RD #101
TEMPE, AZ 85282

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Best Regards,

[Signature]
Dan Holgate
Executive Pastor
GENERAL PLAN AMENDMENT FROM LDR 1 (LOW DENSITY RESIDENTIAL, 0-1 DU/AC) TO MDR 5 (MEDIUM DENSITY RESIDENTIAL, 3.5-5 DU/AC).
REQUEST
REZONE FROM A-1 (AGRICULTURAL) TO R1-6 PRD (SINGLE RESIDENCE, PLANNED RESIDENTIAL DEVELOPMENT).

LOCATION
17200 N. 61ST AVENUE
WINDSOR COURT
GENERAL PLAN AMENDMENT & REZONING
(GPA18-05 & ZON18-06)

Aerial Date: May 2017